

His Worship the Mayor
Councillors
CITY OF MARION

NOTICE OF GENERAL COUNCIL MEETING

Council Chamber, Council Administration Centre
245 Sturt Road, Sturt

Tuesday, 11 September 2018 06:30 PM

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

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 Centre on Sturt Road, Sturt.



Adrian Skull
Chief Executive Officer



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OPEN MEETING

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 (if any)

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 28 August 2018

Originating Officer	Governance Officer - Victoria Moritz
Corporate Manager	Manager Corporate Governance - Kate McKenzie
Report Reference:	GC180828

RECOMMENDATION:

That the minutes of the General Council Meeting held on 28 August 2018 be taken as read and confirmed.

ATTACHMENTS:

#	Attachment	Type
1	GC180828 - Minutes - 28 August 2018	PDF File

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 28 AUGUST 2018**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland (from 7.09pm)

Mullawirra Ward

Jason Veliskou

Jerome Appleby (from 7.08pm)

Southern Hills

Janet Byram (from 7.08pm)

Nick Westwood

Warracowie Ward

Bruce Hull

Nathan Prior

Warriparinga Ward

Raelene Telfer

Luke Hutchinson

Woodlands Ward

Tim Pfeiffer

In Attendance

Mr Adrian Skull

Ms Abby Dickson

Mr Tony Lines

Mr Vincent Mifsud

Ms Kate McKenzie

Ms Jaimie Thwaites

Chief Executive Officer

General Manager City Development

General Manager City Services

General Manager Corporate Services

Manager Corporate Governance

Unit Manager Governance and Records (minute taker)

1. COMMENCEMENT

The meeting commenced at 6.30pm

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

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

Nil declarations were made.

5. COMMUNICATIONS

Mayoral Communication Report Report Reference GC180828

Date	Event	Comments
20 July 2018	Australian Friends of Palestine Association AGM	Attended
21 July 2018	Sturt Pistol & Shooting Club AGM	Attended
22 July 2018	Bangladesh Community Function	Attended
24 July 2018	Appleby Reserve Opening	Attended, gave speech
25 July 2018	Active Elders Christmas in July Celebrations	Attended
25 July 2018	Hallett Cove Business Association Event	Attended
26 July 2018	Unsung Heroes Awards Presentation	Presented awards
28 July 2018	Fruit Tree Planting Morning at Parsons Grove Reserve	Planted fruit trees
29 July 2018	Rima's Luncheon Fundraiser	Attended
29 July 2018	Hamilton Reserve Community Consultation	Attended
30 July 2018	Oaklands Crossing Milestone Celebration	Attended
3 August 2018	Trott Park Neighbourhood Centre: Blokes' Brekky	Attended
3 August 2018	Galleon Theatre Group 50th Birthday Celebration	Attended, gave speech
5 August 2018	The Marion Art Group's Sala Exhibition	Attended, gave speech
9 August 2018	Foreign Affairs Magazine Interview	Interviewed
10 August 2018	Hendrie Street Inclusive Playground Opening	Opening playground with His Excellency the Governor Hieu Van Le
10 August 2018	Gallery M: Contemporary Prize Exhibition Opening	Opened exhibition
13 August 2018	Australia Day Council: Inspiring South Australian Women	Attended
14 August 2018	Marion Historic Village Museum AGM	Attended, opened new exhibit

14 August 2018	Hallett Cove Meals on Wheels BBQ & AGM	Attended, gave speech
15 August 2018	George Megalogenis Speech	Attended
18 August 2018	Rotary MOSH Comedy Night	Hosted table
23 August 2018	Coast FM Radio Segment	Interviewed on air
23 August 2018	Cheque Presentation by the Hon Corey Wingard MP to the Plympton Sports & Recreation Club	Attended

In addition, the Mayor has met with residents, MPs, Candidates and with the CEO and Council staff regarding various issues. In addition, the Mayor has met with residents, MPs, Candidates and with the CEO and Council staff regarding various issues.

Moved Councillor Pfeiffer, Seconded Councillor Telfer that the Mayoral Communication Report be received.

Carried Unanimously

**CEO and Executive Communications Report
Report Reference GC180828**

Date	Activity	Attended By
26 July 2018	Oakland's Park Cancer Cluster Session with SA Health	Adrian Skull
26 July 2018	Meeting with Westminster School regarding proposed development application	Adrian Skull
26 July 2018	Unsung Heroes Awards presentation	Adrian Skull
27 July 2018	Meeting with Scentre Group regarding Hotel Eol	Abby Dickson
30 July 2018	Meeting with Mark Dowd City of Onkaparinga	Adrian Skull
31 July 2018	Fleet Optimisation Review	Vincent Mifsud
1 August 2018	SRWRA site tour	Tony Lines
1 August 2018	Meeting with Southern Adelaide Economic Development Board	Adrian Skull Abby Dickson
2 August 2018	Meeting with Adrian Skull, Janet Byram, Scott Marshall and Colleague (Total Beach Access)	Adrian Skull
2 August 2018	Meeting with Adrian Skull, Mark Dowd, Nikki Govan and Nick Leaver re NDIS Opportunity	Adrian Skull
2 August 2018	Meeting with Amanda Rishworth MP & SAEDB	Adrian Skull
2 August 2018	Meeting re Waste - China Sword	Adrian Skull Vincent Mifsud
3 August 2018	Meeting with Cities of Charles Sturt and Port Adelaide Enfield re cross council collaboration	Abby Dickson

3 August 2018	Blokes' Brekky with Mayor	Adrian Skull
3 August 2018	Meeting with Peter Blazincic re Marino Site	Adrian Skull
6 August 2018	Meeting with MarionLIFE meeting re site development/co-location	Adrian Skull
8 August 2018	Meeting re Oakland's Crossing timing, design and construction - works update	Adrian Skull
8 August 2018	Meeting Adrian Skull and John Schutz (DEW)	Adrian Skull
10 August 2018	Hendrie Street Inclusive Playground opening	Tony Lines Abby Dickson
13 August 2018	Meeting with Adrian Skull and Robert Pitt (Adelaide Cemeteries Authority)	Adrian Skull
14 August 2018	Meeting with Adrian Skull and Kathryn McEwen (Working With Resilience)	Adrian Skull
15 August 2018	Met with representative from Solo on recycling	Vincent Mifsud
15 August 2018	Operations and Assets Collaboration Group - City of Charles Sturt and City of Port Adelaide Enfield	Tony Lines
16 August 2018	Boral	Tony Lines
16 August 2018	Tonsley Project Steering Committee Meeting	Adrian Skull Abby Dickson
16 August 2018	Meeting with Adrian Skull, Mayor, Michael Carter and the Chairman of FFSA re Majors Road (Soccer)	Adrian Skull
17 August 2018	CEO and General Manager collaboration - City of Charles Sturt and City of Port Adelaide Enfield	Adrian Skull Tony Lines Vincent Mifsud Abby Dickson
21 August 2018	SAEDB Business Breakfast with Training and Skills Commission and Hon David Pisoni	Adrian Skull
22 August 2018	Meeting re Waste - China Sword	Adrian Skull Vincent Mifsud
23 August 2018	Managing our Landscapes – Conversations for Change re new Natural Resource Management Act Consultation session	Adrian Skull
23 August 2018	Meeting with Adrian Skull and Matt Pinnegar CEO LGA	Adrian Skull
23 August 2018	LGA State Planning Commission Briefing with Deputy Mayor	Adrian Skull
23 August 2018	Fleet Optimisation Review	Vincent Mifsud
27 August 2018	Meeting with Australian Competition & Consumer Commission (ACCC)	Vincent Mifsud
28 August 2018	Meeting with Adrian Skull and Terry Burgess re Tonsley Governance	Adrian Skull

Moved Councillor Pfeiffer, Seconded Councillor Telfer that the CEO and Executive Communication Report be received.

Carried Unanimously

**Deputy Mayor Communication Report
 Report Reference GC180828**

Date	Event	Comments
24 July 2018	Appleby Reserve Opening	Attended
26 July 2018	Coast FM	Interviewed On-Air
26 July 2018	Tonsley Innovation District Walking Tours	Tour Guide
27 July 2018	Westminster School Information Session	Attended
29 July 2018	Spirit of Woman Luncheon	Attended
1 August 2018	Council Assessment Panel Meeting	Attended
3 August 2018	LGA Election Details Breakfast	Attended
4 August 2018	Marion RSL Quiz Night	Attended
10 August 2018	Hendrie Street Reserve TBOF Opening	Attended
10 August 2018	Gallery M	Attended
16 August 2018	Oaklands Station Rail Safety Breakfast	Served Breakfast
16 August 2018	Coastal and Southern Hills Ward briefing	Attended
23 August 2018	Tonsley Innovation District Walking Tours	Tour Guide
23 August 2018	State Planning Commission briefing	Attended

Moved Councillor Pfeiffer, Seconded Councillor Telfer that the Deputy Mayor Communication Report be received.

Carried Unanimously

**Report on Elected Member Activities for June and July 2018:
 Councillor Raelene Telfer:**

Date	Activity	Comment
25 July	Annie Doolan's Cottage	Packing day
26 July	Migrant Women's group	Cooinda
26 July	Unsung Heroes	Awards to community
28 July	Westminster briefing	Plans for rebuilding
29 July	Sturt River Landcare group	Plantings
15 Aug	Marion Historical Society	Launched 'Colin Phelp's Story'
16 Aug	ALGWA SA	Meeting on social media
20 Aug	Cosgrove Hall	AGM

21 Aug	Impacting Children Mitchell Park	Strategic planning
21 Aug	Community Forum	Non government community groups
22 Aug	Warriparinga Ward Briefing	Club Marion exits discussed
22 Aug	Finance & Audit Committee	Member participation
27 Aug	Mayor's Multicultural Forum	Southern Connection networking

CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Pfeiffer that the minutes of the General Council meeting held on 14 August 2018 be taken as read and confirmed with the following amendment:

- in the item 'Code of Conduct' (Report Reference: GC180814F04) Councillor Kerry only voted for the motion when the division was called.

Carried Unanimously

ORDER OF AGENDA

The Chair sought and was granted leave of the meeting to vary the order of the agenda to move the item 'Youth Development Grants – Adjourned from 240718 (Report Reference GC180828R01) until after the confidential item and bring forward the following items:

- Morphettsville Park Sports Club Redevelopment (Report Reference: GC180828D01)
- Morphettsville Park Sports Club Redevelopment - Progress Update including options and Road Closure (Report Reference GC180828R07)
- Morphettsville Park - Oval Realignment Options (Report Reference GC180828R15)

6. DEPUTATIONS

6.33pm Morphettsville Park Sports Club Redevelopment **Report Reference: GC180828D01**

Mr Justin Clark, on behalf of the Morphettsville Park Sports Club and the Morphettsville Football Club gave a deputation to Council relating to the item Morphettsville Park Sports Club Redevelopment - Progress Update – GC180828R07.

6.40pm Morphettsville Park Sports Club Redevelopment - Progress Update including options and Road Closure **Report Reference GC180828R07**

Moved Councillor Veliskou, Seconded Councillor Westwood that Council:

1. Notes the community consultation feedback received on the developed design.
2. Resolves to allocate additional funds up to \$73,000 to cover the cost of the road closure and any required civil works, from the 2017/18 budget audited savings.

3. Authorises the commencement of the Roads (Opening and Closing) Act 1991 process to close the section of Quinn Street Morphettville between Regan Avenue and Denham Avenue in accordance with the Roads (Opening and Closing) Act 1991 which requires
 - Preparation of a preliminary plan
 - Preparation of a statement of affected parties and
 - Undertaking of public consultation
4. Notes a further report will be tabled with the new Council in December 2018 about the outcome of the community consultation for the road closure and to seek authorisation to submit the documentation with the Surveyor General to formally close the road.
5. Approves to proceed design documentation for Option 2 to deliver the expanded scope of works for the delivery of the Morphettville Sports Club redevelopment and the allocation of an additional funding of up to \$1,400,000 from Council's Asset Sustainability Reserve.
6. Approves progressing the preferred option to detailed design and documentation, including the preparation of tender documents to issue for call for tender.
7. Notes Administration will bring a report back to Council at the conclusion of the design and documentation, for approval to proceed to tender for construction contractors.

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

That Council (as varied):

1. Notes the community consultation feedback received on the developed design.
2. Resolves to allocate additional funds up to \$73,000 to cover the cost of the road closure and any required civil works, from the 2017/18 budget audited savings.
3. Authorises the commencement of the Roads (Opening and Closing) Act 1991 process to close the section of Quinn Street Morphettville between Regan Avenue and Denham Avenue in accordance with the Roads (Opening and Closing) Act 1991 which requires
 - Preparation of a preliminary plan
 - Preparation of a statement of affected parties and
 - Undertaking of public consultation
4. Notes a further report will be tabled with the new Council in December 2018 about the outcome of the community consultation for the road closure and to seek authorisation to submit the documentation with the Surveyor General to formally close the road.
5. Approves to proceed design documentation for Option 2 to deliver the expanded scope of works for the delivery of the Morphettville Sports Club redevelopment and the allocation of an additional funding of up to \$1,400,000 from Council's Asset Sustainability Reserve – Community Facilities Partnership Program.
6. Approves progressing the preferred option to detailed design and documentation, including the preparation of tender documents to issue for call for tender.

7. Notes Administration will bring a report back to Council at the conclusion of the design and documentation, for approval to proceed to tender for construction contractors.

6.45pm Councillor Hutchinson left the meeting

Carried Unanimously

**6.48pm Morphetville Park - Oval Realignment Options
Report Reference GC180828R15**

Moved Councillor Veliskou, Seconded Councillor Hull that Council:

1. Notes options for the expansion of the oval in addition to traffic management and pedestrian circulation improvements.
2. Administration to undertake further investigations and engage with the Club, SANFL and community to consider the oval realignment and impact on the surrounding roads. Noting that the oval realignment is a separate portion of works to the Morphetville Park Sports Club Upgrade.
3. Endorses the allocation of an additional \$300,000 from the Asset Sustainability Reserve Community Facilities Partnership Program for engineering services, partial road closures and delivery of the oval realignment.
4. Notes a further report will be presented to Council on the outcome of the consultation and recommended option to proceed to documentation and delivery.

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

That Council (as varied):

1. Notes options for the expansion of the oval in addition to traffic management and pedestrian circulation improvements.
2. Administration to undertake further investigations and engage with the Club, SANFL and community to consider the oval realignment and impact on the surrounding roads. Noting that the oval realignment is a separate portion of works to the Morphetville Park Sports Club Upgrade.
3. Endorses the allocation of an additional \$300,000 from the Asset Sustainability Reserve for engineering services, partial road closures and delivery of the oval realignment.
4. Notes a further report will be presented to Council on the outcome of the consultation and recommended option to proceed to documentation and delivery.

Carried Unanimously

7. PETITIONS

Nil

8. COMMITTEE RECOMMENDATIONS

6.54pm Confirmation of the Minutes of the Infrastructure and Strategy Committee meeting held on 7 August 2018 Report Reference GC180828R02

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 7 August 2018 (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

9. CONFIDENTIAL ITEMS

6.56pm Cover Report - Expression of Interest - 262 Sturt Road - Progress Report and Next Stage Report Reference GC180828F01

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. Pursuant to Section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Vincent Mifsud, General Manager Corporate Services, Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Kate McKenzie, Manager Corporate Governance, Jaimie Thwaites, Unit Manager Governance and Records; James O'Hanlon, Unit Manager Sport and Recreation, Carla Zub, Project Manager Strategic Projects, Greg Salmon, Manager City Activation and Craig Clarke, Unit Manager Communication and Media be excluded from the meeting as the Council receives and considers information relating to the report *Expression of Interest - 262 Sturt Road - Progress Report and Next Stage* upon the basis that 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 of a commercial nature and would on balance, be contrary to the public interest.

Carried Unanimously

6.56pm the meeting went into confidence

7.08pm Councillors Appleby and Byram entered the meeting

7.09pm Councillor Crossland entered the meeting

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the minutes, Expression of Interest - 262 Sturt Road - Project progress and next stage GC180828F01), 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 until 5.00pm on Thursday 30 August 2018

2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report and appendices, Expression of Interest - 262 Sturt Road - Project progress and next stage GC180828F01), 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 confidentiality order will be reviewed at the General Council Meeting in December 2018.

Carried Unanimously

7.32pm the meeting came out of confidence

ADJOURNED ITEMS

7.32pm Youth Development Grants – Adjourned from 240718 Report Reference GC180828R01

Councillor Byram declared a perceived conflict of interest in the item as one of the organisations applying for a grant as asked her to be their Patron. As she was asked in her capacity as an Elected Member Councillor Byram remained for the item.

Moved Councillor Westwood, Seconded Councillor Veliskou that Council:

1. Approves the Youth Development Grant applications, totalling \$120,000 as outlined in Appendix 1.

7.33pm Councillor Pfeiffer left the meeting

7.35pm Councillor Pfeiffer re-entered the meeting

7.42pm Councillor Prior left the meeting

7.43pm Councillor Prior re-entered the meeting

Carried
Councillor Byram voted for the motion

10. CORPORATE REPORTS FOR DECISION

7.46pm Cat Curfew Report Reference GC280818R03

Moved Councillor Hull, Seconded Councillor Crossland that Council:

1. Notes the information provided in this report on the process involved in amending a by-law.
2. Endorses the current "By-law No. 6 Cats 2014" be reviewed separately from the next scheduled review of By-laws to include a cat curfew.
3. Requires Administration present a draft Cat By-law which includes a cat curfew to Council in January 2019 for endorsement to undertake community consultation.

Carried

7.53pm Community Bus - purchase of additional vehicle
Report Reference GC180828R04

Moved Councillor Crossland, Seconded Councillor Westwood that:

1. The motion be deferred until February 2019 to enable more information to be provided regarding the costs of buses and how an additional bus could increase accessibility to Council's community facilities.

Carried Unanimously

7.58pm Oaklands Crossing Agreement
Report Reference GC280818R05

Moved Councillor Hull, Seconded Councillor Prior that Council:

1. Endorses Council's total contribution of up to \$5 million to the Oaklands Crossing Project as described within this report comprising of a contribution of \$1 million in 2018/19 and a further \$4 million over the years 2019/20 to 2021/22.
2. Authorises the Chief Executive Officer to negotiate minor amendments to the Agreement (attached as appendix 2) where necessary to enable the progress of the Project.
3. Authorises the Chief Executive Officer to enter into and sign the Agreement attached as appendix 2 to this report on behalf of Council.

Carried

8.06pm Community Facilities Policy
Report Reference GC280818R06

Moved Councillor Telfer, Seconded Councillor Byram that Council:

1. Endorses the attached Community Facilities Policy as provided in Attachment 1.

Carried

8.07pm Extension to Southern Region Waste Resource Authority Board
Report Reference GC180828R09

Moved Councillor Telfer, Seconded Councillor Pfeiffer that Council:

1. Extend the appointment of Mr Vincent Mifsud to the Board of the Southern Region Waste Resource Authority until 31 March 2019.

Carried Unanimously

ORDER OF THE AGENDA

The Chair sought and was granted leave of the meeting to vary order of the agenda to consider the following items last, if time permits:

- Policy Review - Tranche one (Report Reference GC180828R10)

- Policy Review - Tranche two (Report Reference GC180828R11)

11. CORPORATE REPORTS FOR INFORMATION/NOTING

Moved Councillor Pfeiffer, Seconded Councillor Telfer that the following items be moved en bloc:

- Corporate Risk Report - Quarter Four 2017/18 including Annual Risk Profile (Report Reference FAC210818R12)
- Questions Taken on Notice Register (Report Reference GC180828)
- WHS Monthly Performance Report – July 2018 (Report Reference GC180626R13)
- Finance Report - July 2018 (Report Reference GC180828R14)

Carried Unanimously

8.10pm Corporate Risk Report - Quarter Four 2017/18 including Annual Risk Profile Report Reference FAC210818R12

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Notes the progress report including the reduction of risk, the mitigation strategies of high rated risks and how the Risk Profile compares against the sector.

Carried Unanimously

8.10pm Questions Taken on Notice Register Report Reference GC180828

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Notes the report "Questions Taken on Notice Register".

Carried Unanimously

8.10pm WHS Monthly Performance Report – July 2018 Report Reference GC180626R13

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously

8.10pm Finance Report - July 2018 Report Reference GC180828R14

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Receives the report "Finance Report - July 2018"

Carried Unanimously

**8.23pm Railway Terrace Streetscape Project
Report Reference GC180828R16**

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Notes the Report.

Carried Unanimously

12. WORKSHOP / PRESENTATION ITEMS

Nil

13. MATTERS RAISED BY MEMBERS

Motions With Notice

**8.26pm Mitchell Park Sports and Community Centre Project
Report Reference: GC180828M01**

Moved Mayor Hanna, Seconded Councillor Pfeiffer that:

1. Council endorses the Mayor and CEO to undertake best endeavours to seek external funding towards the redevelopment of the Mitchell Park Sports and Community Centre.
2. Council notes should negotiations with potential funding partners propose alternative development solutions that these will be brought back to Council for consideration.
3. This motion be reviewed by Council in January 2019.

8.32pm Councillor Hutchinson re-entered the meeting

Carried Unanimously

**8.38pm Preliminary options for Marino Hall and land at 2 Bakewell Crescent, Marino
Report Reference: GC180828M02**

Moved Councillor Crossland, Seconded Councillor Byram that Council:

1. Endorses Administration undertaking preliminary investigations into options for the development of the Marino Hall and adjacent land located at 2 Bakewell Crescent, Marino which includes:
 - Current community use of Marino Hall
 - Engagement with the Marino Hall Committee
 - Analysis of facility condition and its ability to meet user needs
 - Car parking needs
 - Linkages with surrounding community facilities
2. Requests a report be brought back to Council in December 2018 with high level options for Council's consideration and endorsement of undertaking community consultation

Carried Unanimously

**8.42pm Notice of Motion - Local Government Association (LGA) Annual General Meeting
Report Reference: GC180828M03**

Moved Mayor Hanna, Seconded Councillor Pfeiffer that:

1. Council submits the following Notice of Motion to the Local Government Association by Friday 14 September 2018 for consideration at the 2018 Local Government Association Annual General Meeting:
 - That the Annual General Meeting requests the LGA to lobby the ALGA to continue campaigning for the Commonwealth Government to confirm funding for Local Government to provide services to older people within our local communities post June 2020 when the Commonwealth Home Support Program funding ceases.

Carried Unanimously

**8.44pm Non-recyclable Plastics
Report Reference: GC180828M04**

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Bans the sale and/or public distribution of food and drinks served on or in, non-recyclable, single-use plastics at all Council events.
2. Notes Administration provides an adequate number of recycling bins for bottled water and other recyclable drink containers at all Council events.

Carried

Councillor Appleby called for a division

The vote was set aside

Those For: Councillors Pfeiffer, Telfer, Hutchinson, Prior, Hull, Westwood, Byram, Veliskou, Crossland
Those Against: Councillor Appleby

Carried

Questions With Notice

**8.53pm Public Access to Contractual and Other Information
Report Reference: GC180828Q01 - Confidential Report**

Questions:

1. What impediments are there to members of the public obtaining contractual and other information from Council without having to resort to the Freedom of Information process, which can be costly and time consuming?
2. Can Administration please draft a motion which would obviate, as far as possible, the need for members of the public to resort to the FOI process?

Supporting Information:

Nil.

Response Received From:

Jaimie Thwaites, Unit Manager Governance and Records

Staff Comments:

Question 1

It is not necessary to make a freedom of information (FOI) application for documents that are already publicly available such as annual reports, budget statements, public registers and so on.

The *Freedom of Information Act 1991* serves to promote openness and transparency in governance and accountability of government agencies, including councils. To achieve these objectives, it confers on members of the public a legally enforceable right to be given access to documents. The Act sets out the legislative requirements for how applications for access to information held by the Council are to be dealt with. Some documents may be exempt from public release under the provisions of the Act.

Where information is not publicly available, the FOI process assists staff to formally assess the document and identify reasons why a particular document may not be appropriate for release. Careful consideration regarding the release of some documents or access to information is required to ensure Council does not breach confidentiality or legislative provisions.

Examples of when an FOI application may be required include:

- the information is considered sensitive and disclosure will require careful balancing of public interest factors;
- releasing the information may constitute a breach of a legislative provision;
- releasing the information may constitute a breach of confidence;
- releasing the information may constitute a breach of legal or parliamentary privilege; and
- the document contains information about a third party that cannot be redacted easily and/or consultation with a third party is required.

Fees and charges payable for the purposes of the FOI Act are set out in Schedule 1 of the *Freedom of Information (Fees and Charges) Regulations 2003* (Regulations). Section 53 ensures that financially disadvantaged people are not prevented from exercising their rights under the FOI Act. The Regulations provide that agencies must waive or remit (including refund) fees and charges if the applicant can satisfy the agency that:

- he or she is a concession card holder, or
- payment of the fee or charge would cause them financial hardship.

In addition section 53(2a) allows an agency to waive, reduce or remit a fee or charge in circumstances other than those provided for in the Regulations. That is, an agency can reduce or waive a fee at its own discretion, on a case-by-case basis.

Question 2

Council may wish to consider a motion along the lines of:

'That Council requests the Administration develops an Administrative Release of Information Policy to provide staff with direction in relation to the release or disclosure of information, either pro-actively or as

a response to a request, outside of a formal legislative process such as freedom of information (FOI) or other legislation.'

8.53pm External Funding Committee
Report Reference: GC180828Q02

Questions:

1. Has Administration formed a committee to consider sources of external funding eg State and Federal grants?
2. If so, when was the committee established, who are the members of the committee, and what external funding obtained for Council projects is directly attributable to the work of the committee?
3. If there is such a committee operating, how does it propose to communicate with Elected Members to coordinate funding efforts with the aspirations of the community?

Supporting Information:

Nil.

Response Received From:

Richard Watson Communications Adviser

Staff Comments:

1. Administration has formed the External Funding Attraction Program (EFAP).

The program is coordinated by a working group which aims to assist staff to identify and seek external funding, including grants available through the State and Federal governments.

2. The working group formed in October 2017.

The group has:

- developed processes for identifying and applying for external funding aligned to Council's strategic priorities
- synchronised the processes with the new Project Management System, which is currently being rolled out across the organisation
- developed a training program
- created an online 'grant tracker' to monitor the progress of funding submissions
- identified staff for training in seeking external funding

The first training session for staff was scheduled for 9 August and about 15 staff were due to attend. Additional sessions will be scheduled as required.

Staff will then work on pursuing external funding for Council's strategic priorities as outlined in the City of Marion Community Vision – Towards 2040, the Strategic Plan 2017 – 2027 and the Business Plan 2016 – 2019.

The working group identified and assisted with the successful submission for a \$200,000 grant towards the \$1 million upgrade of the Coastal Walking trail, to which Council is contributing \$800,000.

The grant was made available through the State Local Government Infrastructure Partnership in 2017.

The working group comprises:

Project Sponsor

Vincent Mifsud - General Manager Corporate Services

Project Manager

Craig Clarke - Unit Manager Communications

Project Coordinator

Richard Watson - Communications Adviser

Committee Member

Amy Liddicoat - Open Space and Recreation Planner

Committee Member

Greg Salmon - Manager City Activation

Committee Member

Heath Harding - Unit Manager – Finance Partnering & Rates

Committee Member

Sherie Walczak - Unit Manager Risk

Committee Member

Annamarie Mabarrack - Project Manager Leader

Committee Member

Karen Cocks - Manager Customer Experience

3. The program recognises that the Mayor will play a lead role in lobbying for major projects with support from Elected Members and information provided by the working group.

Staff will pursue funding opportunities for projects identified from Council's strategic priorities, as included in the City of Marion Community Vision – Towards 2040, the Strategic Plan 2017 – 2027 and the Business Plan 2016 – 2019.

So that any lobbying can be coordinated with funding applications, the working group will confirm with Elected Members via email the projects that will be pursued for funding.

8.53pm Council nursery
Report Reference: GC180828Q03

Question:

In 2015 Council took the decision to close its Horticultural nursery.

1. What was the 2013/2014 budget for the nursery and what was the value of the plants the nursery was able to supply?
2. Was there a shortfall in the number of plants required by Council and if there was a shortfall what was the additional cost to Council to meet that demand?

3. Since closing the nursery what have been the financial and supply benefits of only using external providers?
4. Considering all the costs, including capital expenditure (new nursery, depreciation, maintenance) what are the annual budget benefits savings, if any, as well as an indication of savings over the long term financial plan?

Supporting Information:

Nil

Response Received From:

Manager Engineering and Field Services - Matthew Allen

Staff Comments:

A response to the Questions with Notice will be provided at the General Council meeting on 11 September 2018 to allow time to research and collate the information that has been requested.

8.53pm USA court ruling regarding use of herbicides

Report Reference: GC180828QO4

Question:

What is the impact of the recent court ruling in the USA in regards to council's use of herbicides?

Response Received From:

Coordinator Biodiversity, Jerry Smith

Staff Comments:

Recently a case was brought against the manufacturer of Roundup (glyphosate), Beyer-Monsanto in the USA by a grounds keeper who had contracted non hodgkin's lymphoma. The plaintiff stated that twice he had accidentally soaked himself in neat Roundup, and alleged that Monsanto had deliberately understated the potential health impacts and failed to appropriately warn users of the safety requirements of using this herbicide.

Specifically the case was against the product Roundup with the plaintiff alleging that it was not the active ingredient glyphosate that caused the non hodgkin's lymphoma but rather the specific synergicity between glyphosate and the filler products contained within Roundup. As the City of Marion does not use the specific product Roundup and does not manufacture herbicides it is unlikely this case has any implications for Council.

Importantly, the City of Marion only utilises herbicides approved for use by the Australian Pesticides and Veterinary Medicines Association (APVMA). Council uses herbicides according to all the conditions of the APVMA and has strict controls for application. Council uses contractors that are strictly licensed by SA Health for street spraying. For internal application we have stringent standard operating procedures.

The following should be noted in regard to the use of glyphosate:

- Glyphosate is a Class 2a probable carcinogen according to the World Health Organisation (WHO). It is ranked lower than alcohol, diesel exhaust emissions, outdoor air pollution and processed meats which are considered by WHO to be Class 1 known carcinogens.
- Toxicologists suggest that to see the same health effects noted in laboratory tested animals, a human would need to eat 11kg of glyphosate a day.
- The idea that glyphosate causes birth defects is based on a study where amphibian eggs were soaked in a glyphosate concentration 11,000 times greater than the label rates.
- The ban in Sri-Lanka (the only country to have banned glyphosate use) was due to a link to kidney diseases. Toxicologists have debunked this report and suggest this is far more likely to be linked with arsenic found in the phosphate fertiliser farmers use in this country.

In essence, the City of Marion uses glyphosate in accordance with APVMA approvals, manufacturer's safety data sheets and Council's internal standard operating procedures.

CORPORATE REPORTS

8.54pm Policy Review - Tranche one Report Reference GC180828R10

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

Carried Unanimously

8.55pm formal meeting procedures suspended

9.12pm Councillor Pfeiffer left the meeting

9.14pm Councillor Pfeiffer re-entered the meeting

9.28pm formal meeting procedures resumed

Moved Councillor Byram, Seconded Councillor Prior that Council:

1. Endorses the Roads and Public Place Names Policy (Attachment 1) with the following amendments:
 - Remove the first line of item 3.2.3 – 'Names of living persons will be avoided.'
 - References to the Department for Transport, Energy and Infrastructure be changed to Department of Planning, Transport and Infrastructure
 - Add under 3.2.1 that where a road is not continuous then the separate parts of the street shall have a separate name.
2. Reviews and thereby endorses the Streetscape Policy (Attachment 2) amending point 3.3 to read 'Landscaping will be environmentally sustainable incorporating the use of water sensitive urban design and the use of appropriate plantings....' Add an additional principle that 'Trees should be planted in accordance with the Tree Management Framework'.

Carried Unanimously

The following item was not considered:

- Policy Review - Tranche two (Report Reference GC280818R11).

Questions without notice

Nil

Motions without notice

Nil

14. OTHER BUSINESS

Nil

15. MEETING CLOSURE

Meeting Declared Closed at 9.30pm

CONFIRMED THIS 28 AUGUST 2018

.....
CHAIRPERSON

COMMUNICATIONS

ADJOURNED ITEMS

Celebrating Marion campaign

Originating Officer	Communications Adviser - Richard Watson
Corporate Manager	Manager Customer Experience - Karen Cocks
General Manager	General Manager City Services - Tony Lines
Report Reference	GC110918R01

REPORT OBJECTIVE

The purpose of this report is to provide Council with the draft *Celebrating Marion* Campaign Strategy for consideration and adoption.

EXECUTIVE SUMMARY

Delivering a campaign that fosters community pride is a component of the *2016-2019 City of Marion Marketing and Communications Plan*.

The draft *Celebrating Marion* Campaign provides a new approach to marketing Marion as a desirable place to live, work and play by coordinating the use of Council's communications channels and adding new tactics.

The 12-month campaign highlights what makes Marion successful, including the unveiling of new Council facilities, services and the achievements of community members and businesses.

Tactics include an art project to which people submit photographs to build a picture of the community, an online local talent competition and a calendar of achievements on the Council website.

Council considered a report on the campaign to celebrate success in Marion under the heading *Marion Celebrates* at the General Council meeting of 12 June, 2018 (GC120618R08).

The council report and campaign have been included as Appendix B. Outcomes from the discussion on the 12th June, 2018 were:

Moved Councillor Gard, Seconded Councillor Pfeiffer that Council:

1. Adopts the Marion Celebrates Campaign Strategy (attached as Appendix A)
2. Endorses an allocation of \$19,700 to deliver the Marion Celebrates Campaign Strategy to be funded in 2018/19 from identified cash savings following the completion of the 2017/18 audited Annual Financial Statements process.

Adjournment:

Moved Councillor Byram, Seconded Councillor Westwood that Council:

1. Adjourns the item until 11 September 2018 so the budget allocation can be reconsidered at the same time as the iconic event

Carried

RECOMMENDATION

That Council:

Amends the current motion of:

1. **Adopts the Marion Celebrates Campaign Strategy (attached as Appendix A).**
2. **Endorses an allocation of \$19,700 to deliver the Marion Celebrates Campaign Strategy to be funded in 2018/19 from identified cash savings following the completion of the 2017/18 audited Annual Financial Statements process.**

to:

1. **Adopts the Celebrating Marion campaign (attached as Appendix A).**
2. **Endorses the allocation of \$4,400 to deliver the Celebrating Marion Campaign to be funded through existing budgets.**

Liveable:

Celebrates healthy lifestyles, cultural diversity and heritage by profiling successes of people, projects and services.

Engaged:

Brings people together by encouraging participation in the campaign, including photographic art project, online talent competition and fostering community pride.

Opportunities:

Celebrating Marion promotes local pride by highlighting the people, places, projects and Council services that make Marion a place where people can enjoy an attractive lifestyle, play, develop a career and do business.

Timeline

The campaign will run for 13 months, with promotional activity concentrated into two phases: •February to May 2019 Campaign launch and key themes embedded •February 2020 to March 2020 Highlighting the suburbs that make Marion special

Proposed Future Budget Allocation:

\$4,400

DISCUSSION

Council considered a report on the campaign to celebrate success in Marion under the heading *Marion Celebrates* at the General Council meeting of 12 June, 2018 (GC120618R08).

At that meeting, Council voted to:

1. *Adjourns the item until 11 September 2018 so the budget allocation can be reconsidered at the same time as the iconic event.*

Following discussion at the General Council meeting, the following changes have been made to the campaign:

- Removed \$15,600 of banners, stickers, bookmarks, posters, advertising, photographic exhibition of community champions

- Retitled *Celebrating Marion* to avoid confusion with the *Marion Celebrates* event
- Added \$300 of prize vouchers for Marion's Got Talent online competition
- Refinement of sub-themes.

Key objectives

The year-long campaign includes the following objectives:

- Foster pride in Marion as a place where people can live, work, play and do business
- Create a sense of belonging, promoting engagement and connectedness in the community
- Demonstrate value for money to ratepayers by highlighting successful projects and services
- Present the features and benefits of the City of Marion to potentially attract more people to facilities, clubs, community groups and events.

Celebrating Marion campaign themes

To demonstrate that success takes many forms, the campaign includes the sub-themes:

- **Celebrating Marion**
A place to live
- **Celebrating Marion**
A place to play
- **Celebrating Marion**
A place to work
- **Celebrating Marion**
A place to do business

Suburbs will also be promoted using sub-themes, for example:

- Celebrating Edwardstown
- Celebrating Glandore
- Celebrating Tonsley

Tactics

The campaign uses City of Marion's existing communications channels, including the website, City Limits, advertising, posters, video and media releases. New tactics include Phase 1 - February 2019 to May 2019: Campaign launch at *Marion Celebrates* 23 February, unveiling of branding and The Face of Marion artwork to which people submit a photograph for a 1.8 metre high pyramid to be unveiled at the conclusion of campaign

- Badged edition City Limits highlighting local success stories, projects and services
- Mayor writes to community, sporting and business groups inviting them to participate
- Rebranding Council events, for example, *Celebrating Unsung Heroes*
- Dedicated web page linking to key documents, including the New Residents' Kit and the City of Marion Investment Prospects, which is currently being developed
- Marion's Got Talent online challenge which invites people and businesses to submit a short video clip demonstrating skills and success

Phase 2: February 2020 to March 2020:

- Marketing suburbs through My Neighbourhood Wall of Pride which uses words of residents to form an online snapshot of what they value in their area
- Badged edition City Limits marketing benefits of selected suburbs and areas
- Unveiling of Face of Marion artwork
- Announcement of Marion's Got Talent winners.

Attachment

#	Attachment	Type
1	Celebrating Marion Campaign Appendix A	PDF File
2	GC120618R08 Marion Celebrates Appendix B	PDF File

Celebrating Marion

**A campaign to foster pride in Marion as a place to live,
work, play and do business**

Contents

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1.0 Executive summary

Celebrating Marion is a year-long campaign that aims to foster pride in Marion as a place to live, work, play and do business.

The campaign raises the profile of the people and places that make Marion special by coordinating the use of existing communications channels and adding new tactics.

‘Success’ is portrayed as broad and inclusive, and will be interpreted through the stories of local residents, business people and Council projects.

The campaign comprises two phases. The first phase includes the campaign launch at the city’s biggest festival, Marion Celebrates, and invites community involvement.

The second phase puts the spotlight on the unique features of selected suburbs.

The Celebrating Marion campaign includes:

- A distinctive brand to badge success stories in print and online
- Adding campaign branding and messages to communications about milestone achievements
- Encouraging local organisations to display campaign material
- A three-dimensional artwork comprising photographs of community members
- Rebadging Council awards
- An online video showcase of local talent and achievers
- Marketing suburbs through an online Wall of Pride

The campaign forms part of the 2019-2019 City of Marion Marketing and Communications Plan and supports the delivery of the Strategic Plan – Towards 2040 and the 2016-2019 Business Plan.

2.0 Campaign objectives

The Marion Celebrates campaign is aligned with the City of Marion's strategic objectives.



Celebrating Marion campaign objectives:

The campaign includes the following objectives:

- Foster pride in Marion as a place to live, work, play and do business
- Create a sense of belonging, promoting engagement and connectedness in the community
- Demonstrate value for money to ratepayers by highlighting successful projects and services

3.0 Our target audience

A broad range of people live, work and play in the City of Marion. They are also influencers who can share the pride of living in the city with friends, neighbours and workmates.

These people fall into six broad categories and can be targeted with specific messages:

Segments	Characteristics
Residents – current and future*	<ul style="list-style-type: none"> Total population of Marion is 88,983 – and is forecast to rise to 100,000 by 2036 The median age is 39, similar to the SA median. Parents and home builders represent the biggest single demographic in Marion at 20.4 per cent Retirees and seniors (aged 60-84) are the second largest cohort at 19.4 per cent 35 per cent of residents have a mortgage while 29 per cent are renting 14 per cent come from a non-English speaking background with Italian, Greek and Mandarin the most common languages spoken (700 new arrivals each year) 18 per cent of residents are university educated while 19 per cent have vocational training
Businesses – current and future*	<ul style="list-style-type: none"> More than 3500 businesses are registered for GST in Marion. They range from sole traders or home-based firms to major industries. Types of industries include manufacturing (14.2%), finance (15.8%), real estate (12.2%), construction (15.3%), retail (6%), health (6.1%)
Community organisations #	<ul style="list-style-type: none"> Marion has more than 700 community groups Examples include sporting, church, schools, service clubs and environmental groups. 'Community organisations' are a sub-set of the 'Residents'
Visitors*	<ul style="list-style-type: none"> 18 million people visit each year to shop or for sport, health, tourism or leisure. 15,431 people live outside Marion but travel here to work. Our facilities are used by 855,700 people a year – neighbourhood centres (47k), libraries (449k), Marion Cultural Centre (286k) and pool (73k)
Partners	<ul style="list-style-type: none"> Marion works with a vast array of State and Federal Government agencies and private sector organisations to deliver community initiatives.
Internal segments	
City of Marion	<ul style="list-style-type: none"> 13 Elected Members 343.5 FTE staff 367 volunteers

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

4.0 The campaign

4.1 Concept

The campaign will highlight what makes the city special through the people who live, work, play, and do business in Marion.

The overarching theme is Celebrating Marion.

The theme builds on the Marion Celebrates event which has been held nine times since 2000 and attracts crowds of more than 5000 people.

To demonstrate that success takes many forms, the campaign will include sub-themes, for example:

- **Celebrating Marion**
A place to live
The people and places that make Marion an attractive home, including schools, access to further and higher education, volunteers, parks, libraries, support services.
- **Celebrating Marion**
A place to play
The people and places that make it easy to have fun in Marion, including playgrounds, sporting and recreational facilities.
- **Celebrating Marion**
A place to work
The jobs, opportunities and places where people work and the products and services they provide.
- **Celebrating Marion**
A place to do business
The people and places that make doing business in Marion desirable, including the range of industries, infrastructure, employers, transport links and skilled workforce.
- **Celebrating (suburbs and places)**
Putting the spotlight on suburbs that have something unique to offer, including business opportunities, range of housing and historical significance, for example:
 - Celebrating Edwardstown
 - Celebrating Glandore
 - Celebrating Tonsley

Facility upgrades and services will be recognised at key times through sub-themes, for example:

- Celebrating Marion
Edwardstown Oval upgrade
- Celebrating Marion
Outdoor pool upgrade
- Celebrating Marion
New service for neighbourhood centres

4.2 What will be involved?

The campaign will be distinguished by a specially designed graphic applied across a range of media, including print, digital and video.

Success stories will be reinforced through profiles of community groups, individuals, sports clubs and businesses using the City of Marion's existing communications channels and new tactics.

Local clubs and groups will be encouraged to participate by downloading graphics from the City of Marion website and displaying them at their premises and on their websites and via social media accounts, including Facebook.

A dedicated page on the City of Marion website will explain the campaign and link to services and facilities that support its themes.

4.3 How it will work

The campaign will use the City of Marion's print and online communications channels, including:

- Website
- Social media
- City Limits
- Media releases
- What's Happening column
- Email signatures
- Messages on hold
- Digital screens at council venues
- E-Talk

Duration and timing

The campaign will be launched at the Marion Celebrates event at Marion Cultural Centre on Saturday, 23 February, 2019.

The campaign will run for 13 months to ensure engagement with a broad cross section of the community.

The timeframe will allow the annual calendar of Council and community events to be incorporated into promotion as well as achievements, including the completion of projects.

To avoid 'campaign fatigue', promotional activity will be concentrated into two phases:

Phase 1 (February 2019 – May 2019):

A four month period where the campaign is embedded among the community and business.

Phase 2 (February 2020 – March 2020):

A two-month profiling of suburbs that offer something unique to residents and visitors.

5.0 Tactics

Key tactics that support the campaign are:

5.1 Branding and badging

A distinctive graphic to be designed and applied to print and online communications materials to increase campaign visibility.

The branding will announce that the person, project, facility or service is part of Marion's success story.

5.2 Engaging community and business

Invitation to participate

The Mayor will write to local sporting, community and business groups, outlining the campaign and explaining how they can be involved.

Groups will be invited to:

- Submit photographs for the community artwork – The Face of Marion
- Print off campaign graphics from the City of Marion website and display at premises
- Display campaign graphics on their websites and via social media
- Nominate people for awards
- Submit videos for online talent competition

5.3 Community artwork – The Face of Marion

The centrepiece of the campaign will be an artwork comprising a 1.8 metre high pyramid made up of photographs of the faces of community members.

People will be invited to submit photographs to the artwork at the campaign launch. Over the following 13 months, photographs will be added to build a dynamic picture of the community.

The artwork allows people to be part of Marion's success.

The use of a pyramid shape reinforces the City of Marion triangular logo.

The artwork will be unveiled at the conclusion of the campaign, after which the sides of the pyramid will be displayed at Council venues.

5.4 Council events

Council and community events represent an opportunity to promote the campaign.

This will be via speeches, video clips and badged communications materials, including invitations.

Events to be incorporated into the campaign include:

- Marion Celebrates
- Citizenship Ceremonies
- Marion Outdoor Pool open days
- Unsung Heroes Awards
- Community Grants presentations

Certificates presented to people as part of the Reward and Recognition program will be badged Celebrating Marion.

5.5 City of Marion website

A dedicated webpage will summarise the campaign and promote Council facilities and services by linking people to further information.

Links to existing resources will include the New Residents' Kit, Service Directory and the City of Marion Investment Prospectus, which is currently under development.

The website will feature campaign graphics.

5.6 My Neighbourhood Wall of Pride

To market the benefits and attractions of different suburbs, the community will be invited to submit descriptions of what they value most about their neighbourhood.

The descriptions will be regularly updated to form a living Wall of Pride on the website. The wall will be preserved as a digital record of Marion's unique suburbs.

5.7 City Limits special editions

A special edition of City Limits distributed March 2019 will be badged Celebrating Marion.

In addition to an overview of the campaign, articles will highlight successes, profile the community champions and the Face of Marion artwork.

Selected articles in subsequent editions of City Limits will be badged Celebrating Marion for the duration of the campaign.

A second special edition will profile selected suburbs.

5.8 Marion's Got Talent - online

People and businesses will be invited to participate in a light-hearted challenge to show how they are successful by submitting a video clip of up to 30 seconds to the City of Marion Facebook page.

Submissions to Marion's Got Talent – online could include people demonstrating an artistic, sporting or musical skill, or businesses providing a snapshot of an innovative new product.

Three entries that best reflect the Celebrating Marion theme will be selected and profiled in City Limits and on the website.

Entries will form a talent bank for future promotions. Three \$100 prizes will be offered to encourage submissions.

5.9 Calendar of achievements

An updateable calendar of achievements will be available on the City of Marion website, including:

- Improvements to parks, playgrounds, facilities, services
- Announcement of new initiatives
- Organisational awards

5.10 Social media

The key messages of the campaign will be reinforced through social media channels, including Facebook, Instagram, Twitter and You Tube.

Videos and photographs will be used to engage the community, businesses and groups, which will also be encouraged to share campaign news and posts.

Social media will provide ongoing updates of the campaign's progress and link people to associated activities, including the Face of Marion community art project, profiles of community champions and Council's milestone achievements.

5.11 Profiling organisational awards

Over the past 12 months the City of Marion has received a number of awards, including for an event to educate the public about coping with heatwaves, the gap year program and transforming open space.

The City of Marion has not traditionally heavily promoted awards it has received to the public.

Highlighting awards received via website, media releases and in publications is a means of fostering confidence in the organisation and Council.

5.12 Internal communications

An internal communications plan will be developed to engage Marion's 350 staff in the campaign.

This will include promotion through an internal electronic newsletter, posters and presentations at General Staff Meetings.

6.0 Key messages

Messages will be refined by consulting the community and reflect the benefits of living, working and playing in Marion:

- Celebrating Marion puts the people and places that make the city special in the spotlight
- We want people to be proud to call Marion home
- Marion is a place where people can make a home, develop a business and have fun visiting
- People are invited to join in the campaign by submitting a photograph to a community art project and displaying posters
- Marion has the facilities for people to enjoy a quality lifestyle, build a career and play
- Marion has the parks, sports facilities and schools that make it an ideal place to bring up a family
- Business are welcome and can access the skills, transport networks and services they need to succeed
- Marion has the facilities and services to make new arrivals feel welcome and succeed

7.0 Campaign calendar

This table outlines the key campaign tactics and when they will occur.

Phase 1:

Campaign launch and roll out:

Month – 2019	Action
February	<ul style="list-style-type: none"> • Campaign launch at Marion Celebrates event: <ul style="list-style-type: none"> - Unveiling of branding - Community artwork launch - Webpage goes live - Badge project milestones • Media release • What's Happening column • Begin social media campaign • Calendar of Achievements goes live
March	<ul style="list-style-type: none"> • City Limits special edition distributed • Mayor writes to community, business and sporting groups inviting them to participate • What's Happening
April	<ul style="list-style-type: none"> • Begin profiling organisation awards • Launch Marion's Got Talent – online
May	<ul style="list-style-type: none"> • Ongoing promotional activity
June – February 2020	<ul style="list-style-type: none"> • Campaign continues at less intensive level using City of Marion's communication channels

Phase 2:

Area and suburb profiling roll out and campaign wrap:

Month – 2020	Action
February	<ul style="list-style-type: none"> • Launch dedicated web and social media campaign marketing selected suburbs, for example: <ul style="list-style-type: none"> - Tonsley - Edwardstown • Community invited to submit views to create online My Neighbourhood Wall of Pride
March	<ul style="list-style-type: none"> • Special edition City Limits with pull out guide on featured suburbs • Unveiling of community art project • Announcement of Marion's Got Talent winners

8.0 Budget estimate

Item	Cost estimate
Face of Marion community artwork comprising 1.8m high pyramid structure and photographs of members of the community	\$3800
Prize vouchers for Marion's Got Talent – online	\$300
Messages on hold	\$300
Total estimate	\$4,400

Note: Graphic design, including campaign branding, and videos will be produced using in-house resources.

9.0 Delivering the campaign

The Communications Unit will lead the delivery of the campaign with involvement from teams from across the organisation.

**CITY OF MARION
GENERAL COUNCIL MEETING
12 JUNE 2018**

Originating Officer: Richard Watson, Communications Adviser
Corporate Manager: Karen Cocks, Manager Customer Experience
General Manager: Tony Lines, General Manager City Services
Subject: Marion Celebrates Campaign Strategy
Ref No: GC120618R08

REPORT OBJECTIVE

The purpose of this report is to provide Council with the draft *Marion Celebrates Campaign Strategy* for consideration and adoption.

EXECUTIVE SUMMARY

Delivering a campaign that fosters community pride is a component of the *2016-2019 City of Marion Marketing and Communications Plan*.

The draft *Marion Celebrates Campaign Strategy* provides a new approach to marketing Marion as a desirable place to live, work and play by coordinating the use of Council's communications channels and adding new tactics.

The 12-month campaign expands the *Marion Celebrates* event brand and involves residents and businesses in communicating key messages.

The campaign raises the profile of the people and places that make Marion successful with specially designed branding, an art project to which people submit photographs to build a picture of the community, and online videos of local achievers.

RECOMMENDATIONS

That Council:

Due Dates:

- | | |
|--|--------------|
| 1. Adopts the Marion Celebrates Campaign Strategy (attached as Appendix A) | 12 June 2018 |
| 2. Endorses an allocation of \$19,700 to deliver the Marion Celebrates Campaign Strategy to be funded in 2018/19 from identified cash savings following the completion of the 2017/18 audited Annual Financial Statements process. | 12 June 2018 |

BACKGROUND

The City of Marion uses a wide range of communications channels to promote projects and services and profile community members, businesses and volunteers.

Communications channels include:

- The website and social media
- City Limits
- Fortnightly What's Happening column in the Coast City Weekly
- Advertising
- E-newsletters
- Annual Report
- Brochures, flyers, posters
- Media releases

The achievements of individuals and groups and their contribution to the City of Marion is formally acknowledged through the Community Awards and Recognition Program, which includes the Australia Day and Unsung Heroes awards.

Developing a campaign to celebrate success is a tactic of the *2016-2019 City of Marion Marketing and Communications Plan* (GC25101R06):

- **Celebrating Success campaign** - Develop a campaign to foster pride in living, working and playing in Marion.

DISCUSSION

Marion Celebrates is the first campaign to raise the profile of the city, its features and people in a coordinated manner.

A 12-month strategy comprising two phases has been developed. The first phase launches and embeds the key themes 'Living', 'Working' and 'Playing'.

The second phase puts the spotlight on selected suburbs by highlighting what they have to offer.

The overarching theme, *Marion Celebrates*, expands the brand of the event which has been held nine times since 2000 and attracts more than 5,000 people.

Key objectives

The campaign includes the following objectives:

- Foster pride in **living, working and playing** in the City of Marion
- Create a sense of belonging, promoting engagement and connectedness in the community
- Demonstrate value for money to ratepayers by highlighting successful projects and services
- Present the features and benefits of the City of Marion to potentially attract more people to facilities, clubs, community groups and events

For the purposes of the campaign 'success' will be illustrated through residents from all walks of life, businesses, facilities and suburbs that make a positive statement about the City of Marion.

Campaign overview

The campaign aims to foster pride in Marion by raising the visibility of the people and places that represent success.

Marion's success stories will be told by children, adults and the aged, people from a range of cultural backgrounds, all abilities, and representatives of large and small businesses.

Involving people from a broad demographic seeks to target messages to different groups.

To demonstrate that success takes many forms, the campaign includes the sub-themes:

- Marion Celebrates – living
- Marion Celebrates - working
- Marion Celebrates – playing

Suburbs will also be promoted using sub-themes, for example:

- Marion Celebrates - Edwardstown
- Marion Celebrates - Glandore
- Marion Celebrates - Tonsley

Timing and tactics

The campaign will run for 12 months. If the *Marion Celebrates* event is held on Saturday, 23 March, 2019, this can be used to launch the campaign. If Council holds a different event in March 2019, the campaign can be launched there and conclude 12 months later, potentially at a rescheduled *Marion Celebrates* in 2020. Promotional activity will be rolled out in two phases.

The campaign uses traditional communications channels, including the website, City Limits, advertising, posters, video and media releases, and introduces new tactics, including:

Phase 1: March 2019 to June 2019 - Campaign launch and communication of key messages

- Specially designed *Marion Celebrates* branding applied to communications materials
- Specially badged edition City Limits explaining campaign, highlighting success stories
- Mayor writes to community, sporting and business groups inviting them to participate
- Twelve 'community champions' featured in communications, speaking at events, included in a photographic exhibition that tours Council and community venues
- The Face of Marion community artwork to which people to submit a photograph of themselves for a 1.8 metre high pyramid unveiled at conclusion of campaign then displayed at Council venues
- Rebranding Council events, for example, Marion Celebrates Unsung Heroes
- Dedicated web page that links to key documents, including the New Residents' Kit and the City of Marion Investment Prospects, which is currently being developed

- Marion's Got Talent online challenge which invites people and businesses to submit a short video clip demonstrating skills and success
- Badging milestones, including facility upgrades, with campaign branding

Phase 2: February 2020 to March 2020 - Area and suburb profiling, campaign wrap

- Marketing suburbs through My Neighbourhood Wall of Pride which uses words of residents to form an online snapshot of what they value in their area
- Specially badged edition City Limits marketing benefits of selected suburbs and areas
- Unveiling of Face of Marion artwork
- Announcement of Marion's Got Talent winners

How the campaign will be delivered

The Communications Unit will lead the delivery of the campaign with involvement from other work areas.

FINANCE

An estimated budget of \$19,700 is required to deliver the Marion Celebrates campaign (refer section 8 of Appendix A). It is recommended that this is funded in 2018/19 from identified cash savings following the completion of the 2017/18 audited Annual Financial Statements process.

CONCLUSION

The information provided in this report supports Council's consideration of the *Marion Celebrates Campaign Strategy*.

APPENDICES

Appendix A – Marion Celebrates Campaign Strategy

Appendix A

MARION CELEBRATES

**A campaign to foster pride in living, working and
playing in the City of Marion**

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1.0 Executive summary

The *Marion Celebrates Campaign* aims to foster pride in living, working and playing in the City of Marion.

The campaign raises the profile of the people and places that make Marion special by coordinating the use of existing communications channels and adding new tactics that directly involve the community in delivering key messages.

‘Success’ is portrayed as broad and inclusive, and is interpreted through the stories of men, women and children from all walks of life.

The 12-month campaign comprises two phases. The first phase sees the campaign launched and key themes embedded.

The launch could be held at the city’s biggest festival, *Marion Celebrates*, in March 2019. Should this event be rescheduled, the campaign could be launched at an alternative Council event at a similar time, and conclude at *Marion Celebrates* if it is rescheduled for 2020.

The second phase puts the spotlight on the unique features of selected suburbs.

The *Marion Celebrates Campaign* includes:

- A distinctive brand to badge success stories in print and online
- Involving residents and businesses as ‘community champions’
- Encouraging local organisations to display campaign material
- A three-dimensional artwork comprising photographs of community members
- Rebadging Council awards
- Branding milestone achievements, including park and facility upgrades
- An online video showcase of local talent and achievers
- Marketing suburbs through an online Wall of Pride

The campaign forms part of the *2019-2019 City of Marion Marketing and Communications Plan* and supports the delivery of the *Strategic Plan – Towards 2040* and the *2016-2019 Business Plan*.

2.0 Campaign objectives

The *Marion Celebrates* campaign is aligned with the City of Marion's strategic objectives.



Marion Celebrates campaign objectives:

The campaign includes the following objectives:

- Foster pride in **living, working and playing** in the City of Marion
- Create a sense of belonging, promoting engagement and connectedness in the community
- Demonstrate value for money to ratepayers by highlighting successful projects and services
- Present the features and benefits of the City of Marion to potentially attract more people to facilities, clubs, community groups and events

For the purposes of the campaign 'success' will be illustrated through residents, businesses, facilities and suburbs that make a positive statement about the City of Marion.

3.0 Our target audience

A broad range of people live, work and play in the City of Marion. They are also influencers who can share the pride of living in the city with friends, neighbours and workmates.

These people fall into six broad categories and can be targeted with specific messages:

Segments	Characteristics
Residents – current and future*	<ul style="list-style-type: none"> • Total population of Marion is 88,983 – and is forecast to rise to 100,000 by 2036 • The median age is 39, similar to the SA median. • Parents and home builders represent the biggest single demographic in Marion at 20.4 per cent • Retirees and seniors (aged 60-84) are the second largest cohort at 19.4 per cent • 35 per cent of residents have a mortgage while 29 per cent are renting • 14 per cent come from a non-English speaking background with Italian, Greek and Mandarin the most common languages spoken (700 new arrivals each year) • 18 per cent of residents are university educated while 19 per cent have vocational training
Businesses – current and future*	<ul style="list-style-type: none"> • More than 3,500 businesses are registered for GST in Marion. • They range from sole traders or home-based firms to major industries. • Types of industries include manufacturing (14.2%), finance (15.8%), real estate (12.2%), construction (15.3%), retail (6%), health (6.1%)
Community organisations #	<ul style="list-style-type: none"> • Marion has more than 700 community groups • Examples include sporting, church, schools, service clubs and environmental groups. • 'Community organisations' are a sub-set of the 'Residents'
Visitors*	<ul style="list-style-type: none"> • 18 million people visit each year to shop or for sport, health, tourism or leisure. • 15,431 people live outside Marion but travel here to work. • Our facilities are used by 855,700 people a year – neighbourhood centres (47k), libraries (449k), Marion Cultural Centre (286k) and pool (73k)
Partners	<ul style="list-style-type: none"> • Marion works with a vast array of State and Federal Government agencies and private sector organisations to deliver community initiatives.
Internal segments	
City of Marion	<ul style="list-style-type: none"> • 13 Elected Members • 343.5 FTE staff • 367 volunteers

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

4.0 The campaign

4.1 Concept

The campaign will highlight what makes the city special through the people who live, work and play in Marion.

The overarching theme of the campaign is **Marion Celebrates**.

The theme revitalises and expands the brand of the *Marion Celebrates* event which has been held nine times since 2000 and attracts crowds of more than 5,000 people.

To demonstrate that success takes many forms, the campaign will include the sub-themes:

- **Marion Celebrates – living**
The people and places that make Marion an attractive home, including schools, access to further and higher education, volunteers, parks, libraries, support services.
- **Marion Celebrates - working**
The people and places that make working and doing business in Marion desirable, including the range of industries, infrastructure, employers, transport links, skilled workforce.
- **Marion Celebrates - playing**
The people and places that make it easy to have fun in Marion, including sporting and recreational, historic sites, neighbourhood centres.
- **Marion Celebrates – (suburbs and places)**
Putting the spotlight on suburbs that have something unique to offer, including business opportunities, range of housing, historical significance.

Examples include:

- Marion Celebrates - Edwardstown
- Marion Celebrates - Glandore
- Marion Celebrates - Tonsley

The theme will be unpacked further, including as:

- Marion Celebrates – sport
- Marion Celebrates – history
- Marion Celebrates – volunteers

4.2 Who and what will be involved?

The campaign will foster pride in Marion by raising the visibility of the people and places that represent success.

To create emotional appeal and personalise the campaign, Marion's success stories will be told by children, adults and the aged, people from a range of cultural backgrounds, all abilities, and representatives of large and small businesses.

Involving people from a broad demographic will help target messages to different groups and show Marion is an inclusive and diverse community.

Communications materials will feature people telling how Marion has helped them succeed, whether by bringing up a family, participating in sport, running a business or learning new skills.

The campaign will be distinguished by a specially designed graphic applied across a range of media, including print, advertising, posters, digital, video and banners.

Success stories will be told using the City of Marion's communication channels, while marketing collateral, including posters and stickers will be distributed to community organisations, schools, businesses and sporting groups to encourage them to participate.

A dedicated page on the City of Marion website will consolidate campaign information and link to services and facilities that support the campaign's themes.

A partnership with Messenger Press will add value to advertising.

A range of additional tactics has been developed to involve the community in the campaign.

4.3 How it will work

The campaign will use the City of Marion's print and online communications channels, including:

- Website
- Social media
- City Limits
- Messenger press (advertising and media releases)
- Posters
- Signage and banners
- Email signatures
- Messages on hold
- E-Talk
- Email signature graphic

Duration and timing

The campaign could be launched at the *Marion Celebrates* event at Marion Cultural Centre plaza on Saturday, 23 March, 2019. Should the event be rescheduled, the campaign can be launched at another Council event at a similar time.

The campaign will run for 12 months to ensure engagement with a broad cross section of the community.

The timeframe will allow the annual calendar of Council and community events to be incorporated into promotion in addition to achievements, including the completion of projects such as parks and facilities upgrades.

To ensure messages are delivered with impact, and to avoid 'campaign fatigue', promotional activity will be concentrated into two phases:

Phase 1 (March 2019 – June 2019):

A four month period where the campaign is embedded among the community and business.

Phase 2 (February 2020 – March 2020):

A two-month profiling of suburbs that offer something unique to residents and visitors.

5.0 Tactics

The campaign will engage with the community by sharing their stories of success in an emotive manner.

Communications materials will feature people telling how Marion has helped them succeed, whether by bringing up a family, participating in sport, running a business or settling after arriving from overseas.

Key tactics that support the campaign are:

5.1 Branding and badging

A simple but distinctive graphic will be designed and applied to print and online communications materials to increase campaign visibility.

The branding will announce that the person or project featured is part of Marion's success.

Branding will be applied communications collateral, including:

- Adverts
- Posters
- Media releases
- Videos
- Website and social media
- Posters
- City Limits
- Project signage
- Digital screens

5.2 Engaging community and business

Invitation to participate

The Mayor will write to local sporting, community and business groups, outlining the campaign and explaining how people can be involved.

Communications collateral

Posters, stickers and digital stamps will be provided to organisations, including schools, businesses and community groups so they can brand their premises and websites.

Templates of posters that allow people to update them with the name of their club, organisation, or school, will also be available for download via the City of Marion website.

Businesses that export products or services will be invited to badge communications collateral that promotes an announcement, new service or product.

5.3 Community champions

Twelve people will be appointed 'community champions'.

The champions could be from all walks of life, ranging from high achieving sportsmen and women, business leaders, volunteers, local award recipients, refugees who have built a new life locally, people raising a family, and young achievers.

The common thread that unites them will be how Marion has played a part in their success.

The community champions will be announced at *Marion Celebrates*. A photographic exhibition in which they are featured will also be unveiled at the event.

Their stories and what they value about Marion will be communicated through:

- Online video
- Media releases
- Adverts
- Posters
- Articles in City Limits
- Social media and the website
- Photographic exhibition
- Champions speaking at events

5.4 Photographic exhibition

Photographic portraits of the community champions supported by summaries of their achievements will be created for an exhibition.

The exhibition will tour Council and community venues, including neighbourhood centres, libraries, sporting facilities.

An online version will be available on the City of Marion website.

5.5 Community artwork – The Face of Marion

The centrepiece of the campaign will be an artwork comprising a 1.8 metre high pyramid made up of photographs of the faces of community members.

People will be invited to submit photographs to the artwork at the campaign launch. Over the following 12 months, photographs will be added to build a dynamic picture of the community.

The artwork allows people to be part of Marion's success.

The use of a pyramid shape reinforces the City of Marion triangular logo.

The artwork will be unveiled at the conclusion of the campaign, after which the three sides of the pyramid will be displayed at Council venues.

5.6 Council events

Council and community events represent an opportunity to promote the campaign. This can be achieved through short speeches from 'community champions', video clips and communications materials.

Events that can be incorporated into the campaign include:

- Marion Celebrates
- Citizenship Ceremonies
- City of Marion Community Art Exhibition
- Marion Outdoor Pool open days
- Living Kurna Cultural Centre open days
- History Month
- Unsung Heroes
- Australia Day Awards
- Community Grants presentations
- Australia Day Awards

Events can also be rebadged, including as:

- Marion Celebrates Unsung Heroes
- Marion Celebrates Community Grants
- Marion Celebrates Community Artists

Certificates presented to people as part of the Reward and Recognition program will be badged *Marion Celebrates*.

5.7 City of Marion website

A dedicated webpage will summarise the campaign and promote Council facilities and services by linking people to further information.

Links to existing resources will include the New Residents' Kit, Service Directory and the City of Marion Investment Prospectus, which is currently under development.

The website will be badged with campaign graphics.

5.8 My Neighbourhood Wall of Pride

To market the benefits and attractions of different suburbs, the community will be invited to submit descriptions of what they value most about their neighbourhood.

The descriptions will be regularly updated to form a living Wall of Pride on the website. The wall will be preserved as a digital record of Marion's unique suburbs.

5.9 City Limits special editions

City Limits will be badged *Marion Celebrates* to coincide with the campaign launch.

In addition to an overview of the campaign, articles will highlight successes, profile the community champions and the Face of Marion artwork.

Selected articles in subsequent editions of City Limits will be badged *Marion Celebrates* for the duration of the campaign.

A second special edition will profile selected suburbs.

5.10 Marion's Got Talent - online

People and businesses will be invited to participate in a light-hearted challenge to show how they are successful by submitting a video clip of a maximum 30-seconds to the City of Marion Facebook page.

Submissions to *Marion's Got Talent – online* could include people demonstrating an artistic, sporting or musical skill, or businesses providing a snapshot of an innovative new product.

Three entries that best reflect 'Living', 'Working', 'Playing' will be selected and profiled in City Limits and on the website.

Entries will form a talent bank for future promotions.

5.11 Badging milestones

The completion of projects such as parks, playgrounds, facility upgrades and announcements of new or improved services will be acknowledged.

This can be achieved by badging communication materials *Marion Celebrates*, referencing the campaign in speeches and banners.

An updateable calendar of achievements will be available on the City of Marion website. This include:

- Improvements to parks, playgrounds, facilities, services
- Announcement of new initiatives
- Organisational awards

5.12 Social media

The key messages of the campaign will be reinforced through social media channels, including Facebook, Instagram, Twitter and You Tube.

Videos and photographs will be used to engage the community, businesses and groups, which will also be encouraged to share campaign news and posts.

Social media will provide ongoing updates of the campaign's progress and link people to associated activities, including the Face of Marion community art project, profiles of community champions and Council's milestone achievements.

5.13 Advertising

The two phases of the campaign will be marked by advertising in the local press.

A partnership with Messenger Press involving co-badging of communications materials will provide value for money by increasing the size and frequency of advertising.

5.14 Profiling organisational awards

Over the past 12 months the City of Marion has received a number of awards, including for an event to educate the public about coping with heatwaves, the gap year program and transforming open space.

The City of Marion has not traditionally heavily promoted awards it has received to the public.

Highlighting awards received the website, media releases and in publications is a means of fostering confidence in the organisation and Council.

5.15 Internal communications

An internal communications plan will be developed to engage Marion's 350 staff in the campaign.

This will include promotion through an internal electronic newsletter, posters and presentations at General Staff Meetings.

6.0 Key messages

Messages will be refined by consulting the community and reflect the benefits of living, working and playing in Marion:

- The Marion Celebrates campaign puts the people and places that make the city special in the spotlight
- We want people to be proud to call Marion home
- Marion is a place where people can make a home, develop a business and have fun visiting
- People are invited to join in the campaign by submitting a photograph to a community art project and displaying posters
- Marion is an exciting place to live, work and play
- Marion has the parks, sports facilities and schools that make it an ideal place to bring up a family
- Business are welcome and can access the skills, transport networks and services they need to succeed
- New arrivals from around the world are welcome and can find the services and facilities to make Marion home

7.0 Campaign calendar

This table outlines the key campaign tactics and when they will be occur.

Phase 1:

Campaign launch and roll out:

Month – 2019	Action
March	<ul style="list-style-type: none"> • Campaign launch: <ul style="list-style-type: none"> - Unveiling of branding - Presentation of community champions - Photographic exhibition opens - Community artwork launch - Webpage goes live - Badging project milestones • City Limits special edition distributed
April	<ul style="list-style-type: none"> • Mayor writes to community, business and sporting groups inviting them to participate • Advertising commences
May	<ul style="list-style-type: none"> • Commence profiling organisation awards
June	<ul style="list-style-type: none"> • Launch Marion's Got Talent – online
July – January 2020	<p>Campaign continues using City of Marion's communication channels and:</p> <ul style="list-style-type: none"> - Badging events, project milestones - Community champions speaking at events - Submissions for community art project - Circulation of photographic exhibit to Council and community venues - Calls for Marion's got talent submissions

Phase 2:

Area and suburb profiling roll out and campaign wrap:

Month – 2020	Action
February	<ul style="list-style-type: none"> • Advertising promoting Phase 2 commences • Launch dedicated web and social media campaign marketing selected suburbs, for example: <ul style="list-style-type: none"> - Tonsley - Edwardstown • Community invited to submit views to create online My Neighbourhood Wall of Pride
March	<ul style="list-style-type: none"> • Special edition City Limits with pull out guide on featured suburbs • Unveiling of community art project • Announcement of Marion's Got Talent winners

8.0 Budget estimate

Item	Cost estimate
Advertising	\$3,900
Photographic exhibition	\$3,800
Face of Marion community artwork comprising 1.8m high pyramid structure	\$3,800
Promotional collateral: <ul style="list-style-type: none"> - 500 x 30cm diameter reversible stickers - 2,000 A3 posters - 2,000 bookmarks 	\$5,300
Banners – eight moveable banners for use at milestone events	\$2,600
Messages on hold	\$300
Total estimate	\$19,700

Note: Graphic design and video will be produced using in-house resources.

9.0 Delivering the campaign

The Communications Unit will lead the delivery of the campaign with involvement from teams from across the organisation.

DEPUTATIONS**PETITIONS****COMMITTEE RECOMMENDATIONS****Review and Selection Committee Minutes 28 August 2018**

Originating Officer Manager Human Resources - Steph Roberts

Corporate Manager Manager Human Resources - Steph Roberts

General Manager N/A

Report Reference GC180911R02

Confidential Motion**REPORT OBJECTIVE**

The purpose of this report is to facilitate the receiving and noting of the public minutes from the 28 August 2018 Review and Selection Committee Meeting.

EXECUTIVE SUMMARY

Items considered at this meeting are summarised below:

- CEO Annual Performance Review 2017/18 - **Confidential**
- Corporate and CEO KPI Report Quarter four 2017/18
- Independent Member - Finance and Audit Committee Meeting

RECOMMENDATION

That Council:

1. **Receives and notes the public minutes of the Review and Selection Committee Meeting held on 28 August 2018 (Appendix 1).**
2. **Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.**

GENERAL ANALYSIS**DISCUSSION****Attachment**

#	Attachment	Type
1	RSC280818 - Minutes - 28 August 2018	PDF File

**MINUTES OF THE REVIEW & SELECTION COMMITTEE MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 28 AUGUST 2018**



PRESENT

Elected Members

His Worship the Mayor Kris Hanna
Councillors Janet Byram, Ian Crossland and Jerome Appleby

In Attendance

Adrian Skull	Chief Executive Officer
Steph Roberts	Manager, Human Resources
Vincent Mifsud	General Manager Corporate Services

1. OPEN MEETING

The meeting commenced at 5.04pm

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. MEMBERS DECLARATION OF INTEREST

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

NA

4. CONFIRMATION OF MINUTES

4.1 Moved Councillor Byram, Seconded Councillor Crossland the Minutes of the Review and Selection Committee meeting held on 1 May 2018 are confirmed as a true and correct record of proceedings.

Carried Unanimously

5. BUSINESS ARISING

Nil

6. PRESENTATION

Nil

5.05pm Moved Councillor Byram, seconded Councillor Crossland to take leave of the meeting and deal with confidential items at the end of the meeting.

Carried Unanimously

7. REPORTS

7.1 5.05pm Corporate and CEO KPI Report Quarter four 2017/18 Report Reference RSC180828R01

Discussion regarding the KPI results

- KPI 4: Total employee costs

Vincent Mifsud provided further explanation: The outdoor workforce when conducting work on capital jobs book time out on time sheets, which is capitalised against the job. In 17/18, there was a reduction of capitalised labour of \$272,000; \$156,000 of this was due to delays in Kerb & Water Table works as a result of consultant delays in developing a 5 year road reseal program, as well as delays in the drainage program associated with delays in service relocations. In these instances outdoor staff perform other work such as repairs & maintenance, training, administrative tasks, etc. which are not capital jobs. Where this occurs their costs are not capitalised and are instead booked to operating expenditure and included under "Employee Costs".

- Question: How can we increase awareness and manage it for the future?
 - The information becomes available at the end of the financial year.
- Question: Why is labour not separated from Capital works?
 - Confirmation was provided that it is separated.
- Question: Why are salaries not always booked to operating expenditure?
 - Under Australian Accounting Standards, all labour directly associated with the physical carrying out of capital works (i.e. direct labour) is required to be capitalised and booked to those capital works jobs.
- Question: Why is there no other work employees can do, while they are not working on capital works, i.e. a program of non-capital works to be performed?
 - Other non-capital works are performed

ACTION: The Committee requested a report be provided to the next meeting regarding the program of non-capital work conducted each year

ACTION: The committee requested the following information be incorporated into the quarterly KPI reporting for General Council:

- Actual FTE figures be provided quarterly and at year end
 - Include a note stating the number of staff on Work Cover and income protection
- KPI 7: Asset Sustainability

Vincent Mifsud provided further explanation regarding the Fleet Optimisation Review Project. It is a good news story and will continue to improve how we procure our fleet.

Moved Councillor Byram, Seconded Councillor Crossland that the Review and Selection Committee:

1. Note this report; acknowledging that the final audited financial statements for KPI's one, four, seven and eight will be provided to Council in a separate report to align with the financial end of year independently audited statements (expected October 2018).

Carried Unanimously

8. CONFIDENTIAL ITEMS

8.1 5.35pm Independent Member - Finance and Audit Committee Meeting Report Reference RSC180828RO2

Moved Councillor Crossland Seconded Councillor Appleby that:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present be excluded from the meeting as the Committee receives and considers information relating to the Finance and Audit Committee Independent Member performance, 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 Independent member.

Carried Unanimously

5.35pm Adrian Skull, Steph Roberts and Vincent Mifsud left the meeting

5.40pm suspended confidence

5.40pm Adrian Skull and Steph Roberts re-entered the meeting

Moved Councillor Crossland, Seconded Councillor Appleby that the Review and Selection Committee recommend to Council:

1. That Ms Emma Hinchey be re-appointed for a period of 3 years until 30 November 2021.

8.2 5.40pm Cover Report - CEO Annual Performance Review 2017/18 Report Reference RSC180828F01

Adrian Skull presented an overview of the 2017/18 year.

- The committee sought clarification regarding Elected Members receiving the summarised rather than the full unedited version of the 360 degree feedback
 - Adrian confirmed he receives the full report
 - The committee discussed regarding whether the elected members should receive the full version. As it is required to be anonymous, the committee agreed the summarised version for elected members is appropriate.

5.45pm Tim Pfeiffer entered the meeting

Moved Councillor Crossland Seconded Councillor Appleby that:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present be excluded from the meeting as the Committee receives and considers information relating to the Chief Executive Officer (CEO) 2017/2018 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

5.48pm Tim Pfeiffer left the meeting

5.55pm Adrian Skull and Steph Roberts left the meeting

5.57pm Mayor Hanna left the meeting

6.19pm Steph Roberts re-entered the meeting

6.20pm Steph Roberts left the meeting

6.25pm Vincent Mifsud re-entered the meeting

6.28pm Vincent Mifsud left the meeting

7.00pm Steph Roberts re-entered the meeting

Moved Councillor Crossland, Seconded Councillor Appleby that:

1. In accordance with 91(7) and (9) of the *Local Government Act 1999* the Committees 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 2018.

Carried Unanimously

7.09pm the meeting came out of confidence

9. ANY OTHER BUSINESS

10. MEETING CLOSURE

The meeting was declared closed at 7.10pm.

11. NEXT MEETING

To be advised.

CONFIRMED

.....

CHAIRPERSON

/ /

Finance and Audit Committee Meeting Minutes 21 August 2018

Originating Officer	Manager Corporate Governance - Kate McKenzie
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911R03

Confidential Motion**REPORT OBJECTIVE**

The purpose of this report is to facilitate the receiving and noting of the minutes from the 21 August 2018 Finance and Audit Committee meeting.

EXECUTIVE SUMMARY

Items considered at this meeting are summarised below:

- Elected Members Report
- Compliance Framework and Policy
- Internal Audit Program
- Meeting with the Internal Auditors in Confidence
- KPMG Volunteer Audit Report update
- Service Review Program 2018/19 - Progress Update
- Service Review Program Recommendations - Progress Update
- Service report - Report- Open space Operations Transformation Phase 2
- Service report - Report - Records Management
- WHS - Annual Performance REport 2018
- Business Continuity Exercise REport
- Australian Services Excellence Standards - Audit Outcomes
- ICT Planning Roadmap - 2018 update
- Whistleblowers Policy & The Procedure for Code of Conduct Complaints for Elected Member
- Tonsley Water Agreement

RECOMMENDATION

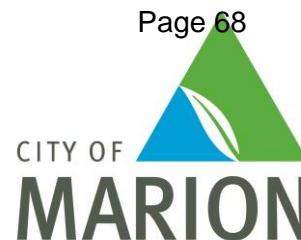
That Council:

1. Receives and notes the minutes of the Finance and Audit Committee meeting of 21 August 2018 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

Attachment

#	Attachment	Type
1	FAC100821 - FAC Minutes 21 August 2018	PDF File

**MINUTES OF THE FINANCE AND AUDIT COMMITTEE MEETING
HELD AT THE ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON 21 AUGUST 2018**



PRESENT

Mr. Greg Connor (Chair), Ms Emma Hinchey (from 4.15 pm), Ms Natalie Johnston, Councillor Telfer and Councillor Kerry (from 4.25 pm)

In Attendance

Mr. Adrian Skull	Chief Executive Officer
Mr. Vincent Mifsud	General Manager Corporate Services
Ms. Abby Dickson	General Manager City Development
Mr. Tony Lines	General Manager City Services
Ms Kate McKenzie	Manager Corporate Governance
Mr. Ray Barnwell	Manager Finance and Contracts
Mr. Jason Cattonar	Manager Development and Regulatory (Item R03)
Ms. Steph Roberts	Manager Human Resources (Item R05)
Ms Cass Gannon	Performance and Innovation Leader (Item R06 – R09)
Ms. Mel Nottle-Justice	Business Improvement Officer (Item R06 - R09)
Mr. Mat Allen	Manager Engineering and Field Services (Item R08)
Ms. Sherie Walzcak	Unit Manager Risk (Items R10 & R11)
Mr. John Deally	Manager ICT (Item R12)
Mr. Jared Lawrence	KPMG (Items R03 & R04)
Mr. James Rivett	KPMG (Items R03 & R04)

1. OPEN MEETING

The meeting commenced at 4.02 pm. The Chair welcomed all those present to the meeting.

2. KAURNA ACKNOWLEDGEMENT

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

3. MEMBERS DECLARATION OF INTEREST

The chair asked if any member had a conflict of interest regarding any item of the agenda. No interests were declared.

4. CONFIRMATION OF MINUTES

4.03pm Confirmation of the Minutes for the Finance and Audit Committee Meeting held 29 May 2018

Moved Councillor Telfer, Seconded Ms. Johnson that the minutes of the Finance and Audit Committee (the Committee) meeting held on 29 May 2018 are confirmed as a true and correct record of proceedings.

Carried Unanimously

5. BUSINESS ARISING

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

Report Reference: FAC180821

The Committee noted the Business Arising Statement and noted that:

- The FAC Performance and Effectiveness Survey will be presented to the October meeting due to the size of the agenda. A total of eight (8) response were received and the preliminary review of the survey results did not indicate any major issues that would require immediate attention.
- The report of Valuation of Buildings and Assets will be circulated to FAC members out of session (prior to the October FAC meeting). There were no major variations to report. Land value reduced by approximately \$8m (from a total land value of \$360m). Buildings reduced by \$7m (from a total value of \$83m) and infrastructure reduced by a total of \$17m. Both valuation processes were a full comprehensive review.

6. CONFIDENTIAL ITEM

Nil

7. REPORTS FOR DISCUSSION

4.09 pm Elected Members' Report

Report Reference: FAC180821R01

Councillor Telfer provided an overview of the report highlighting the following:

- It is now a point in the Council Term (due to the elections in November) where Elected Members are stepping back and preparing for 2018-2022 Council Term.
- The Caretaker period commences on 18 September.
- The Oaklands Crossing Project has been a major achievement for the Council and is progressing well.
- Council has purchased property adjacent to the Marino Hall. Council will now work through the long term vision for the property, however this will be a decision for the new Council.

The Committee queried Councils position on rate capping and it was noted that Marion was potentially the only Council that had supported rate capping. It may be that other Councils supported the concept of rate capping but did not support the draft bill in its current form. The Committee noted that the Council's Long Term Financial Plan reflects a 1.8% average rate increase over the life of the Plan, which is well below the current 30 June 2018 CPI of 2.7%. The Council is well placed to manage any impact of rate capping into the future.

4.13 pm Compliance Policy and Framework

Report Reference FAC180821R02

4.15 pm Ms. Emma Hinchey entered the meeting.

The Manager Corporate Governance provided an overview of the report highlighting that the Policy and Framework has been developed:

- Following recommendations from the Auditor General report in 2016

- In-line with the Australian Standards for Compliance
- Using a risk based approach to assess compliance obligations and those assessed high or outside of risk tolerance levels will be monitored via a centralised approach. Compliance obligations assessed as medium or low risk will be managed by the relevant business units.

The Committee confirmed that the documents are solid and a good approach. The Committee suggested the following:

- Amend the definition of compliant by deleting the words “is a desired outcome”;
- The third point on the final page of the Compliance Framework document should read “Reporting of organisational wide non-compliance.....”.
- Further clarity should be provided regarding who will monitor the high risk compliance obligations and how this will occur;
- The Committee’s Terms of Reference will need to be amended to reflect any changes in its responsibilities and obligations.

The Committee was advised that the high risk compliance obligations will be monitored via Corporate Governance. The process is currently manual but software solutions will be investigated moving forward.

The Committee noted that internal consultation will now occur with management on the Policy, Framework and Compliance Assessment. The Committee requested that an update be provided at the December 2018 meeting to monitor progress.

ACTION: That an update report on the implementation of the Compliance Framework be provided to the December 2018 FAC Meeting.

4.22 pm Internal Audit Program Report Reference FAC180821R03

Mr Jarred Lawrence and James Rivett from KPMG entered the meeting.

Mr Lawrence informed the Committee that KPMG currently has no audits in progress and the next audit (Procure to Pay – scope approved at the May 2018 FAC meeting) is scheduled to commence in October 2018.

It was noted that the Committee previously requested that the Workplace Emergency Management Review be combined with the Business Continuity Review which is scheduled to commence in January 2019. This scope is yet to be considered by the Committee.

KPMG advised the Committee that a number of scopes will be presented to the next meeting in October.

4.25 pm Councillor Kerry entered the meeting

Fines and Enforcement Internal Audit

KPMG provided an overview of the report highlighting that the objective of the audit was to assess the risk and controls associated with the overall management and administration of the fines and enforcement process. The focus of this audit was parking, dog expiations and environmental health expiations.

The revenue for parking expiations has increased in the 16/17 financial year. A total of 614 appeals were received in 16/17 for various reasons. The number of appeals received equates to 9% of the expiated issues and of these only a third were successfully appealed.

The audit determined two low rated recommendations – one relating to working with Civica to implement better reporting functionalities and the second related to delegations/authority

to waive expiations under section 101(1) of the Expiations of Offences Act 1996. The second recommendation has been rectified. The recommendation concerning civica will take more time to implement.

The Committee noted the report and commented that the audit was somewhat underwhelming. The Committee sought assurance from KPMG that the audits moving forward are adding greater value to the organisation. .

The Committee noted that the revenue received from expiations was lower to other comparable Councils. The Committee queried if this was impacted by resources or inefficiencies? It was noted that it has been Council's view not to gain revenue from expiations and they should be used as a deterrent rather than a revenue stream.

Development Assessment Planning (Holmes Dyer)

The Manager Corporate Governance advised the Committee that this was the final review from the 17/18 Internal Audit Plan and had been completed outside of the KPMG contract. The scope of the audit was to review the processes and service levels for Council's development assessment functions pursuant to the Development Act 1993. The audit demonstrated that the department is discharging its functions and responsibilities well, however there was some opportunity for improvement regarding cultural processes that have deviated from the legislation over time due to EDR court decisions and interpretations.

The Committee noted the amount of recommendations and suggested a number of these seemed like quick fixes. It was noted that some of the timeframes had been set around the Caretaker Period for the elections as certain issues could not be brought to Council during this period.

The Manager Development and Regulatory Services noted that implementation of the recommendations had already commenced and he was confident that the recommendations would be implemented well before the due date. It was highlighted that the focus is on changing the established practices of the team which will require time and cultural change.

The Committee suggested that any process within the department that may cause a non-compliance risk should be rectified as soon as possible. The Committee agreed that there is a number of lower risks but when accumulated it increased the ultimate risk to the organisation.

The Committee also queried the impact of the new Act and the planning reforms. It was noted that the major changes will commence in 2020. The Regulations are currently being drafted and will be distributed to the sector for consultation.

The Committee also noted that on-going training will be required for cultural change within the team. This can't just be a once off process.

The Committee requested a one page up-date on progress at the December FAC meeting.

ACTION – A one page report be brought to the next FAC meeting in December 2018.

4.35 pm Meeting with the Internal Auditors in Confidence (without management present)

Report Reference FAC180821R04

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

1. Pursuant to Section 90(2) and (3)(g) of the *Local Government Act 1999*, orders that all persons present, be excluded from the meeting, with the exception of Jared Lawrence and Justin Jamieson from KPMG, as the Finance and Audit Committee

meets with Council's Internal Auditors, on the basis that the Finance and Audit 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 commercial information of the Council.

Carried Unanimously

4.50 pm The meeting moved into confidence

The Committee met in camera with Jared Lawrence and James Rivett from KPMG.

The Auditors reported in response to questions from those present that they had received good cooperation from Management and Staff during the conduct of their Audits. The working relationship was a healthy one between both parties.

There was a minor concern with the timing of the review process of reports but this was being addressed. It was agreed that greater emphasis needed to be on the planning of audits to ensure that there was minimal duplication between Internal Audits and the Service Review process. The Committee thanked the Auditors for their support.

5.01 pm The meeting came out of confidence.

5.01 pm Councillor Kerry left the meeting

5.02 pm KPMG Volunteer Audit Report update Report Reference FAC180818R05

The Committee noted the report. All recommendations have been completed with the exception of the recommendation relating to the development of a Code of Conduct for Volunteers. This work has been progressing with the Employee Code of Conduct that will be released for consultation within the next few weeks.

The Committee noted that the DSH clearances for volunteers are now all in place and moving forward, all Volunteers will be required to sign the Code of Conduct. All Volunteers have signed the current Code that is in place.

The Committee noted the 3 year strategy for Volunteer Management and made the following comments:

- Ensure that diversity reflects more than 'age' within the strategy
- Develop metrics/measures that will determine success.

It was noted that there is a detailed plan of works that sits behind the strategy to ensure delivery.

5.06 pm Service Review Program 2018/19 - Progress Update Report Reference FAC180821R06

The Committee noted the report.

5.07 pm Service Review Program - Recommendations - Progress Update Report Reference FAC180821R07

The Performance Innovation Leader provided an overview of the Service Review Program noting that the team is progressing well with nine (9) of the reviews to be delivered this financial year. It was noted that with the reduction in the number of reviews, the Performance and Innovation Team (PIT) will be assisting the organisation with the implementation of recommendations.

The Committee made the following points:

- That quarter three finalised 11 recommendations in total.
- The organisation should attempt to reduce the outstanding recommendations to zero (or very close to zero)
- The reporting should reflect:
 - The changes from one quarter to another;
 - A traffic light system to reflect on track, at risk and overdue;
 - What recommendations have been completed within due date.
- The Hard Waste review reflects that the tender would be open on the Tender SA website for 3 months. This seems excessive and should be reviewed.

5.12 pm Councillor Kerry entered the meeting.

5.12pm Service Review - Report - Open Space Operations Transformation Phase 2 Report Reference FAC180821R08

The Manager Engineering and Field Services provided an overview of the report highlighting that this was the second phase of the Open Space Review. The focus was on tree planting, watering, irrigation, walkway maintenance and sensitive sites. The review included field observations, review of customer events, analysis of invoices, review of asset management and identification of any gaps within open space. The review has 50 recommendations for change/improvement.

The review has demonstrated that:

- The organisation can increase the number of tree plantings from approximately 1,400 to 3,000 per year. This can be achieved within existing resources.
- The introduction of tablets in the field has also reduced the amount of paperwork and created efficiencies.
- The FTE for the open space team can be reduced by four (4) over 3 years? through natural attrition. Consultation has occurred with the union and staff. They are both supportive of process improvement but not necessarily the reduction in the FTE.

The Committee provided feedback that the report was good and fulsome. It provided good analysis and outcomes for the Council. This could be applied to other reviews as the format and process was solid. The Committee queried how Council will realise any savings from the changes implemented and how this will be recorded?

The Manager Engineering and Field Services highlighted that comparisons with the baseline data will assist with measuring savings by assessing any variations. It will be reflected through budgets and the long term financial plan.

The Committee queried how much the service review cost. It was noted that a large portion was completed in house however some costs were incurred for a consultant. This detail would be provided at the next meeting via the business arising statement.

ACTION – The cost associated with the service review be provided at the next meeting.

5.21 pm Service Review - Report - Records Management Report Reference FAC180821R09

The Business Improvement Officer provided an overview of the report highlighting that this service review focused on assessing records management from across the organisation. The review noted that the Records Team functions were limited and focused on process for mail room functionality. The review identified that some records management functions weren't being completed and a new records management model and framework was required to ensure the organisation was compliant with its records management obligations. Once the model and framework are established, the resources would need to be realigned to ensure delivery.

The Committee noted the legislative amendments scheduled to commence in July 2019 and the body of work required before this date. Once this work was completed, the team should be able to maintain the on-going work load to ensure the backlog doesn't occur again.

It was noted that the Council has submitted a GDS 21 Certification for the records management system, which will provide Council with the ability to scan and destroy documentation. Once this certification is received, it will assist the processes for the records team.

It was noted that approximately \$4k was incurred with a records management consultant to assist with a self-assessment for the review.

The Committee noted the report and looked forward to the progress of the recommendations.

5.31 pm Work Health & Safety - Annual Performance Report 2018 Report Reference FAC180821R10

The Unit Manager Risk provided an overview of the report highlighting that the organisation had another productive and positive year with Work, Health and Safety. The major achievement was moving from a manual process to use of a software system (Skytrust). Stage one was well progressed and due to be completed at the end of 2018. Skytrust is provided free of charge to the council via the LGA Insurance Schemes.

The Committee noted the reduction of 78% (in two years) for the lost time injury frequency rate (LTIFR) which is a proud effort for the organisation. The cultural change program is still required but good results have occurred to date. It was noted that the reduction in claim numbers has directly reduced the administrative requirements of managing injuries in the workplace.

The Committee queried if the hazard and near miss reporting was low for an organisation of Marion's size and if there was any issues with under reporting? It was agreed that some benchmarking would be completed and presented to the next Committee meeting

ACTION: Benchmarking of Council's hazard and near miss data to be presented at the Committee meeting in December 2018.

5.40 pm Business Continuity Exercise Report Report Reference FAC180821R11

The Committee noted the report and the exercise completed. The Committee noted good progress regarding the Council's preparedness in this space and queried what was planned for the next business continuity exercise? It was noted that a Health Check was planned in November 2018. This would be facilitated by the Local Government Risk Services.

8. REPORTS FOR NOTING

5.41 pm Australian Services Excellence Standards - Audit Outcome Report Reference FAC180821R12

The Committee noted the report and that the City of Marion was the first Council to receive a 100% compliance the first time completing the audit. This was a positive outcome for the Council. The Committee queried if the Council would increase the audit level next time and apply for the higher level of "Award"? The Committee was advised that this was being considered but acknowledged it would be significantly more work and the benefits would need to be assessed and justified.

5.42 pm ICT Planning Roadmap - 2018 Update Report Reference FAC180821R13

The Manager ICT presented the ICT Digital Transformation Plan and road map. This road map is an iterative document that is reviewed and updated on an annual basis taking into consideration work in progress and what is planned for the next financial year. The road map is used by management to assess new initiatives and what is implemented across the business.

The Committee noted that the Business System Fitness Review (BSFR), enterprise data warehouse, asset management system and project management systems are all currently in progress.

It was highlighted that the current FTE for ICT is 10.6 and the current resources does not accommodate ICT project managers. The Committee noted the large amount of work in ICT and the limited resources available and that Council will need to ensure that the resources, both from an investment and FTE perspective, match the work required.

It was highlighted that the BSFR will assist with the prioritisation of works and what is implemented, how it is implemented and the timing. The BSFR is being project managed within the ICT team.

5.52 pm Whistleblower Policy and the Procedure for Code of Conduct Complaints for Elected Members Procedure Report Reference FAC180821R14

The Committee noted both the Whistleblower Policy and the Code of Conduct Complaints Procedure for Elected Members.

The Committee advised staff of some minor edits that require correction in the Policy document.

5.55 pm Tonsley Water Agreement Report Reference FAC180821R15

The General Manager City Services provided an overview of the report highlighting that Council has progressed an agreement with Renewal SA to supply treated stormwater from Oaklands Wetland to Tonsley. The Committee noted that the Council already has stormwater supplied to the entrance of Tonsley. Council will partner with Enwave (private supplier). The agreement was developed with independent review and is not a risk to Council as the Council does not have to commit to any water quality. The Contract will provide income for Council of around \$50k per year. The Committee noted the opportunity cost to Council and the agreement.

9. WORKSHOP / PRESENTATION ITEMS

Nil

10. ANY OTHER BUSINESS

Nil

11. MEETING CLOSURE

The meeting was declared closed at 6.01 pm

12. NEXT MEETING

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

Time: 9.30am

Date: 2 October 2018

Venue: Council Chamber, Administration Building

.....
CHAIRPERSON

/ /

Infrastructure and Strategy Committee Minutes 4 September 2018

Originating Officer	Strategy Leader - Elaine Delgado
Corporate Manager	Manager Innovation and Strategy - Fiona Harvey
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911R04

REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes from the 4 September 2018 Infrastructure and Strategy Committee meeting.

EXECUTIVE SUMMARY

A summary of items considered by Committee Members are noted below.

Renewable Energy and Battery Opportunities

This report provided an update on opportunities, including renewables, to minimise the use of grid electricity. A summary of energy efficiency and renewable projects at Council sites based on a comprehensive audit of all Council-operated sites with an annual energy spend of more than \$5,000 was provided, along with the results of an investigation into the feasibility of battery storage at Council sites. The results of the investigation indicated that installation of a battery storage system is not currently financially feasible however, this situation should be monitored so Council can readdress the situation in future. It was agreed that allowance needs to be made at the design phase for the building and renewing of council facilities to ensure they are battery ready.

Transport

Use of modes of transport and associated infrastructure was presented. There is a need to encourage a change in behaviour so there is less reliance on private vehicles. This change could be supported by streetscape upgrades that link destinations, such as schools and stations, so walking and cycling are considered viable options for movement. The role of infrastructure to meet the needs of both recreational and commuting cyclists, 'park and ride' facilities at rail stations to support use of public transport, and opportunities to promote ride-sharing were discussed.

ICT 5-Year Plan - 2018 Update

An update on the ICT Digital Transformation Plan 2017-2022 was provided. Initiatives completed during 2017-18 included a new Council website; Elected Member Extranet; an online booking system; Development Services Online Development Applications lodgement; and online Customer Service Requests. A Business Systems Fitness Review to assess gaps, vendors and technical platforms for ICT based systems is due to be completed in October 2018. The outcomes of this review will be available for consideration by Elected Members following Council elections in November 2018.

Development of Council's 4-Year Business Plan 2019-2023

This item was deferred for discussion post the November 2018 Local Government elections.

RECOMMENDATION

That Council:

- 1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 4 September 2018 (Appendix 1).**

- 2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure and Strategy Committee.**

Attachment

#	Attachment	Type
1	ISC180904 - Draft Minutes ISC meeting 4 September 2018	PDF File

**MINUTES OF THE INFRASTRUCTURE AND STRATEGY COMMITTEE
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 4 SEPTEMBER 2018**



PRESENT

Elected Members

Councillor Luke Hutchinson (*Presiding Member*), Councillor Tim Pfeiffer, Councillor Bruce Hull, Councillor Nathan Prior

His Worship the Mayor Kris Hanna

Independent Member

Mr Christian Reynolds - apology

In Attendance

Councillor	Ian Crossland
Councillor	Jason Veliskou
Councillor	Nick Westwood
Ms Abby Dickson	General Manager City Development
Mr Tony Lines	General Manager City Services
Mr Vincent Mifsud	Corporate Services
Ms Fiona Harvey	Manager Innovation and Strategy
Mr John Deally	Manager ICT
Mr Mathew Allen	Manager Engineering and Field Services
Mr Mark Griffin	Unit Manager, Engineering Services
Ms Ann Gibbons	Environmental Sustainability Manager
Ms Elaine Delgado	Strategy Leader

1. OPEN MEETING

The meeting commenced at 6.30pm.

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. MEMBERS DECLARATION OF INTEREST

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

- No declarations were made.

4. CONFIRMATION OF MINUTES

Moved Mayor Hanna, Seconded Councillor Pfeiffer that the minutes of the Infrastructure and Strategy Committee Meeting held on 7 August 2018 be taken as a true and correct record of proceedings.

Carried unanimously

5. BUSINESS ARISING

Moved Mayor Hanna, Seconded Councillor Pfeiffer that the Infrastructure and Strategy Committee:

1. Notes the business arising statement, meeting schedule and upcoming items.
 - The Business Arising statement was noted.
 - The following points were made:
 - Further information on the status of the BMX project was sought with the following response that the Darlington site and its cultural heritage is continuing to be investigated
 - The Morphettville Sports upgrade should be included for discussion by the Committee

ACTION: Include the Morphettville Sports upgrade on the agenda for the 2 October 2018 meeting of the Infrastructure and Strategy Committee

6. CONFIDENTIAL REPORTS

Nil.

- It was noted that the heading 'Confidential Item' in the Renewable Energy and Battery Opportunities was not required.

7. REPORTS FOR DISCUSSION

6.38pm Renewable Energy and Battery Opportunities Report Reference: ISC180904R01

The Environmental Sustainability Manager introduced the report noting the following points:

- The report provides an update on the use of renewables to minimise the reliance on grid electricity including analysis of battery storage options at appropriate Council facilities
- The Cove Civic Centre site was used as an example to analyse the feasibility of battery storage
- Findings from the analysis indicated that battery storage is not currently a financially feasible option
- Options for Council to consider progressing include:
 - Contacting its electricity retailer to ensure an appropriate feed-in tariff for its supply of solar PV generated electricity
 - Considering the value of installation of a battery storage system as a public education display
 - Assessing other battery storage investment options as outlined in the report

The Committee noted the report with the following points made:

- The capacity and viability of the generator at Council's Administration Building site to provide energy during power outages was discussed and it was noted that reliance on back-up from a battery source at these times would be inadequate
- To inform decision-making there would be value in investigating other councils' approaches to sourcing energy and procurement
- Due to the current lack of financial viability with battery storage systems it was agreed that this situation should be monitored so Council can readdress it when it is financially viable
- It was noted that at the design phase for the building and renewing of council facilities that allowance needs to be made to ensure they are battery-ready
- It was agreed that investigations should be undertaken to identify if there is value in collective procurement by councils for renewable energy infrastructure
- Clarification was sought on the status of the Energy Efficiency upgrades at Marion Cultural Centre, including the cost of heating, ventilation and air conditioning (HVAC) at this site
- To determine the viability of renewable energy options an assessment needs to be made of the amount of additional power required by Council and what renewable energy sources will best meet this need

ACTION: Administration to provide implementation status and financial details to Committee members on HVAC expenditure at the Marion Cultural Centre

Moved Councillor Pfeiffer, Seconded Councillor Prior that the Infrastructure and Strategy Committee:

1. Noted this report.
2. Requests Administration notes the feedback provided by Committee members.
3. Notes the Energy Efficiency and Renewable Energy Plan (endorsed GC180710R04) includes direction for further initiatives that will be brought to Council for consideration as part of the upcoming four-year Business Plan.
4. Requests a report be provided to the next term of Council on the viability of a bulk procurement process by Council Solutions for the purchasing of batteries and solar.

Carried unanimously

8. REPORTS FOR NOTING

7.10pm Transport

Report Reference: ISC180904R02

The Unit Manager Engineering Services presented on transport modes and infrastructure in the City of Marion that is addressed through Council's:

- Road Hierarchy Plan
- Walking and Cycling Strategy
- Streetscape Plan and Guidelines
- Parking Management Plan (to be presented to Council)

The Committee noted the report with the following points made:

- Transport modes are changing with increasing usage of electric and autonomous vehicles which will have significant implications
- Public transport service levels are enabled by a network of heavy rail, light rail and road infrastructure. The provision of additional light rail infrastructure could further

increase patronage however, the state government is not currently supportive of light rail expansion in the City of Marion

- It is important to encourage behaviour change from reliance on private vehicles to increased use of public transport, cycling and walking
- Council needs to consider levels of use of infrastructure when allocating funds
- There could be potential to work with other councils to explore the use of electric buses
- Council needs to be clear on what outcomes it is wanting to achieve to inform transport infrastructure and service provision
- A strategic approach is required when determining streetscapes to be improved with priority given to linking destinations such as schools, rail stations, shops
- The provision of infrastructure to support 'park and ride' at rail stations needs to be considered to reduce car numbers on roads, e.g. Oaklands Crossing rail station
- In providing cycling infrastructure it is important to consider the needs of recreational as well as commuting cyclists
- Ride-sharing is a solution to reduce car use that could be investigated further, particularly the role council could play in supporting this

ACTIONS:

Administration to review the 'Future Testing' presentation prepared to inform the development of the City of Marion's 10-Year Strategic Plan 2017-2027, and where it is relevant make it available to new Councillors in the next term of Council

Administration to identify 'park and ride' numbers pre-development and post-development at the Oaklands Crossing rail station with the Department of Infrastructure, Planning and Transport

Moved Councillor Pfeiffer, Seconded Councillor Prior that the Infrastructure and Strategy Committee:

1. Noted the report.

Carried Unanimously

8.50pm Mayor Hanna left the meeting

8.25pm Mayor Hanna re-entered the meeting

7.50pm ICT 5-Year Plan – 2018 Update Report Reference: ISC180904R03

The Manager ICT provided an overview of the report with the following points raised:

- Improvements to the 'search' function for Elected Members can be addressed in consultation with the Extranet vendor and via the 'agenda and minutes' software that is currently being introduced
- Business Systems Fitness Review, due to be completed in October 2018, is assessing the gaps, vendors and technical platforms for ICT based systems and will inform any need for replacement of asset and business enterprise systems
- It is important that Elected Members in the next Council term are informed of the outcomes of the Review, including financial considerations, so these can be considered at the January 2019 Elected Member induction and workshop
- Business cases based on recommendations will be prepared to support Council's considerations which need to include information on value, justification for the system, and return-on-investment,
- It is important that Council keeps abreast of changes in technology to ensure it provides a high level of service delivery and that major new systems replacement platforms are catered for in the long term financial plan

- Opportunities to work in collaboration with other councils in relation to procurement should be a focus

Moved Councillor Hull, Seconded Mayor Hanna that the Infrastructure and Strategy Committee:

1. Noted and provided its feedback on the annual update to the City of Marion ICT Digital Transformation Plan.

Carried unanimously

8.20pm Infrastructure Projects Progress Update **Report Reference: ISC180904R04**

The following comments were made by the Committee:

Soccer Facilities

- The Amber rating for the project scope needs to remain until there is an alignment of directions for the Cove Football Club and the Football Federation South Australia
- Review the description in the partnerships section to better reflect current negotiations between the City of Marion, Football Federation South Australia and Cove Football Club.

ACTION: Additional information to be provided in the Progress Update on the outcomes of the meeting of the Cove Football Club and Football Federation South Australia

Marion Outdoor Pool

- Users of the Pool and the Inclusive Playground at Hendrie Street Reserve would benefit from a link being provided between the two sites

Edwardstown Oval redevelopment

- It was noted that anchor tenants are an important factor for the success of this redevelopment
- An update on the project was requested for the next Committee meeting

ACTION: An update on the Edwardstown Oval redevelopment project to be provided to the October 2018 Infrastructure and Strategy Committee meeting

Moved Mayor Hanna, Seconded Councillor Pfeiffer that the Infrastructure and Strategy Committee:

1. Noted the progress report on key infrastructure projects.

Carried unanimously

9. WORKSHOP / PRESENTATION

8.42pm Development of Council's 4-Year Business Plan 2019-2023 **Report Reference: ISC180904R05**

Due to the current term of Council concluding in November 2018 it was agreed that this item be deferred to the December 2018 meeting of the Infrastructure and Strategy Committee.

Moved Mayor Hanna, Seconded Councillor Pfeiffer that the Infrastructure and Strategy Committee:

1. Defer the presentation of a report and workshop on the Development of Council's 4-Year Business Plan 2019-2023 to the December 2018 Infrastructure and Strategy Committee meeting.

10. ANY OTHER BUSINESS

Nil

11. MEETING CLOSURE

The meeting was declared closed at 8.47pm.

12. NEXT MEETING

The next meeting of the Infrastructure and Strategy Committee will be held at 6.30pm on Tuesday 2 October 2018 in the Council Chamber, 245 Sturt Road, Sturt.

CONFIRMED

.....
CHAIRPERSON

/ /

CONFIDENTIAL ITEMS**Cover Report - Proposed Class Action**

Originating Officer	Unit Manager Risk - Sherie Walczak
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911F01

RECOMMENDATION**That:**

1. Pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999*, Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Vincent Mifsud, General Manager Corporate Services; Tony Lines, General Manager City Services; Abby Dickson, General Manager City Development; Kate McKenzie, Manager Corporate Governance, Sherie Walczak, Unit Manager Risk, Victoria Moritz, Governance Officer, Jaimie Thwaites, Unit Manager Governance and Records, Mat Pinnegar, LGA CEO and Andrew Johnson, LGA Consultant be excluded from the meeting as Council receives and considers the letter received relating to an offer to register with a class action, upon the basis that 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 commercial information the disclosure of which could prejudice the commercial position of Council and would on balance be contrary to the public interest.

Proposed Class Action

CONFIDENTIAL

Reason For Passing This Resolution:

Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii) : commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) 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 (ii) would, on balance, be contrary to the public interest.

Cover Report - Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park

Originating Officer	Unit Manager Economic Development - Donna Griffiths
Corporate Manager	Manager City Activation - Greg Salmon
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911F02

RECOMMENDATION**That:**

1. Pursuant to Section 90(2) and (b) and (d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Vincent Mifsud, General Manager Corporate Services; Kate McKenzie, Manager Corporate Governance; Greg Salmon, Manager City Activation; Donna Griffiths, Unit Manager Economic Development; Rebecca Kersten, Acting Unit Manager Communications and Victoria Moritz, Governance Officer be excluded from the meeting as the Council receives and considers information relating to the report Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park, 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 relating to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council.

Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park**CONFIDENTIAL**

Cover Report - Expression of Interest - Community Wireless Internet Service

Originating Officer	Senior Contracts Officer - Tim Hoggan
Corporate Manager	Manager Finance - Ray Barnwell
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911F03

RECOMMENDATION

That:

1. Pursuant to Section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Vincent Mifsud, General Manager Corporate Services, Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Kate McKenzie, Manager Corporate Governance, Ray Barnwell, Manager Finance & Contracts, Jaimie Thwaites, Unit Manager Governance and Records; Victoria Moritz, Governance Officer; Fiona Harvey, Manager Innovation & Strategy, Tim Hoggan, Senior Contracts Officer, Phil Mattingly, Unit Manager ICT Service Delivery and Infrastructure and Rebecca Kersten, Acting Unit Manager Communications and Media be excluded from the meeting as the Council receives and considers information relating to the report *Expression of Interest - Community Wireless Internet Service* upon the basis that 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 of a commercial nature and would on balance, be contrary to the public interest.

Expression of Interest - Community Wireless Internet Services

CONFIDENTIAL

Reason For Passing This Resolution:

Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii) : commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) 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 (ii) would, on balance, be contrary to the public interest.

Local Government Act (SA) 1999 S 90 (2) 3(b) (i) and (ii): information the disclosure of which (i) 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 (ii) would, on balance, be contrary to the public interest.

Cover Report - Coastal Walkway - Confidential Appendix

Originating Officer	Unit Manager Open Space and Recreation Planning - Victoria Masterman
Corporate Manager	Manager City Property - Carol Hampton
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911F04

RECOMMENDATION**That:**

1. Pursuant to Section 90(2) and (3)(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 Services; Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Kate McKenzie Manager Corporate Governance, Jaimie Thwaites, Unit Manager Governance and Records; Victoria Moritz, Governance Officer; Carol Hampton, Manager Land and Property; Victoria Masterman, Unit Manager Open Space and Renee Pitcher, Landscape and Open Space Planner be excluded from the meeting as the Council receives and considers information relating to the Coastal Walkway, upon the basis that 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 legal advice and would on balance, be contrary to the public interest.

Coastal Walkway - Confidential Appendix**CONFIDENTIAL****Reason For Passing This Resolution:**

Local Government Act (SA) 1999 S 90 (2) 3(h): legal advice.

Cover Report - Review and Selection Committee Confidential Minutes from the meeting of 28 August 2018

Originating Officer	Manager Human Resources - Steph Roberts
Corporate Manager	Manager Human Resources - Steph Roberts
General Manager	N/A
Report Reference	GC180911F05

RECOMMENDATION**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: _____, be excluded from the meeting as the Committee receives and considers information relating to the Chief Executive Officer (CEO) 2017/2018 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.

Cover Report - CEO Annual Performance Review 2017/18

Originating Officer	Manager Human Resources - Steph Roberts
Corporate Manager	Manager Human Resources - Steph Roberts
General Manager	N/A
Report Reference	GC180911F06

RECOMMENDATION

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: _____, be excluded from the meeting as the Committee receives and considers information relating to the Chief Executive Officer (CEO) 2017/2018 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.

Cover Report - Code of Conduct - Preliminary Report - Matter 1

Originating Officer	Manager Corporate Governance - Kate McKenzie
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911F07

RECOMMENDATION**That Council:**

1. That Pursuant to section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all person present, with the exception of the following, Adrian Skull, Chief Executive Officer, Kate McKenzie, Manager Corporate Governance, and Victoria Moritz, Acting Governance Quality Coordinator, be excluded from the meeting where the Council receive and consider information pertaining to the item Code of Conduct, 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.

Code of Conduct - Preliminary Report - matter 1**CONFIDENTIAL****Reason For Passing This Resolution:**

Local Government Act (SA) 1999 S 90 (2) 3(a): information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Cover Report - Code of Conduct - Matter 2

Originating Officer	Manager Corporate Governance - Kate McKenzie
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911F08

RECOMMENDATION**That Council:**

1. Pursuant to section 90(2) and (3)(a) of the Local Government Act 1999 the Council orders that all person present, with the exception of the following, Adrian Skull, Chief Executive Officer, Kate McKenzie, Manager Corporate Governance, Victoria Moritz, Acting Governance Quality Coordinator, be excluded from the meeting where the Council receive and consider information pertaining to the item Code of Conduct, 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.

Code of Conduct - Preliminary Report - matter 2**CONFIDENTIAL****Reason For Passing This Resolution:**

Local Government Act (SA) 1999 S 90 (2) 3(a): information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

CORPORATE REPORTS FOR DECISION

Outcome of review of Hire Charges of Council Operated Facilities

Originating Officer	Unit Manager Libraries - Damian Garcia
Corporate Manager	Manager Community and Cultural Services - Liz Byrne
General Manager	General Manager City Services - Tony Lines
Report Reference	GC180911R05

REPORT OBJECTIVE

To provide Council with the outcomes of the review undertaken about the hire charges of Council operated facilities.

EXECUTIVE SUMMARY

At the 10 July 2018 General Council meeting, Council requested the following:

1. Council request Administration undertake a review of the fees and charges for the hire of halls, meeting rooms and performance spaces of Council operated facilities with options that can make charges more accessible for community groups, maximise the use of council facilities and are sustainable.
2. A report and recommendations be brought back to Council for consideration by September 2018.

The City of Marion has 20 individual spaces across 8 locations that are operated by Council staff. The majority of the spaces include two hire rates, and distinguish between community and corporate type customers. Fees range from the minimum charge of \$10 per hour for a small meeting room at the Cove Civic Centre up to \$150 per hour for the Domain Theatre at the Marion Cultural Centre.

Hire charges of Council operated facilities in neighbouring councils were also analysed.

The review highlighted a number of opportunities to improve the consistency between each site, and a number of recommendations have been proposed for Council's determination.

RECOMMENDATION

That Council

1. **Notes the report.**
2. **Adopts Option X as the Fees and Charges for the hire of Council operated facilities, to be effective 1 January 2019.**
3. **Notes that Fees and Charges for all Council operated facilities will be reviewed and any alterations to the charges are proposed on a 2 yearly basis commencing from 2020/2021.**
4. **Notes that Administration will:**
 - a) **review each site's Terms and Conditions of Hire for consistency, taking into account the individual requirements for all Council operated facilities;**

b) develop a Facility Hire Policy.**GENERAL ANALYSIS**

The City of Marion has 20 individual hireable spaces across 8 locations.

The 8 sites include:

- Cooinda Community Centre
- Glandore Community Centre
- Mitchell Park Neighbourhood Centre
- Trott Park Neighbourhood Centre
- Cove Civic Centre (CCC)
- Living Kurna Cultural Centre (LKCC)
- Marion Cultural Centre (MCC) - Domain Theatre and adjacent rooms
- Perry Barr Farm - Castrol Shed

Each of these spaces are unique in their service offering, age of the buildings, technology infrastructure, staff support on site, as well as their purpose for existence.

In order to appropriately review each facility across Council the hire rates are presented as per one hour rates (Attachment 1). Some of our facilities offer rates (with discounts) for half day and whole day hire.

The review compared like facilities in neighbouring Councils - the Cities of Holdfast Bay, Mitcham and Onkaparinga (Attachment 2).

All figures are based on actuals (usage, hire rates, revenue, etc) from 2017/2018 financial year.

The review highlighted a number of opportunities to improve the consistency between each site, and a number of recommendations have been made.

Engaged:

We will ensure our community is well informed about the services we provide.

Liveable:

We will make our services, facilities and open spaces more accessible.

We will create more opportunities for residents to enjoy recreation and social interaction in our neighbourhood centres, sports facilities and other Council facilities.

Connected:

We will provide a variety of options for social interaction.

Opportunities:

Council's Donations and Sponsorship Policy allows for 'in-kind' venue hire support, at a maximum of \$500, once per year. In 2017/2018 there was only one approved application for venue hire support via the donations and sponsorship program. There is an opportunity to further promote this avenue of Council support to the community.

Risk Management:

Currently there is no Council operated facility that offers 'free' hire usage with the exception of a long standing arrangement at the Perry Barr Farm site.

There is a \$10 per hour fee which is an administration fee that offsets the additional purchase of the public liability insurance for those community

groups who wish to use our facilities and don't already have public liability insurance.

This arrangement of \$10 per hour (administration fee) can be accessed by community groups up to two times per annum.

Current Budget Allocation: Estimated income from these facilities may not be realised if fees are reduced and may have an impact on the 2018/2019 budget.

DISCUSSION

A review of the hire charges for council operated facilities was undertaken in July/August 2018. Each of the 8 Council locations are distinctive in their service offering and technology infrastructure, as well as their purpose for existence.

Hire rates are presented as per hour charges.

Neighbourhood Centres

The City of Marion has four dedicated neighbourhood/community centres at Cooinda, Glandore, Mitchell Park and Trott Park. These centres are locally based multifunctional services that rely on a small core of paid staff and many volunteers. They function as a focal point for the local community, providing a meeting place and offer a range of activities, programs and events to assist individuals in community education, volunteering, health and wellbeing, social inclusion and life-skills.

Neighbourhood/community centres are heavily reliant on external funding, which is provided for the specific benefit for the community through funding agreements. Each agreement is different, however there are requirements to deliver specific key deliverables in each centre. As such, community centres are heavily used for program delivery for the community and not so much for ad-hoc hirers or for independent hirer groups.

The Glandore Community Centre has a number of leased buildings which are managed through the Land and Property business unit.

Hire charges for Neighbourhood Centres are based on one standard rate for all hirers, and is consistent with a lower community rate at the other facilities, as per the table below.

Neighbourhood Centres	Person Capacity	Community Rate p/h
Cooinda - Hall Hire	160	\$ 65.00
Mitchell Park - Hall Hire	100	\$ 30.00
Trott Park - Hall Hire	100	\$ 30.00
Trott Park - Play Room and Seminar Room	30	\$ 30.00
Glandore - Clark Function Centre	160	\$ 65.00
Glandore - Opal Space	30	\$ 35.00
Glandore - Slade Training Room	15	\$ 30.00
Glandore - Rugby Building	50	\$ 35.00

The next table shows the utilisation rates of each room, including corporate, community and internal usage. The utilisation % is based on the total hours the space has been booked, in relation to the total hours the space is available for use in the year.

All internal bookings reflected in the utilisation are for the purposes of program delivery. Other 'internal' City of Marion usage is not captured in the utilisation rates, and is mostly on an ad-hoc basis.

Community utilisation reflects both individuals and/or groups in the community who have hired the spaces privately. The Glandore Community Centre, and its variety of spaces, experiences the largest number of hirers compared to the other neighbourhood centre spaces.

Neighbourhood Centres	Community	Internal	Total
Cooinda - Hall Hire	5%	83%	88%
Mitchell Park - Hall Hire	0%	76%	76%
Trott Park - Hall Hire	0%	84%	84%
Trott Park - Play Room and Seminar Room	0%	42%	42%
Glandore - Clark Function Centre	19%	27%	46%
Glandore - Opal Space	8%	21%	29%
Glandore - Slade Training Room	22%	42%	64%
Glandore - Rugby Building	54%	10%	64%

Neighbourhood Centres offer a core function for the community, providing for a diverse range of needs in the community. Although these are council operated facilities, their focus is different to that of the Marion Cultural Centre or Cove Civic Centre.

The age of each of the neighbourhood centres varies and are older than the other Council operated facilities, and as such the availability of technology infrastructure and standard expectations like Wi-Fi is not always available. This limits the appeal of these spaces to some hirers, as well as their multifunctional capability.

Both Glandore and Cooinda Community Centres are open on Saturday mornings and this is possible due to external funding received. The Glandore Community Centre has only been a Council operated facility since March 2009. Prior to that it was operated by a Board of Management and as part of the transition to Council there was a requirement to maintain usage of the space for weddings, birthday parties etc.

Online surveys to hirers are not sent, but each program is evaluated for its ability to meet the needs of the community. These evaluations focus on service provision and program content rather than building requirements.

Any revenue generated at neighbourhood/community centre locations is returned to the Land and Property budget to offset the costs of building maintenance across the Council.

The City of Marion neighbourhood/community centres are well used spaces, and an important part in the lives of many residents.

Glandore Community Centre is currently the site for the online booking system pilot project.

Cove Civic Centre (CCC)

The Cove Civic Centre is high end facility with access to up to date technology and equipment, and near new furniture and facilities. The building was designed to allow for independent after hours usage with no requirement for staff to be on site. The facility exists to provide a space that may be used by small business operators, library customers, community groups, and larger organisations. There are 6 flexible spaces available for hire, ranging from a small meeting room which caters for 6 people, up to the hall which can accommodate 200 people.

There is also an IT Training suite that can seat 16 people and 1 tutor. The training suite includes access to Wi-Fi and lap tops, a projector and lectern. All meetings rooms have access to Wi-Fi and a TV screen that can be connected to a laptop or other device, as well as comfortable modern furniture. The main hall has 2 x TV screens, 2 x projectors, PA system, Wi-Fi, with tables and chairs that can be set up in a multitude of configurations.

Cove Civic Centre also has a dedicated staff member responsible for venue management, room set up and pack down, room bookings and invoicing and is the first point of contact for all hirers. This is a valuable offering and is recognised in the feedback received from the online surveys (Attachment 4). The Cove Civic Centre uses the Venues online booking management system for invoicing and the management of bookings and hirer information.

CCC has both a corporate and community rate for hire charges as per the table below.

Cove Civic Centre	Person Capacity	Community Rate p/h	Corporate Rate p/h
Hall Hire - Full Room	200	\$ 70.00	\$ 105.00
Hall Hire – 1/2 Room	100	\$ 30.00	\$ 60.00
Hall Hire – 1/4 Room	50	\$ 25.00	\$ 50.00
Larger Meeting Rooms x2	10	\$ 20.00	\$ 20.00
Small Meeting Rooms x2	6	\$ 10.00	\$ 10.00
IT Training Suite	17	\$ 75.00	\$ 75.00

There are no comparable facilities to Cove Civic Centre in either the City of Marion, or surrounding councils and as such it is difficult to compare the hire charges of this site with others.

Cove Civic Centre has been in operation now for 3 years, and as such is still building reputation. The hire charges have remained the same since the opening of the facility. There is a Libraries Marketing and Communications Plan in place which may increase the current utilisation of spaces. In the 2017/18 financial year, all of the spaces combined were utilised 19% of the time available.

The utilisation was from a range of hirers. High end users of the hall include the Department of Premier and Cabinet, Coles, Flight Centre and Workskill. Other smaller groups include the Cove knitting group, small business operators, robotics clubs and after school activities delivered by both CoM other hirers. There has been a steady increase in the utilisation of the spaces, however there is opportunity to increase the overall utilisation into the future.

The below table shows the utilisation rates of each room, including corporate, community and internal usage. The utilisation % is based on the total hours the space has been booked, in relation to the total hours the space is available for booking in the year. All of the spaces at Cove are available 6 days a week (8.30am to 10.00pm) and Sundays (1.00pm to 9.00pm)

Cove Civic Centre	Community	Corporate	Internal	Total
Hall Hire - Full Room	4%	0.2%	5%	9%
Hall Hire – 1/2 Room	2%	2%	10%	14%
Hall Hire – 1/4 Room	5%	4%	21%	30%
Larger Meeting Room x 2	4%	2%	14%	20%

Small Meeting Room x 2	3%	6%	9%	18%
IT Training Suite	1%	9%	10%	20%

The internal % includes City of Marion programs (library specific and other business units) that are run for the community. There are some instances of council staff using these rooms for internal meetings, interviews etc., however this only makes up 1% (197 hours) of the utilisation.

Revenue generated at this site is returned to the Libraries budget and is utilised to offset the operational costs of the Library Service.

Online surveys are sent to all hirers after their event via Survey Monkey. Feedback has been constructive and positive. The main theme of the positive feedback is based on the excellent service by staff, and the facility itself. The most constructive feedback received was focused on the technology and the need for operating manuals due to the complexity of the equipment, or on occasions the technology not working as intended (Attachment 4).

Overall the Cove Civic Centre is a space that is growing in reputation with further opportunity to improve the utilisation.

Marion Cultural Centre (MCC)

The MCC houses a premier performing arts space being the Domain Theatre, as well as a Green Room and separate meeting room, Library, Gallery and Café. While there is a strong community focus in the building, there is also an intention to be financially stable and competitive in its offerings for the Theatre.

For the purposes of this review, only the Domain Theatre, Green Room and Sturt Room were included. The other functions of the building do not include hireable spaces for the public.

The Domain Theatre is a high end performance space, which includes the necessary technical equipment and resources to accommodate a range of uses. These range from concert style performances, author talks and forums, as well as corporate meetings and training.

Domain Theatre also comprise a number of staff to support its operations. This includes a Box Office Officer for ticket sales, event enquiries and bookings, as well as qualified technicians to support the audio visual needs and set up requirements in the theatre.

MCC has both corporate and community rate for hire charges as per the table below.

Marion Cultural Centre	Person Capacity	Community Rate p/h	Corporate Rate p/h	Internal Rate p/h
Domain Theatre	280	\$ 120.00	\$ 150.00	\$136.00
Domain Room*	280	\$ 70.00	\$ 100.00	\$ 90.91
Sturt Room	50	\$ 32.00	\$ 45.00	\$ 45.00
Green Room	25	\$ 18.00	\$ 25.00	\$ 23.00

* Domain Room is when the theatre space is utilised for meetings etc and does not use the technical components and specialist staff of the performance theatre.

As with the Cove Civic Centre, there is no comparable facility in either the City of Marion or surrounding Councils and as such it is difficult to compare the hire charges of this site with others.

The below table shows the utilisation rates of each room, including corporate, community and internal usage. The utilisation % is based on the total hours the space has been booked, in relation to the total hours the space is available for booking in the year. All of these spaces have a minimum booking time of 3 hours due to the nature of the set up of the space and bump in and bump out requirements of the use of the space. As such, multiple bookings on the same date are not often possible. When viewing the utilisation of this space, it is important to factor this in.

Marion Cultural Centre	Community	Corporate	Internal	Total
Domain Theatre	32%	2.0%	20%	54%
Domain Room	2%	1%	9%	12%
Sturt Room	8%	3%	22%	33%
Green Room	33%	4%	22%	59%

Due to the diversity in usage of the theatre, the adjacent Green Room and Sturt Room may be booked by staff as internal bookings while a performance is taking place. Also as with Cove Civic Centre, there are a number of programs run for the community by staff and this is also reflected as internal bookings. City of Marion usage of the space, such as the General Staff Meeting, or council wide trainings only make up 1% of the total usage of the space.

Revenue generated by MCC is utilised to offset the costs of the facility and is retained by the MCC budget holder.

The Venues system is also utilised for the management of bookings, invoices and hire requests.

Online surveys are sent to all hirers after their event via Survey Monkey. This has only been a recent initiative over the last 12 months, and feedback to date has been extremely positive. Of those who responded to the survey, 100% of people indicated they would both hire the venue again and recommend it to others (Attachment 5).

Living Kurna Cultural Centre (LKCC)

The LKCC is a spiritual and learning place for the Kurna people, to remember and renew Kurna cultural and spiritual practices. It also serves as a place where respect and recognition of Kurna culture is nurtured, and where the wider community are welcome to learn about Kurna and other Aboriginal cultures, the history of the site (both Kurna and early settlement) is celebrated and community ties between Aboriginal and non-Aboriginal people are strengthened through sharing cultural differences and similarities.

An important function of LKCC is to develop business opportunities and skills (for both commercial and social/cultural outcomes) for Kurna and other Aboriginal people. This is achieved through cultural tours, arts and cultural workshops, art gallery, retail shop, venue hire bookings, tourism, education and other programs and events.

The LKCC comprises the LKCC building itself and the adjacent Fairford House. While both of these spaces are open to the general public to hire, there is consideration given to the types of events and usage that relate to the cultural significance of the site.

Living Kurna Cultural Centre and Fairford House offer spaces for hire amongst the unique setting of Warriparinga. The main function room at LKCC can seat up to 30 people and is ideal for meetings and workshops. The adjacent Fairford House offers a meeting room that can comfortably seat 14 in boardroom style as well as an art room available for use during art workshops.

As with other council operated facilities, LKCC has a corporate and community rate dependant on the hirer as per the table below.

Living Kurna Cultural Centre	Person Capacity	Community Rate p/h	Corporate Rate p/h
LKCC Building	30	\$ 69.50	\$ 117.50
Fairford House	14	\$ 51.00	\$ 82.00

As with other sites operated by Council, a direct comparison is difficult due to the unique offerings of not only the buildings, but also the natural settings they are surrounded by and the cultural significance of the site.

Utilisation is from a diverse range of hirers. Small to medium hirers have used the spaces for meetings and training, as well as other community groups using the spaces for cultural workshops, education and other community events and programs. LKCC is also a destination for schools to bring classes for education in local Aboriginal history.

The grounds of LKCC have also been hired for events in the past , such as Dub in the Park and Marion Celebrates, and these bookings are managed by the Special Event Permit process.

Below is a table of the utilisation at LKCC and Fairford House.

Living Kurna Cultural Centre	Community	Corporate	Internal	Total
LKCC Building	14%	16%	7%	37%
Fairford House	4%	9%	2%	15%

Similar to other council operated facilities, internal usage generally relates to programs and events run for the public by staff at the location. Internal usage is not reflective of City of Marion staff members using the spaces for internal meetings.

While there are opportunities to increase the utilisation of LKCC, it is not possible to measure the cultural significance as a place of importance for the Kurna and wider community.

Hire revenue generated for the LKCC is retained by the LKCC budget officer to offset operation costs of the centre and hire income from Fairford House is returned to the Land and Property budget.

There is no current online survey for hirers of LKCC, and anecdotal feedback is very positive, with many repeat hirers. Surveys have been undertaken in the past that are program specific.

Perry Barr Farm - Castrol Shed

Perry Barr Farm comprises of several buildings, some of which are individually leased to the Hallett Cove Lions Club and Scouts group. The Castrol Shed is one of the buildings located on the property and is managed by Council. This review has taken into account the hiring of Castrol Shed only.

The Castrol Shed is a smaller building, however there are support poles in the main function room which does limit the space's usage. At present, there are two regular hirers of the space. There is a dance group that use the space for rehearsals during school terms, and a Senior Citizens Group that meet on Saturdays.

Due to the long term agreements with the dance group, and a historical relationship with the Senior Citizens group, their charge rates are lower than the standard rate. The Senior Citizens group is not charged for their usage of the hall based on a historical agreement. There is a flat rate of hire for the hall to all others.

Below is a table of the hire charges for Castrol Shed.

Perry Barr Farm -	Person Capacity	Rate p/h
Dance Group	100	\$ 18.00
Senior Citizens Group	100	\$ -
General hire rate	100	\$ 25.50

Council has only recently commenced making this space available for hire.

Due to the limitation of the space and the age of the building, utilisation is lower than that of other council operated facilities. It has been recognised as an area of opportunity for the future, and the Land and Property team are looking at opportunities to restore the historic nature of the site, as well as incorporating renewal, repairs and maintenance into the Asset Management Program.

This site does not have normal operating hours as all other sites do, and therefore an utilisation % is not possible. At this stage, the Dance group are using the hall 10 hours per week during school terms, and the Senior Citizens Group use the hall for 6.5 hours per week on Saturdays.

As discussed above, there are opportunities to improve the utilisation of this facility. It is considered to be in average condition, and therefore improvements may need to be made in order to meet any increase in the community's needs.

FINDINGS

In reviewing all of Council operated facilities and their hire charges, there were a number of findings. Not all facilities are managed in the same way in relation to terms and conditions of use, fees and charges, feedback mechanisms and overall service offerings. An organisational Facility Hire Policy across all council operated facilities with standard terms and conditions (wherever possible) would help to deliver a consistent expectation with members of the community and hirer groups.

It should also be noted that while fees and charges are comparable with those of our neighbouring councils, each of these Council's manage their spaces in different ways. For example, the Cities of Holdfast Bay and Onkaparinga both operate their neighbourhood centres under a Memorandum of Understanding with an independent management committee. These committees operate the facilities, and the activities/programs offered by them, and also have the ability to set and charge their own rates. This model does have some limitations, and Onkaparinga are in the process of moving away from this model in the future. The City of Mitcham have opted for a uniform approach, where all of their spaces are priced exactly the same.

All of CoM Council sites operate under a slightly different philosophy. The LKCC is a cultural centre, focussed on providing the Kaurna community a facility to celebrate, educate and promote their history. The Marion Cultural Centre operates on a business model that promotes the venue to generate income, as well as providing a high end facility to the performing arts community. Three sites, LKCC, MCC and CCC, recognise the difference between corporate hirers and community hirers, and wherever possible will accommodate the nuances of community hirers.

Each of the facilities operate under slightly different span of hours, and vary in size, capacity, functionality and service offering. This provides the community and corporate hirers a great deal of choice when looking to the City of Marion facilities to meet their needs.

Only Cove Civic Centre and Marion Cultural Centre are currently engaging with hirers to get feedback via an online survey. A standard approach to gaining feedback would be valuable from hirers, and would allow for better future planning to take community needs into consideration.

Council does have a Donations and Sponsorship Policy, which states:

“In-kind support that the City of Marion might provide at reduced rates or free of charge e.g. venue hire; publicity in Council's magazine (City Limits); staff support; use of Council's logo. In-kind support will be provided at a maximum of \$500 in relation to venue hire. All other in-kind support will be decided at the discretion of management.”

It is recognised that some groups in the community may not be able to afford even the lower community rate to hire a space. This particular policy gives individuals, groups, not-for-profits and organisations the ability to apply for in-kind venue hire to support their needs.

In 2017/2018 only one in-kind venue hire was approved under this program. With appropriate promotion this may be accessed more by the community.

Conclusion

In conclusion, the City of Marion offers a wide range of facilities for the community to access wherever required. These facilities can cater to almost all needs, from large professional corporate forums, seminars and training, to large performances and concerts, to small community groups who come together to share in a combined passion.

All facilities are managed and maintained well, and in comparison to neighbouring facilities are financially competitive. They are reasonably priced, and in conjunction with the Donations and Sponsorship Policy allow everyone in the community access to these facilities.

A number of options have been developed for future venue hire fees and these are included in Attachment 3.

Attachment

#	Attachment	Type
1	Attachment 1 - CoM Hire Rates 2017_2018	PDF File
2	Attachment 2 - Comparison Room Hire Rates	PDF File
3	Attachment 3 - Proposed Options for Room Hire Charges	PDF File
4	Attachment 4 - Survey feedback - Cove Civic Centre	PDF File
5	Attachment 5 - Survey feedback - Marion Cultural Centre	PDF File

Attachment 1 - City of Marion – Revenue from External Room Hirers 2017-2018

Room No	Facility	Corporate Rate 2017/2018	Community Rate 2017/2018	Centre Revenue 2017/2018	Fees and Charges Schedule 2018/2019	
					Corporate	Community
1	CCC - Hall	\$105.00	\$70.00	\$35,305	\$105.00	\$70.00
1a	CCC - Hall (Half)	\$60.00	\$30.00		\$60.00	\$30.00
1b	CCC - Hall (Quarter)	\$50.00	\$25.00		\$50.00	\$25.00
2	CCC - Meeting Room	\$20.00	\$20.00		\$20.00	\$20.00
3	CCC - Meeting Room	\$20.00	\$20.00		\$20.00	\$20.00
4	CCC - Meeting Room	\$10.00	\$10.00		\$10.00	\$10.00
5	CCC - Meeting Room	\$10.00	\$10.00		\$10.00	\$10.00
6	CCC - Training Room	\$75.00	\$75.00		\$75.00	\$75.00
7	LKCC - Meeting Room	\$117.50	\$69.50	\$19,607	\$119.80	\$70.80
8	LKCC - Fairford House	\$82.00	\$51.00		\$83.60	\$52.00
9	Perry Barr Farm - Shed	\$25.25	\$25.25		\$25.50	\$25.50
10	NC - Cooinda Hall		\$60.00	\$17,437.00		\$65.00
11	NC- Mitchell Park Hall		\$30.00	\$7,441.00		\$30.00
12	NC - Trott Park Hall		\$30.00	\$11,791.00		\$30.00
13	NC- Trott Park - Play/Seminar Room		\$30.00			\$30.00
14	NC - Glandore - Clark		\$65.00	\$46,114.00		\$65.00
15	NC - Glandore - Opal		\$35.00			\$35.00
16	NC - Glandore - Slade		\$30.00			\$30.00
17	NC - Glandore - Rugby		\$35.00			\$35.00
18	MCC - Domain Theatre Style	\$150.00	\$120.00	\$60,461	\$158.00	\$127.00
18a	MCC - Domain	\$100.00	\$70.00		\$105.00	\$74.00
19	MCC - Sturt Room	\$45.00	\$32.00		\$47.00	\$34.00
20	MCC - Green Room	\$25.00	\$18.00		\$28.00	\$20.00
Total Revenue for External Hirers				\$198,156		

ATTACHMENT 2 - Venue Hire for City of Holdfast Bay - Council Managed Facilities 2018/2019		
	Corporate/Private Rate Per Hour	Community Rate Per Hour
Glenelg Community Centre Monday to Friday after 3.30pm	\$35.00	\$75.00
Glenelg Community Centre Saturday after 3.30pm and Sundays	\$55.00	\$100.00
Partridge House		
Partridge Room / Kitchen or Courtyard Room/Kitchen - Mon -Thurs	\$110-\$160	\$70- \$150 for up to 3 hours
Partridge Room / Kitchen or Courtyard Room/Kitchen - Fri/Sat/Sun	\$165 - \$215	n/a
Library Room or Meeting Room Mon - Thurs	\$50-70	\$40-\$90 for up to 3 hours
Library Room or Meeting Room Fri/Sat/Sun	\$60 - \$100	n/a
Mayoresses Parlour	\$95-\$150	\$60 - \$150
Garden Room inc Kitchen Mon - Thurs	\$95-\$150	\$60-\$150 for up to 3 hours
Garden Room inc Kitchen Fri/Sat/Sun	\$100 - \$160	n/a
Partridge Room, Courtyard Room, Library and Kitchen Mon - Thurs	\$210-\$360	\$170 - \$320 for up to 3 hours
Partridge Room, Courtyard Room, Library and Kitchen Fri/Sat/Sun	\$270- \$320	n/a
Kauri Parade		
Function Room Mon - Thurs	\$220 - \$320	\$110 - \$160 for up to 3 hours
Function Room Fri/Sat/Sun	\$320 - \$420	n/a
Meeting Room Mon - Thurs	\$50 - \$70	\$40 - \$90
Meeting Room Fri/Sat/Sun	\$60 - \$100	n/a
Note: Fees taken from 2018/2019 Fees and Charges Schedule		
Most of City of Holdfast owned properties are leased to incorporated bodies including Neighbourhood Centres		

Venue Hire for City of Mitcham - Council Managed Facilities 2018/2019			
	Non Resident Rate Per Hour	Local Business and Resident Rate Per Hour	Community Group Rate Per Hour
Blackwood Community Centre			
Hewitt Hall A	\$51.20	\$25.60	\$15.00
Waite Hall B	\$51.20	\$25.60	\$15.00
Cumberland Park Community Centre			
Cumberland Park Hall	\$51.20	\$25.60	\$15.00
Cumberland Supper Room	\$30.70	\$15.30	\$10.00
Cumberland Rooms 1,2 & 3	\$30.70	\$15.30	\$10.00
Westbourne Memorial Hall - South Hall	\$51.20	\$25.60	\$15.00
Hawthorn Community Centre			
Hawthorn Hall	\$51.20	\$25.60	\$15.00
Mitcham Cultural Village			
Cultural Village Institute Hall	\$51.20	\$25.60	\$15.00
Cultural Village East Wing	\$30.70	\$15.30	\$10.00
Community Shed	\$32.70	\$17.40	\$12.00
Community Shed Mezzanine	\$30.70	\$15.30	\$10.00
Heritage Centre Exhibition Meeting Room	\$30.70	\$15.30	\$10.00
Heritage Centre Exhibition Supper Room	\$30.70	\$15.30	\$10.00
Mitcham Community Centre			
Old School Hall	\$51.20	\$25.60	\$15.00
Rooms 2,3,6 or 7 (each hired separately)	\$30.70	\$15.30	\$10.00
Other Halls			
Colonel Light Gardens Hall A	\$51.20	\$25.60	\$15.00
Colonel Light Gardens Hall B	\$51.20	\$25.60	\$15.00
Penang Hall	\$51.20	\$25.60	\$15.00
Richmond Road	\$40.90	\$20.50	\$15.00
Note: Fees taken from 2018/2019 Fees and Charges Schedule			

Venue Hire for City of Onkaparinga - Council Managed Facilities 2018/2019		
	Commercial and Private Groups Per Hour	Community / Not for profit and New Local Initiatives by Individuals Per Hour
Positive Ageing Centres		
Craft Room	\$28.50	
Dining Room	\$28.50	\$16.30
Events/Meetings etc use of full facility	\$52.00	\$29.50
Lounge	\$28.50	\$16.30
Main Hall	\$28.50	\$16.30
Kitchen	\$28.50	\$16.30
Community Hall Hire		
Byards Hall Annex	\$16.30	\$7.60
Byards Hall	\$21.40	\$10.70
Annex and Hall	\$35.60	\$16.30
Morphettvale Community Hall	\$16.30	\$16.00
Morphettvale Community Hall and Supper Room	\$26.50 or \$37 after 6pm	\$25.50
Morphettvale Community Hall Supper Room	\$12.20	\$12.00
Willunga Hub Meeting Room	\$31.00	\$16.00
Library Meeting Rooms (no staff required)	\$39.00	\$13.50
Library Training Room (no trainer provided)	\$95.00	\$95.00
Youth Centres		
Aldinga Main Room	\$37 - \$51	\$20 - \$31
Aldinga Small Meeting Room	\$25.00	\$12.00
Aldinga Counselling Room	\$25.00	\$12.00
Christie Downs Hall	\$63.00	\$32.00
Christie Downs Board Room	\$43.00	\$21.00
Christie Downs Shark Tank Meeting Room	\$43.00	\$21.00
Christie Downs Counselling Room	\$31.00	\$15.00
Reynella Hall	\$51.00	\$25.00
Reynella Training Room	\$41.00	\$20.00
Note: Fees taken from 2018/2019 Fees and Charges Schedule		
Neighbourhood Centres in the City of Onkaparinga are managed by Management Committees / Boards of Management		

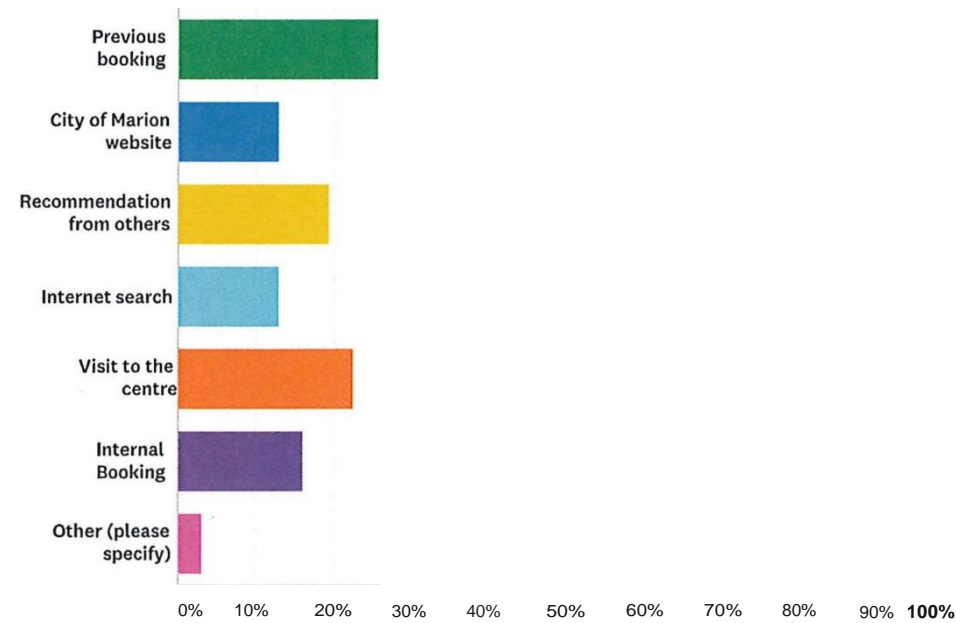
ATTACHMENT 3 - Proposed Options for City of Marion - Room Hire

Rm #	Rooms	Option 1: Status Quo Fees & Charges 2018/2019		Option 2: Rounding & Consistency		Option 3: 75% of 18/19 fees		Option 4: 50% of 18/19 fees		Option 5: One rate for all hirers
		Corporate	Community	Corporate	Community	Corporate	Community	Corporate	Community	
1	CCC - Hall	\$105.00	\$70.00	\$100.00	\$70.00	\$75.00	\$50.00	\$50.00	\$35.00	\$100.00
1a	CCC - Hall (Half)	\$60.00	\$30.00	\$75.00	\$40.00	\$55.00	\$30.00	\$40.00	\$20.00	\$50.00
1b	CCC - Hall (Quarter)	\$50.00	\$25.00	\$50.00	\$25.00	\$40.00	\$20.00	\$25.00	\$15.00	\$25.00
2	CCC - Meeting Room	\$20.00	\$20.00	\$20.00	\$20.00	\$15.00	\$15.00	\$10.00	\$10.00	\$20.00
3	CCC - Meeting Room	\$20.00	\$20.00	\$20.00	\$20.00	\$15.00	\$15.00	\$10.00	\$10.00	\$20.00
4	CCC - Meeting Room	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00
5	CCC - Meeting Room	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00
6	CCC - Training Room	\$75.00	\$75.00	\$75.00	\$50.00	\$55.00	\$40.00	\$40.00	\$25.00	\$75.00
7	LKCC - Meeting Room	\$119.80	\$70.80	\$100.00	\$70.00	\$75.00	\$50.00	\$50.00	\$35.00	\$75.00
8	LKCC - Fairford House	\$83.60	\$52.00	\$50.00	\$25.00	\$40.00	\$20.00	\$25.00	\$15.00	\$50.00
9	Perry Barr Farm - Shed	\$25.50	\$25.50	\$20.00	\$20.00	\$15.00	\$15.00	\$10.00	\$10.00	\$25.00
10	NC - Cooida Hall		\$65.00		\$65.00		\$50.00		\$40.00	\$50.00
11	NC- Mitchell Park Hall		\$30.00		\$30.00		\$25.00		\$15.00	\$30.00
12	NC - Trott Park Hall		\$30.00		\$30.00		\$25.00		\$15.00	\$30.00
13	NC- Trott Park - Play/Seminar Room		\$30.00		\$30.00		\$25.00		\$15.00	\$30.00
14	NC - Glandore - Clark		\$65.00		\$65.00		\$50.00		\$35.00	\$50.00
15	NC - Glandore - Opal		\$35.00		\$35.00		\$30.00		\$20.00	\$30.00
16	NC - Glandore - Slade		\$30.00		\$30.00		\$25.00		\$15.00	\$30.00
17	NC - Glandore - Rugby		\$35.00		\$35.00		\$30.00		\$20.00	\$30.00
18	MCC - Domain Theatre Style	\$158.00	\$127.00	\$150.00	\$100.00	\$115.00	\$75.00	\$75.00	\$50.00	\$125.00
18a	MCC - Domain	\$105.00	\$74.00	\$100.00	\$70.00	\$75.00	\$50.00	\$50.00	\$35.00	\$75.00
19	MCC - Sturt Room	\$47.00	\$34.00	\$50.00	\$25.00	\$40.00	\$20.00	\$25.00	\$15.00	\$50.00
20	MCC - Green Room	\$28.00	\$20.00	\$25.00	\$20.00	\$20.00	\$15.00	\$25.00	\$10.00	\$25.00
Estimated revenue based on 17/18 usage		\$198,000		\$185,000		\$135,000		\$90,000		\$155,000

Cove Civic Centre Venue Hire Survey

01 How did you find out about Cove Civic Centre's facilities?

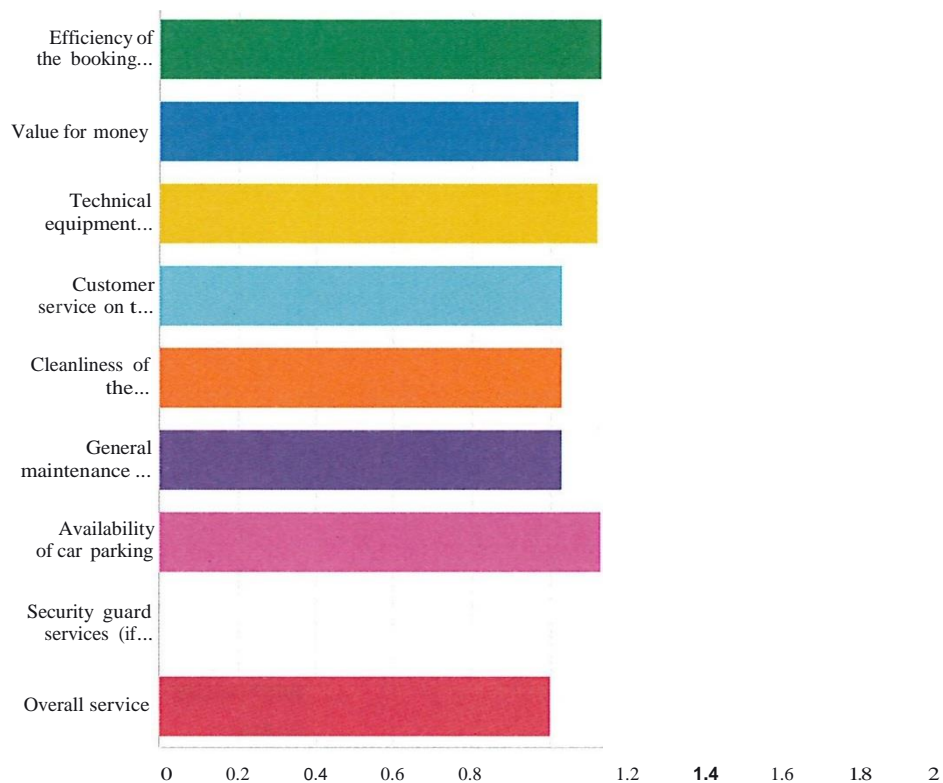
Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES	
Previous booking	25.81%	8
City of Marion website	12.90%	4
Recommendation from others	19.35%	6
Internet search	12.90%	4
Visit to the centre	22.58%	7
Internal Booking	16.13%	5
Other (please specify)	3.23%	
Total Respondents: 31		

02 How satisfied are you with the following aspects of your booking?

Answered: 31 Skipped: 0



	VERY SATISFACTORY	SATISFACTORY	UNSATISFACTORY	VERY UNSATISFACTORY	N/A	TOTAL	WEIGHTED AVERAGE
Efficiency of the booking procedure	87.10% 27	12.90% 4	0.00% 0	0.00% 0	0.00% 0	31	1.
Value for money	87.10% 27	6.45% 2	0.00% 0	0.00% 0	6.45% 2	31	1.
Technical equipment provided	74.19% 23	9.68% 3	0.00% 0	0.00% 0	16.13% 5	31	1.
Customer service on the day of the booking	93.55% 29	3.23% 1	0.00% 0	0.00% 0	3.23% 1	31	1.
Cleanliness of the venue/bathrooms	90.32% 28	3.23% 1	0.00% 0	0.00% 0	6.45% 2	31	1.
General maintenance of the building	93.55% 29	3.23% 1	0.00% 0	0.00% 0	3.23% 1	31	1.
Availability of car parking	83.87% 26	12.90% 4	0.00% 0	0.00% 0	3.23% 1	31	1.
Security guard services (if applicable)	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0	0.
Overall service	100.00% 31	0.00% 0	0.00% 0	0.00% 0	0.00% 0	31	1.

Q3 Do you have suggestions for how this service could be improved to better meet your needs?

Answered: 35 Skipped: 20

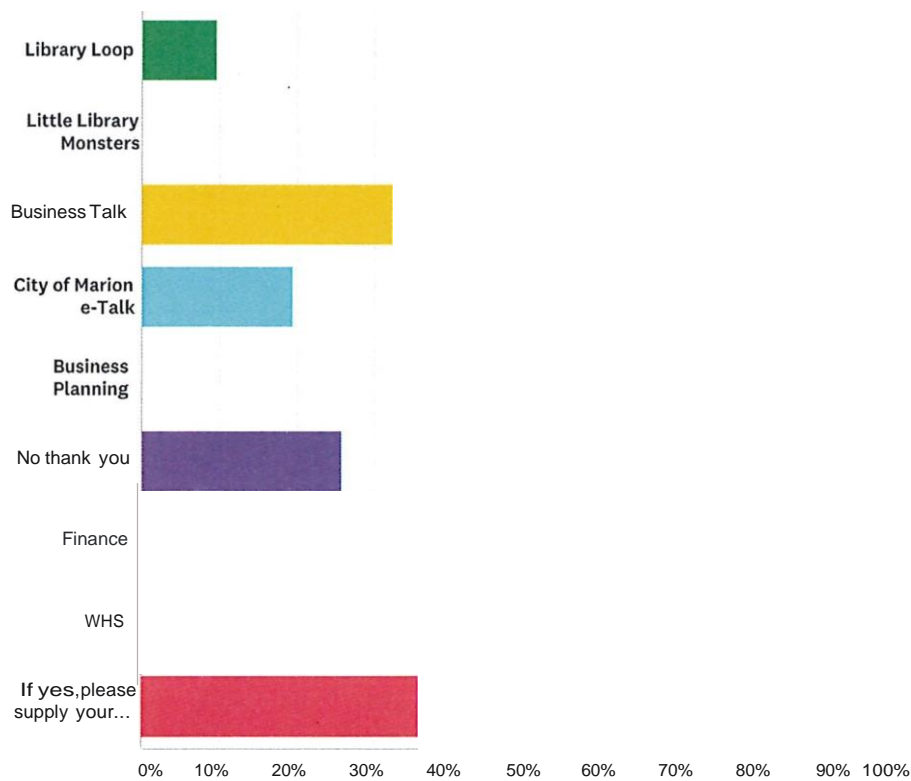
#	RESPONSES	DATE
1	The A/C in the Main Room was cold. Although staff were willing to adjust, it seemed to be a constant issue and participants often froze.	7/30/2018 4:31 PM
2	no	7/18/2018 9:23 PM
3	It was amazing working with Sue for our Event	6/19/2018 11:38 AM
4	Outstanding venue and service - air conditioning was variable in the afternoon however I will ask about adjusting this next time I use the venue.	6/18/2018 10:02 AM
5	The addition of storage space for Inspiring Health equipment was an added benefit in 2018, thank you. The only hiccup was when participants were waiting to enter before the library opened although this was managed by student workforce in 2018.	6/7/2018 1:56 PM
6	Sue always provides a high level of service - my customer experience is fabulous	6/5/2018 11:54 AM
7	No improvement suggestions.	5/31/2018 12:35 PM
8	no - fantastic venue + service, everything ran smoothly/no issues	5/30/2018 12:18 PM
9	I think the documentation could be tightened with the confirmation of booking form and invoice being included on the same document.	5/22/2018 8:56 PM
10	It is great as it is!	5/21/2018 8:34 AM
11	After hours access for guests is difficult as someone has to hover by the door to let them in	5/18/2018 11:50 PM
12	Not at this stage.	5/18/2018 1:45 PM
13	Excellent service (in regards to the booking process and orientation).	5/18/2018 1:43 PM
14	As a regular user, it would be great if I didn't have to fill out and return conditions of use each month. And if all rooms, big and little had air conditioning. Using room 5 over summer was not comfortable	5/18/2018 1:35 PM
15	I would be good when enquiring about the venue for a list of what is included in what package. ie. not-for-profit discounted rates includes/excludes etc (like setup of room) and what other options are available for an additional cost	5/18/2018 11:29 AM
16	No, everything was fantastic. The only potential limiting factor for us is that the kitchen is external to the actual hire and needs to go out to the main library.	5/17/2018 10:51 AM
17	Perhaps access to a staff member after the library closes to help with any issues that might arise. I try not to plan events when I know there will be no staff in the building to assist.	5/16/2018 1:50 PM
18	My Mac didn't work in 2 separate rooms.	5/15/2018 5:01 PM
19	There were some issues with sound equipment on the night, which may need to be investigated	5/2/2018 12:57 PM
20	Lock up procedure can be difficult at times as fob does not always alarm the building but apart from that all good	5/2/2018 11:32 AM
21	NO	5/1/2018 11:41 AM
22	N/A	4/23/2018 9:19 AM
23	Had some issues with Wifi however the library staff were able to help provide an alternative and were prompt and helpful.	3/15/2016 1:58 PM
24	No - I was delighted by the friendly and helpful service from Kerri and her team, and by the terrific facilities.	3/8/2016 3:03 PM
25	No	3/8/2016 2:45 PM

26	Perhaps more instruction on how to use the sound connected with the TV screen (see comment below)	2/19/2016 1:48 PM
27	A project screen (or space to project on to) in the room would be handy =)	1/20/2016 10:39 AM

28 1:13 PM	Online booking service	12/18/2015
29 3:33 PM	No	12/16/2015
30 12/16/2015 12:35 PM	The Skye camera attached to the large T.V was not working for our interstate meeting, but was not a big issue on the day and the staff present were very helpful.	
32 7:57 AM	Speed limit signs in the car park would be great. Drivers go too fast out there.	11/18/2015
33	Have option for coffee/tea supplies in the cost of hire and have instructions on how to operate the boiling water on the wall. Instructions on the wall for using technology and contact number to ring for assistance. Have a list of local caterers that deliver to the centre.	
34	We were not able to use the video conference facilities - not sure if this was a technical issue for the other organisation or for Cove Civic Centre	
35	Only with the air-conditioning (not a criticism) Not having internal control meant we had to contact Kerri after hours to alter.	

04 Would you be interested in receiving information on any of the following topics? (Select all that apply)

Answered: 31 Skipped: 0



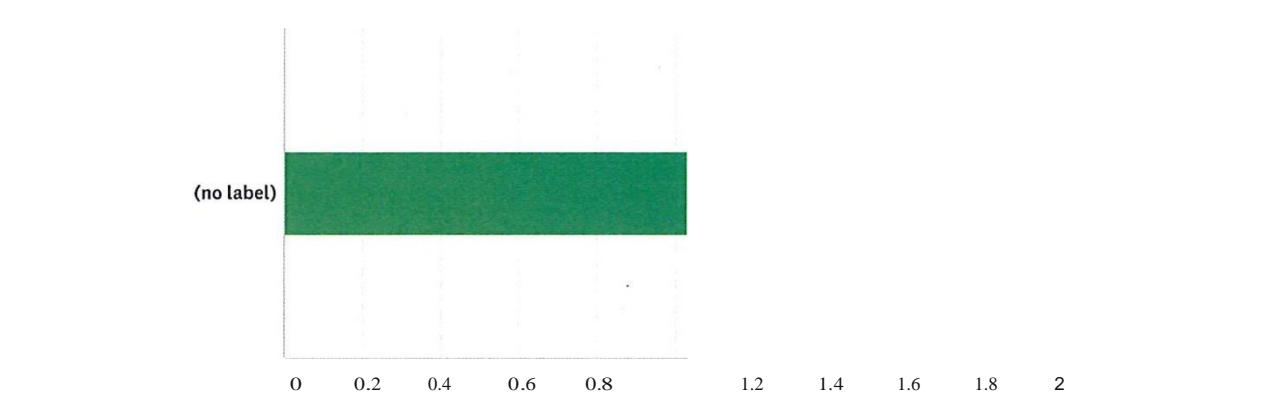
ANSWER CHOICES

RESPONSES

Library Loop	9.68%	3
Little Library Monsters	0.00%	0
Business Talk	32.26%	10
City of Marion e-Talk	19.35%	6
Business Planning	0.00%	0
No thank you	25.81%	8
Finance	0.00%	0
WHS	0.00%	0
If yes, please supply your email address:	35.48%	11
Total Respondents: 31		

05 How likely are you to recommend this service to others?

Answered: 31 Skipped: 0



	VERY LIKELY	LIKELY	SLIGHTLY LIKELY	NOT LIKELY	DON'T KNOW/NOT SURE	TOTAL	WEIGHTED AVERAGE
(no label)	96.77% 30	3.23% 1	0.00% 0	0.00% 0	0.00% 0	31	1.03

Q6 Do you have any other comments you would like to provide?

Answered: 40 Skipped: 15

#	RESPONSES	DATE
1	Sue Tilling was super helpful in making the booking and accommodating to our requests. Sue did a marvellous job!!	7/30/2018 4:31 PM
2	The staff have been incredibly helpful, warm and welcoming. Thank you	7/19/2018 12:50 PM
3	Very helpful, friendly, efficient - couldn't be better.	7/18/2018 9:23 PM
4	The CCC is a fresh, bright and wonderful place which the attendees at our event loved. For those with hearing aids or difficulties there was some trouble with the acoustics. Mark Liebich, Community bus Coordinator for CoM may be able to explain this to you if you want to know more. Thank you for a fantastic space and your great support staff!	6/19/2018 11:38 AM
5	Thank you Sue and team - outstanding service. I am new to City of Marion however I have used venues nationally as a Corporate Trainer and Learning & Development professional over the last 15 years and the Cove Civic Centre rates among the best I have experienced.	6/18/2018 10:02 AM
6	It is a great venue with excellent staff. Thank you.	6/8/2018 12:43 AM
7	Welcoming staff, wonderful facilities, great experience. Thank you.	6/7/2018 1:56 PM
8	Keep up the great work. Great venue and great service. It is always a pleasure to rock up to the CCC knowing full well that Sue has everything in hand.	6/5/2018 11:54 AM
9	Great venue and customer service!	5/31/2018 1:51 PM
10	The staff at the CCC are always so helpful with a can do approach, which is highly valued. It is a pleasure to attend the CCC, Customer Experience champions, thank you :-)	5/31/2018 12:35 PM
11	appreciated the run-through of the venue prior to booking, the ease of access + return of FOB, having the room set-up for us prior (especially easy to use computer/projector). lots of positive feedback from attendees. very reasonable price for the quality we got. Thanks again!	5/30/2018 12:18 PM
12	Excellent service and venue. will definitely book future meetings here - also the tea and coffee supplies were a surprise, I expected to have to provide my own and very much appreciated.	5/23/2018 9:46 AM
13	The team there are outstanding. Sue looks after us extremely well. Even the cleaners are friendly and courteous - often leaving us a note to wish us well.	5/18/2018 11:50 PM
14	The staff were very friendly and helpful on the day and responsive to our needs. Would definitely consider using again as a venue in the south.	5/18/2018 1:45 PM
15	Compliments to friendly (welcoming) staff - comfortable venue and up-to-date equipment. Thank you.	5/18/2018 1:43 PM
16	this facility has catered many of our events and will continue to be our venue of choice in the future	5/18/2018 11:29 AM
17	Thank you.	5/17/2018 10:51 AM
18	Staff are always so helpful and make it so simple and smooth for us to run events. We run many events at different locations throughout southern Adelaide and this is by far the best venue.	5/17/2018 9:28 AM
19	A lovely venue. Thank you	5/16/2018 1:50 PM
20	Friendly staff and excellent facilities. Very happy with an ongoing relationship with the Civic Centre and our training room bookings.	5/15/2018 5:01 PM
21	Sue, did an incredible job to support our fundraiser. She was a wealth of information and gave me everything I needed to make our night a success. Thank you so much Sue	5/2/2018 12:57 PM
22	The after-hours system (with disarming and re-alarming the premises) and depositing the swipe	card in the

returns shute, worked really well.

5/1/2018 12:25 PM

23

Very happy with the service. Thankyou

5/1/2018 11:41 AM

24

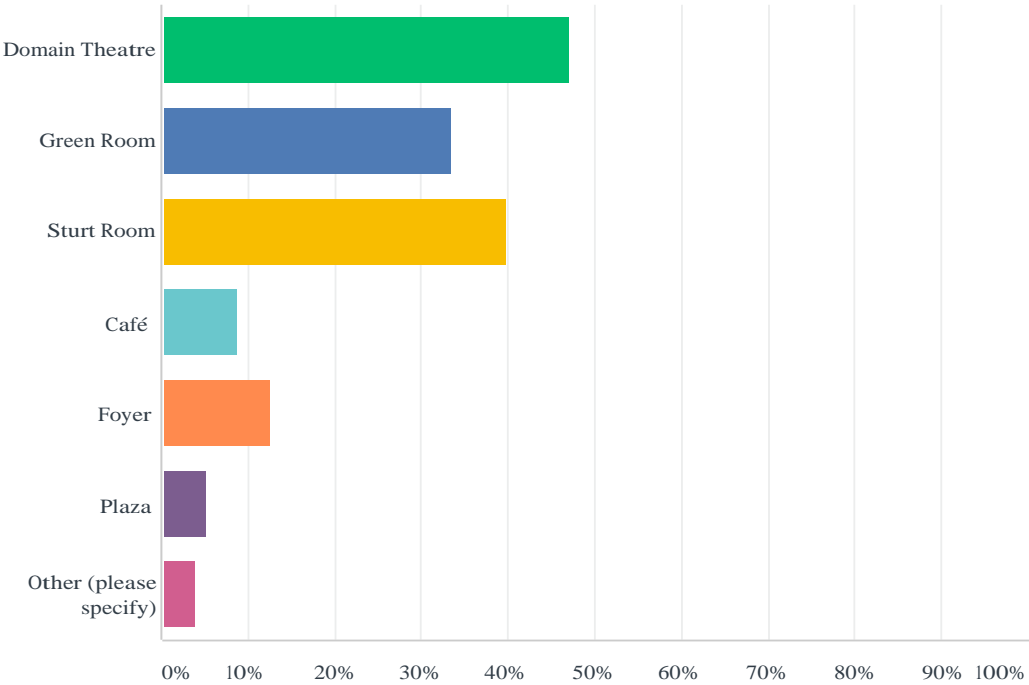
Sue does a fabulous job putting together the medical education workshops that we hold. She makes the evenings run professionally and efficiently and is fabulous to work with.

4/23/2018 9:19 AM

25	Thank you for a lovely place to run the NEIS program from. All our participants love your location and we at Holmesglen are proud to be using your facilities.
26	No tea towels/oven mitts provided when using kitchen facilities. Could these be provided or otherwise made clear that the hirer must bring their own. Really happy with venue hire and easy to set up and lock up at end of night. No issues with IT but roving mics would be a good addition. Great space, we will definitely look to use it again for future events.
4/15/2016 2:10 PM	
27	Provision of tea towels and larger rubbish bins.
	3/23/2016 8:11 AM
28	Kellie (and I cannot remember the name of the person whom I met first) were outstanding. Venue very appropriate for our purposes. New, clean, and functional.
3/15/2016 7:51 PM	
29	A special thank you to Kerri-Ann Williams who handled all the booking arrangements. She was extremely helpful and provided valuable info re room layout and facilities. She also was available on the day to meet the two presenters and answer any questions. Fabulous customer service.
3/15/2016 1:58 PM	
30	Thank for the I.T. support, it was invaluable when needed. I would have been good to be able to use the built-in sound system rather than just the laptop speakers which were too quiet for the size of the room.
3/8/2016 3:45 PM	
31	A minor inconvenience was my having to wait by the front door to enable participants in our workshop to get in before 9.30. Don't know if anything can be done about that without disrupting the Centre's normal routine; and it presented no real problem.
3/8/2016 3:03 PM	
32	A very big thank you for the tech support in accessing the Wi-Fi to view a video. Unfortunately the sound system wasn't explained so the volume was too quiet for people to hear the video, as it was only coming through the computer speakers.
2/19/2016 1:48 PM	
33	The other people in the meeting were very impressed. Some of them hadn't been up to Hallett Cove Library before and they thought it was a great place for a meeting.
2/18/2016 2:22 PM	
34	Beautiful venue with a variety of rooms for different purposes.
	2/18/2016 12:26 PM
35	Great space
	12/18/2015 1:13 PM
36	Booking the venue was easy and at a good price. The staff were very helpful and nice to deal with.
12/16/2015 1:28 PM	
37	Great venue and friendly staff. We will be back
	11/18/2015 7:57 AM
38	Great recovery response - we switched to teleconference relatively easily. Staff were very helpful.
39	Beautiful venue and great service provided by the Kerri and the library
staff.	10/28/2015 11:48 AM
40	I'll be back, thank
you.	10/23/2015 3:32 PM

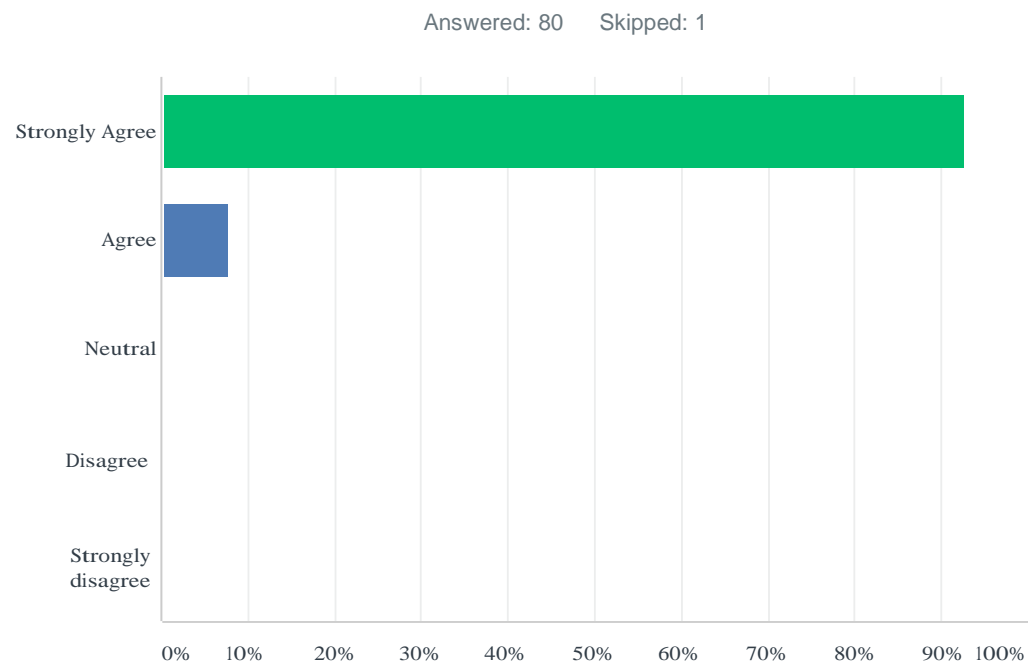
Q4 Spaces Hired:

Answered: 81 Skipped: 0



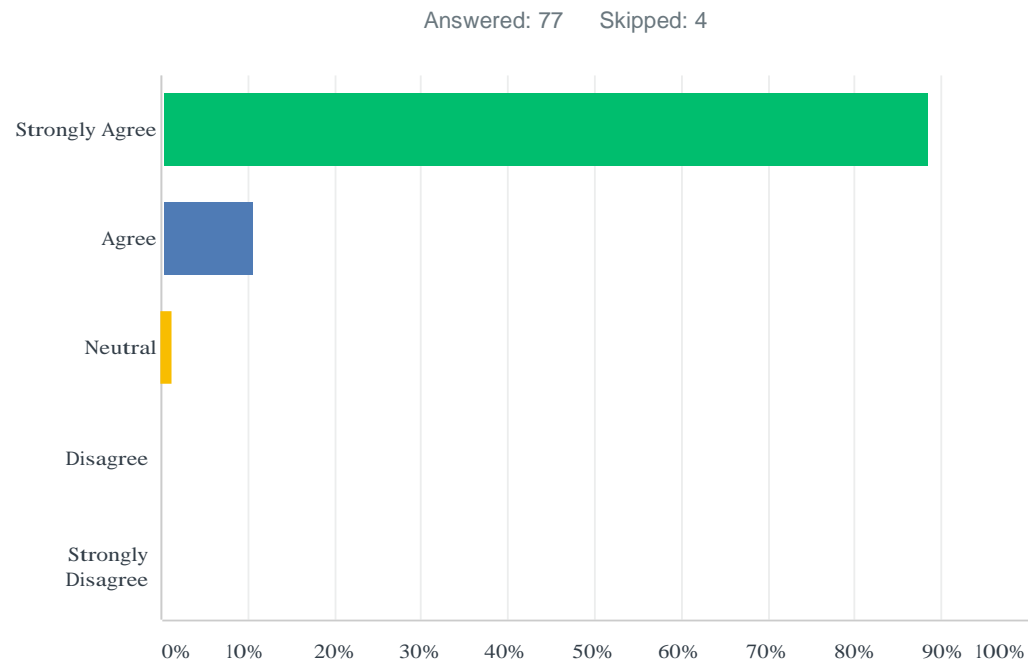
ANSWER CHOICES	RESPONSES	
Domain Theatre	46.91%	38
Green Room	33.33%	27
Sturt Room	39.51%	32
Café	8.64%	7
Foyer	12.35%	10
Plaza	4.94%	4
Other (please specify)	3.70%	3
Total Respondents: 81		

Q6 Initial room hire enquiry with MCC was professional:



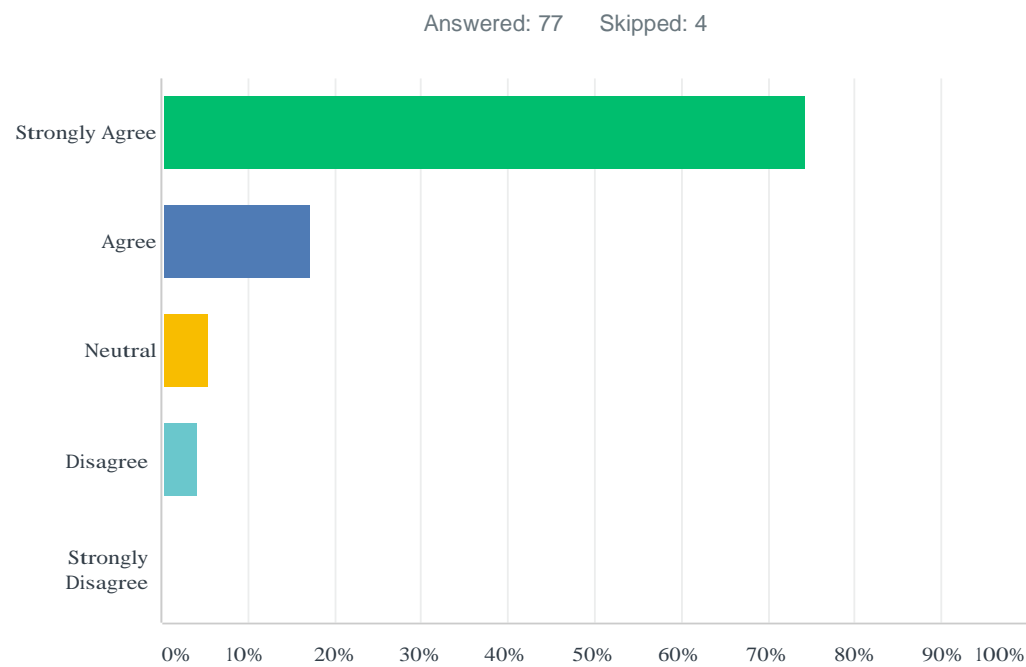
ANSWER CHOICES	RESPONSES	
Strongly Agree	92.50%	74
Agree	7.50%	6
Neutral	0.00%	0
Disagree	0.00%	0
Strongly disagree	0.00%	0
TOTAL		80

Q7 Hire Agreement and Invoicing was received in an appropriate time frame:



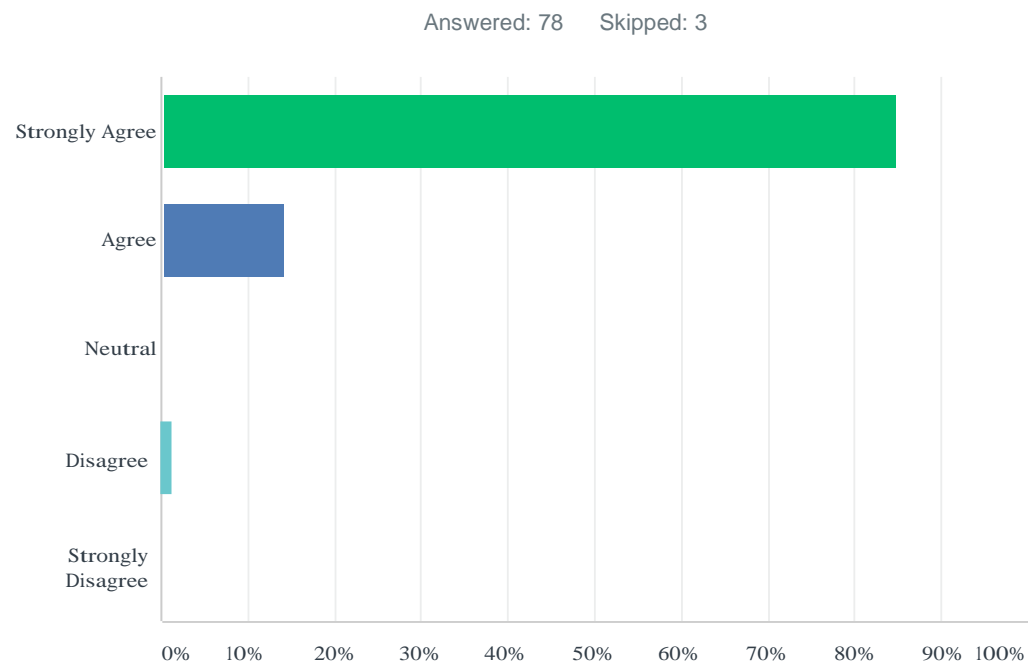
ANSWER CHOICES	RESPONSES	
Strongly Agree	88.31%	68
Agree	10.39%	8
Neutral	1.30%	1
Disagree	0.00%	0
Strongly Disagree	0.00%	0
TOTAL		77

Q8 The conditions of the Hire Agreement are relevant and met our needs:



ANSWER CHOICES		RESPONSES	
Strongly Agree		74.03%	57
Agree		16.88%	13
Neutral		5.19%	4
Disagree		3.90%	3
Strongly Disagree		0.00%	0
TOTAL			77

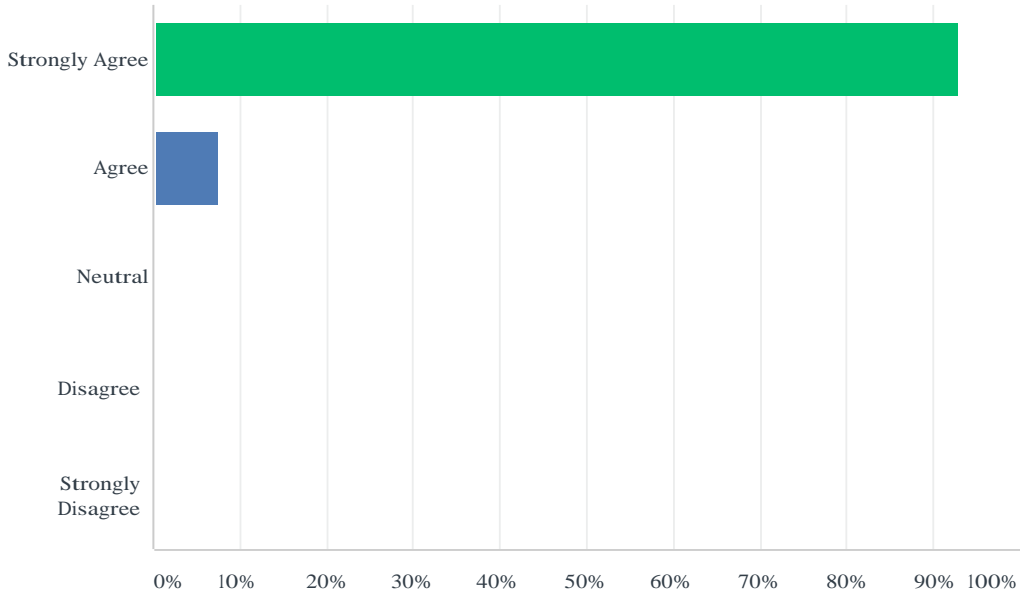
Q9 Room setup and equipment supplied were met our needs:



ANSWER CHOICES	RESPONSES	
Strongly Agree	84.62%	66
Agree	14.10%	11
Neutral	0.00%	0
Disagree	1.28%	1
Strongly Disagree	0.00%	0
TOTAL		78

Q10 MCC Staff were helpful:

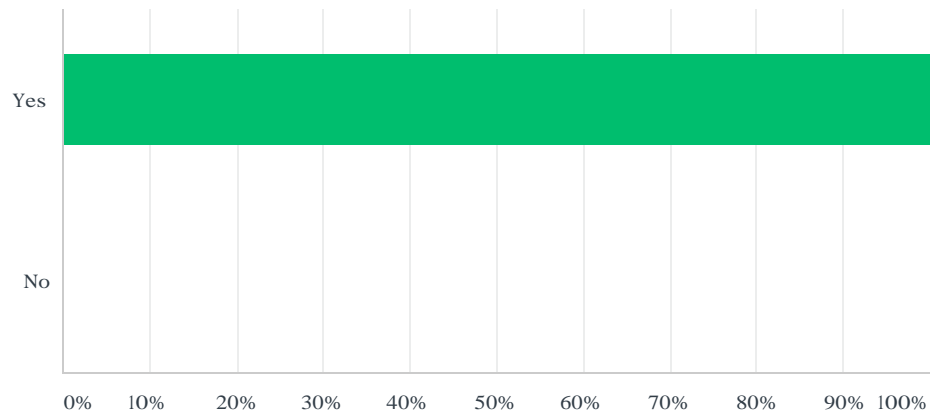
Answered: 81 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Agree	92.59%	75
Agree	7.41%	6
Neutral	0.00%	0
Disagree	0.00%	0
Strongly Disagree	0.00%	0
TOTAL		81

Q11 Would you hire and/or recommend the MCC facilities in the future?:

Answered: 80 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	100.00%	80
No	0.00%	0
TOTAL		80

Q12 Please list any further suggestions to improve our service:

Answered: 34 Skipped: 47

#	RESPONSES	DATE
1	Adelaide Artists need this Theatre!	8/13/2018 10:20 AM
2	Adelaide Artists need this Theatre!	8/13/2018 9:12 AM
3	We would suggest some improvement regarding the catering. Signage for specific vegan/gluten-free/vegetarian foods could be improved. There was not enough cutlery and crockery at times. We had expected staff would clear plates and cups from tables. All of the above was rectified when we spoke to kitchen staff and they were helpful when prompted.	7/30/2018 11:57 AM
4	Supply video equipment	7/28/2018 11:21 PM
5	Your online booking site layout could be better. I had people ask whether there were tickets left when the bottom table section filled up and they were not aware there were more seats in the top section. Also recommend you charge less for comp tickets in line with other venues who only charge \$1. Recommend you look into regular listings with local papers etc to help drive ticket sales for venue events as part of your support to shows. A lot of people don't know the venue is there.	7/24/2018 2:58 PM
6	unfortunately I am unable to book any rooms as I do not have money in my budget to pay for rooms	7/12/2018 4:46 PM
7	Catering was good but did leave some masking tape lables on the platters for GF and Vego that looked a little out of place.	6/19/2018 3:32 PM
8	The cost per hour for hire (domain theatre room) on a Sunday was a bit much (opinion based). That is all.	6/18/2018 1:49 PM
9	Once we all moved into the theatre we needed security to make sure general public did not come in and help themselves to drinks which did happen. Next time we will have to organise volunteers to man the doors or pay for this.	6/15/2018 4:06 PM
10	catering needs improving. served cold water in an urn, without any signage. I need to brief the caterers better but the presentation wasn't great.	6/4/2018 1:55 PM
11	HDMI compatability for the big screen would have been good, but otherwise a great hiring experience!	6/2/2018 8:48 AM
12	Everyone was so welcoming and helpful. We will certainly recommend the venue to others. Thanks.	4/25/2018 7:36 PM
13	As above. Include a clause of cancellation under extreme circumstances. Otherwise it was all wonderful. Thank you :)	4/17/2018 6:37 PM
14	Friendly, helpful, committed and passionate staff in a Cultural Centre that buzzes with community activity and a spirit of goodwill and service to patrons.	4/16/2018 6:06 AM
15	None, you are great!	4/13/2018 3:00 PM
16	Wonderful. thank you for making the venue hire process an easy, enjoyable experience. The event was better than expected thanks to all your help.	3/21/2018 10:29 AM
17	N/A	3/2/2018 7:18 AM
18	In the hire agreement we identified drinks until 7pm but the café continued to service drinks until 7.20pm	12/20/2017 11:36 AM

19	As our event was a night event, the plaza area could do with more lighting. Whilst we had additional lights, it's an extra cost that we will always need to factor into future events at the location.	12/18/2017 7:42 PM
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20	This was such a successful event. Marion council should promote more events for young people. There are very few venues which are all ages venues therefore local young bands are unable to showcase their talent and their young fans dont get the opportunity to enjoy their music. Such a great venue.	12/15/2017 4:08 PM
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21	Thank you again.	12/14/2017 10:13 AM
22	None - It was a joy to be there.	12/13/2017 5:34 AM
23	This is more about the caterers, but I would like you to know the standard of food has dropped quite significantly this year. There was an equal amount of food ordered per person as previous years but there seemed to not be as much food. The bruschetta was very tough, the hot food very limited and just not as nice or as good in quality as previous years. I will follow up with an email specific to address the catering.	12/12/2017 12:24 PM
24	Signatures Cafe is slow to serve, and espresso coffee is the main culprit. We recommend that in future for our shows that the cafe offer filtered coffee as well. (For many years when Galleon ran its own canteen, we served instant coffee and patrons were happy with that. It was quick to serve, especially when the interval is so short.)	11/13/2017 5:36 PM
25	The air con was a little cool but I wasn't sure what to do about it. Also, I know hard to fix, but if renovations occur in the sturt room in the future, it would be worth planning for split lighting. The light on the screen is a little bright so we had to turn the lights off to see the screen adequately. But this did not at all detract from the success of the day - just an FYI for the future.	11/13/2017 11:31 AM
26	You can't improve something that's already perfect. The MCC is incredible in every possible way.	10/18/2017 2:07 PM
27	Doing a great job! Keep it up :-)	10/10/2017 12:33 PM
28	Signatures cafe owners attitude and actions before and on the day of our performance was unsatisfactory and disrespectful	9/28/2017 11:16 AM
29	There were a few communication issues with catering staff. I would have appreciated a discussion with the manager as I felt my volunteer parent helpers and teaching staff were unfairly confronted.	9/22/2017 8:55 AM
30	You guys are amazing, you couldn't get any better at what you do, and the venue spaces you provide are fantastic.	9/19/2017 9:16 AM
31	Nothing needs improving - staff were wonderful to deal with and nothing was too much trouble	9/15/2017 3:56 PM
32	Catering needs improving to deal with such a large number of people and also quality. Would hire facility again with different catering.	8/29/2017 7:35 PM
33	Larger Mirror Ball	8/1/2017 12:21 PM
34	online & social media :0	6/9/2017 3:40 PM

Marion Sports and Community Club Lease

Originating Officer	General Manager City Development - Abby Dickson
Corporate Manager	Manager City Property - Carol Hampton
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911R06

REPORT OBJECTIVE

The objective of this report is for Council to consider the outcomes from the community consultation undertaken on the proposed 21 year lease with Marion Sports and Community Club Incorporated (MSCC); and to authorise Administration to enter into a lease with the MSCC under the final terms and conditions outlined in this report.

EXECUTIVE SUMMARY

The MSCC previously held a 15-year lease that expired on 30 June 2016 and has been in holding over since this date. The annual rental was \$1.00 per year payable on demand.

At the 22 August 2017 General Council meeting Council passed the following resolutions in regards to entering into a lease with MSCC:

- 1. Endorses entering into a 21-year lease with the Marion Sports and Community Club Incorporated in line with the terms and conditions outlined in this report, subject to the outcome of community consultation.*
- 1. Authorises the Manager City Property to provide a Letter of Offer and negotiate a Lease in line with the conditions and terms outlined in this report and the Precinct Plan provided in Appendix 3.*

The negotiations with MSCC have been extensive and this report presents the final terms and conditions of the lease for Council endorsement and the outcomes of the community consultation.

The lease will be for the term of 21 years and will require the MSCC to meet the requirements set out Council's leasing policy the agreed precinct plan. Where the full Rent Subsidy Percentage is applied (being a percentage of 93%) the amount to be paid for the first year rent would be \$22,698.20 (per annum) (exclusive of GST). Rent will be indexed annually by CPI, all Groups, Adelaide. Rental Market Reviews will occur on the anniversary of the commencement of the Lease in years 2022, 2027, 2032, 2037.

Should Council endorse the entering into a lease with the MSCC the attached lease (appendix 2) will be presented to the MSCC as Council's final offer.

RECOMMENDATION

That Council:

- 1. Notes the outcomes from the community consultation undertaken regarding Council entering into a 21 year lease with Marion Sports and Community Club Incorporated.**
- 2. Authorises Administration to finalise and enter into a 21-year lease with the Marion Sports and Community Club Incorporated under the terms and conditions outlined in this report.**

DISCUSSION

Background

Marion Sports and Community Club (MSCC) was formed in 1908 through a financial contribution by local people and established businesses.

The objectives stated in the MSCC constitution are:

- To develop and maintain, recreational and community facilities and amenities
- To promote, recreational and community sporting activity on the ovals.

The MSCC support a range of sports such as, football, cricket, soccer, basketball, croquet, lawn bowls, tennis, softball and swimming clubs. The facility is well used and is an important regional sporting and recreational facility.

A copy of the MSCC 2016/17 Annual General Meeting Report is provided in Appendix 1.

Over the last 15 years the Committee have invested significantly in the redevelopment of the facility to an estimated value of \$7.5M. This has included a major redevelopment of the facilities which has delivered the following improvements:

- new change rooms
- balcony and viewing platform
- administration area
- gaming/bar/lounge areas and dining
- function rooms and bars
- renovated kitchen, new cool room and beer dispensing system
- renovated TAB area
- new storage facilities and shed
- furniture and fittings
- new air conditioners.

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Endorses entering into a 21-year lease with the Marion Sports and Community Club Incorporated in line with the terms and conditions outlined in this report, subject to the outcome of community consultation.

Authorises the Manager City Property to provide a Letter of Offer and negotiate a Lease in line with the conditions and terms outlined in this report and the Precinct Plan provided in Appendix 3.

The negotiations with MSCC have been extensive and this report presents the final terms and conditions of the lease for Council endorsement and the outcomes of the community consultation.

Terms and Conditions of the Lease:

The lease is attached as appendix 2 this report and its terms and conditions are summarised below:

Lessor: The Corporation of the City of Marion

Lessee: Marion Sports & Community Club Incorporated

The Property: Marion Sports & Community Club Inc at 262 Sturt Road, Sturt, SA, 5046

The whole of the land comprised in Certificate of Title Volume 6063 Folio 665, Volume 5491 Folio 469 and Volume 6063 Folio 666

Type of Agreement: Lease

Term: Twenty One (21) years.

Commencement Date: To be dated 12 September 2018 (subject to Council endorsement)

Expiry Date: 21 years from date of agreement

Option to Renew: Nil

Rental: Based on market rent rate of \$324,260.00 less up to 93% subsidy

Where the full Rent Subsidy Percentage is applied (being a percentage of 93%) the amount to be paid for the first years rent would be \$22,698.20 (per annum) (exclusive of GST).

Rent Review: CPI Annually on the anniversary of the commencement of the Lease based on increases in the Consumer Price Index, all Groups, Adelaide.

Market Reviews on the anniversary of the commencement of the Lease in years 2022, 2027, 2032, 2037

Use of Property: To manage the Marion Sports Complex for sporting and community activities for the benefit of the community.

Times of Use: All times during the Term (unless otherwise advised by the Council in writing) or such other times as may be agreed between the two parties in writing.

Maintenance: The maintenance responsibilities are set out in Building Responsibilities Schedule (Refer attached Annexure B).

Maintenance Fee: Council to provide \$15,000.00 p.a. GST exclusive to the lessee towards the maintenance of the ovals.

Utilities: The lessee is responsible to pay all utilities associated with the premises, electricity, gas, water, telephone.

Special Conditions: No increase to gaming machine entitlements will occur throughout the term of the lease.

Community Consultation

Council endorsed at the 22 August 2017 General Council meeting (GC220817R07) to negotiate a 21 year lease to enable MSCC to make long-term plans for the site and if required to take out a loan. Where a lease or licence is to be granted for greater than 5 years and is located on Community Land, community consultation is required to be undertaken in line with the Local Government Act 1999.

Community consultation for the MSCC Lease was conducted between 25 July 2018 and 17 August 2018.

A number of engagement techniques were used to promote opportunity for community to indicate their level of support for the agreement. These included:

- A dedicated online engagement page on Making Marion where people could view the Lease agreement, submit an online submission and indicate their support via a Quick Poll www.makingmarion.com.au/marionsportslease
- An article was published in our What's Happening Messenger column during the engagement period inviting people to view the website to provide comment.
- A social media post published on 2 August via City of Marion Facebook page.

A summary of findings include:

- The site was viewed **101** times
- **0** people completed an online submission
- **7** people completed the online poll with 100% of those indicating strong support for the lease.
- Facebook post reached **1972** people with **10** likes, **6** comments **1** share.

Comments included

Social Media comment	Response
Can we get some history? they've been there for a while, where does any profit go? which community groups does it support, etc etc?!	The Marion Sports and Community Club had a 21 year lease with Council. This has expired.
No Pokies!	Noted. The lease prohibits any increase to gaming machine entitlements
Absolutely. I don't agree with supporting a club that has pokies, and has the potential to ruin lives, families and communities. Even if they do support local sporting groups. Surely we can't say it's worth it, when we know the damage they do.	Noted. The lease prohibits any increase to gaming machine entitlements
Great News	Noted

The website also provided people with the opportunity to send email comment to the Property Leasing Officer.

Feedback from MSCC

Extensive consultation occurred with the MSCC to develop the lease released for community consultation.

Precinct Plan

As the lease will be for a long term, and in line with Council's Leasing & Licensing Policy, a Precinct Plan has been developed outlining major capital works to be undertaken by both parties.

The current precinct plan spans 2017-18 and 2018-2019 with many of the initiatives having been completed. A further four year precinct plan will be develop for the period of July 2019-June 2023 allowing input from the new Council after the November 2018 elections. Annexure C in the attached Lease (Appendix 1) sets out the works to be undertaken and the financial commitment by MSCC and Council.

The works to be included in the initial plan include:

- Irrigation replacement
- Southern car park (*Completed*)
- Northern car park (*Completed*)
- Northern soccer field lights - MSCC contribution \$20k, City of Marion \$65k, dependent on grant application
- Solar Panels main club room – Council has agreed to fund solar panels as well as energy efficient initiatives at a cost of \$129k.
- Softball nets – further investigations are required on the location and cost potential funding will be sort through the Office of Recreation and Sport and Council through the CFPP.
- Storage facilities – Funded by MSCC valued at \$13,510(*Completed*)
- Bowling Club kitchen renewal–City of Marion \$95,000

Sub- Lessees

MSCC have indicated that they would establish sub leases with the following clubs who use the Club Marion facility:

- Marion Football Club Incorporated
- Marion Cricket Club Incorporated

Council should note that through the negotiations with the MSCC a sublease with the Marion Bowls Club is no longer included in the lease.

Council will enter into 5 year lease negotiations with the Marion Bowls Club, Marion Tennis Club and Basketball SA who have their own club facilities. An Expression of Interest will be undertaken for leasing of the unoccupied Women's Bowling facility.

Croquet site

The croquet area is currently underutilised and Council has endorsed the development of a business case for the potential development of an ice-rink and rock climbing facility on this site. Council will consider the business case in early 2019 and should Council endorse the proposal community consultation will be undertaken.

Any development on the croquet site will need to consider the current and future requirements of the existing facilities including car parking and traffic management. The impact on surrounding residents will also be a key consideration for Council.

A temporary agreement will be entered into by Council with the Croquet Club while Council considers the future development of the site. To enable future development the site the new lease delineates the southern car park as a common use area to enable access to the croquet site.

Reporting Requirements

In line with the Policy, MSCC will be required to provide information to be eligible for rent subsidy. The criteria for this subsidy is included schedule 2 in the attached lease (appendix 1)

Watering of the playing fields

The proposed lease will need to be varied to the Policy in regards to the maintenance and watering of the playing fields. The current situation is that the playing fields are watered through a bore and Council provides funding to MSCC to maintain the grounds. This arrangement continues under the new lease until the groundwater fails and/or legislative changes come into effect.

Maintenance of Ovals

Under the lease Council will pay \$15k per annum to MSCC towards the maintenance of the ovals. The MSCC have advised that they currently pay \$50k p.a. for oval maintenance and \$30k p.a. for the upkeep of the cricket pitch.

Attachment

#	Attachment	Type
1	MSCC Annual Report 2016-17	PDF File
2	Draft Marion Sports Club Lease	PDF File

C·L·U·B M·A·R·I·O·N

Marion Sports and Community Club Inc

Annual Report

2016 - 2017

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

ANNUAL REPORT 2016 – 2017

Management Committee

Chairman	Mr. Darryl Gray
Deputy Chairman	
Secretary	Mr. Brian Johnston
Treasurer	Mr. Ian Hassam
Committee	Mr. Arthur Patten
	Ms. Lindy Rattigan
	Mr. Peter Castle
	Mr. Jonathon Grant
General Manager	Mr. Craig Virgo

Committee Meetings

The number of meetings of the Club's Committee held during the year ended 30 June 2017, and the number of meetings attended by each Committee Member were:

	Meetings Eligible to Attend	Meetings Attended
Darryl Gray	13	12
Brian Johnston	13	13
Ian Hassam	13	12
Arthur Patten	13	6
Lindy Rattigan	13	10
Peter Castle	13	11
Graeme Yates	4	2
Jonathon Grant	3	3

Life Members

1966	Mr. Robert Pritchard †
1966	Mr. William Pethick †
1975	Mr. P.(Tom) Hurley †
1975	Mr. Roscoe Morrison †
1979	Mr. Colin Boots †
1979	Mr. Kevin Hodgson
1985	Mr. Alan Rae †
1985	Mr. David Woodhouse
1993	Mr. Terry Zajer
1993	Mr. David Manning
2002	Mr. Darryl Gray
2002	Mr. John Allen
2004	Mr. John Maziakowski
2006	Mr. Lawrie Camilleri
2012	Mr. Bill Virgo

Affiliated Clubs

Marion Football Club
 Marion Cricket Club
 South Adelaide Basketball Club
 Sturt Marion Thunder Soccer Club
 Arista Marion Korfball Club
 Atlantis Masters Swimming Club
 Marion Tennis Club
 Marion Women's Bowling Club
 Marion Men's Bowling Club
 Marion Croquet Club
 South City Chiefs (American Football) Club
 Glenelg Rebels Softball Club
 Marion Swimming Club
 Sturt Marion Women's Soccer Club
 Hawthorn Supporters Club
 Seniors Cricket Association
 Marion Marlin Masters Swimming Club
 Diving South Australia

In Recognition of Meritorious Committee Service

H. Walker	1915 – 1957
G.H. Parsons	1908 – 1937
W. Ormond	1931 – 1960
G. Palmer	1912 – 1935
S.D Duff	1908 – 1920 & 1931 – 1940
M. Parslow	1936 – 1957
J. Cracknel	1946 – 1965
F.H. Edwards	1921 – 1940
G. Western	1908 – 1925
R. Millwood	1943 – 1959
J. Threadgold	1914 – 1927
W. Phelps	1921 – 1927 & 1938 – 1944
G. Parslow	1940 – 1952
R. Edwards	1943 – 1944, 1948 – 1949 & 1954 – 1963
C. Shepley	1936 – 1944 & 1952 – 1955
A.G. Pitman	1921 – 1925 & 1928 – 1935
A. Parsons	1940 – 1952
R. Mellor	1961 – 1972
R. Duncan	1940 – 1951
S. Walker	1944 – 1953
C. Senior	1968 – 1977
F. Rayner	1935 – 1944
Mrs. W. Osmond	1931 - 1940

Chairman's Report 2016 - 2017

I am very pleased to report another very successful year of operations by the Marion Sports and Community Club. We have also continued to fulfil our responsibilities as a not for profit organisation.

Although operating under old Lease conditions, we were able to continue with our somewhat conservative approach satisfying most member's and affiliated club's needs, plus accumulating funds for hopefully upcoming projects.

Our outstanding year was recognised in winning several awards at the SA Licensed Clubs Awards for Excellence presentation night. These awards included;

- Community Spirit
- Best Sporting Club
- Best Gaming Area

And the most prestigious award

- 2016 CLUB OF THE YEAR

The awards were in recognition of the MSCC providing not only outstanding facilities; but our support for both sport and recreation in the community of the City of Marion and surrounding areas.

Our membership continues to grow, with over 5,100 members, as does the demand for our facilities with record numbers of sporting clubs (25) in particular junior teams, and the demand for our licensed entertainment areas. We have around 38 community groups that also use our premises for various purposes.

Last year because of this demand for sports on Sunday, we reduced the number of markets back to one a month (the first Sunday), but the demand continues. At most markets now we have over 150 "stalls" with approximately 3,000 people attending. The Club would like to thank the volunteers, admirably led by Jim Anderson, for their tolerance, hard work and outstanding contribution to the community.

This demand is placing considerable pressure on our facilities and we must update and improve some of these ageing and inadequate conditions. This can only be done once we have a new Lease and are aware of the new conditions.

Although our Lease expired on 30th June 2016, we have been operating under 'holding over' conditions on a month by month basis. A draft Lease has been received by the club on 23rd August 2017 but has a number of areas that will require clarification or alteration. Let's hope for fruitful negotiations in the near future.

The Club remains in a strong financial position but as we do not have a strong position to borrow money we will have to remain frugal and insure we have sufficient funds to support future projects. Just briefly some of the areas we have in mind are upgrades of the kitchen, the bar area, the main entrance, floor coverings, along with outside projects including oval lighting and irrigation and increased storage facilities.

We have had some significant changes in our staff over the last year but have managed to continue with strong results, particularly in the kitchen area. I mentioned previously this area has to be upgraded and what Craig and his staff have been able to produce, along with satisfying the needs of casual diners and functions is more than noteworthy. Members will be pleased to see this area is

now producing profitable results. The other areas of income are steady with the new gaming legislation, which commenced 1st January 2017, having a negative effect as expected. We were aware that these changes were coming and ensured our machines and room was compliant.

Well done to Craig and his staff, the committee trusts that all new and existing staff has had a safe and enjoyable year.

I would like to thank the members of the Management Committee for their time and efforts in this last year. I hope that we will be able to fill the vacant position on our committee in the near future, but the quality of our personnel is our strength.

It has been very demanding over recent times for the volunteers on the Committee; however I am sure they will continue to make decisions which improve the Marion Sports and Community Club for the benefit of the members and community.

Darryl Gray
MSCC Chairman

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

FINANCIAL REPORT

FOR THE FINANCIAL YEAR ENDED
30 JUNE 2017

MARION SPORTS AND COMMUNITY CLUB INCORPORATED**FINANCIAL REPORT
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017****CONTENTS**

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MARION SPORTS AND COMMUNITY CLUB INCORPORATED

DECLARATION BY OFFICERS OF THE ASSOCIATION

The Board reports that:

- (a) During the financial year ended 30 June 2017, no officer of the Association, firm of which the officer is a member, or body corporate in which the officer has a substantial financial interest, has received or become entitled to receive a benefit as a result of a contract between the officer, firm or body corporate and the Association; and
- (b) no officer of the Association has received directly or indirectly from the Association any payment or other benefit of a pecuniary value, except for the reimbursement of expenses incurred on behalf of the Association.

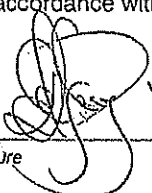
STATEMENT BY OFFICERS OF THE ASSOCIATION

The Officers of the Association have determined that the Association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial report.

In the opinion of the Officers of the Association:

- (a) The accompanying financial report has been drawn up so as to present fairly the results of operations of Marion Sports and Community Club Incorporated for the financial year ended 30 June 2017 and the state of affairs as at that date;
- (b) As at the date of this statement there are reasonable grounds to believe that Marion Sports and Community Club Incorporated will be able to pay its debts as and when they fall due.

Signed in accordance with a resolution of the Board for and on its behalf by: -


Signature

DARRYL ASHLEY GRAY
Name
CHAIRMAN


Signature

Ian Brentan Hassam
Name
Treasurer

Dated this 26th day of August 2017

MARION SPORTS AND COMMUNITY CLUB INCORPORATED
STATEMENT OF COMPREHENSIVE INCOME
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017

	30 June 2017 \$	30 June 2016 \$
Revenue	4,984,110	5,019,326
Expenses excluding Finance Costs	(4,821,955)	(4,678,735)
Finance Costs	-	(14,063)
Surplus/(Deficit)	<u>162,155</u>	<u>326,528</u>

The accompanying notes form part of this financial report

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

STATEMENT OF COMPREHENSIVE INCOME
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017

	Note	30 June 2017 \$	30 June 2016 \$
INCOME			
Net Operating Profit/(Loss)			
Bar Trading		195,114	178,397
Gaming Trading		906,894	1,041,443
Market Trading		26,900	33,576
TAB Trading		(10,868)	(7,970)
Lotteries Trading		35,436	33,829
Function Trading		30,789	31,840
Fundraising		14,509	18,992
Kitchen & Bistro Trading		30,585	(32,882)
		<u>1,229,359</u>	<u>1,297,225</u>
Other Income			
Grounds & Facilities		60,751	58,924
Commissions & Subscriptions		33,916	41,396
Clubs, Members & Promotional Discounts		(93,052)	-
		<u>1,615</u>	<u>100,320</u>
TOTAL INCOME		<u>1,230,974</u>	<u>1,397,545</u>
EXPENDITURE			
Grounds & Facilities			
Club Donations		77,139	109,636
Depreciation		31,951	22,409
Light & Power		4,421	5,535
Pitch Preparation		18,500	20,387
SA Water		5,298	3,457
SA Athletic League Inc Sponsorship		4,300	4,350
Lifetime Member Dinner		-	1,546
Junior Sports Donation		-	3,277
Repairs & Maintenance		59,095	59,346
		<u>200,705</u>	<u>229,943</u>
General Expenses			
Accountancy & Auditing Fees		29,820	33,778
Sponsorship & Fees		11,295	13,732
Bank Charges		18,078	23,601
Bank Interest		-	14,063
Borrowing Costs		-	650
Chairman's Account		-	661
Cleaning		64,708	65,492
Consultancy Fees		-	12,000
Depreciation	1. c)	236,995	141,634
Donations		818	944
Emergency Services Levy		-	(5,977)

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

STATEMENT OF COMPREHENSIVE INCOME
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017

	Note	30 June 2017 \$	30 June 2016 \$
EXPENDITURE (cont.)			
Finance Lease Rental		-	2,736
Foxtel		21,858	21,224
Hire of Plant & Equipment		-	2,142
IT Costs & Consumables		-	2,632
Insurance		14,747	11,931
Light & Power		11,098	18,063
Legal Fees		475	1,025
Manager & Committee Expenses		3,585	2,881
Payroll Tax		10,804	9,794
Permits, Licences & Fees		13,715	1,995
Printing & Stationery		9,883	5,977
Marketing & Promotions		10,777	58,938
Provision for Annual Leave Expense		20,503	23,145
Provision for Long Service Leave Expense		13,592	11,854
SA Water		7,095	6,972
Repairs & Maintenance		31,377	27,837
Security Costs		-	2,031
Staff Expenses & Training		8,675	12,227
Sundry Expenses		2,650	4,929
Superannuation Contributions		25,417	23,616
Telephone		9,095	13,301
Travel & Motor Vehicle Expenses		2,519	1,654
Uniforms		-	1,088
Wages		266,616	245,337
Waste & Disposal		17,364	19,382
Workcover Expenses		4,555	7,784
TOTAL EXPENDITURE		1,068,820	1,071,017
OPERATING SURPLUS/(DEFICIT)		162,155	326,528

The accompanying notes form part of this financial report

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2017

		30 June 2017 \$	30 June 2016 \$
CURRENT ASSETS	Note		
Cash & Cash Equivalents	2	1,097,510	702,075
Trade Debtors & Other Receivables	3	2,863	27,523
Stock on Hand		40,622	30,905
TOTAL CURRENT ASSETS		<u>1,140,995</u>	<u>760,503</u>
NON CURRENT ASSETS			
Property, Plant & Equipment	4	4,014,735	4,179,103
Gaming Machine Entitlements		682,540	1,047,500
TOTAL NON CURRENT ASSETS		<u>4,697,275</u>	<u>5,226,603</u>
TOTAL ASSETS		<u>5,838,270</u>	<u>5,987,106</u>
CURRENT LIABILITIES			
Trade Creditors & Other Accruals	5	316,553	260,931
Provisions	6	97,317	102,990
TOTAL CURRENT LIABILITIES		<u>413,869</u>	<u>363,921</u>
NON CURRENT LIABILITIES			
Provisions	6	16,870	12,849
TOTAL NON CURRENT LIABILITIES		<u>16,870</u>	<u>12,849</u>
TOTAL LIABILITIES		<u>430,739</u>	<u>376,770</u>
NET ASSETS		<u>5,407,531</u>	<u>5,610,336</u>
ACCUMULATED FUNDS			
Reserves		(671)	(671)
Opening Retained Earnings		4,563,507	4,236,979
Gaming Machine Revaluation Reserve		682,540	1,047,500
Surplus/(Deficit) for the year		162,155	326,528
TOTAL ACCUMULATED FUNDS		<u>5,407,531</u>	<u>5,610,336</u>

The accompanying notes form part of this financial report

MARION SPORTS AND COMMUNITY CLUB INCORPORATED
STATEMENT OF CHANGES IN EQUITY
AS AT 30 JUNE 2017

Note	Accumulated Funds	Capital Redemption Reserve	Asset Revaluation Reserve	Asset Reserve - Gaming Machine Entitlements	Total
	\$			\$	\$
Balance as at 1 July 2016	4,563,507	3,450	(4,121)	1,047,500	5,610,336
Transfers (to) and from reserves	-	-	-	(364,960)	(364,960)
Surplus / (Deficit) for the year	162,155	-	-	-	162,155
Prior period adjustment	-	-	-	-	-
Balance as at 30 June 2017	4,725,662	3,450	(4,121)	682,540	5,407,531

Note	Accumulated Funds	Capital Redemption Reserve	Asset Revaluation Reserve	Asset Reserve - Gaming Machine Entitlements	Total
	\$			\$	\$
Balance as at 1 July 2015	4,236,979	3,450	(4,121)	1,200,000	5,436,308
Transfers (to) and from reserves	-	-	-	(152,500)	(152,500)
Surplus / (Deficit) for the year	326,528	-	-	-	326,528
Prior period adjustment	-	-	-	-	-
Balance as at 30 June 2016	4,563,507	3,450	(4,121)	1,047,500	5,610,336

The accompanying notes form part of this financial report

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

STATEMENT OF CASH FLOWS
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017

		30 June 2017	30 June 2016
	Note	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES			
Operating Receipts		4,922,448	4,932,210
Grounds & Facilities		60,751	58,924
Donation Receipts		-	1,170
Payments to Suppliers & Employees		(4,296,526)	(4,385,654)
NET CASH FLOWS FROM OPERATING ACTIVITIES	7	<u>686,673</u>	<u>606,650</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
Interest Received		12,524	7,024
Payment for Property, Plant & Equipment		(312,762)	(194,905)
Proceeds from Sale of Property, Plant & Equipment		9,000	20,000
NET CASH FLOWS FROM INVESTING ACTIVITIES		<u>(291,238)</u>	<u>(167,881)</u>
CASH FLOWS FROM FINANCING ACTIVITIES			
Loans repaid		-	(305,000)
NET CASH FLOWS FROM FINANCING ACTIVITIES		<u>-</u>	<u>(305,000)</u>
NET INCREASE/(DECREASE) IN CASH HELD		<u>395,435</u>	<u>133,769</u>
CASH AT THE BEGINNING OF THE FINANCIAL YEAR		702,075	568,306
CASH AT THE END OF THE FINANCIAL YEAR	2	<u><u>1,097,510</u></u>	<u><u>702,075</u></u>

The accompanying notes form part of this financial report

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

NOTES TO THE FINANCIAL REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017

1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

In the opinion of the Officers of the Association, the Association is not a reporting entity as there are unlikely to exist users who are unable to command the preparation of reports tailored so as to satisfy all of their information needs. Accordingly, the report is a "Special Purpose Financial Report" that has been prepared solely to meet the requirements of the members and the Associations Incorporations Act (SA) 1985, the Committee and the members of the Association.

The financial report covers Marion Sports and Community Club Incorporated as an individual entity. Marion Sports and Community Club Incorporated is a community organisation that provides financial support to the associated sporting organisations and social facilities to the members of the Association. The principal place of business is 262 Sturt Road, Marion SA 5046.

The financial statement has been prepared in accordance with the requirements of the Associations Incorporation Act (SA) 1985 and the following Australian Accounting Standards:

AASB 101	<i>Presentation of Financial Statements</i>
AASB 107	<i>Statement of Cash Flows</i>
AASB 108	<i>Accounting Policies, Changes in Accounting Estimates and Errors</i>
AASB 110	<i>Events after the Reporting Period</i>
AASB 1048	<i>Interpretation of Standards</i>
AASB 1054	<i>Australian Additional Disclosures</i>

No other applicable Accounting Standards, Urgent Issues Group Interpretations or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

The following material accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

a) Income Tax

The Association is exempt from income tax pursuant to the Income Tax Assessment Act.

b) Revenue Recognition

Income has been brought to account on an accruals basis.

c) Property, Plant and Equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation other than some plant and equipment which is carried at the Committees' valuation.

Prior to 1 July 2016 Property, Plant and Equipment over \$1,000 were capitalised and recorded as fixed asset at cost. From 1 July 2016 the capitalisation threshold was increased to \$5,000 and applied retrospectively to assets held which had previously been capitalised and were still being depreciated. These assets were brought into line with the new capitalisation threshold which resulting in an additional \$171,722 of depreciation being brought to account for the financial year ended 30 June 2017.

Impairment

The carrying amount of plant and equipment is reviewed annually by the Committee to ensure it is not in excess of the recoverable amount of these assets.

Depreciation

The depreciable amount of all fixed assets are depreciated over their useful lives commencing from the time the asset is held ready for use. Assets are depreciated on a straight line basis.

The depreciation rates used for each class of depreciable assets are:

Class of Asset	Depreciation Rate
Building Improvements	2.5%
Gaming Machines	20%
All Other	5% - 20%

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount. These gains or losses are included in the Statement of Comprehensive Income.

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

**NOTES TO THE FINANCIAL REPORT
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017**

1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (continued)**d) Cash and cash equivalents**

Cash and cash equivalents includes cash on hand, deposits held at call with banks and other short-term high liquid investments with original maturities of three months or less.

e) Goods and Services Tax (GST)

The Association is registered for GST purposes, with a GST registration number 22 267 574 276.

For the Association all revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

f) Employee Entitlements

Liabilities for employee benefits for wages/salaries that are expected to be settled within 12 months of the reporting date, representing present obligations resulting from employees' services provided to reporting date, are calculated at undiscounted amounts based on remuneration rates the Association expects to pay as at reporting date including related on-costs.

Employee benefits expected to be settled later than 12 months after the reporting date have been measured at the present value of the estimated future cash flows to be made for those benefits

For the financial year ending 30th June 2016, the policy for the recognition of employee's long service leave entitlements reflects the current employment trends of the Association. Long Service Leave entitlements are now recognised as follows:

5 years	50%
6 years	75%
7 years	100%

g) Accounting Estimates and Judgements

The Committee evaluate estimates and judgements incorporated into the financial report based on historical knowledge and the best available current knowledge. Estimates assume a reasonable expectation of future events and are based on current economic trends and economic data, obtained both externally and within the entity.

There are no estimates or judgements which have a risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

2. CASH & CASH EQUIVALENTS

	30 June 2017	30 June 2016
	\$	\$
Cash on hand	78,297	66,561
Cash at Bank	369,212	635,514
Term Deposit	650,000	-
	<u>1,097,510</u>	<u>702,075</u>

3. TRADE DEBTORS & OTHER RECEIVABLES

Trade Debtors	-	24,933
Prepayments	2,863	2,590
	<u>2,863</u>	<u>27,523</u>

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

NOTES TO THE FINANCIAL REPORT
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2017

	30 June 2017 \$	30 June 2016 \$
4. PROPERTY, PLANT & EQUIPMENT		
Building Improvements	4,307,860	4,395,675
Less: Accumulated Depreciation	(890,151)	(799,932)
	<u>3,417,709</u>	<u>3,595,743</u>
Bar Lounge & Function Rooms	196,297	213,771
Less: Accumulated Depreciation	(156,930)	(160,892)
	<u>39,367</u>	<u>52,879</u>
Main & Function Bars	144,155	153,729
Less: Accumulated Depreciation	(104,325)	(97,362)
	<u>39,830</u>	<u>56,367</u>
Downstairs & Grounds	490,356	489,686
Less: Accumulated Depreciation	(411,607)	(412,017)
	<u>78,749</u>	<u>77,669</u>
Furniture	174,906	163,238
Less: Accumulated Depreciation	(155,592)	(159,349)
	<u>19,314</u>	<u>3,889</u>
Gaming Machines	877,838	774,753
Less: Accumulated Depreciation	(524,287)	(473,505)
	<u>353,551</u>	<u>301,248</u>
Gaming Office	5,713	5,713
Less: Accumulated Depreciation	(5,713)	(5,713)
	<u>-</u>	<u>-</u>
Gaming Room	134,652	124,878
Less: Accumulated Depreciation	(109,301)	(102,923)
	<u>25,351</u>	<u>21,955</u>
Kitchen Appliances	187,960	206,028
Less: Accumulated Depreciation	(174,311)	(181,588)
	<u>13,649</u>	<u>24,440</u>
Manager's Office	4,617	5,866
Less: Accumulated Depreciation	(4,617)	(5,541)
	<u>-</u>	<u>325</u>
Reception Office	9,168	13,909
Less: Accumulated Depreciation	(9,168)	(10,974)
	<u>-</u>	<u>2,935</u>
Security	117,964	117,964
Less: Accumulated Depreciation	(90,749)	(76,311)
	<u>27,215</u>	<u>41,653</u>
TAB Room	9,766	9,766
Less: Accumulated Depreciation	(9,766)	(9,766)
	<u>-</u>	<u>-</u>
	<u>4,014,735</u>	<u>4,179,103</u>

MARION SPORTS AND COMMUNITY CLUB INCORPORATED

**NOTES TO THE FINANCIAL REPORT
FOR THE FINANCIAL YEAR ENDED 30 JUNE 2016**

	30 June 2017 \$	30 June 2016 \$
5. TRADE CREDITORS & OTHER ACCRUALS		
Trade Creditors	203,026	176,121
Accruals & Payroll Liabilities	93,234	84,809
Net GST Liability	20,293	1
	<u>316,553</u>	<u>260,931</u>
6. PROVISIONS		
CURRENT		
Annual Leave	50,210	50,192
Long Service Leave	47,107	52,798
	<u>97,317</u>	<u>102,990</u>
NON CURRENT		
Long Service Leave	<u>16,870</u>	<u>12,849</u>

7. CASH FLOW INFORMATION

(a) Reconciliation of net cash provided by operating activities to operating result.

	30 June 2017 \$	30 June 2016 \$
Operating Result	162,155	322,188
Non-cash flows in operating result:		
Depreciation & Amortisation	463,070	299,304
Net (gain)/loss on disposal of assets	5,060	(20,000)
Interest Received	(12,524)	(7,024)
Changes in assets and liabilities:		
(Increase)/Decrease in Stock on Hand	(9,717)	4,169
(Increase)/Decrease in trade and other receivables	24,659	2,600
Increase/(Decrease) in trade creditors & accruals	55,622	(27,535)
Increase/(Decrease) in Employee Provisions	(1,652)	32,948
	<u>686,673</u>	<u>606,650</u>

At 30 June 2017 the following overdraft facilities are available which are not being utilised:

Asset Finance Leasing	\$250,000
Overdraft	\$30,000

INDEPENDENT AUDITOR'S REPORT

To the members of Marion Sports and Community Club Incorporated

Report on the Audit of the Financial Report

We have audited the financial report of Marion Sports and Community Club Incorporated, which comprises the statement of financial position as at 30 June 2017, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the Committee of Managements' declaration.

In our opinion the financial report of Marion Sports and Community Club Incorporated has been prepared in accordance with Note 1 to the financial report and is appropriate to meet the requirements of the *Associations Incorporation Act (SA) 1985* and the needs of the members, including:

- (a) giving a true and fair view of Marion Sports and Community Club Incorporated's financial position as at 30 June 2017 and of its financial performance for the year then ended; and
- (b) complying with Australian Accounting Standards to the extent described in Note 1 to the financial report.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the registered entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling Marion Sports and Community Club Incorporated's financial reporting responsibilities under the *Associations Incorporation Act (SA) 1985* and the needs of the members. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibility of the Committee of Management for the Financial Report

The Committee of Management of Marion Sports and Community Club Incorporated are responsible for the preparation of the financial report that gives a true and fair view and have determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the requirements of the *Associations Incorporation Act (SA) 1985* and the needs of the members. The Committee of Managements' responsibility also includes such internal control as the Committee of Management determine is necessary to enable the preparation of a financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Committee of Management are responsible for assessing the Marion Sports and Community Club Incorporated's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the Committee of Management either intend to liquidate Marion Sports and Community Club Incorporated or to cease operations, or have no realistic alternative but to do so.

The Committee of Management are responsible for overseeing Marion Sports and Community Club Incorporated's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

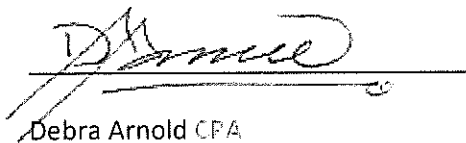
As part of an audit in accordance with Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the registered entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by responsible entities.
- Conclude on the appropriateness of Marion Sports and Community Club Incorporated's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Marion Sports and Community Club Incorporated's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause Marion Sports and Community Club Incorporated to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with Marion Sports and Community Club Incorporated regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Report on Other Legal and Regulatory

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling Marion Sports and Community Club Incorporated's financial reporting responsibilities under the Associations Incorporations Act (SA) 1985 and the needs of its members. As a result, the financial report may not be suitable for another purpose.



Debra Arnold CPA

Director

Registered Company Auditor # 45005



ABN 58 608 942 221

PO Box 28

CHRISTIES BEACH SA 5165

Date: 28 August 2017

LEASE AGREEMENT

262B STURT ROAD MARION SA 5043

The Corporation of the City of Marion

Marion Sports and Community Club Incorporated

**Norman
Waterhouse**
LAWYERS

Level 15, 45 Pirie Street
Adelaide SA 5000
Telephone + 61 8 8210 1200
Fax + 61 8 8210 1234
www.normans.com.au

DATE

PARTIES

THE CORPORATION OF THE CITY OF MARION of 245 Sturt Road, Sturt SA 5047
(Council)

MARION SPORTS AND COMMUNITY CLUB INCORPORATED of 262 Sturt Road, Marion
SA 5043 (Lessee)

BACKGROUND

- A. The Council is the registered proprietor, or has the care, control and management, of the Land.
- B. The Lessee has requested a lease to use the Premises for the Permitted Use.
- C. The Council has agreed to grant the Lessee a lease of the Premises
- D. The Council and Lessee wish to record the terms of their agreement.

AGREED TERMS

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this lease:

Act means the *Retail and Commercial Leases Act 1995* (SA).

Actuaries Institute means the Actuaries Institute being the peak body for Actuaries in Australia.

Agreed Consideration means the Rent, Outgoings and all other consideration (whether in money or otherwise) to be paid or provided by the Lessee for any supply or use of the Premises and any goods, services or other things provided by the Council under this lease (other than tax payable under clause 22).

Business Day means a day which is not a Saturday, Sunday or public holiday in Adelaide.

Commencement Date means the commencement date described in Item 2 of Schedule 1.

Common Areas means all areas of the Land which are not leased or tenanted and which are for common use by:

- tenants and lessees of the Land; or
- their invitees and customers; or
- any other person who the Council authorises including use by the public;

and including driveways, car parks and walkways.

Council means the party described as 'Council' in this lease and where the context permits includes the employees, contractors, agents and other invitees of the Council.

Council's Equipment means all fixtures and fittings, plant, equipment, services, chattels and other goods installed or situated in or on the Premises and available for use by the Lessee.

CPI means the consumer price index published by the Australian Bureau of Statistics for All Groups (Adelaide) or the index which replaces it under clause 4.3.

Current Market Rent means the best rent that can be obtained for the Premises in an open market by a willing but not anxious lessor with or without vacant possession and on the following conditions:

- (a) on the terms of this lease for the whole of the Term (and not just the balance of the Term);
- (b) on the basis that the Lessee has complied with all its obligations under this lease;
- (c) not taking into account any damage or destruction to the Council's Improvements and Equipment or the Premises and not taking into account any resulting suspension or abatement of Rent;
- (d) not taking into account any disturbance or nuisance to the Lessee's use of the Premises caused by any act or neglect of the Council or any adjoining owner or occupier;
- (e) taking into account any improvements or fixtures erected or installed at the Lessee's expense, unless the Council has required in writing the Lessee to remove any improvements or fixtures at the end of the lease;
- (f) taking into account any increase in value of the Premises arising from any permanent improvements on the Land at the expense of either the Lessee or the Council and which the Council has not required the Lessee in writing to remove at the end of the lease;
- (g) not taking into account any goodwill attributable to the Premises by reason of any trade, business or actions carried on by the Lessee; and
- (h) not taking into account any cash, premium, payment, abatement, allowance, subsidy or other incentive paid, offered or allowed in respect of this lease or being offered or given in respect of comparable premises to induce lessees to take a lease of or remain in such comparable premises.

Default Rate means the rate which is two per centum (2%) per annum greater than the published annual rate of interest charged from time to time by Westpac Banking Corporation on overdraft facilities of more than \$100,000.00 and if there is more than one rate published the highest of those rates.

Gaming Machine means a gaming machine as defined by the *Gaming Machines Act 1992 (SA)*.

Gaming Machine Entitlement means an entitlement as defined by the *Gaming Machines Act 1992 (SA)* to operate one (1) Gaming Machine.

GST has the meaning given to that term in the GST Legislation.

GST Legislation means the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and any ancillary or similar legislation.

GST Rate means 10% or the rate of GST imposed from time to time under the GST Legislation.

Improvements means the interior and exterior of all present and future improvements in or on the Premises and includes all Services and all other conveniences, amenities and appurtenances of in or to the Improvements.

Institute means the South Australian Division of the Australian Property Institute.

Initial Term means the initial term of this lease commencing on the Commencement Date and described in Item 2 of Schedule 1.

Land means the land described in Item 1 of Schedule 1 and includes any part of the Land.

Legislation includes any relevant Act of Parliament (whether State or Federal) and any regulation or by-law including by-laws issued by any local government body or authority.

Lessee means the party described as 'Lessee' in this lease and where the context permits includes the employees, contractors, agents, customers and other invitees of the Lessee.

Lessee's Equipment means any and all fixtures and fittings and other equipment installed in or brought on to or kept in the Premises by the Lessee.

Lessee's Share means the proportion the lettable area of the Premises bears from time to time to the total lettable area of the Land as measured in accordance with the method of measurement recommended for such Premises by the Institute's guidelines current as at the Commencement Date or such other Institute method of measurement as the Council notifies the Lessee.

Liquor Act means the *Liquor Licensing Act 1997 (SA)*.

Liquor Licence Applications Policy means Council's policy which provides a framework for the exercise of the Council's powers pursuant to the Liquor Act as amended from time to time.

Maintenance Fee means the fee described in Item 5 of Schedule 1 reviewed annually in accordance with the terms of this lease.

Market Review means a review of Rent to Current Market Rent as set out in clause 4.5.

Outgoings means the outgoings (if any) described in Item 6 of Schedule 1.

Payment Date means the Commencement Date and each anniversary of the Commencement Date during the Term unless otherwise agreed between the parties.

Permitted Use means the use described in Item 7 of Schedule 1.

Premises means the premises described in 0 of Schedule 1 and where the context permits includes any part of the Premises.

Rates and Taxes means all present and future rates, charges, levies, assessments, duty and charges of any Statutory Authority (but in this definition excluding Council in its separate capacity as a relevant statutory authority), department or authority having the power to raise or levy any such amounts in respect of the use, ownership or occupation of the Land or Premises and includes water and sewer charges, emergency services levy and, subject to the Act, land tax (on a single holding basis).

Rent means the rent described in Item 3 of Schedule 1.

Rent Subsidy Criteria means the list of considerations to be assessed by the Council in granting a rent subsidy under this lease as listed in Schedule 2.

Rent Subsidy Percentage means the percentage reduction to be applied to the Rent granted to the Lessee for compliance with the Rent Subsidy Criteria as listed in Schedule 2.

Rent Subsidy Criteria Questionnaire means the questionnaire provided to the Lessee which contains questions and requires the provision of information relevant to the Lessee satisfying the Council that it has satisfied each of the Rent Subsidy Criteria.

Review Date means each date during all years of the Term as described in Item 5 of Schedule 1.

Review Method means the relevant method of rent review in Item 5 of Schedule 1 for any Review Date.

Services includes all services (including gas, electricity, water, sewerage, lifts, escalators, communications, fire control, air-conditioning, plumbing and telephone and all plant, equipment, pipes, wires and cables in connection with them) to or of the Improvements or any premises in or on the Land supplied by any authority, the Council or any person the Council authorises.

Statutory Authorities means any government or authorities created by or under any relevant Legislation (including the Council in its separate capacity as local government authority).

Statutory Requirements means all relevant Legislation and all lawful conditions, requirements, notices and directives issued or applicable under any such Legislation or by any Statutory Authorities.

Term means the Initial Term and any period during which the Lessee holds over or remains in occupation of the Premises.

Valuer means a qualified valuer to make a determination under this lease:

- (a) who is appointed by the Council;

- (b) who has practised as a valuer with a minimum of five years relevant experience; and
- (c) who acts as an expert and not as an arbitrator.

Yearly Amounts means the aggregate of the Rent, Outgoings and any other moneys payable by the Lessee during the Term.

1.2 Interpretation

In this lease, unless the context otherwise requires:

- 1.2.1 headings do not affect interpretation;
- 1.2.2 singular includes plural and plural includes singular;
- 1.2.3 words of one gender include any gender;
- 1.2.4 a reference to a party includes its executors, administrators, successors and permitted assigns;
- 1.2.5 a reference to a person includes a partnership, corporation, association, government body and any other entity;
- 1.2.6 a reference to this lease includes any schedules and annexures to this lease;
- 1.2.7 a reference to any document (including this lease) is to that document as varied, novated, ratified or replaced from time to time;
- 1.2.8 an agreement, representation, warranty or indemnity by two or more parties (including where two or more persons are included in the same defined term) binds them jointly and severally;
- 1.2.9 an agreement, representation, warranty or indemnity in favour of two or more parties (including where two or more persons are included in the same defined term) is for the benefit of them jointly and severally;
- 1.2.10 a reference to legislation includes any amendment to it, any legislation substituted for it, and any subordinate legislation made under it;
- 1.2.11 a provision is not construed against a party only because that party drafted it;
- 1.2.12 an unenforceable provision or part of a provision may be severed, and the remainder of this lease continues in force;
- 1.2.13 the meaning of general words is not limited by specific examples introduced by 'including', 'for example' or similar expressions;
- 1.2.14 an expression defined in the *Corporations Act 2001* (Cth) has the meaning given by that act at the date of this lease;
- 1.2.15 the covenants and powers implied in leases by virtue of sections 124 and 125 of the *Real Property Act 1886* apply and are implied in this lease unless they are expressly or impliedly excluded or modified; and

- 1.2.16 the special conditions in Schedule 3 prevail over the terms in the body of this lease to the extent of any inconsistency.

1.3 Retail and Commercial Leases Act

If the Act applies to this lease:

- 1.3.1 this lease must be interpreted subject to the Act; and
- 1.3.2 any right, power or remedy of the Council or obligation or liability of the Lessee that is affected by the Act is unenforceable or void but only to the extent that it is expressly made unenforceable or void by the Act.

1.4 Background

The Background forms part of this lease and is correct.

2. GRANT OF LEASE

The Council grants and the Lessee accepts a lease of the Premises for the Term as set out in this lease.

3. RENT

3.1 Payment of Rent

The Lessee must pay the Rent annually in advance and in any event by each Payment Date.

3.2 Rent payment periods

If a rent payment period is less than one year, then the payment for that period is calculated at a daily rate based on the number of days in the year in which that period begins and the yearly payment which would have been payable for a full year.

3.3 Rent Subsidy

- 3.3.1 The parties acknowledge that the Lessee **will** be entitled to a percentage discount to be applied to the Rent equivalent to the Rent Subsidy Percentage for each Rent Subsidy Criteria which the Council acting reasonably determines the Lessee **has** complied **with** as set out in Schedule 2.
- 3.3.2 Prior to 30 November in each year of the Term the Lessee must complete and return a completed Rent Subsidy Criteria Questionnaire with copies of documentation supporting the Lessee's responses to the Rent Subsidy Criteria Questionnaire to Council.
- 3.3.3 The Lessee's failure to provide a completed Rent Subsidy Criteria Questionnaire to the Council by 30 November in each year of the Term will constitute a failure by the Lessee to evidence compliance with the Rent Subsidy Criteria in Schedule 2.
- 3.3.4 If applicable, after the Rent has been reviewed in accordance with this lease (including a review to Current Market Rent in accordance a Market Review), a rental discount equivalent to the Rent Subsidy

Percentage for each Rent Subsidy Criteria will be applied to the reviewed Rent.

- 3.3.5 A failure by the Lessee to comply with any Rent Subsidy Criteria in relation to which a discount has been applied during the Term will be a breach of an essential term of the lease.

4. RENT REVIEWS

4.1 Rent to be reviewed

The Rent will be reviewed on each Review Date during the Term by the relevant Review Method for the Review Date in accordance with clause 4.

4.2 CPI review

4.2.1 In this clause:

4.2.1.1 **Current CPI** means for a CPI Review Date, the CPI number for the quarter ending immediately before that Review Date; and

4.2.1.2 **Previous CPI** means, for a CPI Review Date, the CPI number for the quarter ending immediately before the last Review Date (or if there has not been a review, the Commencement Date).

4.2.2 Where the Review Method for any Review Date is CPI, the Rent on and from that Review Date is calculated as follows:

$$R_2 = R_1 \times \frac{\text{CurrentCPI}}{\text{PreviousCPI}}$$

Where:

R₂ is the Rent on and from the Review Date; and

R₁ is the Rent immediately before the Review Date (disregarding any abatements, incentives, subsidies or reductions).

4.3 Change to CPI

If the CPI is no longer published, either party may ask the President of the Actuaries Institute to nominate an index which reflects the rate of price change in the area and group for the CPI and 'CPI' then means that index. The Council must pay all of the President's costs for nominating an index.

4.4 Market Review

Where the Review Method for any Review Date is a Market Review, then the Rent must be reviewed to the Current Market Rent.

4.5 Current Market Rent

4.5.1 The Council will appoint the Valuer to assess the Current Market Rent for the Premises (**Council's Rent Assessment**).

- 4.5.2 The Council may at any time give the Lessee written notice stating the Council's Rent Assessment.
- 4.5.3 The Rent from and including the relevant Review Date is the amount stated in the Council's notice under clause 4.5.1 unless the Lessee gives the Council written notice disagreeing with that amount (**Objection**) within 14 days after the Council's notice.
- 4.5.4 If the Lessee gives the Council an Objection, then the Rent must be determined by a Valuer.
- 4.5.5 The Valuer must determine the Current Market Rent under this clause.
- 4.5.6 The Council and the Lessee may make written submissions to the Valuer within 14 days after the Valuer is appointed.
- 4.5.7 Each party must forward to the other a copy of all written material provided to the Valuer when it is provided to the Valuer.
- 4.5.8 Within 14 days after receiving those written materials, a party may give written comments to the Valuer on the other party's written submissions.
- 4.5.9 The Valuer must make the determination in writing within 60 days after appointment, giving detailed reasons and specifying the matters required to be taken into account under this lease. The determination is final and binding.
- 4.5.10 If the Valuer's determination is more than the Council's assessment of the Current Market Rent, the Lessee must pay all the costs of the valuation. In all other cases, the costs of the valuation must be shared equally between the Council and Lessee.

4.6 Rent pending determination

- 4.6.1 The Rent may be reviewed within 6 months from a Review Date even if the review is instituted after that Review Date.
- 4.6.2 If the Rent to apply on and from a Review Date is not agreed or determined by that Review Date, the Lessee must continue to pay instalments of Rent at the rate that applied before the relevant Review Date until the Rent is determined.

4.7 Adjustments

Once the Rent and Rent Subsidy Percentage to apply on and from a Review Date is agreed or determined (as the case may be), the Lessee must pay any shortfall and the Council must allow any adjustment for overpayment at the next Payment Date.

4.8 Other review

Subject to the Act, the Council and Lessee may negotiate and agree a Rent to apply from a Review Date without following this clause.

5. RATES AND TAXES AND OUTGOINGS

5.1 Liability for Rates and Taxes

- 5.1.1 The Lessee shall be required to pay or reimburse the Council any Rates and Taxes levied, assessed or charged in respect of the Premises or upon the owner or occupier of the Premises.
- 5.1.2 For the avoidance of doubt, the Rates and Taxes do not include Council rates.

5.2 Lessee's Share

If any Rates and Taxes are not separately assessed or charged in respect of the Premises, then the Lessee must pay the Lessee's Share of any such Rates and Taxes assessed or charged in respect of the Land.

5.3 Power and other utilities

- 5.3.1 The Lessee must pay, when due, all costs for the use of telephone, light and other facilities and the consumption of electricity, gas, and any and all other services and utilities supplied to or used from the Premises.
- 5.3.2 If there is no separate meter for a service or utility used on or from the Premises and if the Council so requires, then the Council will install the meter at its own cost.
- 5.3.3 The Lessee shall be responsible for all electrical tagging and testing as required of the Lessee's Equipment at the Premises.
- 5.3.4 Without limiting this subclause, the Lessee must comply with the *Electricity (General) Regulations 2012* (SA) and any other applicable electricity laws.

5.4 Separate air-conditioning plant

- 5.4.1 If the Premises are served by separate air-conditioning plant or equipment the Lessee must, at its own cost, ensure that the air-conditioning plant or equipment is properly and regularly serviced and maintained. If the Council gives any instructions or directions with regard to the service and maintenance of that air-conditioning plant or equipment, the Lessee must, at its own cost, ensure that the air-conditioning plant and equipment is serviced and maintained in accordance with those instructions or directions.
- 5.4.2 If the Council chooses to arrange for the service, maintenance and repair of the air-conditioning plant or equipment (and notifies the Lessee accordingly) then the Lessee must permit the Council, and any person authorised by it for that purpose, to enter the Premises and carry out such service, maintenance and repair at all reasonable times. The Lessee must pay or reimburse to the Council all costs incurred in that regard which the Council may recover from the Lessee as a debt due and payable on demand.

- 5.4.3 The Lessee must pay or reimburse to the Council the cost of all power consumed by such air-conditioning plant or equipment and the Council may recover any such amounts as a debt due.

6. WATER

6.1 Mains water

Subject to Special Condition 3, the Lessee must pay when due, all costs and outgoings in relation to water usage and water rates of all mains located on the Premises.

6.2 Water efficiency

The Lessee must use its best endeavours to ensure that, at all times, water is used and consumed at the Premises in an efficient and responsible manner.

6.3 Recycled water and bore water access

Subject to Special Condition 3, Lessee shall be responsible for all costs and outgoings in relation to water usage and rates associated with the use of bore water or recycled water on the Premises and the Council may enter into a separate agreement with the Lessee regarding the costs of bore water and recycled water.

7. USE OF PREMISES

7.1 Permitted Use

The Lessee may use the Premises only for the Permitted Use and must not use or allow the Premises to be used for any other use without the Council's consent.

7.2 Offensive activities

The Lessee must:

- 7.2.1 not carry on any offensive or dangerous activities on or from the Premises;
- 7.2.2 not create a nuisance or disturbance for the Council or for the owners or occupiers of any adjoining property; and
- 7.2.3 ensure at all times that activities conducted on or from the Premises do not discredit the Council.

7.3 Use of facilities

- 7.3.1 The Lessee must ensure that the Services are used carefully and responsibly and in accordance with any directions given by the Council from time to time.
- 7.3.2 The Lessee must repair or correct any damage or malfunction which results from any misuse or abuse of the Services by the Lessee.

7.4 **Statutory Requirements**

The Lessee must comply with all Statutory Requirements (including the *Work Health and Safety Act 2012* (SA)) relating to:

- 7.4.1 the Lessee's use and occupation of the Premises;
- 7.4.2 the Permitted Use.

7.5 **Signs**

7.5.1 The Lessee must not place any sign or advertisement on the outside or inside (if they can be seen from outside) of the Premises, except a sign or advertisement which:

- 7.5.1.1 is approved by the Council; and
- 7.5.1.2 complies with any relevant Statutory Requirements.

7.5.2 Council reserves the right to require the Lessee to place any sign or advertisement on the outside or inside of the Premises in accordance with Council's policy at the time.

7.5.3 The Lessee is prohibited from placing any political sign or advertisement on the outside or the inside of the Premises.

7.6 **Dangerous equipment and installations**

The Lessee may only install or use within the Premises equipment and facilities which are reasonably necessary for and normally used in connection with the Permitted Use and must not install or bring onto the Premises:

- 7.6.1 any electrical, gas powered or other machinery or equipment that may pose a danger, risk or hazard;
- 7.6.2 any chemicals or other dangerous substances that may pose a danger, risk or hazard; or
- 7.6.3 any heavy equipment or items that may damage the Premises or Improvements.

7.7 **Fire precautions**

The Lessee must comply with all Statutory Requirements relating to fire safety and procedures including any structural works or modifications or other building works which are required as a consequence of the Lessee's use of the Premises or the Lessee's negligence or default.

7.8 **Security**

The Lessee must keep all buildings on the Premises securely locked at all times when they are not occupied and must provide keys to the buildings on the Premises to the Council (or if the Council has engaged a manager, then to the manager) to be used only in emergencies.

7.9 No warranty

The Council makes no warranty or representation regarding the suitability of the Premises (structural or otherwise) for the Permitted Use or any other purpose.

8. LIQUOR LICENCE

8.1 Service of Alcohol

The Lessee must not:

8.1.1 serve, sell or provide to persons; or

8.1.2 consume or allow persons to consume;

alcoholic beverages on the Premises except in accordance with a Liquor Licence obtained pursuant to clause 8.2 and otherwise in accordance with this clause.

8.2 Obtaining Liquor Licence

8.2.1 The Lessee is responsible for and will take all steps necessary in order to obtain all necessary licences (**Liquor Licence**) under the Liquor Act.

8.2.2 In addition to the requirements of clause 8.2.1, the Lessee must take all steps necessary in order to comply with Council's Liquor Licence Applications Policy.

8.2.3 In addition to the requirements of clause 8.2.1, the Lessee must obtain all other approvals, licences, consents and renewals as may be necessary to serve or sell alcoholic beverages on the Premises.

8.2.4 The Lessee must obtain the Council's consent which may be withheld at the Council's discretion prior to seeking to obtain a Liquor Licence for the Premises and prior to agreeing to any conditions of the Liquor Licence.

8.3 Maintenance of Liquor Licence

8.3.1 The Lessee must not do anything or allow anything to be done that would result in the Liquor Licence or any other licence, approval or consent issued under the Liquor Act relating to the Premises or any business conducted from the Premises:

8.3.1.1 not being renewed or being suspended or forfeited or removed from the Premises;

8.3.1.2 which results in more onerous conditions being imposed on or in respect of such Liquor Licence;

8.3.1.3 which has or may have any prejudicial effect on any such Liquor Licence; or

8.3.1.4 which may constitute or result in the commission of any offence under the Liquor Act.

- 8.3.2 Without limiting clause 8.3.1, the Lessee must not without the Council's prior written consent apply under the Liquor Act or to any other Statutory Authority to decrease or restrict the hours of trading permitted under the Liquor Licence or the Liquor Act in respect of the Premises.
- 8.3.3 The Lessee must at its own cost and expense in all things, comply with and observe, and carry out and perform all of the requirements of the Liquor Licence and the Liquor Act and all directions and requirements relating to the Premises and the business conducted on the Premises which may be issued under the Liquor Act or by any person or authority with lawful jurisdiction.
- 8.3.4 Where the Lessee is required pursuant to the terms of the Liquor Licence or under the Liquor Act or in pursuance of any direction or requirement issued under that Act or by any other person or authority with lawful jurisdiction, to carry out works, then such works must be carried out in a good manner which is consistent with that of one skilled in the works carried out, within the timeframe required and to the satisfaction of the person or authority who required the work to be completed.
- 8.3.5 The Lessee must renew the Liquor Licence and keep it current at all times during the Term.
- 8.3.6 On request by the Council, the Lessee must supply the Council with copies of all statutory declarations and other forms, letters, applications and material supplied by the Lessee to the Liquor and Gambling Commissioner and/or any other authorities under the Liquor Act.
- 8.3.7 If the Lessee or any manager, licensee or employee of the Lessee receives or is served with any summons, complaint or other legal process or any notice, requirement or further communication from any person or authority acting under the Liquor Act or otherwise relating to the Liquor Licence, then the Lessee must immediately inform the Council of the same and provide all particulars requested by the Council.

8.4 Transfer of Liquor Licence After Termination

Upon the expiration or sooner termination of this lease, the Lessee will, if so requested by the Council, use its best endeavours to transfer to the Council or its nominee, the Liquor Licence and all other licences, approvals and consents at no cost to the Council or its nominee.

9. GAMING MACHINES ENTITLEMENTS

9.1 No additional gaming machines entitlements

- 9.1.1 The Lessee must not during the Term apply for or acquire any more Gaming Machine Entitlements (which would increase the number of Gaming Machines on the Premises as at the Commencement Date).

- 9.1.2 The Lessee may during the Term retain, operate, upgrade and replace any Gaming Machines.
- 9.1.3 The Lessee must not permit, allow or consent to any sublessee to apply for Gaming Machine Entitlements.

10. INSURANCE

10.1 Lessee must insure

The Lessee must keep current during the Term:

- 10.1.1 public liability insurance for at least the amount in Item 8 of Schedule 1 (or any other amount the Council reasonably requires) for each claim;
- 10.1.2 all insurance in respect of the Lessee's Equipment for its full replacement value; and
- 10.1.3 other insurances required by any Statutory Requirement or which the Council reasonably requires.

10.2 Requirements for policies

Each policy must:

- 10.2.1 be with an insurer and on terms reasonably approved by the Council;
- 10.2.2 in the case of the insurance for public liability be in the name of the Lessee and note the interest of the Council;
- 10.2.3 cover events occurring during the policy's currency regardless of when claims are made; and
- 10.2.4 note that despite any similar policies of the Council, the Lessee's policies will be primary policies.

10.3 Evidence of insurance

The Lessee must give the Council certificates evidencing the currency of each policy. During the Term the Lessee must:

- 10.3.1 pay each premium before it is due for payment;
- 10.3.2 give the Council certificates of currency each year when the policies are renewed and at other times the Council requests;
- 10.3.3 not vary, allow to lapse or cancel any insurance policy without the Council's consent;
- 10.3.4 notify the Council immediately if a policy is cancelled or if an event occurs which could prejudice or give rise to a claim under a policy;

10.4 Insurance affected

- 10.4.1 The Lessee must not unless otherwise approved by the Council (under this clause or another clause of this lease) do anything which may:

10.4.1.1 prejudice any insurance the Council has in connection with the Premises or the Improvements; or

10.4.1.2 create a risk which would increase the premium for any insurance the Council has in connection with the Premises or the Improvements.

10.5 Council's insurance obligations

The Council must keep current during the Term insurance in respect of the Improvements and the Land.

11. REPAIR AND MAINTENANCE

11.1 Precinct Plan

11.1.1 The Council and the Lessee have agreed responsibility for certain fitout, repair, maintenance and other works to be undertaken on the Land and have recorded their agreement in a table attached to the Lease ("**Initial Precinct Plan**") as Annexure C.

11.1.2 The Initial Precinct Plan will be reviewed by Council and after consultation with the Lessee updated every four (4) years to identify activation and other opportunities for the Land (including the Premises) ("**New Precinct Plan**").

11.1.3 The Lessee must cooperate with Council and comply in the performance of the obligations under the Initial Precinct Plan and any New Precinct Plan (from time to time).

11.1.4 Any dispute between the parties in relation to the Precinct Plan is to be dealt with pursuant to 27 of the lease.

11.2 Repair

11.2.1 The Lessee must keep and maintain the Premises, the Lessee's Equipment and any Services situated within the Premises and which exclusively service the Premises in good repair and condition.

11.2.2 The Lessee is responsible for all the day to day repairs and maintenance at the Premises including the repair and maintenance of:

11.2.2.1 all items required to ensure compliance with all Statutory Requirements in relation to emergency and fire and safety procedures including operable hose reels, fire hydrants, fire extinguishers, fire blankets, alarms and emergency and exit lighting;

11.2.2.2 all interior fittings including but not limited to light globes, washers, taps and carpets;

11.2.2.3 signage; and

11.2.2.4 internal paint works.

11.2.3 The Lessee is responsible for the removal and disposal of garbage and waste at the Premises including the removal of:

11.2.3.1 weeds; and

11.2.3.2 rubbish;

provided that the Council is responsible for the collection of any public bins installed on the Premises.

11.2.4 The Lessee is responsible to maintain all grassed areas, ovals and outdoor playing fields on the Premises to a good condition during the Term.

11.2.5 The Lessee must promptly repair any damage to the Improvements or the Land caused or contributed to by the act, omission, negligence or default of the Lessee and in any event must repair any such damage to the Improvements or the Land within 14 days of the Lessee being given notice to repair the damage by the Council.

11.2.6 Without limiting the general obligations of the Lessee under this clause, the Lessee must ensure that it keeps and maintains the Premises, the Lessee's Equipment and any Services situated within the Premises so as to comply with its obligations under the Council's guidelines for maintenance, repair and building upgrades for Council owned land in Annexure B of this lease.

11.3 **Maintain and replace**

The Lessee must maintain items in or attached to the Premises, and, if damaged or worn, repair them or replace them with items of quality similar to those in use at the Commencement Date, or, if previously replaced with the Council's approval, when last replaced. Notwithstanding this clause, applications for capital works are to be made by the Lessee in accordance with the relevant Council policy at the time.

11.4 **Alterations by Lessee**

11.4.1 The Lessee must not carry out any alterations or additions to the Premises without the Council's consent.

- 11.4.2 The Lessee must provide full details of the proposed alterations and additions to the Council.
- 11.4.3 The Council may impose any conditions it considers necessary if it gives its approval, including requiring the Lessee to obtain the Council's consent to any agreements that the Lessee enters into in relation to the alterations or additions.
- 11.4.4 The Lessee must carry out any approved alterations and additions:
 - 11.4.4.1 in a proper manner which is consistent with that of one skilled in the works carried out;
 - 11.4.4.2 in accordance with the conditions imposed by the Council and with the approvals made by Council in its capacity as lessor under this lease;
 - 11.4.4.3 in accordance with all Statutory Requirements; and
 - 11.4.4.4 in a way to minimise disturbance to others.
- 11.4.5 Unless otherwise agreed in writing between the parties, all alterations and additions to the Land or the Premises made pursuant to this clause become the property of the Council.
- 11.4.6 The Lessee must pay all of the Council's costs (including consultant's costs and legal costs) as a result of the Lessee's alterations and additions.

12. CLEANING

The Lessee must:

- 12.1.1 keep the Premises clean and tidy;
- 12.1.2 keep the Premises free of vermin, insects and other pests;
- 12.1.3 promptly remove any graffiti on the inside of any Improvements; and
- 12.1.4 not cause the Common Areas to be left untidy or in an unclean state or condition.

13. ASSIGNMENT, SUBLETTING AND CHARGING

13.1 Assignment

- 13.1.1 The Lessee may assign its interest in this lease provided that the Lessee must first obtain the consent in writing of the Council.

13.1.2 Subject to the Act, the Council may withhold consent to an assignment of the lease if:

13.1.2.1 the proposed assignee proposes to change the Permitted Use;

13.1.2.2 the proposed assignee is unable to meet the financial obligations under this lease;

13.1.2.3 the Council reasonably considers that the assignee's business skills are inferior to those of the assignor;

13.1.2.4 the Lessee makes a profit on the assignment of the lease; or

13.1.2.5 the Lessee has not complied with the Council's procedural requirements for obtaining the Council's consent.

13.2 Hiring out Premises

Subject to clauses 13.4 and 13.5, the Lessee may hire out the Premises without the Council's consent provided that hiring the Premises is consistent with the Permitted Use.

13.3 Subletting

13.3.1 The Lessee must not sub-lease or license any part of the Premises without the Council's prior written consent.

13.3.2 The Council may, in considering whether or not to provide its consent under clause 13.3.1, request copies of the terms and conditions on which the Lessee proposes to grant a right of occupancy to a proposed sub-lessee or licensee.

13.3.3 All sub-leases or licences granted under this lease must be on terms and conditions acceptable to the Council.

13.4 Public Access

13.4.1 The Lessee acknowledges and agrees that those portions of the Premises that comprise playing fields or other open space are to be made available for use by the public at all times provided that in respect of any area that comprises a playing field (excluding the bowling green) and where the relevant member of the public wishes to secure the use of that area (other than for casual recreational access) to the exclusion of others that person has:

13.4.1.1 previously booked a time with the Lessee for use of that area; and

13.4.1.2 the booking does not substantially interfere with any competitive or previously organised use.

13.5 Sub-lease, licence or hire charges

The Lessee acknowledges and agrees that any amounts paid or rates charged for use of the Premises (or any part of the Premises) by sub-lease, licence or hire must be fair and reasonable having regard to the amounts Council would charge for similar requests to use or occupy an area.

14. LESSEE GOVERNANCE

- 14.1 On or before the Commencement Date the Lessee must provide to the Council a copy of the Lessee's constitution and any other documents that regulate its governance and operations.
- 14.2 The Lessee must during the Term consult with Council before proposing to amend or vary the Lessee's constitution or other documents that regulate its governance and operations in a way which would be inconsistent with the terms of this lease.

15. COUNCIL'S OBLIGATIONS AND RIGHTS

15.1 Quiet enjoyment

Subject to the Council's rights and to the Lessee complying with the Lessee's obligations under this lease, the Lessee may occupy the Premises during the Term without interference from the Council.

15.2 Right to enter

The Council may (except in an emergency when no notice is required) enter the Premises after giving the Lessee reasonable notice:

- 15.2.1 to assess the Lessee's compliance with the terms of this lease;
- 15.2.2 to do any repairs or maintenance as deemed necessary by the Council to the Premises or the Improvements or other works which cannot reasonably be done unless the Council enters the Premises;
- 15.2.3 to do anything the Council must or may do under this lease or must do under any Legislation or to satisfy the requirements of any Statutory Authority; and
- 15.2.4 to show prospective lessees through the Premises.

15.3 **Emergencies**

In an emergency the Council may:

15.3.1 close the Premises or Improvements; and

15.3.2 prevent the Lessee from entering the Premises or Improvements.

15.4 **Works and restrictions**

15.4.1 Upon giving reasonable notice to the Lessee, the Council may:

15.4.1.1 install, use, maintain, repair, alter, and interrupt Services;

15.4.1.2 carry out works on the Improvements (including extensions, renovations and refurbishment); and

15.4.1.3 close (temporarily or permanently) and restrict access to the Common Areas.

15.4.2 The Council must (except in an emergency) take reasonable steps to minimise interference with the Lessee's use and occupation of the Premises.

15.5 **Right to rectify**

The Council may at the Lessee's cost do anything which the Lessee should have done under this lease but which the Lessee has not done or which the Council reasonably considers the Lessee has not done properly.

15.6 **Maintenance**

Without limiting the general obligations of the parties under this lease, the Council and the Lessee must have regard to their respective maintenance responsibilities outlined in the guidelines for maintenance, repair and building upgrades for Council owned land contained in Annexure B of this lease.

16. **DAMAGE OR DESTRUCTION**

16.1 **Termination for destruction or damage**

16.1.1 If the Premises are destroyed or are damaged so that they are unfit for the Lessee's use then, within three months after the damage or destruction occurs, the Council must give the Lessee either:

16.1.1.1 a notice terminating this lease (on a date at least one month after the Council gives notice); or

16.1.1.2 a notice advising the Lessee that the Council intends to repair the Premises and/or the Improvements so that the Premises are accessible and the Lessee can occupy and use the Premises (**Intention to Repair Notice**).

- 16.1.2 If the Council gives an Intention to Repair Notice but does not carry out the repairs within a reasonable time, the Lessee may give notice to the Council that the Lessee intends to end this lease if the Council does not make the Premises accessible and fit for use and occupation by the Lessee within a reasonable time (having regard to the nature of the required work) (**Intention to Terminate Notice**).
- 16.1.3 If the Council does not give a notice under this subclause or does not take the action specified in the Intention to Terminate Notice, the Lessee may end this lease by giving the Council not less than one month's notice.

16.2 Reduction or abatement of Rent

- 16.2.1 While the Premises are unfit or inaccessible, the Yearly Amounts are reduced unless:
- 16.2.1.1 the Premises are unfit or inaccessible; or
- 16.2.1.2 an insurer refuses to pay a claim;
- as a result of a deliberate or negligent act or omission of the Lessee.
- 16.2.2 The level of the reduction (if any) depends on the nature and extent of the damage.
- 16.2.3 If the level of the reduction (if any) cannot be agreed it must be determined by a Valuer.

17. REDEVELOPMENT AND DEMOLITION

If as part of any redevelopment or other project conducted by the Council that includes the Premises (**Redevelopment**), or for any other reason, the Council wishes to demolish or acquire vacant possession of the Premises or any part of the Premises, then the Council may:

17.1 Redevelopment and Termination

terminate this lease subject to the following provisions:

- 17.1.1 at any time after providing the Lessee with those details, the Council may give the Lessee a written notice of termination of this lease (**Termination Notice**) specifying the date on which this lease is to come to an end being a date not less than twelve months after the Termination Notice is given. Unless terminated earlier by the Lessee under clause 17.1.2, this lease comes to an end at midnight on the day specified in the Termination Notice;
- 17.1.2 at any time after receiving a Termination Notice, the Lessee may terminate this lease by giving not less than seven days' written notice to the Council; and
- 17.1.3 when either party terminates this lease under this clause, the rights and obligations of the Council and the Lessee under this lease (except with regard to an existing breach) come to an end.

17.2 Relocation

Propose that the Lessee, upon reasonable notice, vacate the Premises and to occupy an alternative site owned by the Council subject to the following conditions:

- 17.2.1 the Council may at any time after providing the Lessee with those details, give the Lessee a written notice of termination of this lease (**Relocation Notice**) specifying the date on which the Lessee must relocate being a date not less than six months after the Relocation Notice is given;
- 17.2.2 where the Lessee agrees to be relocated, the Lessee must relocate to the alternative site on the date stipulated in the Relocation Notice and must give to the Council all assistance and cooperation necessary to give effect to this clause and to the relocation including the execution of any documents or instruments which the Council reasonably requires;
- 17.2.3 the alternative site must, in the reasonable opinion of the Council, be of comparable quality and utility to the Premises;
- 17.2.4 any reasonable costs incurred in relocating the Lessee must be borne by the Council; and
- 17.2.5 the Lessee's occupation of the alternative site is on the terms in this lease (changed as necessary); or
- 17.2.6 if the Lessee does not agree to be relocated, the Lessee may terminate the lease.

17.3 Conditions

The Council may only exercise its rights under this clause if it has provided the Lessee with details of the proposed Redevelopment sufficient to indicate a genuine proposal to carry out that Redevelopment within a reasonably practicable time after this lease is to be terminated.

18. RIGHTS AND OBLIGATIONS ON EXPIRY

18.1 Expiry

This lease comes to an end at midnight on the last day of the Term unless it is terminated earlier by the Council or the Lessee under this lease.

18.2 Handover of possession

Before this lease comes to an end, the Lessee must:

- 18.2.1 if required by Council, remove all of the Lessee's Equipment and repair any damage caused by such removal;
- 18.2.2 if required by Council, remove and reinstate any alterations or additions made to the Premises by the Lessee; and
- 18.2.3 complete any repairs which the Lessee is obliged to carry out under this lease.

18.3 **Abandoned goods**

If, when this lease comes to an end, the Lessee leaves any goods or equipment at the Premises, then the Council may deal with and dispose of those goods in accordance with the Act.

18.4 **Holding over**

If, with the Council's consent, the Lessee continues to occupy the Premises after the end of this lease, the Lessee does so under a monthly tenancy which:

18.4.1 either party may terminate on one month's notice given at any time;
and

18.4.2 is on the same terms as this lease.

19. **BREAK CLAUSE**

19.1 The Lessee may terminate this lease by giving at least three (3) months prior written notice to the Council of its intention to terminate the lease.

19.2 If the Lessee terminates this lease pursuant to this clause, the rights and obligations of Council and the Lessee under this lease (except with regard to an existing breach) come to an end on and from, but not before, the date termination of this lease takes effect pursuant to clause 19.1.

19.3 For the avoidance of doubt the provisions of clause 18 apply to a termination of the lease under this clause.

20. **BREACH**

20.1 **Payment obligations**

20.1.1 The Lessee must make payments due under this lease:

20.1.1.1 without demand (unless otherwise provided);

20.1.1.2 without set-off, counter-claim, withholding or deduction;

20.1.1.3 to the Council or as the Council directs; and

20.1.1.4 by means directed by the Council.

20.1.2 If a Payment Date does not exist, the Lessee must make any payment due on that Payment Date on demand.

20.2 **Set off**

The Council may, by notice to the Lessee, set off any amount due by the Lessee to the Council under this lease or any other agreement or otherwise against any amount due by the Council to the Lessee under this lease.

20.3 Council's rights on breach

20.3.1 The Council may come onto the Premises and remedy a breach of this lease without notice:

20.3.1.1 in an emergency; or

20.3.1.2 if the Lessee breaches any provision of this lease and fails to remedy the breach within 14 days after receiving notice requiring it to do so.

20.3.2 The Lessee must pay or reimburse the Council on demand for all costs of remedying the breach.

20.4 Breach and re-entry

Subject to clause 27, if:

20.4.1 the Lessee fails to pay a sum of money when due and fails to remedy that failure within seven days after receiving notice requiring it to do so;

20.4.2 the Lessee breaches any other provision of this lease and fails to remedy the breach within 14 days after receiving notice requiring it to do so;

20.4.3 the Lessee ceases to be able to pay its debts as they become due;

20.4.4 any step is taken by a mortgagee to take possession or dispose of the whole or any part of the Lessee's assets, operations or business;

20.4.5 any step is taken to enter into any arrangement between the Lessee and its creditors;

20.4.6 any step is taken to appoint a receiver, a receiver and manager, a trustee in bankruptcy, a liquidator, a provisional liquidator, an administrator or other like person of the whole or any part of the Lessee's assets or business;

20.4.7 the Lessee is deregistered or dissolved or any step is taken by any person towards that;

20.4.8 the Lessee is a natural person and commits an act of bankruptcy;

20.4.9 the Lessee is convicted of an indictable offence (other than a traffic offence);

20.4.10 execution is levied against the Lessee and not discharged within 14 days; or

20.4.11 the Premises are unoccupied for one month or more without the Council's consent;

then despite any other clause of this lease, the Council:

20.4.12 may re-enter and repossess the Premises, without prejudice to its other rights; and

20.4.13 is discharged from any claim by or obligation to the Lessee under this lease.

20.5 Rights of Council not limited

A power or right of the Council under this lease or at law resulting from a breach or repudiation of this lease by the Lessee, or the exercise of such power or right, does not limit the Council's powers or rights.

20.6 Repudiation and damages

20.6.1 The following provisions are essential terms of this lease:

- 20.6.1.1 the obligation to pay Rent;
- 20.6.1.2 the obligation to comply with the Rent Subsidy Criteria;
- 20.6.1.3 the obligation to pay Rates and Taxes;
- 20.6.1.4 the provisions about use of the Premises;
- 20.6.1.5 the provisions about the repair and maintenance of the Premises;
- 20.6.1.6 the provisions about additions and alterations to the Premises; and
- 20.6.1.7 the obligations set out in clause 13.

20.6.2 The Council does not waive the essential nature of an essential term by accepting late payment of Rent or other money or by failing to exercise its rights or by delay in doing so.

20.6.3 Any breach of an essential term by the Lessee is a repudiation of this lease. The Council may at any time accept that repudiation, rescinding this lease.

20.6.4 If:

- 20.6.4.1 the Council terminates this lease because of a breach of an essential term by the Lessee; or
- 20.6.4.2 the Lessee repudiates this lease and the Council accepts that repudiation, rescinding this lease;

the Lessee must pay compensation to the Council including Rent and other money which the Council would otherwise have received under this lease for the balance of the Initial Term. The Council must take reasonable steps to mitigate its losses and to endeavour to lease the Premises at a reasonable rent and on reasonable terms.

20.7 Interest on overdue amounts

The Lessee must pay to the Council interest on any overdue amount on demand from when the amount becomes due until it is paid in full. Interest is calculated on outstanding daily balances at the Default Rate.

20.8 Landlord and Tenant Act

A notice under section 10 of the *Landlord and Tenant Act 1936* (SA) must allow 14 days for the Lessee to remedy a breach of this lease if it is capable of remedy and to make reasonable compensation in money to the satisfaction of the Council. No period of notice is required in respect of non-payment of Rent.

21. INDEMNITY AND RELEASE

21.1 Risk

The Lessee occupies and uses the Premises at the Lessee's risk.

21.2 Indemnity

The Lessee is liable for and must indemnify the Council against all actions, liabilities, costs, penalties, claims or demands for any loss, damage, injury or death incurred or suffered directly or indirectly including in connection with:

- 21.2.1 any act or omission of the Lessee;
- 21.2.2 the overflow or leakage of water or any other harmful agent into or from the Premises;
- 21.2.3 any fire on or from the Premises;
- 21.2.4 loss or damage to property or injury or death to any person caused by the Lessee, the use of the Premises by the Lessee or otherwise relating to the Premises;
- 21.2.5 a breach of this lease by the Lessee; or
- 21.2.6 the Lessee's use or occupation of the Premises.

Except to the extent such actions, liabilities, costs, penalties, claims or demands are caused or contributed to by the negligence or default of Council.

21.3 Release

The Lessee releases the Council from all actions, liabilities, penalties, claims or demands for any damage, loss, injury or death occurring in the Premises or the Improvements except to the extent that they are caused or contributed to by the Council's negligence or default.

21.4 Indemnities are independent

Each indemnity is independent from the Lessee's other obligations and continues during this lease and after this lease ends.

22. GOODS AND SERVICES TAX

22.1 If the Council is liable to pay GST in connection with a supply under this lease then:

- 22.1.1 the Agreed Consideration for that supply is exclusive of GST;

- 22.1.2 the Council may increase the Agreed Consideration or the relevant part of the Agreed Consideration by the GST Rate; and
- 22.1.3 the Lessee must pay the increased Agreed Consideration on the due date for payment by the Lessee of the Agreed Consideration.

22.2 Where the Agreed Consideration is increased under this clause, the Council must, on or before the date on which the Agreed Consideration is payable, issue a tax invoice to the Lessee.

22.3 If the Lessee breaches this clause and as a result the Council becomes liable for penalties or interest for late payment of GST, then the Lessee must pay the Council on demand an amount equal to the penalties and interest.

23. RESUMPTION

23.1 The Council may terminate this lease by giving at least three (3) months' written notice to the Lessee if the Council receives notice of resumption or acquisition of the Premises or the Improvements or Land (or any part of the Improvements or Land affecting the Premises) from or by any Statutory Authority governmental or semi-governmental body.

23.2 The Council may terminate this lease immediately by giving written notice to the Lessee if the Premises or the Improvements or Land (or any part of the Improvements or Land affecting the Premises) is Crown land dedicated to a particular purpose and:

- 23.2.1 it is withdrawn from the Council's care control and management;
- 23.2.2 the purpose for which it has been dedicated is altered under section 18 of the *Crown Land Management Act 2009* (SA); or
- 23.2.3 the dedication is revoked under section 19 of the *Crown Land Management Act 2009* (SA) or other legislation.

23.3 Termination of this lease under this clause releases each party from further liability under this lease, but does not affect a party's rights or liabilities for a prior breach.

24. MISCELLANEOUS

24.1 Approvals and consents

Unless otherwise provided, the Council may in its discretion give (conditionally or unconditionally) or withhold any approval or consent under this lease.

24.2 Entire agreement

This lease:

- 24.2.1 constitutes the entire agreement between the parties about the Premises;
- 24.2.2 supersedes any prior understanding, agreement, condition, warranty, indemnity or representation about the Premises.

24.3 **Waiver**

If the Council accepts or waives any breach by the Lessee, that acceptance or waiver cannot be taken as an acceptance or waiver of any future breach of the same obligation or of any other obligation under this lease.

24.4 **Exercise of power**

24.4.1 The failure, delay, relaxation or indulgence by a party in exercising a power or right under this lease is not a waiver of that power or right.

24.4.2 An exercise of a power or right under this lease does not preclude a further exercise of it or the exercise of another right or power.

25. **NOTICE**

25.1 A notice, demand, consent, approval or communication under this lease (**Notice**) must be in writing, in English and signed by a person authorised by the sender.

25.2 Without excluding any other method, Notice is sufficiently given:

25.2.1 to the Lessee, if left at the Premises, or if the Lessee has vacated the Premises, if posted by pre-paid post to the last known address of the Lessee;

25.2.2 to the Council, if posted by pre-paid post to the Council at its principal place of business in South Australia (which is taken to be the address stated in this lease unless the Lessee is or ought reasonably be aware that that is not the Council's principal place of business at the relevant time).

25.3 Notice given by pre-paid post is deemed to have been given three Business Days after posting.

25.4 If two or more people comprise a party, notice to one is effective Notice to all.

26. **COSTS**

Subject to the Act, on request the Lessee must pay or reimburse to the Council:

26.1 all legal and other costs incurred by the Council in consequence of any actual or threatened breach by the Lessee under this lease or in exercising or enforcing (or attempting to do so) any rights or remedies of the Council under this lease or at law or otherwise arising in consequence of any actual or threatened breach by the Lessee.

27. **DISPUTE RESOLUTION**

27.1 A party must not terminate this lease (except, in the case of the Council, for a breach of an essential term by the Lessee) or commence arbitration or court proceedings (except for urgent equitable or injunctive relief) in respect of a dispute under this lease, unless it first complies with this clause. If one party to the dispute fails to comply with this clause, any other party to the dispute need not comply with this clause.

- 27.2 If there is a dispute between the parties, the aggrieved party must serve a notice on the other party setting out the nature of the dispute and designating its representative with authority to settle the dispute (**Complaint Notice**). The other party must promptly give written notice to the aggrieved party designating its representative with authority to settle the dispute. The parties must then make every effort to resolve the dispute by negotiation.
- 27.3 The representatives must attempt to resolve the dispute within 30 Business Days of service of the Complaint Notice.
- 27.4 If the dispute is not resolved within that period (or any further period the representatives agree), any party which has complied with this clause may in writing terminate the dispute resolution process under this clause and exercise their rights under the lease and terminate the lease and/or commence arbitration or court proceedings in respect of the dispute.
- 27.5 The sole purpose of any exchange of documents and other information or any offer of settlement under this clause is to attempt to settle the dispute. No party may use any documents or information obtained through the dispute resolution process under this clause for any purpose other than a bona fide attempt to settle the dispute.
- 27.6 Nothing in this clause is intended to oust the jurisdiction of any court of competent jurisdiction.

Schedule 1

Premises	That portion of the Land being the area(s) delineated in red on the plan in Annexure A including all Improvements and the Council's Equipment but excluding any perimeter fencing	
Item 1 Land	The whole of the land comprised in Certificate of Title Volume 6063 Folio 665, Volume 5491 Folio 469 and Volume 6063 Folio 666	
Item 2 Initial Term	21 years commencing on [insert] (Commencement Date) and expiring at midnight on [insert]	
Item 3 Rent	Three hundred and twenty four thousand two hundred and sixty dollars (\$324,260.00) per annum (exclusive of GST)(subject to the Rent Subsidy Percentage pursuant to clause 3.3)**	
	<i>**If the full Rent Subsidy Percentage is applied (being a percentage of 93%)the amount to be paid for the first years rent would be \$22,698.20 (per annum) (exclusive of GST)</i>	
	Subject to review pursuant to clause 4	
Item 4 Maintenance Fee	Fifteen thousand dollars (\$15,000.00) exclusive of GST (as reviewed in accordance with special condition 2)	
Item 5 Review Dates and Review Methods	Review Date	Review Method
	Each anniversary of the Commencement Date except where Rent is reviewed to Current Market Rent	CPI Review (pursuant to clause 4.2)
	On the anniversary of the Commencement Date in the years 2023, 2028, 2033 and 2037	Current Market Rent (pursuant to clause 4.5)
Item 6 Outgoings	Nil	
Item 7 Permitted Use	To use the Premises as a sporting complex (known as the "Marion Sports and Community Club" or "Club Marion") for the promotion and encouragement of games, sport and community activities through the provision, maintenance and development of hospitality facilities and sporting and recreational facilities, amenities and services to the community	
Item 8 Public Liability insurance	\$20,000,000.00	

Schedule 2

Rent Subsidy Criteria	Rent Subsidy Percentage
Good Governance The organisation can demonstrate; <ul style="list-style-type: none"> • Compliance with conditions of current or previous lease/licence agreements with Council • Provision of Annual General Meeting reports and minutes including financial reports (to be audited upon request) • Financial viability, have not incurred a debt with Council and have repaid any loans to Council in line with the loan agreement • Quality Management is integrated into operations - capacity building, good governance and planning etc., evidenced through provision of an annual business plan, current constitution, policies and procedures etc. 	33%
Facility Utilisation The organisation is able to; <ul style="list-style-type: none"> • Provide evidence of membership/user/participant numbers and hours of use on an annual basis. • Provide evidence of activities and initiatives undertaken to increase the utilisation of the facility • Provide evidence of initiatives planned to increase use or participant numbers • Provide evidence of shared use of the facility by the community and other community clubs and organisation to ensure optimal use of the facility 	30%
Social Inclusion The organisation can demonstrate; <ul style="list-style-type: none"> • The activity or service they provide is non-discriminatory and is open to all residents who meet stated criteria for participation. • The use of the facility will increase social inclusion, increase community participation and/or will promote health and well-being in the community • Activities support wider social inclusion targets 	20%
Volunteer Management The organisation can demonstrate that it promotes, supports and develops volunteers	5%
Environmental Initiatives The organisation can demonstrate that it promotes and implements environmental initiatives e.g. waste reduction, recycling, energy efficient practices including investments e.g. solar panels	5%
Maximum subsidy available	93%

Schedule 3 Special conditions

1. LICENCE OF WATER TANK AND BORE PUMP

1.1 Interpretation

In this special condition:

Bore means the bore under the Land.

Bore Pump means the bore pump delineated on the plan attached as Annexure A

Water Tank means the water tank delineated on the plan attached as Annexure A

Licence Area means that portion of the Land water tanks and bore pumps on the plan attached at Annexure A.

1.2 Licence Agreement

1.2.1 In consideration of the Rent, the Council grants to the Lessee a non-exclusive licence over the Licence Area.

1.2.2 The rights conferred by this special condition rest in contract only and do not confer on the Lessee any tenancy, estate or interest in the Licence Area.

1.2.3 The Council may revoke this licence at any time by giving fair and reasonable written notice to the Lessee.

1.2.4 The terms of the licence are otherwise on the terms of this lease.

1.3 Lessee covenants

1.3.1 The Lessee acknowledges that the Licence Area is in good repair and condition on the Commencement Date.

1.3.2 The Lessee must insure and indemnify the Council against all liability whatsoever associated with or resulting from the Lessee's occupation or use of the Licence Area.

1.3.3 The Lessee must comply with all reasonable directions, rules and regulations of the Council in relation to the use of the Licence Area.

1.4 Use of Bore

1.4.1 The Lessee is entitled to access the Bore Pump in the Licence Area and use the Bore water produced by the Bore to water all playing fields (excluding the bowling greens) used and occupied by the Lessee.

1.4.2 The Council will maintain and repair the Bore Pump and all water infrastructure in the Licence area at all times during the Term. Unless otherwise agreed, the Lessee must pay or contribute an amount

towards the repair and maintenance costs not exceeding ten (10%) per centum of the amount paid or incurred by Council.

1.4.3 The Council may in its absolute discretion:

1.4.3.1 set restrictions on the quantity of water that may be drawn from the Bore by the Lessee;

1.4.3.2 direct the Lessee to immediately cease drawing water from the Bore; or

1.4.3.3 direct the Lessee to use stormwater or other alternative water sources instead of drawing water from the Bore

and the Lessee must comply at all times with the Council's requirements or directions.

1.4.4 The Council agrees that if it makes a direction under clause 1.4.3.2, the Council will pay for any replacement or additional water infrastructure which the Council determines is necessary or required and unless otherwise agreed the Lessee must pay or contribute an amount towards the cost of any replacement or additional water infrastructure not exceeding ten (10%) per centum of the amount paid or incurred by Council.

2. MAINTENANCE FEE

2.1 Subject to the Lessee's compliance with the terms of this lease, the Council will pay the Lessee the Maintenance Fee annually in advance by each Payment Date to assist with the cost of maintenance of the playing fields to the standard required by Council in this lease.

2.2 The Maintenance Fee will be reviewed annually during all years of the Term to movements in the CPI (in the same manner as set out in clause 4.2).

3. WATER USAGE AND OPEN SPACE

3.1 Notwithstanding Clause 6, the Lessee is only responsible for 10% of the costs and outgoings in relation to water usage and water rates where such water (mains water and bore water) is used in relation to any ovals and other open spaces located on the Premises to which the public has access

3.2 The Council will be responsible to pay the remaining 90% of the costs and outgoings in relation to any water usage and water rates where such water (mains water and bore water) is used in relation to any ovals and other open spaces located on the Premises to which the public has access.

4. COMMON AREAS

4.1 The Lessee acknowledges it uses the Common Area at its risk.

4.2 The Council may at any time relocate any driveways entrances and exits and change the boundaries and locations of any motor vehicle parking areas available on the Common Area and may rearrange any parking spaces therein or add additional parking spaces.

- 4.3 The Lessee must not otherwise use the Common Areas for any other purpose or allow other persons any right to occupy the Common Areas without the consent of Council.

DRAFT

EXECUTED as an agreement

**Signed for the Corporation of the City
of Marion** by its authorised delegate in
the presence of:

.....
Signature of witness

.....
Signature of authorised delegate

.....
Name of witness (print)

.....
Name of authorised delegate (print)

**Signed for Marion Sports and
Community Club Incorporated** by its
authorised delegate in the presence of:

.....
Position of authorised delegate

.....
Signature of witness

.....
Signature of authorised delegate

.....
Name of witness (print)

.....
Name of authorised delegate (print)

.....
Position of authorised delegate

Annexure A Plan



Annexure B Guidelines for maintenance, repair and building upgrades for Council owned Land

The following list of maintenance responsibilities are a guide only and must be read in accordance with the relevant provisions of the lease to the extent of any ambiguity or conflict.

Description	Council	Lessee	Assessment
1. Heating & Cooling Systems <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace	Repair/Maintain	End of useful life
2. Kitchen & Bar – Surfaces & Structure <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace	Repair/Maintain	End of useful life
3. Kitchen & Bar – Pipes & Taps <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace	Repair/Maintain	Plumbing only
4. Kitchen Extraction Fan(s) <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
5. Furnishings & Décor <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
6. Cleaning Internal and within 3 metres of building <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
7. Ceilings <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace	Repair/Maintain	Lessee repaint every 7 years or end of lease
8. Doors <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace/Repair	Maintain	End of useful life
9. Doorways – Locks & Keys <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	

10. Electrical Switches & Power Points - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
11. Emergency Lights - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
12. Exhaust Fans - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
13. Fire Blankets - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
14. Fire Sprinkler System - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
15. Fire Hose Reels - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
16. Fire Extinguishers - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
17. Fire Exit Doors - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
18. Floors – Carpet/Vinyl/Tiles - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	Lessee replace at end of useful life
19. Floors – Timber/Concrete - Install/Replace - Repair - Maintain	Install/Replace	Repair/Maintain	End of useful life
20. Tables - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
21. Gas Supply/Pipes - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
22. Grip Rails in Access Toilets	Nil Responsibility	Total Responsibility	

<ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 			
23. Graffiti - External (on the outside of the leased buildings, boundary fences and common areas) Graffiti within the leased buildings	Total Responsibility Nil Responsibility	Nil Responsibility Total Responsibility	
24. Grease Traps <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
25. Hand Drying Facilities – Electric/Paper <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
26. Hot Water System <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace	Repair/Maintain	End of useful life
27. Illuminated Exit Lights <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace	Repair/Maintain	
28. Lighting – Interior <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
29. Lighting – Exterior <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace	Repair/Maintain	Lessee to replace globes
30. Mirrors <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
31. Paintwork – Internal <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	Lessee repaint every 7 years or end of lease if less than 5 years
32. Paintwork – External <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Total Responsibility	Nil Responsibility	Assessment to be undertaken in 2018/19 to

			determine program
33.Pest Control - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
34.Security Alarm System - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
35.Smoke Detectors - Install/Replace - Repair - Maintain	Install /Replace	Repair/Maintain	
36.Showers - Install/Replace - Repair - Maintain	Install/Replace	Repair/Maintain	
37.Soap Dispensers - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
38.Staircase - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
390.Tapware - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
40.Telecommunications - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
41.Toilets – Cisterns & Bowls - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
42.Water Supply/Pipes/Systems (Mains or Aquifer Storage Recharge) - Install/Replace - Repair - Maintain (Bore water refer to Licence Agreement)	Install/Replace/Repair	Maintain	
43.Window Sills - Install/Replace - Repair - Maintain	Install/Replace	Repair/Maintain	End of useful life

44.Windows – Glass - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	
45.Windows – Structural - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
46.Water Pipes - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	
47.Downpipes - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
48.Gutters & Pipework - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
49.Electrical Supply/Meter Board - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
50.Fixed RCD's - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
51.Pipes – External - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
52.Roof - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
53.Roller Doors - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
54.Security Screen Doors - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
55.Signs - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	

56.Solar Panels and System - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	Lessor has agreed to install solar panel as part of the Precinct Plan
57.Underground Storm Water System - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain (keep roof gutters and drains entries free of debris)	End of useful life
58.Bore systems including sheds - Install/Replace - Repair - Maintain	Install/Replace/Repair/Maintain	Nil Responsibility	
59.Verandah – Posts - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	End of useful life
60.Walls – External - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	
61.Water Tanks - Install/Replace - Repair - Maintain	Replace/Repair/Maintain	Nil Responsibility	End of useful life
62.Carpark Surfaces - Install/Replace - Repair - Maintain	Install/Replace/Repair/Maintain	Nil Responsibility	
63.Boundary Fencing & Gates - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	End of useful life
64.Unimproved Surfaces - Install/Replace - Repair - Maintain	Install/Replace/Repair	Maintain	Lessee Keep Clean
65.Garden Areas - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
66.Entrance Feature - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	
67.Irrigation System - Install/Replace - Repair - Maintain	Install/replace shared responsibility	Repair/Maintain	Council has total responsibility

			for Open Space only
68.Lights & Lighting Towers – Sporting Grounds <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace Repair/Maintain	Replace Globes	End of useful life
69.Pathways <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace/Repair	Maintain	Lessee Keep Clean
70.Play Equipment (Council Installed) <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Total Responsibility	Nil Responsibility	
71.Seating – Public Benches <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Total Responsibility	Nil Responsibility	End of useful life
72.Sheds <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
73.Public Toilets (separate to the building) <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Total Responsibility	Nil Responsibility	End of useful life
74.Bowling Greens <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
75.Cricket Nets and Turf Pitches <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	
76.Oval grounds maintenance <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Install/Replace/Repair	Maintain	Refer to Maintenance Requirements in the lease Grounds to be maintained to TQVS Level 3
77. Line marking Ovals <ul style="list-style-type: none"> - Install/Replace - Repair - Maintain 	Nil Responsibility	Total Responsibility	

78.Covering or uncovering hardwickets - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	
79.All Goal Posts - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	
80.Hard wickets - Install/Replace - Repair - Maintain	Total Responsibility	Nil Responsibility	
81.Scoreboards - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	Landlord Approval Required
82.Improvements, coaches boxes, etc. - Install/Replace - Repair - Maintain	Nil Responsibility	Total Responsibility	Landlord Approval Required

Emergency contact details:**City of Marion After Hours Number 8375 6666**

Annexure C Initial Precinct Plan

Proposed Works		Estimated Project Cost (Excl GST)	MSCC Funded 2017/20 (Excl GST)	Council 2017/20 (Excl GST)
Irrigation replacement drainage	<p>The timing to be confirmed by Marion Sports and Community Club to minimise impact on use of the ovals.</p> <p>Indicative dates:</p> <ul style="list-style-type: none"> - Football oval to commence works August 2018 - Soccer pitch 1 & 2 commence works December <p>Drainage</p> <p>An investigation on the condition and treatment options for the playing fields has been undertaken. The proposed treatment options and ongoing maintenance will improve the drainage and condition. All drains have been inspected, pump repaired and review of car park designs undertaken. Drainage works on playing fields will be undertaken when irrigation is installed.</p>	\$360,000	\$180,000	\$180,000
Northern carpark to be upgraded	<p>The car park has been designed and provided to clubs for feedback. Landscaping and change to tennis club entrance to be undertaken.</p> <p>COMPLETED</p>	\$310,000	Nil	\$310,000
Southern carpark and area between the oval and the Bowling Club to be upgraded	<p>The works have been designed and provided to the club. The work includes car park resurfacing and sealing behind bowling clubs, car park layout and drainage.</p> <p>COMPLETED</p> <p>Line marking will be postponed pending the outcome of the consultation on access points for the site.</p>	\$380,000	Nil	\$380,000
Northern soccer field	Council has supported the soccer club to apply for funding through the	\$65,000	\$10,000	\$20,000

lights – Pitch 2	Office of Recreation and Sport (ORS).			(subject to ORS \$30,000 and Marion Soccer Club \$5,000)
Southern soccer field lights – Pitch 1 and Football Oval	Council to support the football club to apply for funding through the Office of Recreation and Sport (ORS).		To be determined	To be determined
Solar Panels and energy efficiency	Council has approved funding for solar panels and energy efficiencies initiatives. COMPLETED	\$129,000	Nil	\$129,000
Softball Nets	Council to support the softball club to apply for funding through the Office of Recreation and Sport.	\$40,000	Nil	Council to consider subject to ORS and CFPP
Storage Facilities	Landlord Approval has been granted for a shed and two undercroft storage areas. Additional undercroft storage is to be provided for the soccer club.	\$13,510	\$13,510 Completed \$14,000	
Bowling Club - kitchen	The club has advised the kitchen equipment and flooring has reached the end of useful life. The Club has indicated they may be in a position to contribute to the upgrade.	\$95,000		\$45,000 (subject to Office for Recreation and Sport \$45,000 and Marion Bowls Club \$5,000)
Maintenance of ovals and upkeep of cricket pitches			\$80,000 per annum	\$15,000 per annum (ex GST)

Iconic Event

Originating Officer	Public Relations Officer - Events - Pia Vogrin
Corporate Manager	Manager Customer Experience - Karen Cocks
General Manager	General Manager City Services - Tony Lines
Report Reference	GC180911R07

REPORT OBJECTIVE

The purpose of this report is to outline a detailed budget and run sheet to support the proposed performance by the Adelaide Symphony Orchestra at Warriparinga and to update Council on changes at the ASO which may temporarily impact on the event.

EXECUTIVE SUMMARY

Council on 12 June 2018 resolved (GC120618R06) to explore staging a performance of the Adelaide Symphony Orchestra (ASO) at Warriparinga as a major event in 2019.

Council requested that a full budget and run sheet be presented to the 11 September 2018 Council meeting.

A draft budget and run sheet has been prepared, with the ASO's performance to be complemented by Indigenous performers, food vans and local bands.

However, internal changes at the ASO mean that while they have tentatively scheduled a performance for December 2019, they are unable to confirm until later this year. The ASO is unable to provide a firm fee and production costs at this time.

Council will be provided with a report once Administration receives updated information from the ASO.

RECOMMENDATION

That Council:

- 1. Notes this report.**
- 2. Receives a progress report following a meeting between the Adelaide Symphony Orchestra and Administration.**

Valuing Nature:	A concert at Warriparinga would enhance the community's connection to nature.
Engaged:	ASO at Warriparinga will bring the community together.
Innovation:	An iconic event such as this is unique for Marion and the region.
Risk Management:	A full risk plan will be developed once approval is received.
Current Budget Allocation	See the attached draft budget.

DISCUSSION

ASO at Warriparinga will be a free, family-friendly, twilight event featuring a performance by the Adelaide Symphony Orchestra.

The ASO's performance will run for an hour and be supported by South Australian Indigenous band Electric Fields. Electric Fields performs dance, electronic and pop music, featuring lead singer Zaachariaha's traditional language of the APY people.

The program will also feature performances by the Marion City Band and local school bands. It will also include a Kurna welcome, smoking ceremony and dancers. Other activities would include come 'n' try music, Indigenous-themed activities, and roving performances.

Food vans and on-site catering would be available, with concert goers urged to pack a picnic hamper. The attached event run sheet outlines the program in more detail.

Adelaide Symphony Orchestra

The ASO is undergoing a senior management change which may impact on its ability to commit to a performance at Warriparinga. The current Chief Operating Officer has indicated that production staff have scheduled a tentative performance in the City of Marion for December 2019, however this cannot be confirmed until new management is appointed. As a result, detailed orchestra and production fees are unlikely to be available before October 2018.

Prior to the ASO changes the City of Marion were advised that the fee would be \$100,000 for their attendance and performance.

Administration will meet ASO representatives to better understand the fees and confirm their availability. A further report will be provided to Council at the conclusion of the meeting.

Budget

The detailed budget attached estimates all of the known operational, promotional costs and other entertainment fees at \$173,000. This includes the estimated \$100,000 for the ASO performance.

Funding will be sought through grants and one-off sponsorships to off-set the total cost of the event.

Attachment

#	Attachment	Type
1	ASO brief and run sheet august	PDF File
2	ASO at Warriparing budget	PDF File

Appendix A –

Adelaide Symphony Orchestra (ASO) at Warriparinga

Event name	Adelaide Symphony Orchestra (ASO) at Warriparinga
Description	<p>A free family-friendly twilight outdoor performance by the Adelaide Symphony Orchestra and a special guest performance by local South Australian Indigenous band Electric Fields.</p> <p>Electric Fields perform dance, electronic, pop music often featuring lead singer Zaachariaha's traditional language of the Anangu Pitjantjatjara Yankunytjatjara (APY) people. They have received numerous awards and travel extensively performing at festival such as WOMAD- England and Vivid Festival in Sydney and the Cairns Indigenous Arts fair.</p> <p>A unique one-off collaboration between the ASO and Electric Fields would feature up to three pieces performed exclusively on the night.</p> <p>The music program will feature the Marion City Band, local school bands and a special outreach music performance. The outreach program will be offered as short workshops held at schools and neighbourhood centres where the community can come along and learn about the instruments and classic music and participate in a supported performance at the event.</p> <p>The event will also feature a traditional Kaurna Welcome with a didgeridoo performance, smoking ceremony and dancers to open the event.</p> <p>The event will include come and try activities with a musical instrument theme, roving performers, Indigenous craft and music, guided walks conducted by Friends of Warriparinga.</p> <p>Theming elements including lights projected onto trees.</p> <p>Short information sessions will be held on bush tucker, learning about the night sky, native animals and plants.</p> <p>Food vans, community barbecues, the LKCC café and outdoor wood oven pizza will offer a variety of catering options. A liquor licence would be sought for the event to allow for the sale and consumption of alcohol on the site.</p> <p>SAPOL advice about liquor licencing management for the event supports the sale of alcohol onsite in plastic glass and bottle sales.</p> <p>Warriparinga is not a dry zone.</p> <p>Hospitality options will be offered to local businesses which would include a marquee, basic furniture and access to catering. The set-up will be offered at cost neutral for the equipment, businesses will pay for their own catering and the City of Marion will charge a fee of \$1000 per marquee. Five marquees have been recommended.</p>

	<p>Additional set-ups could be included based on the take-up.</p> <p>To assist with transport and access to the site a shuttle bus service using the community bus could run from the Marion Cultural Centre to Warriparinga.</p> <p>The event has the potential to seek corporate sponsorships, local businesses Patriitti and Westfield have indicated they would offer financial support for the event.</p>
Guest Entertainer Electric Fields	<p>Listen to their music https://www.triplejuneearthed.com/artist/electric-fields</p>
Funding opportunities	<p>Partnership opportunities for this style of event have included initial discussions with Patriitti and Westfield.</p> <p>State Government Funding bodies which support arts and live music will also be considered for grant funding.</p>
Format	<p>The event will be open to the public and programmed from 5pm – 9pm.</p> <p>Suggested programming: 5pm Kaurna welcome, dancers, didgeridoo performance and smoking ceremony. Marion City Band School band 6pm Out-reach program bands additional school bands and choirs 7pm Guest performer – Electric Fields 8pm ASO performance 9pm – event concludes</p> <p>All activities will be programmed to run from 5pm to 9pm</p> <p>All food and catering will be offered from 5pm to 9pm</p>
Location	Warriparinga
Timing	December 2019 TBC
Target audience	<p>5000-8000</p> <p>Local residents, friends of ASO and visitors to the City of Marion.</p>
Budget	Known expenses – \$73,000 ** excludes the ASO entertainment and production costs**
Evaluation	A complete event evaluation will be conducted including all stakeholder groups.

Background	Develop an event that would not traditionally be held in the City of Marion. Showcase the grounds of Warriparinga and the Living Kaurna Cultural Centre.
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Income		Budget	Description
Funding will be sought through grants and one-off sponsorships to off-set the total cost of the event.			
Total Income			
Expenses		Budget	
Entertainment Music		\$ -	
	ASO performance	** 100,000	** Cost to be confirmed which would cover the performer and technical fee for the ASO **
	Guest performer	5,000	Electric Fields - 1 hour set consisting of 4 piece band, and possible collaboration with a few pieces with ASO
	Marion City Band	-	free of charge
	school bands	-	free of charge
	Kaurna Welcome	1,000	smoking ceremony and dancers includes \$400 Auntie Suzzane Russell
	MC -	1,000	tbc
Activities			
Weavers		560	\$70 per hour per weaver 4x weavers 2 hours
Indigenous craft		480	\$60 per hour per weaver 4x weavers 2 hours
Bush tucker demonstrations		600	\$75 per hour per weaver 4x weavers 2 hours
Dideridoo come and try		600	\$75 per hour per weaver 4x weavers 2 hours
Night sky talks		600	\$75 per hour per weaver 4x weavers 2 hours
Cultural tours		600	\$75 per hour per weaver 4x weavers 2 hours
Friends of the Warriparinga		200	host free environmental tours of the Warriparinga Wetlands - donation to the group
Aardvark Entertainment	activity	600	face painters
Come and try instruments		0	Marion City Band and ASO education unit
Roving entertainers		2,000	fire breathers, large scale stilt walkers
Temporary art installation		7,000	light installation / projection
Licences			
	APRA	83	APRA free concert
	Insurances TBC	2,500	event cancellation and abandonment insurance
Operations			
Down South Party Hire	marquee 3.8mx5.6m	1000	4
Down South Party Hire	marquee 3mx3m	660	6
Down South Party Hire	marquee 3mx6m	880	4
Down South Party Hire	marquee weights	180	
Down South Party Hire	plastic chairs	1000	400
Down South Party Hire	round tables	550	50
Down South Party Hire	umbrellas with base	500	20
Down South Party Hire	trestles	220	20

Down South Party Hire	Labour hire	2800	
Down South Party Hire	delivery charge	220	
Apollo Lighting Electrical Services	Power	5000	base requirements to ensure test and tag, and provision of power to required areas
Lighting Kennards	lighting	1700	4kWatt light towers \$170 each x 10
Lighting	Theming	2000	lighting of trees and decorations
Altus	Traffic Mgt	3000	manage the traffic at the event
Solo	Waste	-	waste bins and collection 30 red, 20 yellow, 20 green, include scouts to assist with clean-up
Greenclean	On site clean	703	site clean and portable toilets, sanitary bins
Bike SA	Bike Racks	440	10 racks plus delivery and pick up Bike SA
Viking Rentals	Toilets - 20 unisex stand alone	3,500	Toilets - unisex stand alone and mobility impaired
Transport	Community Bus	100	City of Marion community bus x 2 - pick-up at Marion Cultural Centre
Transport	bus drivers	1040	16 hours x \$65
Catering			
	Onsite cafe	500	fee to secure the café as a catering opportunity
	Pizza oven at LKCC	500	fee to secure this as a catering opportunity
	Food Vans		20 self powered food vans
	community barbecues	0	four community groups will be offered barbecue locations on site
Promotion			
	City Limits		in-house
	What's happening		inhouse no cost
	Social Media		inhouse no cost - set-up event page - schedule posts
	Facebook advertising	200	paid ads to boost and concentrate posts
	Graphic design		inhouse no cost - develop event flyer / poster and digital suite suitable for website and social media
	photography		inhouse no cost - event promo photo shoot
	Printing 15k DL flyer	958	full colour double sided
Blue Tongue	Letterbox drop	2700	5400 residents
	Website		inhouse no cost
Ted Turner Signs	Signage -banners vinyl	1,782	6x 3mx1m
	banner application fee	609	\$101.50 x 6 internal fee
	Video	-	in-house
	Public notice road closure	385	
	Messenger / Advertiser	4000	Messenger's advertising package
	Radio campaign	0	
Westfield instore activation		1000	music, food, craft
Staffing			
	Internal Event mgt		in-house

	onsite labour	2000	\$61 per hour
	Community volunteers		
Titanium Security	Security at event only	1,500	\$47 x 12hours x 3 guards
	amenities	500	snacks, water, food for staff on duty
	St John Ambulance	336	first aid
Other (extra un budgeted)		8,000	
Council Chamber			
meeting amenities			
Total Expenses			
		\$ 173,285	

Coastal Walkway

Originating Officer	Unit Manager Open Space and Recreation Planning - Victoria Masterman
Corporate Manager	Manager City Property - Carol Hampton
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911R08

REPORT OBJECTIVE

For Council to consider:

- potential options for a proposed walkway from Heron Way Reserve to south of the Field River at Hallett Cove;
- consultation with the community on the potential alignment of the path;
- and the development of a Coastal Plan for the entire City of Marion coastline.

EXECUTIVE SUMMARY

The City of Marion Coastal Walkway is a highly valued and well used community asset which attracts visitors into the region and contributes to the liveability of the City. This report outlines potential options for the development of a coastal walking trail through the dunes between Heron Way reserve to south of the Field River.

The report outlines legislative requirements relating to the development of a coastal path and the environmental and Aboriginal heritage impacts for consideration by Council.

Council in undertaking this project will consult with relevant agencies and the community through targeted and broader consultation. It is recommended that community consultation occur in November 2018 once caretaker period has concluded.

To guide the planning, design, development, prioritisation and timing of future stages of the Coastal Walkway, this report also recommends that Council considers the development of a Coastal Plan for the length of the City of Marion coastline.

RECOMMENDATION

That Council:

- 1. Endorses Administration undertaking consultation with the community on the Coastal Walkway between Heron Way Reserve to south of the Field River in November 2018 and brings a report back to Council in January 2019.**
- 2. Endorses the engagement of qualified professionals to undertake an environmental assessment and cultural heritage survey to inform the potential alignment of the Coastal Walkway between Heron Way Reserve to south of the Field River, noting that the required funding will be achieved within existing resources.**
- 3. Endorses the development of a Coast Park Plan encompassing the entire City of Marion coast line with priority given to the section of coast between Heron Way Reserve to south of the Field River.**

4. **Receives a report on the draft Coast Park Plan in mid-2019 for consideration, resourcing and community consultation.**
5. **Note the funding opportunities through Federal and State Government grants which may attract a 50/50 co-contribution from Council.**

Liveable:	Enhancement of community living, assists in creating vibrant community facilities and open spaces.
Valuing Nature:	Promotes biodiversity (plants and animals on public or private land, coastal area and marine development), and improves opportunities for people to play in open spaces and interact with nature.
Engaged:	Encourages the community to be engaged and empowered to influence the improvement of their own neighbourhood.
Connected:	Enhanced ability for social interaction, improves movement across the city, enhances walking path connections across the city.
Legal / Legislative / Policy:	Identification of relevant legislation is listed within Appendix 3. The detail of the legal implications have been discussed throughout the report.
Other Funding Sources:	Grant funding opportunities may exist through the Open Space Grant Funding program which supports strategic Coast Park initiatives.

DISCUSSION

An Elected Member Forum was held on 15 May 2018, where feedback was sought on the development of the section of the walkway that has been proposed between Heron Way and south of the Field River at Hallett Cove.

The May 2018 forum advised Elected Members of the various factors that need to be considered as part of this project, including:

- Community and stakeholder engagement
- Habit for the nationally vulnerable Hood Plover
- Construction of assets within a coastal environment and associated risks
- Coastal Climate Change Plan
- Strategic alignment
- Legal considerations

A further Elected Member forum was held 21 August 2018, where advice was provided on issues associated with constructing assets within the area. The attached legal advice was provided (refer confidential Appendices 1 and 3).

Opportunities

The City of Marion Coastal Walkway is a highly valued and well used community asset which attracts visitors into the region and contributes to the liveability of the City.

The City of Marion coastline includes topographical and geological features that limit opportunities to develop a shared use path for the full length of the coast and is recognised by the State Government.

Council has an opportunity to consider the strategic alignment of its coastal assets in the development of a city wide plan. This will provide further clarity on Council objectives, potential scope of work and prioritise projects along the City of Marion coast line. The development of this plan in collaboration with the State Government will support potential funding opportunities through the Federal and State Government to assist in the planning, design and implementation of the Coast Park vision.

The Adelaide Metropolitan Coast Park Concept Plan developed by the State Government outlines possible strategies and recommended actions for 71km of coast from Sellicks Beach in the south to North Haven in the north.

Coast Park forms part of the State Government's open space strategic direction, as identified in the 30 Year Plan for Greater Adelaide. The State Government's Coast Park vision is to enhance open space linkages, provide appropriately for traffic and parking and ensure safe and convenient access for vehicles, pedestrians and cyclists.

The State Government concept plan is intended to guide and assist decision making and the allocation of funds for projects that will reinforce the open and accessible features of the Coast Park, including linkages along the coast and providing diversity in experiences.

Options for Heron Way and south of the Field River Section

High level geotechnical and engineering advice has been advised detailing possible design solutions for the section of the walkway between Heron Way and south of the Field River at Hallett Cove. This includes examining potential locations for the walkway.

Broad alignment options for this section have been developed (refer map in Appendix 1). Prior to progressing detailed analysis of the proposed path alignment, consideration should be given to consulting on the alternative path alignments to seek community and stakeholder views.

Section 1 potential alignment - Heron Way to Cormorant Drive.

It is proposed that the walkway will connect the existing pathway at the end of Heron Way to River Parade and adjoin the path network on St.Vincent Avenue and Osprey Court through to Cormorant Drive, Hallett Cove.

Section 2 potential alignment– Cormorant Drive to south of Field River.

It is proposed the walkway will connect the existing unsealed path way, that extends from Cormorant Drive to the beach on the southern side of the Field River mouth, to the existing coastal path.

FACTORS FOR CONSIDERATION

This project is multifaceted involving community, environmental, legal and cultural heritage factors. The following section outlines these factors for Council's consideration.

Consultation

Council will consult with relevant Government agencies, heritage groups and the community through targeted and broader consultation.

It is proposed consultation with the community will commence in November 2018 for a minimum of 21 days following caretaker period, with consultation findings brought back to Council for consideration in January 2019.

Consultation will be undertaken in accord with Council's Community Engagement policy and Section 50 of the Local Government Act 1999.

A range of consultation processes will be adopted to inform and consult with relevant stakeholders throughout the project.

Caretaker Policy

A major policy decision under the Caretaker Policy includes *"to progress any matter which has been identified as an election issue, or is likely to be controversial"*. Given coastal walking trails often generate diverse community views, it is recommended that Council undertake consultation from November to December 2018 after the caretaker period, in accord with Council's Caretaker Policy.

Community Land Management Plans

Community Land Management Plans need to be considered in planning for the Coastal Walkway. Including the section of the proposed walkway that sits within the existing Community Land Management Plan 10 - Road Reserve and Plan 9 Principle Reserves well as a plan for the whole of the coastal walkway.

A review of Community Land Management Plans for the full extent of coastal walkway is under way to ensure consistency across Council's coastline.

Aboriginal Heritage

In August 2018, the Department of Premier and Cabinet, Aboriginal Affairs and Reconciliation Division provided information relating to Aboriginal heritage within this coastal area. The entries for Aboriginal sites are described as two archaeological sites. It was advised that sites or objects may exist within the proposed development area, even though the Register does not identify them.

All Aboriginal sites and objects are protected under the Aboriginal Heritage Act 1988 (the Act), whether they are listed in the Register or not. Council should further consider the legal advice (refer confidential Appendix 1) and a map and advice from Cabinet pertaining to Aboriginal heritage sites (refer confidential Appendices 2 and 3).

A Cultural Heritage Survey will be required for this project and this will be progressed and funded within existing resources.

Hooded Plover

The beach and dunes in this vicinity provide habitat to the nationally vulnerable species of bird: the Hooded Plover, with two birds sighted in breeding area areas in November 2017 and previous sightings confirmed by Adelaide Mt. Loft Rangers Natural Resource Management coast staff. Their greatest threat are dogs and people walking nearby causing them to abandon their nests.

The Hooded Plover are listed as 'vulnerable' under the National Parks and Wildlife Act (SA) 1972 and the Environment Protection and Biodiversity Conservation Act 1999. Any activity that has a potential impact in accordance with these Acts require liaison with the Department of Environment and Energy.

Initial meetings with the Department of Environment and Energy have commenced to discuss the Hooded Plovers in this vicinity and it was confirmed that the matter needs referral under the Environment Protection and Biodiversity Conservation 1999 Act (EPBC Act).

It is recommended by the Department that a suitably qualified professional be engaged to undertake flora and fauna surveys as part of the self assessment process. Going through the referral process ensures legal coverage under the EPBC Act. If following the assessment the impacts of the project are found to be acceptable then the Department may approve the project with or without conditions.

Should Council wish to proceed with the development of the Coastal Walkway, then the Department of Environment and Energy be consulted as project stakeholder. The assessment of impacts should be undertaken and provided to Council following the collation of consultation feedback.

Dogs on Leash

Consultation is currently being undertaken on three sites in relation to dogs on/off leash of which one of these sites is the area south of the Field River, Hallett Cove including the rocks, beach areas and sand dunes (west of Cormorant Drive Reserve 1). This site incorporates the area proposed for the new walkway.

A report on the Dogs on/off Leash will be presented to the General Council meeting on 11 September 2018

(GC180911RXX) regarding potential changes to the dog off leash areas. The report recommends that this area be extended to Cormorant Drive to ensure no dogs are off leash in the area. This will support the referral process for the Hooded Plover.

Coastal Climate Change Adaptation Planning

The coastal climate change adaptation planning being undertaken considers the impact of climate change on our coastline.

The dunes along this area have been highlighted as a priority remnant native vegetation site in the Council endorsed Remnant Native Vegetation Plan.

The area is zoned in the City of Marion development plan as Coastal Conservation. The land is owned by Council as Road Reserve.

Risk Management

In September 2017, the Supreme Court of South Australia delivered judgement of a judicial review action lead by the Coastal Ecology Protection Group, challenging the City of Charles Sturt's path decisions to construct a shared use path along a section of the coast (including a boardwalk through the coastal sand dunes).

This decision needs to be considered by Local Government in relation to coastal walkways and infrastructure, community consultation policies and community land management plans.

Legal advice has been sought and provided on the best approach associated with constructing assets within the coastal area to ensure all relevant factors are considered (refer confidential Appendix 1).

The development of the Coastal Walkway requires consideration of the relevant legislation which is listed as Appendix 2 to this report.

Finance

The construction of a coastal walkway between Heron Way and south of the Field River was considered as part of the new initiatives process for the draft 2018/19 Annual Business Plan and Budget.

Funding for the project was not allocated in the 2018-19 budget as Council requested further information before proceeding with this project. Should Council wish to fund this project, the allocation of funds will be considered following the outcomes of the proposed community consultation process.

As this project is a State Government initiative, there are opportunities to apply for matched grant funding through the Department for Planning, Transport and Infrastructure Open Space Grants. If Council considers the development of the Coastal Walkway as a strategic direction further funding may also be sought from the Federal Government.

Attachment

#	Attachment	Type
1	Appendix 1 - Potential Coastal Walkway Plans	PDF File
2	Appendix 2 - Coastal Walkway - Legal and Legislative Requirements	PDF File

Key

- Formalise/ upgrade path
- Widen existing footpath
- ||||| Existing stairs

Alignment to be determined

Hooded plovers

Alignment to be determined





Legal and Legislative Requirements

Identification of legislation relevant to this project can be found documented below. The details of the legal implications have been discussed throughout the Council Report.

Legislation / Policy	Related subject
Local Government Act, section 50 (State)	Community consultation
Local Government Act 1999, section 196 (State)	Community Land Management Plans
Local Government, Caretaker Policy, section 8 (State)	Caretaker period
Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) (Federal)	Protection of Environment, matters of national environmental significance - Hooded Plover
Aboriginal Heritage Act 1988 (State)	Aboriginal significant sites identified
Coast Protection Act 1972 (State)	Coast Protection Board approval of development
Development Act 1993 (State)	Approval of development
Dog and Cat Management Act 1995 (State)	Dogs on/off leash
Environmental Protection Act 1993 (State)	Promotion of ecological sustainable development
National Parks and Wildlife Act 1972 (State)	Parks constituted under the Act include Hallett Cove conservation park.
Native Vegetation Act 1991 (State)	Protection and enhancement of native vegetation including MOSS zones.
Natural Resource Management Act 2004 (State)	NRM boards provide governance for administering the Act including animal and plant control, soil conservation and land care and water resources.

Draft Coastal Climate Change Adaptation Plan

Originating Officer	Senior Environmental Planner - Rebecca Neumann
Corporate Manager	Manager Innovation and Strategy - Fiona Harvey
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911R09

REPORT OBJECTIVE

To provide the Council with an update on the draft *Coastal Climate Change Adaptation Plan* and seek approval to progress with targeted consultation as part of Stage 3 of the project.

EXECUTIVE SUMMARY

The *City of Marion Business Plan 2016-2019*, identifies a priority to “*Plan and deliver a Regional Coastal Management Plan to support effective coastal management*” by 2018/2019.

Preliminary scoping identified that coastal climate change is a priority coastal issue and with advice from a coastal planning consultant (Mark Western, Integrated Coasts), an approach was developed to form the coastal climate change adaptation plan. This approach consists of three key stages:

- Stage 1: Collection of existing data and historical analysis (complete)
- Stage 2: Collection of new data, sea level rise modelling and risk assessments (complete)
- Stage 3: Ongoing monitoring and action planning (commenced July 2018 - see Attachment 2).

The Infrastructure and Strategy Committee have received two updates on the progress of this plan:

- A preliminary update at the 3 April 2018 meeting (ISC030418R10.1) where the Stage 1 study and scope of were supported.
- An update at the 7 August 2018 meeting (ISC180707R01) where the completed Stage 1 and Stage 2 studies were supported and a plan for Stage 3 was supported.

This report presents:

- A summary of the progress in the development of the draft *Coastal Climate Change Adaptation Plan* (Attachment 1),
- The proposal for Stage 3 - the final ongoing stage of the project (Attachment 2)
- A summary of key risks and actions (Attachment 3)
- The draft *Coastal Climate Change Adaptation Plan* (Attachment 4, distributed separately) seeking endorsement for targeted stakeholder engagement as per the Stage 3 plan above.

Please note that whilst it is Council's responsibility to consider climate change adaptation for our community and public assets (see *City of Marion Climate Change Policy 2016* GC270916R16), it is not necessarily the responsibility of the City of Marion to deliver the actions and priorities in this plan. Further consideration of responsibility for delivery of actions will occur as part of Stage 3 of the project being delivered during 2018/19 and will be contained in the report coming back to Council in early 2019.

RECOMMENDATION

That Council:

1. **Endorses the draft *Coastal Climate Change Adaptation Plan* (Attachment 4 distributed separately) for targeted consultation.**

2. Receives a report summarising the results of targeted consultation (Stage 3) including further information on the role of the City of Marion in delivering actions (in early 2019).

Valuing Nature:	This project is a key priority of the 2016-2019 Business Plan as part of the goal for "a healthy and climate resilient urban environment" Council will "develop and deliver a Regional Coastal Management Plan to support effective coastal management" by end 2018/2019
Risk Management:	This project has been included in Council's Corporate Risk Register as one of the controls to manage climate change related risks.
Timeline	This project commenced in 2017. A summary of progress has been included in Attachment 2 and key time frames for completion of the final stage (Stage 3) are included in Attachment 3.
Current Budget Allocation	Stage 3 is budgeted in 18/19 (\$30,000). Erosion control investigations at River Parade are budgeted in 18/19 (\$30,000). Funding for Heron Way Reserve protection is being sought externally - design is also being considered in Hallett Cove Sea Pool (18/19)
Proposed Future Budget Allocation:	Future coastal climate change monitoring and protection will required. These priorities will be identified as part of the on ongoing monitoring and adaptation program developed in the Stage 3 coastal climate change planning.
Other Funding Sources:	Funding will be regularly sought from the Department for Environment and Water (Coast Protection), to support monitoring work and support funding for on-ground protective works.

DISCUSSION

The draft *Coastal Climate Change Adaptation Plan* (Attachment 4, distributed separately) presents a detailed scoping of coastal climate change risk along the Marion coastline to provide City of Marion with an overall assessment of climate risk hazards and recommendations for future action. The data collected in this project provide a vital baseline for comparison of future change and adaptation planning.

The draft *Coastal Climate Change Adaptation Plan* includes detailed assessments of the whole Marion coastline. These assessments are broken up into five distinct zones (Marino Cliffs, Hallett Cliffs, Hallett Beach, Field River and Southern Cliffs). The assessments include:

- A detailed historical analysis of erosion rates and shoreline movement along the Hallett Cove and Marino coastline. The analysis focuses on shoreline movement and does not include descriptions of sand movement at Hallett Cove Beach. The Hallett Cove Beach Coastal Study 2012 addresses sand movement in this area (see GC260612R02).
- High tide modelling based on: current conditions; predictions for 2050; predictions for 2100.
- Storm surge modelling for storms with an "average recurrence interval" (ARI) of 1 in 100 years based on: current conditions; predictions for 2050; predictions for 2100.
- An extreme weather event analysis based on the 9 May 2016 storm event. Photographs of this storm event were collected from local residents to highlight the accuracy of the model and help to show the effects of "wave run-up".
- An analysis of coastal geology to establish vulnerability of the coastline to erosion.

When considered in a global context where many coastal locations are under considerable threat from inundation or erosion, City of Marion generally has a positive outlook for coastal climate change. Within the next 100 years, inundation and major erosion are unlikely to be major issues for City of Marion if early action and planning is made. In this regard, there are several "hot spots" that will need ongoing monitoring and re-assessment and are likely to require onground action in the short to medium term.

Following from a request from the Infrastructure and Strategy Committee, a summary of key risks and actions that were identified in the draft *Coastal Climate Change Adaptation Plan* has been made in Attachment 3. It should be noted that these are priority actions for the Council area, however delivery of these actions is not necessarily the responsibility of Council. Areas of particular note include:

- The low-lying areas of Marino along The Esplanade that experienced minor “overtopping” of waves during past storm events. This area is likely to become more vulnerable with increased sea levels.
- The Marino cliffs where softer more easily eroded landforms exist. These cliff areas are likely to erode, may become unstable and vulnerable to slumping and should be monitored over time. Areas where infrastructure is close to cliff edges will be of particular concern, e.g. Marino Rocks Café carpark and coastal access points along the coastal walking trail.
- The Heron Way embankment in Hallett Cove will experience further erosion and protection needs to be designed into future upgrades (this reinforces the existing data collected in the Hallett Cove Coastal Study - GC260612R02 and is already a planned priority)
- The Field River Mouth and sand dunes to the north and south are vulnerable with private and public infrastructure likely to come under threat. Close monitoring against the coastal baseline will allow quantitative assessments of the severity of this issue to be made (further investigation of this area is already a planned for 2018/2019).
- The impact on coastal ecology is also an area that may require further consideration (in collaboration of other partners). The biggest risks are to shoreline ecology including shorebirds such as hooded plovers and the intertidal and subtidal marine environments. These systems will have limited capacity to adapt to the rates of change projected to occur and are likely to be threatened.

The next stage of this project focuses on targeted engagement with key stakeholders (including State Government) to assist with identification of roles and responsibilities and guide future action planning in the coastal zone. Attachment 2 outlines key timeframes for monitoring and action planning (Stage 3). Key stakeholders to be engaged include:

- State Government - particularly coast protection branch, parks management and the natural resource management branches.
- Local interest groups - particularly environmental 'friends groups' and interested residents groups
- Local residents with special interest in the project.

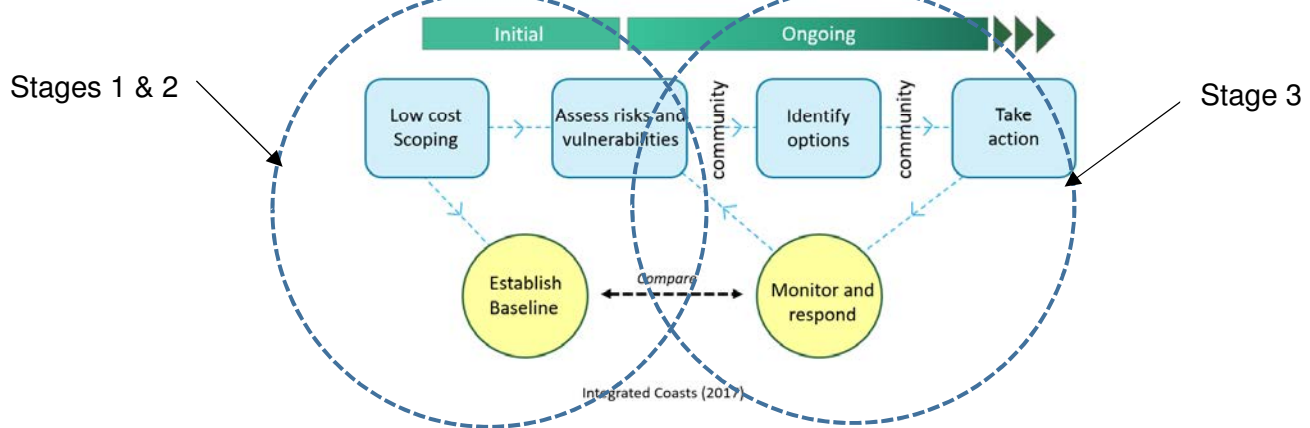
Key outcomes from Stage 3 and the ongoing future coastal monitoring and adaptation planning program will include:

- Ongoing review of coastal climate risk profiles with stakeholders
- Recapturing digital imagery of the coastline and overlaying comparisons to detect change - particularly highlighting slumping or erosion issues. These comparisons should focus on hotspots and storm events.
- Monitoring storm water flows in cliff environments, starting with those cliff top locations identified in the geological review as “friable”.
- Encouraging the community to get involved with photo monitoring - particularly during extreme weather events.
- Working with stakeholders in identifying future tipping points for action and identifying pathways for adaptation with a focus on roles and responsibilities.

Attachment

#	Attachment	Type
1	Attachment 1 - Coastal Adaptation Model and Progress Summary	PDF File
2	Attachment 2 - Stage 3 Plan	PDF File
3	Attachment 3 - Risk and action summary	PDF File

Adaptation model: 'Monitor and respond'



Project plan outlining the three stages of the Marion Coastal Management Plan (updated from ISC030418R10.1 and WAP reporting)

Phase	Step	Deliverable	Start	Status
Initiation	Define scope	Desktop coastal priority assessment Coastal management research Identification of preferred approach	Oct 2016 - Feb 2017	Complete
Detailed Planning	Engage consultant	Consultant brief and project plan	Apr - Aug 2017	Complete
Delivery	Stage 1: Initial scoping and desktop studies of existing information.	<ul style="list-style-type: none"> - Coastal context description - Agreement on planning approach - First draft of scoping report. 	Aug - Nov 2017	Complete
	Stage 2: Data collection and modelling	Coastal Plan report including Stage 1 above and: <ul style="list-style-type: none"> - Digital elevation model (3D imagery) - Extreme event models - Inundation models - Geological analysis - Hotspot analysis. 	Dec 2017 - June 2018	Complete
Closure and monitoring	Stage 3: Monitoring and adaptation	Detailed monitoring and response plan.	July 2018 - June 2019	Commenced

ATTACHMENT 2**Coastal Climate Change Planning: Stage 3 - monitoring and adaptation**

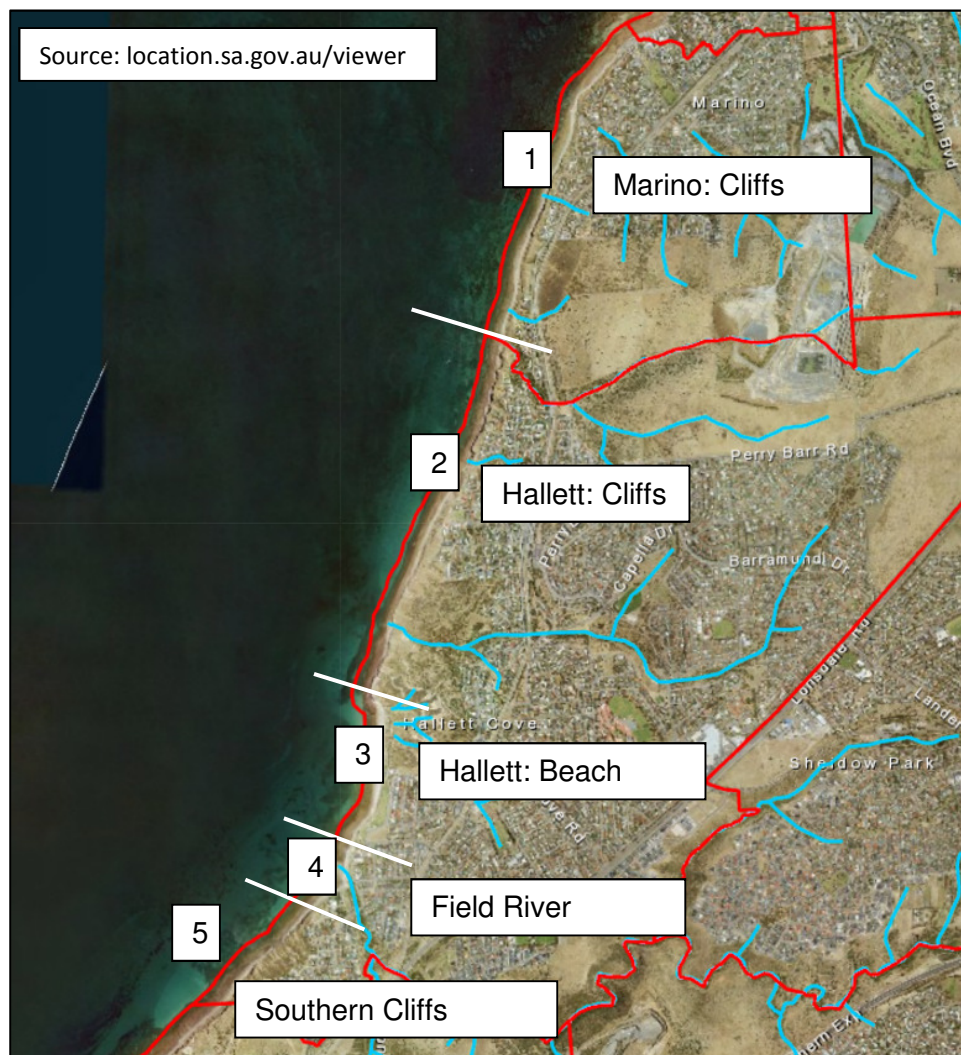
Key steps	Purpose	Indicative dates
Targeted feedback	<ul style="list-style-type: none"> • Meet with key stakeholder groups to share information from Stage 1 and 2 and seek input to future and adaptation options. <ul style="list-style-type: none"> ○ Department for Environment and Water (Coast Protection) ○ Department for Environment and Water (Parks) ○ Friends groups and resident groups 	Aug- Dec
Open Community Consultation	Present Council with: <ul style="list-style-type: none"> • Draft model / policy that guides future decision making in the coastal zone. • Draft adaptation plans for hot spots. Seek feedback through Making Marion	January - March 2019
Final endorsement	<ul style="list-style-type: none"> • Summary of community engagement back to Council • Identification of key future adaptation and monitoring actions and funding requirements. • Adoption of model / policy that guides future decision making in the coastal zone. 	June 2019
Ongoing review	<ul style="list-style-type: none"> • Ongoing monitoring and review of the coastline with special attention on any new policy, data or projects in vulnerable coastal areas. 	2019+

Attachment 3 – Marion Coastal Climate Change Adaptation Plan - risk and action summary

This table presents a summary of medium, high and extreme risk ratings that were made during the draft *Marion Coastal Climate Change Adaptation Plan*.

Note that all short-term actions are being addressed in Stage 3 of the coastal climate change adaptation study and include further assessing the role of Council in monitoring and protection. Stage 3 is funded in the 2018/19 Business Plan. Funding priorities for the next 5 years will be identified as part of the Stage 3 assessments.

The first row of the table highlights actions that will be needed across the whole coastline. Higher priority sections have been highlighted in orange.



Location	Risk summary	ACTIONS		
		Note: Stage 3 of this project includes further consideration of timing and responsibility for delivery of these actions. Some of these actions may not be the responsibility of City of Marion.		
		Short term actions (1-2 years)	Medium term action (3-5 years)	Longer term actions (5+years)
Whole Coastline	See analysis in each section below.	<ul style="list-style-type: none"> Regular auditing of stormwater outlets and cliff top erosion (including photographs) Monitor winter tidal regimes and their impact along the coast Regular inspection of the effect of storm surge at cliff bases. 	<ul style="list-style-type: none"> Recapture digital 3D image and compare to baseline to provide a detailed assessment of erosion. 	Ongoing comparison of digital model to detect change (every 3-5 years)
Marino Cliffs 1:1 – the Esplanade	<p>Several areas are vulnerable due to soft geology along the cliffs.</p> <p>High risk areas include the Esplanade where houses and public infrastructure may be threatened by storm surge on short term increases in sea level.</p>	<ul style="list-style-type: none"> Detailed re-assessment of protection options (e.g. rock revetment). 	<ul style="list-style-type: none"> Likely need for construction of protective structures. 	Ongoing review of protection options. Post 2050 retreat options may need to be considered for 2100 scenarios.
Marino Cliffs 1:2 – Marino Rocks Carpark	The base of the cliff at Marino Rocks carpark is highly vulnerable to erosion and undercutting is beginning to occur making the car park at risk.	<ul style="list-style-type: none"> Detailed assessment of protection options (e.g. rock revetment). 	<ul style="list-style-type: none"> Likely need for construction of protective structures. 	The future location of the carpark may need to be consider based on the outcomes of medium-term monitoring.

Location	Risk summary	ACTIONS		
		Note: Stage 3 of this project includes further consideration of timing and responsibility for delivery of these actions. Some of these actions may not be the responsibility of City of Marion.		
		Short term actions (1-2 years)	Medium term action (3-5 years)	Longer term actions (5+years)
Marino Cliffs 1:3 – Marine Parade	Whilst the geology is more resistant to erosion that 1:1 and 1:2, infrastructure at Marine Parade between Emma St and Alan St are closer to the cliff edges and need monitoring.			The base of the cliff will come under high direct impact post 2050 and protection is likely to be needed in the longer term.
Marino Cliffs 1:4	<p>This section contains highly resistant geology and is less vulnerable to the effects of sea level rise.</p> <p>The impact of increased stormwater runoff due to climate change along stairs and access points may loosen rocks the present a hazard.</p>			
Hallett Cove Cliffs 2:1	<p>This section contains mostly resistant geology however there are some sections that have been identified that are more vulnerable to erosion.</p> <p>In some sections infrastructure is situated closer to the cliff edges and needs to be monitored more closely.</p>		<ul style="list-style-type: none"> Monitoring should focus on areas where infrastructure is closer to cliffs and underlying geology is friable. 	
Hallett Cove Cliffs 2:2	Geology at the cliff based is highly resistant to erosion, however cliff tops are friable and more vulnerable to erosion from stormwater.		<ul style="list-style-type: none"> Monitoring should focus on areas where infrastructure is closer to cliffs and underlying geology is friable. 	

Location	Risk summary	ACTIONS		
		Note: Stage 3 of this project includes further consideration of timing and responsibility for delivery of these actions. Some of these actions may not be the responsibility of City of Marion.		
		Short term actions (1-2 years)	Medium term action (3-5 years)	Longer term actions (5+years)
Hallett Cove Cliffs 2:3	<p>Although the cliff geology is likely to be resistant in this area, there is evidence of past rock falls and the cliffs are already under direct wave interaction.</p> <p>Most infrastructure is situated a long way back from the cliffs which lowers the risk ratings.</p>		<ul style="list-style-type: none"> Monitoring should focus on areas where infrastructure is closer to cliffs and underlying geology is friable. 	
Hallett Cove Cliffs 2:4 The Esplanade and Clifftop Cres	<p>This section as with 2:3 is under existing regular wave attack.</p> <p>Although the geology of the cliff bases is likely resistant, the cliff tops are more friable. Risk levels are elevated due to the proximity of infrastructure to the cliff edges.</p>	<ul style="list-style-type: none"> Further geological review of the cliffs in this area given the proximity of infrastructure to cliff edges. 	<ul style="list-style-type: none"> Monitoring should focus on areas where infrastructure is closer to cliffs and underlying geology is friable. 	
Hallett Cove Cliffs 2:5 The Esplanade and Clifftop Cres	<p>This section is likely to be vulnerable to erosion, particularly from stormwater erosion along the cliff tops.</p> <p>There is infrastructure along the cliff tops that is close to the cliff edges and may be at risk in the future.</p>	<ul style="list-style-type: none"> Monitoring and further control of stormwater on cliff tops. 	<ul style="list-style-type: none"> Monitoring should focus on areas where infrastructure is closer to cliffs and underlying geology is friable. 	
Hallett Cove Cliffs 2:6 The Esplanade	<p>As with 2:4 and 2:5, this section has a friable cliff top and is likely vulnerable to erosion from stormwater.</p> <p>Risk ratings are high because the proximity of infrastructure to cliff edges.</p>	<ul style="list-style-type: none"> Monitoring and further control of stormwater on cliff tops. 	<ul style="list-style-type: none"> Monitoring should focus on areas where infrastructure is closer to cliffs and underlying geology is friable. 	

Location	Risk summary	ACTIONS		
		Note: Stage 3 of this project includes further consideration of timing and responsibility for delivery of these actions. Some of these actions may not be the responsibility of City of Marion.		
		Short term actions (1-2 years)	Medium term action (3-5 years)	Longer term actions (5+years)
Hallett Cove Beach 3:1,2 Hallett Cove Conservation Park	The sand dunes in this section have previously been assessed as low risk (Lord 2012), however recent stormwater-based erosion of dunes has increased their vulnerability and likely of erosion during storm surge.	<ul style="list-style-type: none"> Consult with managers of Hallett Cove Conservation Park highlighting the recent changes in risk for the dunes along the beach Quantify more accurately the nature of routine storm surge impact on the dunes (note: this is not necessarily a Council responsibility since stormwater may be collecting from within the conservation park) 	<ul style="list-style-type: none"> 	This area will come under increasing threat and the need for retreat of the dune system needs to be considered.
Hallett Cove Beach 3:1,2 Heron Way Embankment	As has been highlighted in previously (Lord 2012), the Heron Way embankment is already under threat from storm surge and will need protection.	<ul style="list-style-type: none"> Undertake scenario modelling and detailed study to plan and design for protection of the Heron Way embankment. 	<ul style="list-style-type: none"> Construction of Heron Way embankment protection. 	

Location	Risk summary	ACTIONS		
		Note: Stage 3 of this project includes further consideration of timing and responsibility for delivery of these actions. Some of these actions may not be the responsibility of City of Marion.		
		Short term actions (1-2 years)	Medium term action (3-5 years)	Longer term actions (5+years)
Field River 4:1,2	<p>With current elevations, the projected risk for inundation in this area is low even when considered with the confluence of stormwater.</p> <p>The erosion risks for infrastructure along the shore high and will change the inundation risks in the future if the shoreline is not protected.</p> <p>The site is an existing hooded plover nesting site. Future erosion and inundation may threaten this site and adaptation measures may be needed to protect this species in this location.</p>	<ul style="list-style-type: none"> Investigate options for the protection of assets along River Parade and the dune system south of the River 	<ul style="list-style-type: none"> Construction of protective options will be needed within the medium term to protect infrastructure and potentially nesting of hooded plovers (note: this is not necessarily a Council responsibility). 	
Southern Cliffs 5:1,2,3	Infrastructure is located well away from cliff edges in this location and the cliffs are resistant to the effects of erosion.			

Dogs on and off leash areas

Originating Officer	Unit Manager Community Health and Safety - Sharon Perin
Corporate Manager	Manager Development and Regulatory Services - Jason Cattonar
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911R10

REPORT OBJECTIVE

The purpose of this report is to provide Council with the results of the community consultation regarding potential changes to the current dog on/off leash provisions at:

- Edwardstown Oval and Velodrome
- Northern area and walking path surrounding the northern area at the Mitchell Park Reserve
- Area south of the Field River, Hallett Cove including the rocks, beach area and sand dunes

and to make a recommendation regarding the future dog on/off leash provisions at these areas.

EXECUTIVE SUMMARY

The effective control of dogs is important for creating a safe public environment and enhancing the amenity and environment of the City.

Under the *Dog and Cat Management Act 1995* (the Act), dogs must be on leash in public places with the exception of public parks, where dogs must either be on a leash or be under the effective control of its owner. The Act makes provision for local councils to create By-Laws regarding the management of dogs in their local area. Under the City of Marion's By-law for the management of dogs (*By-law No.4 Dogs 2014*), dogs are required to be on a leash in certain areas.

The City of Marion values the importance of pet ownership and recognises that adequate, regular exercising of dogs is important for a dog's health and that many dog owners find positive health, well-being and social outcomes from exercising their dogs.

To provide a balance between the needs of dogs and their owners and others, the City of Marion has declared which parks and reserves are either dog on leash or off leash areas. This is to provide a balance between dogs being able to be exercised in public, as well as enabling members of the community to make an informed choice about which park or reserve they wish to visit, in the knowledge that dogs at particular parks or reserves will either be on or off leash.

At the General Council Meeting on 26 June 2018, Council reviewed and endorsed the dog exercise off leash and dog on leash provisions in parks and reserves. To further consider the appropriate dog on and off leash provisions at three specific sites, Council made the following resolution:

"Endorses community consultation be undertaken regarding potential changes to dog on/off leash provisions at the following locations:

- *Edwardstown Oval and Velodrome,*
- *Northern area and walking path surrounding the northern area at the Mitchell Park Reserve,*
- *Area south of the Field River, Hallett Cove including the rocks, beach area and sand dunes,*

and that a report with the results of the community consultation be brought back to Council in September 2018" (GC260618R08).

Community consultation has been undertaken to understand the views of community members regarding dog on/off leash requirements of these three areas and to understand the level of support from the community regarding the possibility of changing these areas to dog on leash.

This report provides the results of the community consultation that has been undertaken and recommends:

- The Edwardstown Oval and Velodrome be declared dog on leash areas
- Retains the northern area and walking path surrounding the northern area at the Mitchell Park Reserve as a dog off leash area
- The area south of the Field River Hallett Cove including the rocks, beach area and sand dunes be declared a dog on leash area

RECOMMENDATION

That Council:

- 1. Receives and notes this report**
- 2. Declares the Edwardstown Edwardstown Oval and Velodrome dog on leash areas**
- 3. Retains the northern area and walking path surrounding the northern area at the Mitchell Park Reserve as a dog off leash area**
- 4. Declares the area south of the Field River Hallett Cove including the rocks, beach area and sand dunes a dog on leash area**

GENERAL ANALYSIS

Liveable: The effective control of dogs is important for creating a safe and welcoming city.

Legal / Legislative / Policy: Under the Dog and Cat Management Act, 1995, Council may make By-laws for the management of dogs and cats within its Council areas. Under the City of Marion's By-Law No. 4 Dogs 2014 , Council can declare dog on leash areas.

DISCUSSION

Under the City of Marion's *By-law No.4 Dogs 2014*, "dog on leash areas" are identified as those areas declared by Council:

- On any park or reserve when organised sport is being played
- Within 5 metres of children's playground equipment
- In any wetland

"Dog on leash areas" require the dog to be secured by a strong leash, not exceeding two metres in length, which is either tethered securely to a fixed object capable of securing the dog, or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

Broad community engagement has been undertaken regarding the possibility of changing the current dog exercise off leash provisions at the following locations:

- Edwardstown Oval and Velodrome
- Northern area and walking path surrounding the northern area at the Mitchell Park Reserve
- Area south of the Field River, Hallett Cove including the rocks, beach area and sand dunes.

The purpose of the consultation was to understand community preferences for dog on/off leash provisions at the above locations and understand the level of support from the community regarding the possibility of changing these areas to dog on leash.

The consultation period was for 3 weeks regarding each location, with a survey available online at the City of Marion's Making Marion website and a hard copy survey available upon request.

For the Edwardstown and Mitchell Park locations, the community survey was available on the Making Marion website from 3 August 2018 to 24 August 2018.

To provide greater clarity for the community regarding the area in question at Hallett Cove, a new map was subsequently created and distributed and the consultation period was extended to 5 September 2018.

The survey was promoted through the City of Marion website and Facebook page and signs were placed at each of the three locations. The survey link was mailed to a range of stakeholders including local community and resident groups; and was distributed to residents within a 400m catchment around each location.

The results of the community consultation are contained in Appendix 1.

517 people visited the Making Marion website for these surveys and 227 people provided feedback. 208 people complete the survey on-line, 17 people submitted hard copy survey and 2 people submitted feedback by email. Prior to the consultation, the Mitchell Park Sports and Community Club management committee had requested the northern area and walking path surrounding the northern area at the Mitchell Park Reserve be changed to a dog on leash area and had previously raised concerns about dogs not being on leash in this area and the issue of dog faeces being left on the northern oval.

In summary, there are mixed views from the community regarding whether each of the areas should be declared a dog on leash area or if they should remain a dog off leash area. Common themes and key issues raised included:

Supporting individual areas to be declared a dog on leash area:

- Concerns for the safety of people when other dogs are off leash in public places
- Concerns for the safety of dogs when other dogs are off leash in public places
- A view that if dogs are on leash their owners are more likely to pick up their dog's faeces.

Not supporting a change to a dog on leash area but retaining individual areas as a dog off leash area:

- Concern about restricting the freedom of people to exercise with their dog
- The benefit to the health and well-being of both people and dogs from being able to actively exercise
- Dogs need to have areas where they can be exercised off leash and have vigorous exercise
- Dogs need to be able to socialised with other dogs and with people

A summary of the consultation outcomes for each of the specific sites is below:

Edwardstown Oval and Velodrome

Under the City of Marion's *By-law No.4 Dogs 2014*, dogs must be on a leash when organised sport is being played on the oval.

Community Feedback

73 people completed the survey (on-line or hard copy):

- 36 respondents (50%) supported the area becoming a dog on leash area
- 37 respondents (50%) were not supportive of the area becoming a dog on leash area

Key issues raised included:

- The oval is an open space ideal for people to exercise their dogs.

- Safety concern of cyclists who have experienced dogs off leash and not under effective control, running at or in front of the bicycles
- The need to consider the safety of cyclists and dogs with cyclists using the velodrome often cycling at high speed using speed bicycles that do not have brakes
- The area is unique as it is the only oval with a velodrome and cyclists and people with dogs use the same common area. The velodrome is the only velodrome in the City of Marion and is used by a number of cycling clubs. Through the redevelopment of the area, Council is working to attract new groups to the site including optimising the velodrome.

Northern area and walking path surrounding the northern area at the Mitchell Park Reserve

Community Feedback

78 people responded to this question:

- 31 respondents (39%) supported the area becoming a dog on leash area.
- 47 respondents (60%) were not supportive of the area becoming a dog on leash area.

In addition, prior to the consultation, the Mitchell Park Sports and Community Club management committee requested the northern area and walking path surrounding the northern area at the Mitchell Park Reserve be changed to a dog on leash area.

Key issues raised:

- It is popular area to exercise dogs
- A view that the majority of people who use this area are responsible and control their dogs well
- It is unfair to restrict people from exercising their dogs off leash in this area when there are not issues in this area
- Concerns that some dog owners do not pick up their dog's faeces
- Concern from the Mitchell Park Sports and Community Club management committee that large amounts of dog faeces are often left on the oval and concerns that dogs are not kept under effective control when off-leash

Area south of the Field River, Hallett Cove including the rocks, beach area and sand dunes

Community Feedback

78 people provided feedback with 73 people completing the survey on-line, 3 people completing the hard copy survey and 2 people providing feedback by email:

- 46 respondents (59%) supported the area becoming a dog on leash area.
- 32 respondents (41%) were not supportive of the area becoming a dog on leash area.

Key issues raised:

This section of the beach is home to large number of birds and it recently became a nesting area for the Hooded Plover. The Natural Resources Adelaide and Mount Lofty Ranges website references that the Hooded Plover is listed as being a vulnerable species and that the birds nest at the base of the sand dunes during spring and summer on Adelaide's beaches and they will abandon eggs and chicks if persistently disturbed by vehicles, dogs, humans and foxes.

- Need to find a balance of preserving the environment in this area and the needs of all users of this area
- Some people said the area is ideal for exercising dogs off leash, including dogs being able vigorous exercise, as the area is generally quiet with minimal people and other dogs present and is one of the few such areas easily accessible
- Some people said that the majority of dog owners exercise their dogs responsibility in this area
- The area is not suitable for children to play, but is beneficial for people to train their dogs when off-leash to return upon command
- Suggestions that the northern area of the Field River, the mouth of the Field River and the whole walking path should be made dog on leash as this would prevent dogs from disturbing and affecting vegetation and birds and ducks in the river
- Concerns expressed that Council is unnecessarily restricting where dogs can be off leash
- Concerns that there are not enough dog off leash areas

Summary

Taking on board the results of the community consultation and to balance the needs of all users of shared public spaces, as well as being mindful of the environmental issues at the Hallett Cove location, it is recommended that:

- The Edwardstown Oval and Velodrome be declared dog on leash areas
- The northern area and walking path surrounding the northern area at the Mitchell Park Reserve be retained as a dog off leash area
- The area south of the Field River, Hallett Cove including the rocks, beach area and sand dunes be declared a dog on leash area

Regarding the Mitchell Park location, to address the concerns of members of the community, including the Mitchell Park Sports and Community Club management committee and its associated members and users, the number of dog poo bag dispensers will be reviewed with a view to installing dispensers at each key entry point to the area. In addition, signage regarding picking up after your dog will be installed and Community Safety Inspectors will actively monitor the area for the next three months.

Attachment

#	Attachment	Type
1	Appendix 1 - Summary of Community Consultation Findings	PDF File

Appendix 1 Summary of Community Consultation



Community Engagement Findings (Summary)

Summary of Community Consultation re dog on/off leash provisions:

- Edwardstown Oval and Velodrome
- Northern area and walking path surrounding the northern area at the Mitchell Park Reserve
- Area south of the Field River, Hallett Cove including the rocks, beach area and sand dunes

1. INTRODUCTION

Broad community engagement has been undertaken to understand community preferences for dog on/off leash provisions at the above locations and understand the level of support from the community regarding the possibility of changing these areas to dog on leash.

This report summarises the community consultation process and the community feedback.

2. CONSULTATION PROGRAM

The consultation period was for 3 weeks regarding each location, with a survey available online at the City of Marion's "Making Marion" website at <https://www.makingmarion.com.au/dogs-on-leash> and a hard copy survey available upon request.

For the Edwardstown and Mitchell Park locations, the community survey was available on the Making Marion website from 3 August 2018 to 24 August 2018.

To provide greater clarity for the community regarding the area in question at Hallett Cove, a new map was subsequently created and distributed and the consultation period was extended to 5 September 2018.

The survey was promoted through the City of Marion website and Facebook page. Signs were placed at each of the three locations. The survey link was mailed to a range of stakeholders including local community and resident groups; and distributed to residents within a 400m catchment around each location.

The consultation was conducted by:

- The survey was promoted on the City of Marion website:
 - .For the Edwardstown and Mitchell Park locations: 3/8/18 – 24/8/18
 - .For the Hallett Cove location: 3/8/18 – 5/9/18
- Correspondence advising of the consultation and a link to survey link sent to range of key stakeholders including applicable sporting associations, resident and community groups and the Dover Gardens Kennel and Obedience Club
- Social media posts were placed on the City of Marion Facebook page
- Flyers displayed at:
 - The City of Marion's Administration Building
 - Coominda Neighbourhood Centre
 - Trott Park Neighbourhood Centre
 - Mitchell Park Neighbourhood Centre
 - Marion Cultural Centre Library
 - Parkholme Library
 - Cove Civic Centre
- Signs erected at each site signs with information about the online survey and a map of the area in question
- As well as the online survey, an invitation was extended through the above methods, for a hard copy survey to be sent to members of the community who did not wish to complete the survey on-line.

A total of 227 people have provided feedback, through either the on-line or hardcopy survey or via email and 1 community organisation requested dogs to be on leash at the Mitchell park location prior to the formal community consultation.

3. CONSULTATION OVERVIEW

In summary, during this consultation, 517 people visited the Making Marion website for these surveys. Council received feedback from 228 members of the community via:

- 208 on-line surveys
- 17 hard copy surveys
- 2 emails
- 1 request prior to the community consultation

125 people identified as being a dog owner and 82 people identified as not being a dog owner.

There are mixed views from the community regarding whether the areas should be declared a dog on leash area or if they should remain a dog on leash area. Common themes and key issues raised included raised through the feedback are:

Supporting individual areas to be declared a dog on leash area:

- Concerns for the safety of people when other dogs are off leash in public places
- Concerns for the safety of dogs when other dogs are off leash in public places
- A view that if dogs are on leash their owners are more likely to pick up their dog's faeces.
- Environmental concerns at the Hallett Cove location

Not supporting a change to a dog on leash area but retaining individual areas as a dog off leash area:

- Concern about restricting the freedom of people to exercise their dog
- The benefit to the health and well-being of both people and dogs from being able to actively exercise
- Dogs need to have areas where they can be exercised off leash and have vigorous exercise
- Dogs need to be able to socialised with other dogs and with people
- The benefit to the physical and mental health and well-being people experience through the interaction with other people and dogs

4. CONSULTATION FINDINGS FOR EDWARDSTOWN OVAL AND VELODROME

73 people completed the survey, either on-line or hardcopy.



People were asked the following questions:

1. Please nominate your level of support for a change from dog OFF leash to all times to do ON leash at all times

☐ Strongly support
☐ Do not support

☐ Support
☐ Strongly do not support

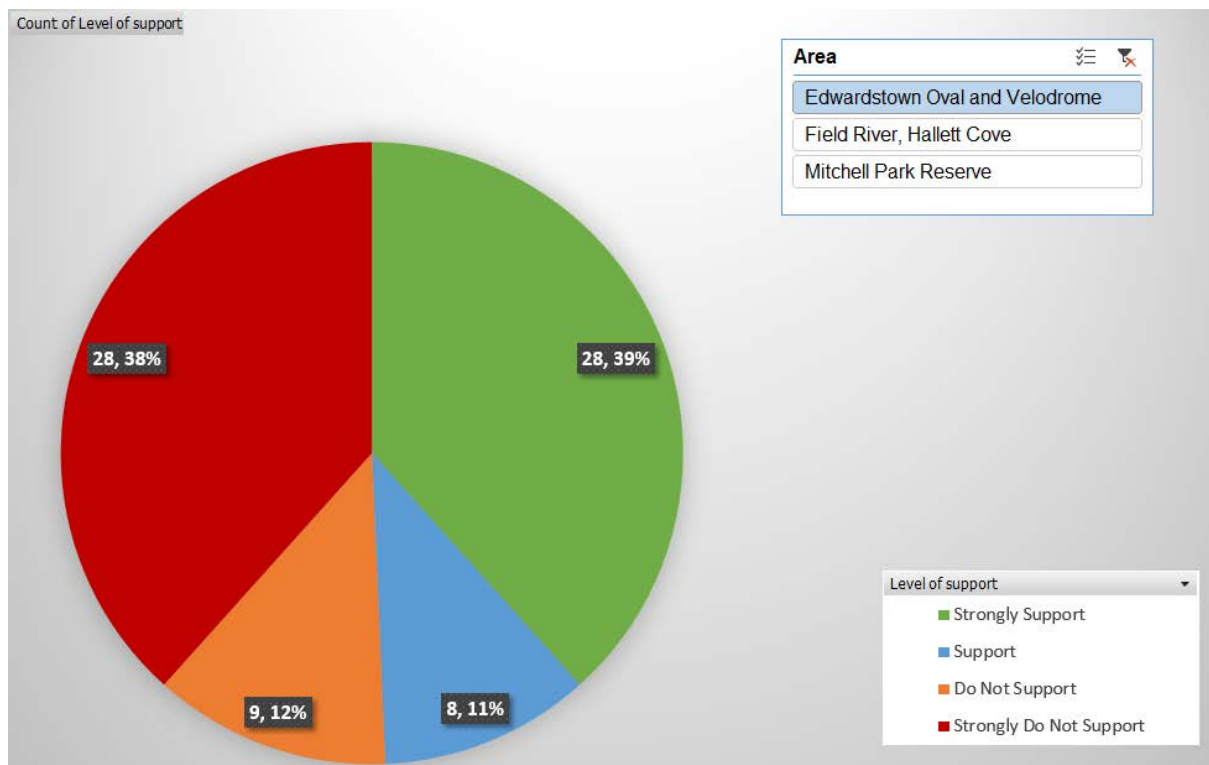
36 respondents (50%) supported the area becoming a dog on leash area.

37 respondents (50%) were not supportive of the area becoming a dog on leash area.

2. Are you a dog owner?

☐ Yes
☐ No

65 people responded to this question. 26 people (40%) identified as being a dog owner and 39 people (60%) identified as not being a dog owner.



Below is a summary of the comments received for Edwardstown Oval and Velodrome:

Comments in support included:

- Safety concern of cyclists who have experienced dogs off leash and not under effective control, running at or in front of the bicycles
- The need to consider the safety of cyclists and dogs with cyclists using the velodrome often cycling at high speed using speed bicycles that do not have brakes
- The velodrome is the only velodrome in the City of Marion and is used by a number of cycling clubs. The area is unique as it is the only oval with a velodrome and cyclists and people with dogs use the same common area.

Comments not in support included:

- The oval is an open space ideal for people to exercise their dogs, particularly for dogs to be able to run
- There are limited areas in Edwardstown and surrounding suburbs for dogs to be exercised off leash, particularly in a gated area and not near playgrounds
- Exercise is essential for a dog so it does not become noisy and disruptive (through barking)
- Comments that the majority of dog owners control their dogs and put their dogs on a leash when cyclists use the velodrome

5. CONSULTATION FINDINGS FOR NORTHERN AREA AND WALKING PATH SURROUNDING THE NORTHERN AREA AT THE MITCHELL PARK RESERVE

78 people completed the survey, either on-line or hardcopy. In addition, prior to the consultation, the Mitchell Park Sports and Community Club management committee requested the northern area and walking path surrounding the northern area at the Mitchell Park Reserve be changed to a dog on leash area.



People were asked the following questions:

1. Please nominate your level of support for a change from dog OFF leash to all times to do ON leash at all times

☐ Strongly support
☐ Do not support

☐ Support
☐ Strongly do not support

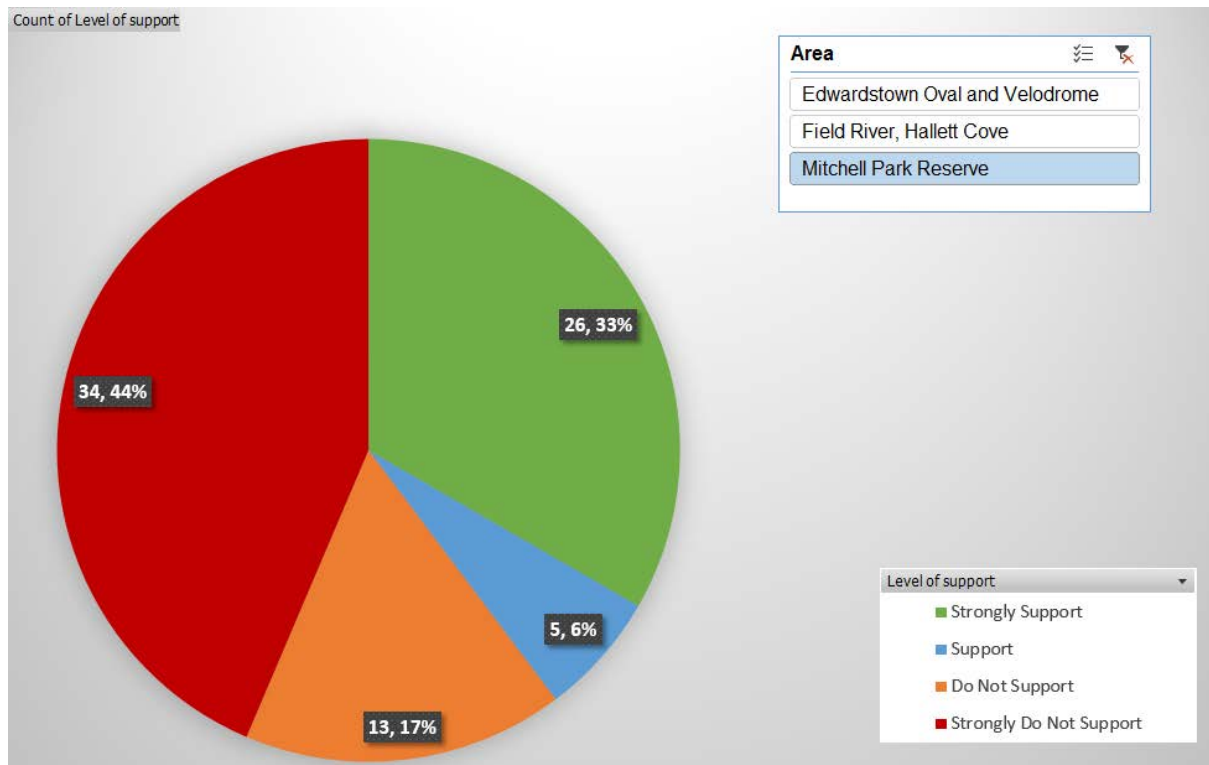
31 respondents (39%) supported the area becoming a dog on leash area.

47 respondents (60%) were not supportive of the area becoming a dog on leash area.

2. Are you a dog owner?

☐ Yes
☐ No

71 people responded to this question. 40 people (56%) identified as being a dog owner and 31 people (43%) identified as not being a dog owner.



Below is a summary of the comments received for the northern area and walking path surrounding the northern area at the Mitchell Park Reserve:

Comments in support included:

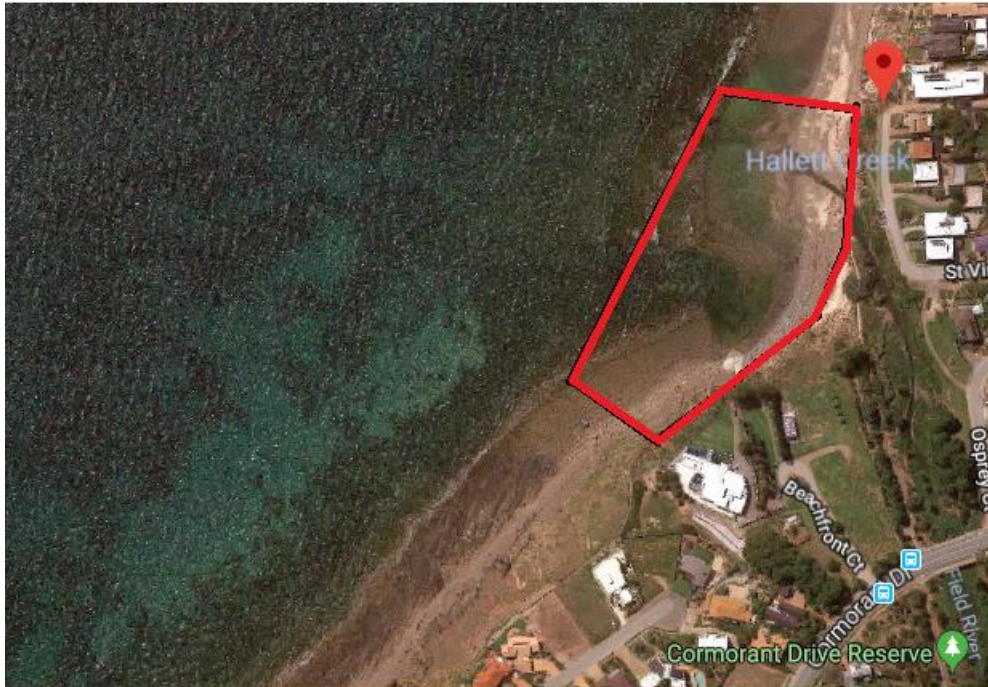
- Concerns that some dog owners do not pick up their dog's faeces
- Request from the Mitchell Park Sports and Community Club management committee prior to the consultation about large amounts of dog faeces often left on the oval and concerns that dogs are not kept under effective control when off-leash

Comments not in support included:

- It is popular area to exercise dogs
- A view that the majority of people who use this area are responsible and control their dogs well
- It is unfair to restrict people from exercising their dogs off leash in this area when there are not issues in this area

6. CONSULTATION FINDINGS FOR AREA SOUTH OF THE FIELD RIVER HALLET COVE INCLUDING THE ROCKS, BEACH AREA AND SAND DUNES

78 people provided feedback with 73 people completing the survey on-line, 3 people completing the hardcopy survey and 2 people providing feedback by email.



People were asked the following questions:

1. Please nominate your level of support for a change from dog OFF leash to all times to do ON leash at all times

☐ Strongly support
☐ Do not support

☐ Support
☐ Strongly do not support

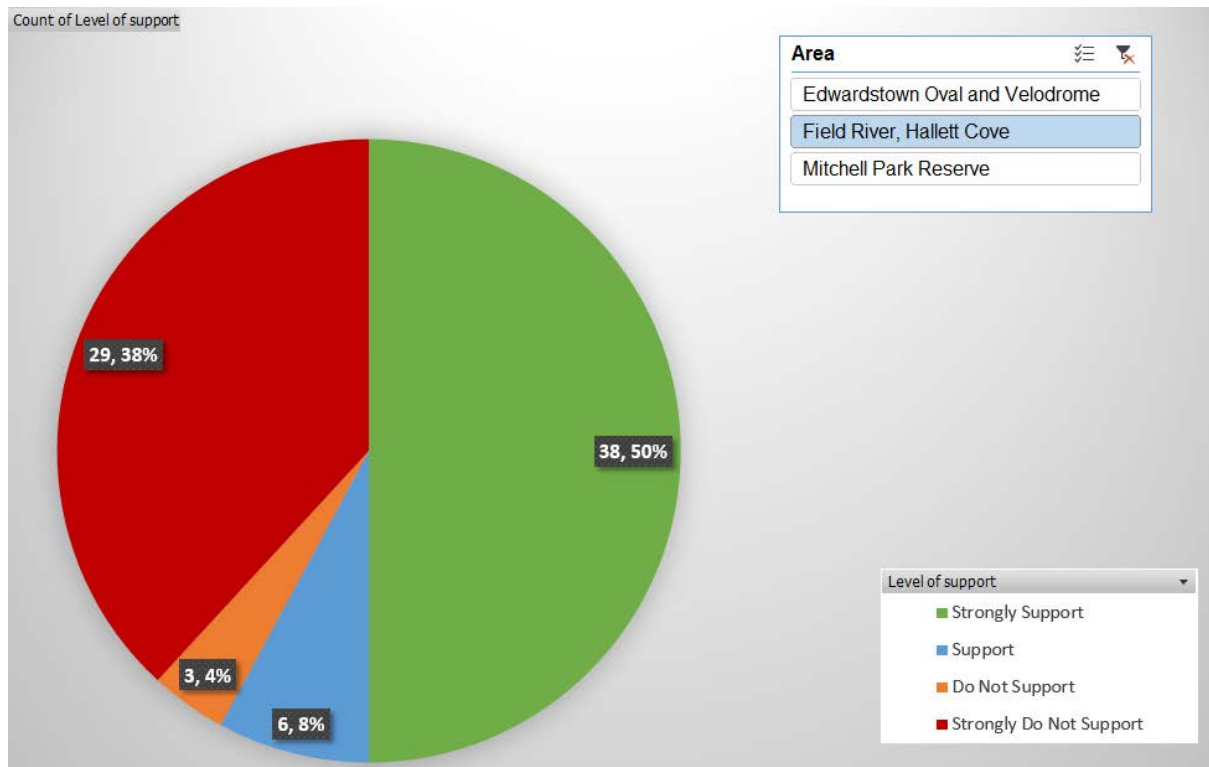
46 respondents (59%) supported the area becoming a dog on leash area.

32 respondents (41%) were not supportive of the area becoming a dog on leash area.

2. Are you a dog owner?

☐ Yes
☐ No

71 people responded to this question. 25 people (35%) identified as being a dog owner and 46 people (64%) identified as not being a dog owner.



Below is a summary of the comments received for the area south of the Field River, Hallett Cove including the rocks, beach area and sand dunes:

Comments in support included:

- This section of the beach is home to large number of birds and it recently became a nesting area for the Hooded Plover. The Natural Resources Adelaide and Mount Lofty Ranges website references that the Hooded Plover is listed as being a vulnerable specie and that the birds nest at the base of the sand dunes during spring and summer on Adelaide's beaches and they will abandon eggs and chicks if persistently disturbed by vehicles, dogs, humans and foxes.
- Need to find a balance of preserving the environment in this area and the needs of all users of this area
- Suggestion that the area north of the Field River also be a dog on leash area
- Suggestion that the small area below the road bridge, including the mouth of the Field River be preserved as a bird sanctuary

Comments not in support included:

- The area is ideal for exercising dogs off leash, including dogs being able vigorous exercise, as it is generally quiet with minimal people and other dogs present

Update to the Schedule of Delegations: Development Act 1993, Development Delegations Policy and Road Traffic Act 1961

Originating Officer	Unit Manager Governance and Records - Jaimie Thwaites Manager Development and Regulatory Services - Jason Cattonar
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911R11

REPORT OBJECTIVE

This report provides details of changes to the delegations under the *Development Act 1993* and *Road Traffic Act 1961* to ensure that Council is compliant with the relevant legislation and provides for effective, efficient and appropriate decision making by Council officers.

A copy of the Delegation Policy under the *Development Act 1993* is also attached for Council endorsement.

EXECUTIVE SUMMARY

In accordance with Section 44(6) of the *Local Government Act 1999* Council must have a separate record of all delegations and this should be reviewed every financial year. The last full review of the schedule of delegations was completed in June 2018 (Report Reference: GC260618R11).

Following on from the annual review in June 2018, a number of changes are recommended due to legislative amendments and changes to the Local Government Association templates.

This report provides details of the changes to the Schedule of Delegations including amendments to the *Road Traffic Act 1961*.

In addition, as recommended by the Internal Audit of Development Assessment (Planning) (Report Reference: FAC180821R03) a review of the delegations under the *Development Act 1993* has been undertaken and a Development Delegations Policy in accordance with Section 34(27) of the *Development Act 1993* has been drafted.

Council's adoption of the revised delegations and Development Delegation policy is sought.

RECOMMENDATION

That having conducted a review of the Council's Delegations Register in accordance with Section 44 (6) of the *Local Government Act 1999*, the Council:

1. Revocations

1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

1.1.1 *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*

1.2 Hereby revokes its previous delegations to its Development Assessment Panel under the *Development Act 1993* and *Development Regulations 2008*.

2. Delegations made under *Development Act 1993*

2.1 In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993*, the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation contained in Appendix 1 are hereby delegated this 11th day of September 2018 to the person occupying the office of Chief Executive Officer subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.

2.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.

2.3 In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993* the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation contained in Appendix 1 and which are specified below are hereby delegated to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.

3. Endorses the 'Development Delegations Policy' attached as Appendix 2 (subject to any identified amendments).

4. Delegations made under *Local Government Act 1999*

4.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Act and specified in the proposed Instruments of Delegation contained in Appendix 1 are hereby delegated this 11th day of September 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

4.1.1 *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Appendix 3)*

4.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

GENERAL ANALYSIS

Please see the general analysis section below:

Organisational Excellence: An update of the schedule of delegations, particularly in relation to legislative changes, is essential to ensure that the Council continues to act intra vires.

Legal / Legislative / Policy: Section 44 of the *Local Government Act 1999* provides the framework within which delegations may be made including the identification of a number of areas that cannot be delegated.

BACKGROUND

Councils have certain duties which they must perform, and certain powers which they may exercise, pursuant to the *Local Government Act 1999* as well as a range of other Acts. In most cases the relevant Acts grant those obligations and powers directly on the Council as a body.

It is not practical or efficient for the Council as a body of elected members to perform the many functions or undertake the many activities that are required in the day to day administration of the Council's roles and functions. Delegations are the way in which the Council enables other people/bodies (usually Council officers) to undertake these steps on its behalf.

Therefore, it is necessary for the Council to take formal steps to delegate to such people/bodies the authority to make decisions, perform functions or undertake activities on behalf of the Council.

As a matter of best practice it is usual for delegations to be made by the Council to the Chief Executive Officer (or equivalent). Once the delegations to the Chief Executive Officer have been made, the Chief Executive Officer may then make sub-delegations to relevant Council officers (or such other bodies as are allowable, such as committees in some cases).

Section 44 of the *Local Government Act 1999* provides the framework within which delegations may be made including the identification of a number of areas that cannot be delegated.

DISCUSSION

An Internal Audit of Development Assessment (Planning) was undertaken and presented to the Finance and Audit Committee in August 2018 (Report Reference: FAC180821R03). The scope of the audit was to review the processes and service levels for Council's development assessment functions pursuant to the *Development Act 1993*. As noted by the Finance and Audit Committee the audit demonstrated that the department is discharging its functions and responsibilities well, however there was some opportunity for improvement. Two of the recommendations included reviewing the current schedule of delegations under the *Development Act 1993* and adopting a Development Delegations policy as per Section 34(27) of the *Development Act 1993*.

A revised set of Delegations under the Development are attached as **Appendix 1** to this report *Development Act 1993*. Essentially the delegations to the Council's Assessment Panel (CAP) have been revised and included within delegations instead of being a separate schedule. The changes are marked-up within the document.

A Development Delegations Policy has been created which outlines the basis upon which Council will delegate its powers and duties, under the *Development Act 1993* and the *Planning, Development and Infrastructure Act 2016*, as a relevant authority with respect to determining whether, or not, to grant development plan consent. The policy establishes what applications will be determined by Council's Assessment Panel and what applications will be determined by the Council's Administration. A copy of the Development Delegations Policy is attached as **Appendix 2** to this report.

Attached to this report as **Appendix 3** are the *Road Traffic Act 1961* sections of the City of Marion Schedule of Delegations that have been included on the basis of recent legislative changes that have occurred and, amendments made to the delegation templates on the Local Government Association's secure website.

Any changes which relate to powers, functions or duties (or part thereof) which have not previously been delegated are marked-up in Appendix 3 with the related Instrument of Delegation.

A summary of the changes is outlined below for your information:

Road Traffic Act 1961

Para number in instrument which contain changes	Section number of Act	Whether change is Addition/ Amendment/ Deletion
1.1	17(1)	Addition - Legislative amendment
1.2	17(2)	Addition - Legislative amendment
1.3	17(3)	Addition - Legislative amendment
1.4	17(5)	Addition - Legislative amendment
3.1	20(3)	Addition - Legislative amendment
3.2	20(4)	Addition - Legislative amendment
3.3	20(6)	Addition - Legislative amendment
3.4	20(9)	Addition - Legislative amendment
4.1	20A(1)	Addition - Legislative amendment

CONCLUSION

Delegation updates ensures Council's compliance with legislation and the effective administration of Council's powers, functions and duties.

Updating the schedule of delegations, particularly in relation to legislative changes, is essential to ensure that the Council continues to act intra vires.

Attachment

#	Attachment	Type
1	Appendix 1 - Delegations under the Development Act 1993 and Development Regulations 2008	PDF File
2	Appendix 2 - DRAFT_Development Delegations Policy	PDF File
3	Appendix 3 - Delegations under the Road Traffic Act 1961	PDF File

INSTRUMENT OF DELEGATION UNDER THE
DEVELOPMENT ACT 1993 AND DEVELOPMENT REGULATIONS 2008

NOTES

In exercise of the powers contained in Section 20 of the Development Act, 1993, the powers, functions and duties under the Development Act, 1993 and the Development Regulations, 2008 are hereby delegated this 11²⁶th day of June-September 2018 to the person occupying the office of Chief Executive Officer of the Council and the said powers, functions and duties may be sub-delegated by the said delegate to any other officer of the Council:

References:

Abbreviation	Position Title
AC	Administration Co-ordinator
ASODS	Administration Support Officer Development Services
BS	Building Surveyor
CAP	Council Assessment Panel
DCO	Development Compliance Officer
DOB	Development Officer Building
DOE	Development Officer Engineering
DOP	Development Officer Planning
EHO	Environmental Health Officer
FG	Financial Co-ordinator
GMCD	General Manager City Development
GMCiS	General Manager City Services
GMCoS	General Manager Corporate Services
MDRS	Manager Development and Regulatory Services
MEFS	Manager Engineering and Field Services
MF	Manager Finance
POA	Planning Officer Arboriculture
PP	Policy Planner
SDOB	Senior Development Officer Building
SDOP	Senior Development Officer Planning
SO	Systems Officer
SPP	Senior Policy Planner
TLB	Team Leader Building
CCHS	Unit Manager Community Health and Safety
TLP	Team Leader Planning
TLE	Unit Manager Engineering Services

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

	Delegate to CEO	Sub- delegation
1. Concept of Change in the Use of Land		
1.1 The power pursuant to Section 6(3) of the Development Act 1993 ("the Act") and in circumstances where a particular use of land has been discontinued for a period of six months or more:		
1.1.1 to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and	¥CEO <u>CAP</u>	
1.1.2 to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the use of land.	¥CEO <u>CAP</u>	
2. Appointment of Authorised Officers		
2.1 The power pursuant to Section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993.	¥CEO	
2.2 The power pursuant to Section 18(2) of the Act to impose conditions on the appointment of an authorised officer.	¥CEO	
2.3 The duty pursuant to Section 18(3) of the Act to issue an authorised officer with an identity card.	¥CEO	
2.4 The power pursuant to Section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	¥CEO	

3. Delegations		
3.1 The duty pursuant to Section 20(8) of the Act to ensure that notice of a delegation under Section 20 of the Act is, in prescribed circumstances, given in the Gazette.	¥CEO	
4. Council or Minister May Amend a Development Plan		
4.1 Where an amendment relates to the area, or part of the area, of a council, the power pursuant to Section 24(1)(a)(i) of the Act to prepare an amendment to a Development Plan.	¥CEO	
4.2 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(i) to consult with the Minister.	¥CEO	
4.3 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(ii) of the Act to prepare an amendment to a Development Plan at the request or with the approval of the Minister.	¥CEO	
4.4 The power pursuant to Section 24(1a) of the Act and in accordance with subdivision 2 of Division 2 Part 3 of the Act to act jointly with one or more councils in preparing amendments to 1 or more Development Plans under sub Section (1)(a)(i) or 24(b)(ii) of the Act.	¥CEO	
4.5 The power pursuant to section 24(1)(a)(iva) of the Act, where the Council or the Delegate has, after commencing the processes associated with making an amendment as set out in Section 25 of the Act, to subsequently decide not to proceed with the amendment after all.	¥CEO	
4.6 The power pursuant to Section 24(1b) of the Act to make submissions in relation to the matter within the period specified by the Minister.	¥CEO	

4.7	The power pursuant to Section 24(2a) of the Act to make submissions (within a period specified in the notice) in relation to a matter.	Y CEO	
5.	Amendments by a Council		
5.1	The power pursuant to Section 25(1) of the Act to prepare a "Statement of Intent" in accordance with the Regulations.	Y CEO	
5.2	The power pursuant to Section 25(1) of the Act to reach agreement with the Minister on a "Statement of Intent" prepared by the Council.	Y CEO	
5.3	Subject to Sections 25(4) and 25(5) of the Act the power pursuant to Section 25(3) of the Act to prepare a proposal, to be called a "Development Plan Amendment" (or DPA) that complies with the following requirements:		

5.3.1	the DPA must be based on the outcome of investigations initiated by the Council or the Delegate in accordance with the terms of the Statement of Intent and such other investigations (if any) as the Council or the Delegate thinks fit;	¥CEO	
5.3.2	the DPA must include an assessment of the extent to which the proposed amendment -		
5.3.2.1	accords with the Planning Strategy; and	¥CEO	
5.3.2.2	accords with the Statement of Intent; and	¥CEO	
5.3.2.3	accords with other parts of the Development Plan; and	¥CEO	
5.3.2.4	complements the policies in the Development Plans for adjoining areas; and	¥CEO	
5.3.2.5	satisfies the matters prescribed in the Regulations;	¥CEO	
5.3.3	<i>the DPA must include -</i>		
5.3.3.1	an explanation of the intent of the proposed amendments, the relationship between that intent and the policy of the Statement of Intent, and a summary of the major policy changes (if any) that are proposed; and	¥CEO	
5.3.3.2	a summary of the conclusions drawn from the investigations and assessments referred to above; and	¥CEO	

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5.3.3.3	a draft of the amendment, or a draft of the relevant section of the Development Plan as amended (with the amendments shown in a distinctive manner);	Y CEO	
5.3.4	the DPA must include an assessment of the extent to which the proposed amendment accords with relevant infrastructure planning (with respect to both physical and social infrastructure) identified by the Council through strategic planning or other processes undertaken by the Council under the Act or the Local Government Act 1999 or identified by a Minister, or any other relevant government agency, in accordance with any scheme set out in the Regulations, in connection with the preparation of the DPA under the Act;	Y CEO	
5.3.5	the DPA must include any other matter prescribed by the Regulations.	Y CEO	
5.4	The power pursuant to Section 25(3)(a) of the Act to initiate investigations in accordance with the terms of the Statement of Intent and such other investigations as the Delegate thinks fit.	Y CEO	
5.5	The duty, pursuant to Section 25(4) of the Act to prepare a DPA only after the Delegate has considered the advice of a person with prescribed qualifications.	Y CEO	
5.6	The power pursuant to Section 25(5) of the Act to not, except as authorised by the Minister, propose an amendment to a part of a Development Plan that has been declared by the Minister by notice in the Gazette as being part of a set of standard policy modules for the purposes of the Act.	Y CEO	
5.7	The duty pursuant to Section 25(6) of the Act to deal with a DPA in accordance with process A, B or C as described by the Act, depending on an agreement reached between the Council or the Delegate and the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.	Y CEO	

5.8	The power pursuant to Section 25(6) of the Act to reach an agreement with the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.	¥CEO	
5.9	Process A		
5.9.1	The duty pursuant to Section 25(7)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent, for comment within the period prescribed by the Regulations.	¥CEO	
5.9.2	The power pursuant to Section 25(7)(b) of the Act, if a response is not received within the period that applies under Section 25(7)(a) of the Act, to assume that the particular Department, agency or other body does not desire to provide any comment.	¥CEO	
5.9.3	The power pursuant to Section 25(7)(c) of the Act to consult with the Minister.	¥CEO	
5.9.4	The duty pursuant to Section 25(7)(c)(i) of the Act to comply with the requirement of the Minister to make an alteration to the DPA.	¥CEO	
5.9.5	Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(7)(d) of the Act to release the DPA for public consultation in accordance with the Regulations), over a period of at least 8 weeks.	¥CEO	
5.10	Process B		

5.10.1	The duty pursuant to Section 25(8)(a) of the Act, if required by the Minister, to first refer the DPA to the Minister for consideration.	Y CEO	
5.10.2	The power, pursuant to Section 25(8)(a) of the Act, to consult with the Minister.	Y CEO	
5.10.3	The duty pursuant to Section 25(8)(a)(i) of the Act to comply with a requirement of the Minister to make an alteration to the DPA.	Y CEO	
5.10.4	Subject to complying with Section 25(8)(a) of the Act, (if relevant) the duty and power pursuant to Section 25(8)(b)(i) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 8 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.	Y CEO	
5.10.5	Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act the duty pursuant to Section 25(8)(b)(ii) of the Act to release the DPA for public consultation in accordance with the Regulations over a period that is at least concurrent with the period that applies under Section 25(8)(b)(i) of the Act.	Y CEO	
5.11	Process C	Y CEO	

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5.11.1	The duty and power pursuant to Section 25(9)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 4 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.		
5.11.2	Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(9)(b) of the Act to release the DPA for public consultation in accordance with the Regulations, over a period that is at least concurrent with the period that applies under Section 25(9)(a) of the Act.	¥CEO	
5.11.3	The duty pursuant to Section 25(9)(c) of the Act, at the time that the DPA is released for public consultation, to give:		
5.11.3.1	an owner or occupier of any land that is directly subject to the operation of the proposed amendment; and	¥CEO	
5.11.3.2	an owner or occupier of each piece of adjacent land to land that is directly subject to the operation of the proposed amendment, a written notice in accordance with the Regulations.	¥CEO	
5.12	The duty pursuant to Section 25(10) of the Act to not release a DPA for public consultation unless or until the Chief Executive Officer of the Council has, on behalf of the Council, issued a certificate in the prescribed form relating to the extent to which the proposed amendment:	¥CEO	

5.12.1	accords with the Planning Strategy; and	Y CEO	
5.12.2	accords with the Statement of Intent; and	Y CEO	
5.12.3	accords with other parts of the Development Plan; and	Y CEO	
5.12.4	complements the policies in the Development Plans for adjoining areas; and	Y CEO	
5.12.5	satisfies the matters prescribed in the Regulations.	Y CEO	
5.13	In addition to any requirement prescribed by the Regulations, the duty pursuant to Section 25(11) of the Act for the purposes of undertaking the public consultation, to:		

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5.13.1	allow interested persons to make representations in writing in relation to the matter over the period that applies for the purposes of the public consultation; and	Y CEO	
5.13.2	subject to Section 25(11)(b) of the Act and in accordance with the Regulations, hold within the area of the Council at least 1 meeting where members of the public may attend and make representations in relation to the matter,	Y CEO	
5.13.3	appoint a committee (which may, but need not, include members of the Council) to consider any representations made under Sections 25(11)(a) or 25(11)(b) of the Act and to provide advice in relation to those representations.	Y CEO	
5.14	If a proposed amendment designates a place as a place of local heritage value, the duty pursuant to Section 25(12) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land constituting a place proposed as a place of local heritage value a written notice:		
5.14.1	informing the owner of the proposed amendment, and	Y CEO	
5.14.2	inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.	Y CEO	
5.15	If a proposed amendment declares a tree to be a significant tree or a stand of trees to be significant trees, the duty pursuant to Section 25(12a) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land where the tree or trees are located a written notice:	Y CEO	

5.15.1	informing the owner of the proposed amendment; and	¥CEO	
5.15.2	inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.	¥CEO	
5.16	The duty pursuant to Section 25(13)(a) of the Act, after complying with the requirements of Sections 25(1)-(12a) of the Act, to, in accordance with the Regulations prepare a report on the matters raised during the consultation period, on the reasons for any failure to comply with any time set for any step under Sections 25(1)-(12a) of the Act, and on any recommended alterations to the proposed amendment.	¥CEO	
5.17	The power pursuant to Section 25(13)(b) of the Act, if the Delegate thinks fit, by notice in writing to the Minister, to decline to proceed any further with an amendment.	¥CEO	
5.18	The duty to send to the Minister:		
5.18.1	a copy of a report under Section 25(13)(a); and	¥CEO	
5.18.2	a certificate from the Chief Executive Officer;	¥CEO	
	pursuant to and in accordance with Section 25(14) of the Act and the Regulations.		
5.19	The power pursuant to Sections 25(15)(d) and 25(15)(f) of the Act to consult with the Minister.	¥CEO	
5.20	The power pursuant to and in accordance with Section 25(21) of the Act to consult with, and make submissions to the Minister.	¥CEO	

5.21	The power pursuant to Section 25(23) of the Act to consult with the Minister.	Y CEO	
6.	Amendments by the Minister		

6.1	The power pursuant to Section 26(5)(d)(i) of the Act, in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	¥CEO	
6.2	The power pursuant to Section 26(5a)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	¥CEO	
6.3	The power pursuant to Section 26(5b)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 4 weeks.	¥CEO	
6.4	The power pursuant to Section 26(12) of the Act, to make comment to the Minister within a period determined by the Minister in relation to a proposal to act under Section 26(11) of the Act.	¥CEO	
6.5	The power pursuant to, Section 26(12) of the Act to, by notice in writing, object to the Minister's proposed action.	¥CEO	
7.	Parliamentary Scrutiny		
7.1	The power pursuant to Section 27(6) of the Act to consult with the Minister.	¥CEO	
8.	Strategic Directions Report		
8.1	The duty pursuant to Section 30(1) of the Act, to, from time to time, in accordance with the requirements of Section 30 of the Act, prepare a report under Section 30 of the Act (a Strategic Directions Report) that -		

8.1.1	addresses the strategic planning issues within the area of the Council, with particular reference to -	<u>¥CEO</u>	
8.1.1.1	the Planning Strategy; and	<u>¥CEO</u>	
8.1.1.2	any other policy or document prescribed by the regulations; and	<u>¥CEO</u>	
8.1.2	addresses appropriate amendments to any Development Plan that applies within the area of the Council; and	<u>¥CEO</u>	
8.1.3	sets out the Council's priorities for -		
8.1.3.1	achieving orderly and efficient development through the implementation of planning policies; and	<u>¥CEO</u>	
8.1.3.2	the integration of transport and land-use planning within its area; and	<u>¥CEO</u>	
8.1.3.3	implementing any relevant targets set out in the Planning Strategy; and	<u>¥CEO</u>	
8.1.3.4	implementing affordable housing policies set out in the Planning Strategy within its area; and	<u>¥CEO</u>	
8.1.3.5	infrastructure planning (with respect to both physical and social infrastructure), taking into account any advice provided by a Minister, or any other relevant government agency, in accordance with a scheme set out in the regulations, and any of the Council's proposals with respect to infrastructure; and	<u>¥CEO</u>	

8.1.3.6	other projects or initiatives considered to be relevant by the Council; and	Y CEO	
8.1.4	contains such other material as may be -		
8.1.4.1	prescribed by the regulations; or	Y CEO	
8.1.4.2	required by the Minister.	Y CEO	
8.2	The duty pursuant to Section 30(2) of the Act to prepare and complete a report under Section 30 of the Act -		
8.2.1	within 12 months after an alteration is made to the Planning Strategy, or within such longer period as the Minister may allow, if -	Y CEO	
8.2.1.1	the Minister declares, by notice in the Gazette, that the alteration is considered to be a significant alteration that should trigger a review of Development Plans, or specified Development Plans, under Section 30 of the Act in relation to issues specified by the Minister; and	Y CEO	
8.2.1.2	the Development Plan that applies in relation to the Council's area (or a part of its area) falls within the ambit of the declaration; and	Y CEO	
8.2.2	in any event, within 5 years after the completion of the last report under Section 30 of the Act.	Y CEO	
8.3	The duty, pursuant to Section 30(3) of the Act, in connection with the preparation of a report under Section 30 of the Act, to -		

8.3.1	by public advertisement, invite interested persons to make written submissions to the Council within 2 months of the date of the advertisement or such longer period as may be allowed by the advertisement; and	¥CEO	
8.3.2	consult with any prescribed authority or body in the manner specified by the regulations.	¥CEO	
8.4	The duty, pursuant to Section 30(4) of the Act, in connection with the operation of Section 30(3) of the Act, to prepare and make available the documentation prescribed by the regulations.	¥CEO	
8.5	The duty pursuant to Section 30(5) of the Act to give a person who makes a written response to an invitation under Section 30(3)(a) of the Act an opportunity to appear personally or by representative before the Council or a Council Committee and to be heard on those submissions.	¥CEO	
8.6	The duty pursuant to Section 30(6) of the Act, in preparing a report under Section 30 of the Act, to -		
8.6.1	reach agreement with the Minister on a Statement of Intent with respect to any proposed amendments to a Development Plan that applies within the area of the Council; and	¥CEO	
8.6.2	if relevant, prepare a DPA that is suitable for consideration under Section 25(3) of the Act.	¥CEO	
8.7	The duty pursuant to Section 30(7) of the Act to furnish a report under Section 30 of the Act to the Minister.	¥CEO	
8.8	The duty pursuant to Section 30(8) of the Act to, then, in accordance with any reasonable request of the Minister, enter into an agreement with the Minister on the steps that the Council will take as a result of the matters contained in the report (and the report will not be taken to have been completed unless or until such an agreement is reached with the Minister).	¥CEO	

8.9	The power pursuant to Section 30(9) of the Act to request the Minister to exempt the Council -		
8.9.1	from a requirement to prepare a particular report under Section 30 of the Act; or	¥CEO	
8.9.2	from a particular requirement with respect to a report under Section 30 of the Act.	¥CEO	
8.10	The duty pursuant to Section 30(12) of the Act to make copies of a report prepared under Section 30 of the Act available for inspection (without charge) by the public at the principal office of the Council.	¥CEO	
8.11	The duty pursuant to Section 30(13) of the Act, if a report proposes amendments to a Development Plan that applies within the area of the Council, to ensure that it releases a DPA for public consultation under Section 25 within the period prescribed by the regulations.	¥CEO	
8.12	The power pursuant to Section 30(14) of the Act, to request in accordance with the regulations a Minister identified by the regulations for the purposes of this provision to furnish to the Council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's assessment, should be taken into account in connection with the preparation of a report under Section 30 of the Act.	¥CEO	
8.13	The power pursuant to Section 30(15) of the Act to act jointly with two or more councils under Section 30 of the Act and to act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under Section 30 of the Act.	¥CEO	
9.	Copies of Plans to be Made Available to the Public		

9.1	The duty pursuant to Section 31(3) of the Act to make copies of a Development Plan published under Section 31(1) of the Act that applies in relation to the area of the Council available for inspection (without charge) and purchase by the public at an office of the Council.	¥ <u>CEO</u>	
10.	Matters Against Which Development Must be Assessed		
10.1	The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters:	¥ <u>CEO, CAP</u>	

10.1.1	<p>the provisions of the appropriate Development Plan;</p> <p>with the exception of the following:</p> <ul style="list-style-type: none"> — Development that has been the subject of Category 2 or 3 public notification where there has been written representations by third parties expressing opposition to the proposal that cannot be satisfied by conditions or modifications to the plans — Development that has been classified as non-complying. The Manager Development Services may determine to proceed with further assessment with a non-complying development. Such decisions shall be reported to the next meeting of the DAP. — Development that includes or is likely to include a new Liquor License or substantial amendment to a Liquor License other than for applications or amendments of a minor nature which may be determined by the Manager Development Services. Such applications shall be reported to the next meeting of the DAP and the respective Ward Councillors advised. — Residential development and land division applications received by Council after 14 August 2003 that incorporate proposed allotments or site areas below the minimum allotment or site areas designated in respective zones and policy areas in the City of Marion Development Plan, unless the Manager Development Service intends to refuse such an application — Outdoor advertising signs: <ul style="list-style-type: none"> — of a freestanding/pylon design where the face of the advertising structure exceeds 5m² in area (each side when double-sided). — Attached to a building or structure where the face of the advertising structure exceeds 10m² — Additions to existing signage where the proposed additions exceed 5m² - of a "billboard" construction/design 	Y CEO. CAP	
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10.1.2	the provisions of the Building Rules;	¥CEO	
10.1.3	in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;	¥CEO, CAP	
10.1.4	in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;	¥CEO, CAP	
10.1.5	the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner;	¥CEO, CAP	
10.1.6	such other matters as may be prescribed.	¥CEO, CAP	
10.2	The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.	¥CEO, CAP	
10.3	If -		

10.3.1	a development only requires an assessment under paragraph (b) of Section 33(1) of the Act; and		
10.3.2	the Council -		
10.3.2.1	is the relevant authority; and		
10.3.2.2	is to make the assessment under that paragraph; and		
10.3.3	the Council determines to grant consent under that paragraph,		
	the duty, pursuant to Section 33(4b) of the Act as the relevant authority, to issue the relevant development approval with the consent.	¥CEO	
11.	Determination of Relevant Authority		
11.1	The power pursuant to Section 34(1)(b)(iii) of the Act to request the Minister to declare the Development Assessment Commission to be the relevant authority for a proposed development.	¥CEO, CAP	
11.2	The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.	¥CEO, CAP	

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11.3	The power pursuant to Section 34(8a) of the Act to, in conjunction with the Councils for the areas in relation to which a regional development assessment panel has been constituted, remove a member from the panel for a failure to comply with the requirements of Section 34(6a) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	¥CEO¥ <u>CEO</u>	
11.4	The power in accordance with Section 34(21) of the Act to withdraw from a regional development assessment panel	¥CEO¥ <u>CEO</u>	
11.5	The duty pursuant to Section 34(27)(a) of the Act to establish a policy relating to the basis upon which the Council will make the various delegations required by Section 34(23) of the Act.	¥CEO	
11.6	The duty pursuant to Section 34(27)(b) of the Act to ensure that a copy of the policy established by the Council under Section 34(27)(a) of the Act is available for inspection at the principal office of the council during ordinary office hours and for inspection on the internet.	¥CEO	
12.	Special Provisions Relating to Assesment<u>Assessment</u> Against Development Plans		
12.1	The duty pursuant to Section 35(1) of the Act to grant a development plan consent if the Regulations or the relevant Development Plan describes any proposed development as a complying development (subject to such conditions or exceptions as may be prescribed by the Regulations or the relevant Development Plan and subject to any other provision made by the Act or applying under the Regulations).	¥CEO. <u>CAP</u>	
12.2	The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.	¥CEO. <u>CAP</u>	
12.3	Subject to Sections 35 (1d) and (1e) of the Act, if a proposed development meets all but 1 criteria necessary for the development to be complying development, the duty, pursuant to Section 35(1c)	¥CEO. <u>CAP</u>	

	of the Act to regard the aspect or aspects of the development that are consistent with the development being complying development accordingly and to assess the balance of the development as merit development.		
12.4	The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.	Y CEO, CAP	
12.5	The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.	Y CEO, CAP	
12.6	Subject to the Act, the power and duty pursuant to Section 35(6) of the Act, to accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.	Y CEO	
13.	Special Provisions Relating to Assessment Against Building Rules		
13.1	The duty pursuant to Section 36(1) of the Act to grant a building rules consent if the Regulations provide that any proposed building work complies with the Building Rules.	Y CEO	
13.2	The power pursuant to and in accordance with Section 36(2) of the Act:		
13.2.1	to assess whether a development is at variance with the Building Rules;	Y CEO	
13.2.2	to determine whether to grant building rules consent where the variance is with the performance requirements of the Building Code and the Building Rules Assessment Commission concurs in the granting of consent;	Y CEO	

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13.2.3	to determine whether to grant building rules consent where the variance is with a part of the Building Rules other than the Building Code on the basis that the Delegate is satisfied that:	Y CEO	
13.2.3.1	the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building fails to conform with the Building Rules only in minor respects and the variance is justifiable having regard to the objects of the Development Plan or the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed; or	Y CEO	
13.2.3.2	in circumstances where the development has already occurred the variance is justifiable in the circumstances of the particular case.	Y CEO	
13.3	The duty pursuant to Section 36(3) of the Act to modify the application of the Building Rules to avoid an inconsistency between the Building Rules and the Development Plan in relation to a State H eritage P lace or a L ocal H eritage P lace.	Y CEO	
13.4	The duty pursuant to Section 36(3a) of the Act to seek and consider the advice of the Building Rules Assessment Commission before imposing or agreeing to a requirement under Section 36(3) of the Act that would be at variance with the performance requirements of the Building Code.	Y CEO	
13.5	The duty pursuant to Section 36(4)(a) and (b) of the Act to accept that proposed building work complies with the Building Rules to the extent that:		

13.5.1	such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the Regulations; or	¥CEO	
13.5.2	such compliance is certified by a private certifier.	¥CEO	
13.6	The power pursuant to Section 36(6) of the Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification.	¥CEO	
14. Consultation with Other Authorities or Agencies			
14.1	Subject to Section 37AA of the Act, the duty pursuant to Section 37(1)(a) and (b) of the Act where an assessment is required of an application for the consent or approval of a proposed development of a prescribed class to:		
14.1.1	refer the application, together with a copy of any relevant information provided by the applicant to a body prescribed by the Regulations and including the Development Assessment Commission, and	¥CEO, CAP	
14.1.2	not make a decision until a response has been received from the prescribed body in relation to the matter or matters for which the referral was made or the presumption is made that the body does not desire to make a response or concur (as the case requires).	¥CEO, CAP	
14.2	The duty pursuant to Section 37(5)(a) of the Act where an application has been refused or conditions imposed in respect of a development authorisation by direction of a prescribed body, to notify the applicant that the application was refused, or the conditions imposed, by direction under Section 37 of the Act.	¥CEO, CAP	

14.3	If a relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the Act, the power, pursuant to Section 37(6) of the Act to make application for the relevant authority to be joined as a party to the proceedings.	¥CEO	
15.	Preliminary Advice and Agreement		
15.1	The power pursuant to and in accordance with Section 37AA(2)(e) of the Act to be satisfied that an application accords with an agreement indicated by a prescribed body in accordance with Section 37AA(2)(c) of the Act.	¥CEO	
15.2	The power pursuant to and in accordance with Section 37AA(4) of the Act to determine that an agreement under Section 37AA of the Act is no longer appropriate due to the operation of Section 53 of the Act.	¥CEO	
16.	Proposed development involving creation of fortifications		
16.1	The duty pursuant to Section 37A(1) of the Act where the Delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police ("the Commissioner").	¥CEO, CAP	
16.2	The power pursuant to Section 37A(2)(b) of the Act to receive the Commissioner's written determination under Section 37A(2)(a) of the Act.	¥CEO, CAP	
16.3	The duty pursuant to Section 37A(5) of the Act if the Commissioner determines that the proposed development involves the creation of fortifications to –		
	(a) if the proposed development consists only of the creation of fortifications – refuse the application; or	¥CEO, CAP	

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(b) in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications.	¥CEO, CAP	
16.4 The duty pursuant to Section 37A(6) of the Act, if the Delegate acting on the basis of a determination of the Commissioner under subsection 37A(2) refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 37A of the Act.	¥CEO, CAP	
17. Public Notice and Consultation		
17.1 The duty, pursuant to Section 38(3) of the Act, where a person applies for a consent in respect of the Development Plan for a Category 1 development, to not on the Delegate's own initiative seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent.	¥CEO, CAP	
17.2 Where a person applies for a consent in respect of the Development Plan for a Category 2A development, -		
17.2.1 the duty pursuant to Section 38(3a)(a) of the Act to -		
17.2.1.1 subject to any exclusion or qualification prescribed by the Regulations – give an owner or occupier of each piece of adjoining land; and	¥CEO, CAP	
17.2.1.2 give any other person of a prescribed class,	¥CEO, CAP	
notice of the application; and		

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17.2.2	the duty pursuant to Section 38(3a)(b) of the Act, to -		
17.2.2.1	give consideration to any representations in writing made in accordance with the Regulations by a person who is entitled to be given notice under paragraph (a) of Section 38(3a) of the Act; and	¥CEO, CAP	
17.2.2.2	forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) of Section 38(3a)(b) of the Act and allow the applicant an opportunity to respond in writing, to those representations within the period prescribed by the Regulations; and	¥CEO, CAP	
17.2.3	if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.	¥CEO, CAP	
17.3	The duty pursuant to Section 38(4) of the Act to give notice of a proposal for a Category 2 development.	¥CEO, CAP	
17.4	The duty pursuant to Section 38(5) of the Act to give notice of a proposal for a Category 3 development.	¥CEO, CAP	
17.5	The duty pursuant to Section 38(8) of the Act to forward to an applicant a copy of any representation made regarding the proposed development, and to allow the applicant to respond in writing to those representations.	¥CEO, CAP	

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17.6	The power pursuant to Section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.	Y CEO, <u>CAP</u>	
17.7	The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the Delegate or the Council, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.	Y CEO, <u>CAP</u>	
17.8	The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the Council in order to respond to any relevant matter.	Y CEO, <u>CAP</u>	
17.9	The duty pursuant to Section 38(12) of the Act, where representations have been made under Section 38 of the Act, to give notice of the decision on the application to each person who made a representation and in respect of a Category 3 development of the person's appeal rights under the Act, and give notice to the Court.	Y CEO, <u>CAP</u>	
17.10	The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under Section 38 of the Act in relation to a Category 2A or Category 2 development, to not take into account under Section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under Section 38 of the Act.	Y CEO, <u>CAP</u>	
17.11	The power, pursuant to subsection 38(18) of the Act, to not take into account under Section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of Section 38.	Y CEO, <u>CAP</u>	
18.	Application and Provision of Information		
18.1	The power pursuant to Section 39(2) of the Act to request an applicant to:		

18.1.1	provide such additional documents or information to enable assessment of the application;	¥CEO. CAP	
18.1.2	remedy any defect or deficiency in any application or accompanying document or information required by or under the Act;	¥CEO. CAP	
18.1.3	consult with an authority or body prescribed by the Regulations;	¥CEO. CAP	
18.1.4	(where required by the Regulations) prepare a statement of effect in relation to non-complying development; and	¥CEO. CAP	
18.1.5	comply with any other requirement prescribed by the Regulations.	¥CEO. CAP	
18.2	If -		
18.2.1	a development is of a kind that is complying development; and		
18.2.2	the development falls within a class of development prescribed by the Regulations for the purpose of Section 39(2a)(b) of the Act; and		
18.2.3	the applicant has complied with the requirements of Section 39(1)(a), (c) and (d),		
	the duty, pursuant to Section 39(2a) of the Act, to, in making an assessment as to development plan consent, assess the application without requesting the applicant to provide additional documents or information.	¥CEO. CAP	
18.3	If -		

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18.3.1	a development falls within a class of development prescribed by the Regulations for the purposes of Section 39(2b)(b) of the Act; and		
18.3.2	the applicant has complied with the requirements of Section 39(1)(a), (c) and (d) of the Act,		
	the power and duty pursuant to Section 39(2b)(c) of the Act, to;	¥CEO. <u>CAP</u>	
18.3.3	in making an assessment as to development plan consent, request the applicant to provide additional documents or information in relation to the application on 1 occasion only; and		
	the duty pursuant to Section 39(2b)(d) of the Act, to;	¥CEO. <u>CAP</u>	
18.3.4	make that request within a period prescribed by the Regulations.	¥CEO. <u>CAP</u>	
18.4	Pursuant to Section 39(3)(b) of the Act, where a request is made under Section 39(2) of the Act and the request is not complied with within the time specified by the Regulations, the power pursuant to Section 39(3)(b) of the Act to -		

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18.4.1	subject to Section 39(3)(b)(ii) of the Act, refuse the application; and	¥CEO. <u>CAP</u>	
18.4.2	refuse the application in prescribed circumstances (including, if the Regulations so provide, in a case involving development that is complying development).	¥CEO. <u>CAP</u>	
18.5	The duty, pursuant to Section 39(3a) of the Act, in dealing with an application that relates to a regulated tree, to seek to make any assessment as to whether the tree is a significant tree without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.	¥CEO. <u>CAP</u>	
18.6	The duty, pursuant to Section 39(3b) of the Act, in dealing with an application that relates to a regulated tree that is not a significant tree, to seek to assess the application without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.	¥CEO. <u>CAP</u>	
18.7	The power pursuant to Section 39(4)(a) and Section 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.	¥CEO. <u>CAP</u>	
18.8	The power pursuant to Section 39(4)(b) and Section 39(5) of the Act to permit an applicant to lodge an application without the provision of any information or document required by the Regulations.	¥CEO. <u>CAP</u>	
18.9	The power pursuant to Section 39(4)(c) and Section 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).	¥CEO	

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18.10	The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.	¥CEO. CAP	
18.11	The power pursuant to Section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act, or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	¥CEO. CAP	
18.12	The power pursuant to Section 39(7) of the Act to approve of an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.	¥CEO. CAP	
18.13	The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.	¥CEO. CAP	
18.14	The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.	¥CEO. CAP	
18.15	Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.	¥CEO. CAP	

18.16	The power pursuant to Section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.	¥CEO. <u>CAP</u>	
18.17	The power pursuant to Section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.	¥CEO	
19.	Determination of Application		
19.1	The duty pursuant to Section 40(1) of the Act to give notice of a decision in accordance with the regulations (and in the case of a refusal, the duty to include the reasons for the refusal and any appeal rights that exist under the Act.)	¥CEO	
19.2	The power pursuant to Section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.	¥CEO	
20.	Time Within Which Decision Must Be Made		

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20.1	The duty, pursuant to Section 41(1) of the Act to deal with an application as expeditiously as possible and within the time prescribed by the Regulations.	<u>CEO,</u> <u>CAP</u>	
20.2	If -		
20.2.1	the relevant authority does not decide an application that relates to development that is a complying development within the time prescribed under Section 41(1) of the Act; and		
20.2.2	the applicant gives the relevant authority a notice in accordance with the Regulations on the basis that the decision on the application has not been made,		
	the duty pursuant to Section 41(5)(d) of the Act, subject to any exclusion or qualification prescribed by the Regulations, to refund the fee received by the relevant authority under Section 39(1)(d) in relation to the application.	Y <u>CEO,</u>	
21. Conditions			
21.1	The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.	Y <u>CEO,</u> <u>CAP</u>	
21.2	The duty, pursuant to Section 42(4) of the Act, in accordance with Section 42(5) of the Act and subject to Sections 42(6) and (8) of the Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the Delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).	Y <u>CEO,</u> <u>CAP</u>	

21.3	The power, pursuant to Section 42(6) of the Act, on the application of the applicant, to determine that a payment of an amount calculated in accordance with the Regulations be made into the relevant fund in lieu of planting one or more replacement trees under Section 42(4) of the Act.	¥CEO. CAP	
21.4	The power, pursuant to Section 42(8)(b) of the Act, after taking into account any criteria prescribed by the Regulations and if the Minister concurs, to determine that it is appropriate to grant an exemption under Section 42 of the Act in a particular case.	¥CEO. CAP	
22.	Cancellation by a Relevant Authority		
22.1	The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.	¥CEO	
23.	Investigation of Development Assessment Performance		
23.1	The power pursuant to Section 45A(2) of the Act to explain the Council's actions and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action) to the Minister within a period (being at least 28 days) specified by the Minister.	¥CEO	
23.2	The duty pursuant to Section 45A(14) of the Act to comply with a direction under Section 45A(11) or (13) of the Act.	¥CEO	
23.3	The power pursuant to Section 45A(12) of the Act to make submissions to the Minister on the report on which the action under Section 45A(11) of the Act is based within a period (being at least 28 days) specified by the Minister.	¥CEO	
24.	Crown Development and Public Infrastructure		

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24.1	The power pursuant to Section 49(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	¥CEO, CAP	
24.2	The power pursuant to Section 49(5) of the Act to report to the Development Assessment Commission on any matters contained in a notice from the Development Assessment Commission under Section 49(4a) of the Act.	¥CEO, CAP	
24.3	The power pursuant to Section 49(9) of the Act to withdraw opposition to a State agency proposed development.	¥CEO, CAP	
25. Electricity Infrastructure Development			
25.1	The power pursuant to Section 49A(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.	¥CEO, CAP	
25.2	The power pursuant to Section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to Section 49A(4a) of the Act, to report to the Development Assessment Commission on any matters contained in the said notice.	¥CEO, CAP	
25.3	The power pursuant to Section 49A(9) of the Act, in circumstances where the Council's report to the Development Assessment Commission under Section 49A(5) of the Act expressed opposition to the proposed development, to withdraw that opposition.	¥CEO, CAP	
26. Open Space Contribution System			

26.1	The power pursuant to Section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments where one or more allotments is less than one hectare in area, to require:		
26.1.1	that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or	¥CEO, CAP	
26.1.2	that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 50 of the Act; or	¥CEO, CAP	
26.1.3	that the land be vested in the Council and that the applicant make a contribution determined in accordance with Section 50(7) of the Act according to the determination and specification of the Council or Delegate.	¥CEO, CAP	
26.2	The power pursuant to Section 50(1) of the Act, when proposing to take any action that is at variance with the Council's Development Plan to seek the concurrence of the Development Assessment Commission.	¥CEO, CAP	
26.3	The power pursuant to Section 50(3) and 50(2)(d) of the Act to enter into an agreement on behalf of the Council with the Development Assessment Commission and the applicant under which certain land described by the relevant plan of division will be vested in the Council.	¥CEO, CAP	
26.4	The power pursuant to Section 50(3a) of the Act to concur on behalf of the Council to the vesting of land in the Council pursuant to a requirement of the Development Assessment Commission that an area of the site of the development be kept as open space or in some other form that allows for active or passive recreation under Section 50(3a)(a) of the Act.	¥CEO, CAP	

26.5	The power pursuant to Section 50(10) of the Act to receive payment of monies from an applicant under Section 50(1) of the Act and the duty to immediately pay that money into a special fund established for the purposes of Section 50 and to apply that money for the purpose of acquiring or developing land as open space.	¥CEO, CAP	
26.6	The power pursuant to Section 50(11) of the Act to determine that the division of land is being undertaken in stages such that Section 50 of the Act does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of Section 50 of the Act in respect of the area of land as a whole.	¥CEO, CAP	
27. Car Parking Fund			
27.1	The power pursuant to Section 50A(1) of the Act to establish a car parking fund.	¥CEO	
27.2	The duty pursuant to Section 50A(1) of the Act to publish a notice in the Gazette in accordance with Section 50A(2) of the Act where the approval of the Minister has been obtained.	¥CEO	
27.3	The power pursuant to Section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development.	¥CEO	
27.4	The power pursuant to Section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council can be made by the applicant to a car parking fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.	¥CEO	
27.5	The power pursuant to Section 50A(5) of the Act to make a determination for the purpose of calculating amounts to be paid into a carparking fund.	¥CEO	

27.6	The duty pursuant to and in accordance with Section 50A(6) of the Act to publish a determination of the Council for the purpose of calculating amounts to be paid into a car parking fund and any variations from time to time in the Gazette.	Y CEO	
27.7	The power pursuant to and in accordance with Section 50A(7) of the Act to invest any money in a car parking fund and to pay any resultant income into the fund.	Y CEO	
27.8	The power pursuant to and in accordance with Section 50A(8) of the Act to apply money standing to the credit of the car parking fund.	Y CEO	
28. Urban Trees Fund			
28.1	The power, pursuant to Section 50B(1) of the Act, with the approval of the Minister, to establish an urban trees fund for an area designated by the Delegate (a designated area).	N	
28.2	The duty, pursuant to Section 50B(2) of the Act, to effect establishment of the fund by notice in the Gazette.	Y CEO	

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28.3	The duty, pursuant to Section 50B(3) of the Act, to define a designated area by reference to an area established by the relevant Development Plan.	N	
28.4	The power, pursuant to Section 50B(5) of the Act, to invest any money in an urban trees fund that is not for the time being required for the purpose of the fund and the duty to pay any resultant income into the fund.	Y CEO	
28.5	The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to:		
28.5.1	maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act; or	Y CEO	
28.5.2	purchase land within the designated area in order to maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act.	N	
28.6	The duty, pursuant to Section 50B(7) of the Act, if the Council subsequently sells land purchased under Section 50B(6)(b) of the Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 50B of the Act subject to the following qualifications as prescribed by Sections 50B(7)(a) and (b) of the Act:		
28.6.1	if an urban trees fund is no longer maintained by the Council, the proceeds must be applied for a purpose or purpose consistent with Section 50B(6)(a) or (b) of the Act;	Y CEO	
28.6.2	if money from an urban trees fund only constituted a proportion of the purchase price of the land (the designated proportion), the money that is subject to these requirements is the designated proportion of the proceeds of sale.	Y CEO	
29.	Certificate in Respect of the Division of Land		

29.1	The duty pursuant to Section 51(2) of the Act to provide appropriate information to the Development Assessment Commission (upon request by the Development Assessment Commission) before it issues a certificate in respect of the division of land.	Y CEO	
30.	Saving Provisions		
30.1	The power pursuant to Section 52(4) of the Act to extend the limitation period referred to in Section 52(2) of the Act in order to avoid or reduce hardship.	Y CEO	
31.	Avoidance of Duplication of Procedures etc		
31.1	The power pursuant to Section 52A(2)(a) of the Act to accept a document under the Commonwealth Environment Protection and Biodiversity Conservation Act, 1999 (and defined in Section 52A(9) of the Act, as a "Commonwealth Act document") as an application, notice or other document for the purposes of the Act, if (subject to the provisions of Section 52A(7)) the document complies with the requirements of the Act.	Y CEO	
31.2	The power pursuant to Section 52A(2)(b) of the Act where a document has been accepted for the purposes of the Act, to direct that a procedure taken under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 in relation to the said document will be taken to have fulfilled the requirements for a procedure in relation to the relevant document under the Act, if the requirements of the Act in relation to the procedure have been complied with under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	Y CEO	

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31.3	The power pursuant to Section 52A(2)(c) of the Act to adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used or to be used for the purposes of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 as the document required under the Act, if (subject to the provisions of Section 52A(7) of the Act) the document has been prepared in compliance with the Act, and complies with the requirements of the Act.	Y CEO	
31.4	The power pursuant to Section 52A(5) of the Act where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity or includes an activity for which a development authorisation is required under the Act to, when considering an application for a development authorisation or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for the purposes of the Commonwealth Minister deciding to give approval to the controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	Y CEO	
31.5	Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:		

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31.5.1	in circumstances where:		
31.5.1.1	the Commonwealth Minister has given his or her approval to the controlled action; and		
31.5.1.2	the applicant for the development authorisation or the Commonwealth Minister has informed the relevant authority of that fact;		
	the duty pursuant to Section 52A(6)(a) of the Act to consider whether the conditions (if any) to be attached to the development authorisation should be consistent with the conditions (if any) attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; and	Y CEO	
31.5.2	the power pursuant to Section 52A(6)(b) of the Act to attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	Y CEO	
32.	Requirement to Upgrade Building in Certain Cases		
32.1	Where an application is made for building rules consent for building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of subsection 53A(1) of the Act, the power pursuant to Section 53A(1) of the Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition and therefore require as a condition of consent that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	Y CEO	

32.2	Where an application is made for building rules consent for building work in the nature of an alteration of a class prescribed by the Regulations the power pursuant to Section 53A(2) and subject to Section 53A(3) of the Act, to form the opinion that the affected part of the building does not comply with the performance requirements of the Building Code in relation to access to buildings and facilities and services within buildings, for people with disabilities and therefore require as a condition of consent that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code.	¥CEO	
33. Urgent Building Work			
33.1	The power pursuant to Section 54(2)(d) of the Act to issue any directions and specify a period of time with respect to building work performed as a matter of urgency.	¥CEO	
34. Action if Development Not Substantially Completed			
34.1	The power pursuant to Section 55(1) of the Act to apply to the Court for an order under Section 55(3) of the Act where the development to which an approval relates has been commenced but not substantially completed within the period prescribed by the Regulations for the lapse of the approval.	¥CEO	
34.2	The power pursuant to Section 55(5) of the Act where the Court makes an order under Section 55(3)(a), (b) or (ca) of the Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out and to recover the cost of that work as a debt from the person.	¥CEO	

34.3	The power pursuant to Section 55(6) of the Act where an amount is recoverable from a person under Section 55(5) of the Act, by notice in writing to the person, fix a period being not less than 28 days from the date of the notice within which the amount must be paid.	Y CEO	
35.	Completion of Work		
35.1	The power pursuant to Section 56(1) of the Act to issue a notice in writing requiring an owner of land to complete a development on the land within a period specified in the notice.	Y CEO	
35.2	The power pursuant to the Section 56(2) of the Act to cause the necessary work to be carried out where an owner has failed to carry out work as required by a notice under Section 56(1) of the Act.	Y CEO	
35.3	The power pursuant to Section 56(3) of the Act to recover the reasonable costs and expenses incurred by the Council or any person acting on behalf of the Council under Section 56 of the Act as a debt due from the owner.	Y CEO	
35.4	The power pursuant to Section 56(4) of the Act to, by notice in writing to the person, fix a period being not less than 28 days from the date of the notice, within which the amount must be paid by the person where an amount is recoverable from the person under Section 56(3) of the Act.	Y CEO	
36.	Council to Establish Development Assessment Panels		
36.1	The duty pursuant to Section 56A(3) of the Act to appoint a presiding member to the council development assessment panel in accordance with the requirements set out in Section 56A(3)(b) of the Act.	Y CEO N	
36.2	The duty pursuant to Section 56A(3) of the Act to appoint the remaining members of the council development assessment panel in accordance with the requirements set out in Section 56A(3)(c) of the Act.	Y CEO N	

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36.3	The duty pursuant to section 56A(3)(d) of the Act to ensure that, unless granted an exemption by the Minister, at least 1 member of the panel is a woman and at least 1 is a man and to ensure that insofar as is reasonably practicable, the panel consists of equal numbers of men and women.	Y CEO N	
36.4	The duty pursuant to Section 56A(3)(e) to determine the term of office for a member of the council development assessment panel, which period cannot exceed 2 years.	Y CEO N	
36.5	The duty pursuant to Section 56A(3)(f) of the Act to determine any other conditions of appointment of the members of the council development assessment panel.	Y CEO N	
36.6	The power pursuant to Section 56A(3)(g) of the Act to remove a member of the council development assessment panel from office for:	Y CEO N	

36.6.1	breach of, or failure to comply with, the conditions of appointment; or	Y CEO N	
36.6.2	misconduct; or	Y CEO N	
36.6.3	neglect of duty; or	Y CEO N	
36.6.4	incapacity to carry out satisfactorily the duty of his or her office; or	Y CEO N	
36.6.5	failure to carry out satisfactorily the duty of his or her office; or	Y CEO N	
36.6.6	failure to comply with a requirement under Section 34(6) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	Y CEO N	
36.7	The duty pursuant to and in accordance with Section 56A(5) of the Act to give notice of an appointment.	Y CEO	
36.8	The duty pursuant to Section 56A(15)(b) of the Act and in accordance with Section 56A(17) of the Act to make minutes of meetings of a council development assessment panel available for reasonable access by members of the public.	Y CEO	
36.9	The duty pursuant to and in accordance with Section 56A(20) of the Act to provide information to the Minister where requested by the Minister.	Y CEO	
36.10	The duty pursuant to Section 56A(22) of the Act to appoint a public officer (who must not be a member of the council development assessment panel).	Y CEO	
36.11	The duty pursuant to Section 56A(23) of the Act to ensure that notice of the appointment of a public officer (including the public officer's name and contact details) is published in the Gazette.	Y CEO	

36.12	The power pursuant to Section 56A(27) of the Act to make an application to the Minister to exempt the Council from the requirement to establish a council development assessment panel under Section 56A of the Act	Y CEO	
36.13	The power pursuant to Section 56A(28) of the Act to consult with the Minister in relation to revoking an exemption under Section 56A(27) of the Act.	Y CEO	
37. Building Rules Assessment Audits			
37.1	The duty pursuant to Section 56B(2) to have its building assessment auditor audit the Council's activities in relation to the undertaking of assessments of proposed developments against the provisions of the Building Rules in accordance with the requirements of Section 56B.	Y CEO	
37.2	The duty pursuant to Section 56B(5) to ensure that after the expiration of the periods prescribed in Section 56B(4) an audit under Section 56B is completed at least once in every prescribed period.	Y CEO	
37.3	The power pursuant to Section 56B(10) to respond to a report prepared by a building assessment auditor prepared in relation to the Council under Section 56B.	Y CEO	
37.4	32A.4 The power pursuant to Section 56B(14) to make submissions to the Minister in relation to a matter concerning the possible exercise of the Minister's powers under Section 56B(12).	Y CEO	
37.5	32A.5 The duty pursuant to Section 56B(16) to comply with a direction given to the Council under Sections 56B(12) or 56B(15).	Y CEO	
37A. Development Plan Assessment Audits			
37A.1	The power and duty pursuant to Section 56C(2) of the Act to have the Council's activities in relation to Development Plan assessments audited by a development assessment auditor in accordance with the requirements of Section 56C of the Act.	Y CEO	

37A.2	The power pursuant to Section 56C(10) of the Act to provide a response to an auditor with a view to correcting any error or fact.	Y CEO	
37A.3	The power pursuant to Section 56C(14) of the Act to make submissions in relation to the matter to the Minister.	Y CEO	
37A.4	The power pursuant to Section 56C(15) of the Act to, if		
37A.4.1	the Minister makes a recommendation to the Council under Section 56C(12)(a) of the Act; and	Y CEO Y CEO	
37A.4.2	the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation,	Y CEO	
	consult with the Minister.		
38.	Land Management Agreements		
38.1	The power pursuant to Sections 57(2) and 57(2a) of the Act to enter into an agreement relating to the development, management, preservation or conservation of land within the area of the Council with the owner of the land.	Y CEO	
38.2	The duty pursuant to and in accordance with Section 57(2c) of the Act and Regulation 98A of the Regulations to establish and keep a register available for public inspection (without charge).	Y CEO	
38.3	The duty pursuant to Section 57(2e) of the Act, in relation to the granting of development plan consent with respect to a Category 2A, Category 2 or Category 3 development, to note the existence of the agreement (or the proposal to enter the agreement), and the availability of copies of the agreement for public inspection on the notice of the Council's decision.	Y CEO	

38.4	The power pursuant to Section 57(3) of the Act to carry out on private land any work for which provision is made by agreement under Section 57 of the Act.	Y CEO	
38.5	The power pursuant to Section 57(5) of the Act, to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	Y CEO	
38.6	The power pursuant to Section 57(8) of the Act to apply to the Registrar-General where a land management agreement has been rescinded or amended to have a note of the rescission or amendment made against the instrument of title or against the land.	Y CEO	
38.7	The power pursuant to Section 57(11) of the Act to consent to the remission of rates payable to the Council provided for in an agreement entered into by the Minister.	Y CEO	
39.	Land Management Agreements - Development Applications		
39.1	The power pursuant to and subject to Section 57A(1) of the Act to enter into an agreement under Section 57A of the Act with a person who is applying for a development authorisation under the Act.	Y CEO	
39.2	The duty pursuant to Section 57A(3) of the Act to have regard to:		

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39.2.1	the provisions of the appropriate Development Plan.	YCEO	
39.2.2	the principle that the entering into of an agreement under Section 57A by the Council should not be used as a substitute to proceeding with an amendment to a Development Plan under the Act.	YCEO	
39.3	The duty pursuant to Section 57A(5) of the Act to register agreements entered into under Section 57A in accordance with the Regulations.	YCEO	
39.4	The duty pursuant to Section 57A(6) of the Act to keep a register available for public inspection (without charge) in accordance with the Regulations.	YCEO	
39.5	The power pursuant to Section 57A(7) of the Act to provide a person, on payment of the prescribed fee, a copy of an agreement registered under Section 57A(5) of the Act.	YCEO	
39.6	The duty, pursuant to Section 57A(8) of the Act, where an agreement is entered into under Section 57A of the Act, in connection with an application for a development authorisation with respect to a Category 2A, Category 2 or Category 3 development, to include a note of the existence of the agreement on the notice of the relevant authority's decision under the Act.	YCEO	
39.7	The power pursuant to Section 57A(14) of the Act to apply to the Registrar-General to note the agreement against the relevant instrument of title, or in the case of land not under the provisions of the Real Property Act 1886, against the land.	YCEO	
39.8	The power pursuant to Section 57A(16) of the Act to apply to the Registrar-General where an agreement under Section 57A has been rescinded or amended to enter a note of the rescission or amendment against the instrument of title, or against the land.	YCEO	

39.9	The power pursuant to Section 57A (18) of the Act where an agreement under Section 57A does not have effect under Section 57A within the prescribed period, to, by notice given in accordance with the regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of Section 57A(18) of the Act).	¥CEO	
40.	Notification During Building		
40.1	The power pursuant to Section 59(3) of the Act to direct that building work stop when a mandatory notification stage has been reached.	¥CEO	
41.	Classification of Buildings		
41.1	The power pursuant to Section 66(2) of the Act to assign to any building a classification that conforms with the Regulations and the duty pursuant to Section 66(4) of the Act to give notice in writing to the owner of the building to which the classification has been assigned.	¥CEO	
42.	Certificates of Occupancy		
42.1	The duty pursuant to and in accordance with the requirements of Sections 67(2), (3), (4), (5) and (6) of the Act to give a certificate of occupancy.	¥CEO	
42.2	The power pursuant to Section 67(3)(a) of the Act to require information from an applicant for a certificate of occupancy.	¥CEO	
42.3	The duty pursuant to Section 67(10) of the Act to give written notice to an applicant of the refusal of the certificate of occupancy.	¥CEO	
42.4	The power pursuant to Section 67(13) of the Act to revoke a certificate of occupancy in prescribed circumstances.	¥CEO	

43. Temporary Occupation		
43.1 The power pursuant to Sections 68(1) and (2) of the Act to approve the occupation of a building on a temporary basis without a certificate of occupancy and subject to such conditions as the Delegate thinks fit to impose.	Y CEO	
43.2 The duty pursuant to and in accordance with Section 68(3) of the Act to give written notice to an applicant of the refusal of approval for temporary occupation of a building.	Y CEO	
44. Emergency Orders		
44.1 Where an owner of land fails to comply with the requirements of an emergency order issued under Section 69(1) of the Act:		
44.1.1 the power pursuant to Section 69(4) of the Act to cause the required work to be carried out; and	Y CEO	
44.1.2 the power pursuant to and in accordance with Sections 69(5) and 69(6) of the Act to recover the reasonable costs and expense of that work from the owner as a debt.	Y CEO	
44A Fire Safety		
44A.1 The power pursuant to Sections 71(18) and (19) of the Act to establish and designate a body as an appropriate authority.	Y CEO	
44A.2 The power pursuant to Section 71(19)(a)(i) of the Act to appoint a person who holds prescribed qualifications in building surveying to the appropriate authority.	Y CEO	

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44A.3	The power pursuant to Section 71(19)(a)(ii) of the Act to determine if a person is to be nominated to the appropriate authority by the Chief Officer of the South Australian Metropolitan Fire Service or the Chief Officer of the South Australian Country Fire Service (after taking into account the nature of the Council or Council's area(s)).	Y CEO	
44A.4	The power pursuant to Section 71(19)(a)(iii) of the Act to appoint a person with expertise in the area of fire safety to the appropriate authority.	Y CEO	
44A.5	The power pursuant to Section 71(19)(a)(iv) of the Act to determine and select a person to be appointed to the appropriate authority.	Y CEO	
44A.6	The power pursuant to Section 71(19)(b) of the Act to determine the term of the office not exceeding three years of a member of the appropriate authority.	Y CEO	
44A.7	The power pursuant to Section 71(19)(d) of the Act to appoint deputy members to the appropriate authority.	Y CEO	
44A.8	The power pursuant to Section 71(19)(e) of the Act to determine the procedures of an appropriate authority.	Y CEO	
45. Building Inspection Policies			
45.1	The duty pursuant to and in accordance with Section 71A of the Act to prepare and from time to time alter a building inspection policy.	Y CEO	
45A. Building Fire Safety			
45A.1	Where satisfied that the fire safety of a building is not adequate, the power to serve a notice on the owner of the building pursuant to Section 71(2) of the Development Act 1993.	Y CEO	

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45A.2	The power to allow an owner of a building who is required to report to the Council on work or other measures necessary to ensure the fire safety of the building is adequate a longer period than two months within which to provide that report pursuant to Section 71(4) of the Development Act 1993.	Y CEO	
45A.3	The power to give notice to the owner of a building: <ul style="list-style-type: none"> a requiring the owner to seek an appropriate development authorisation under the Development Act 1993 and, if granted, to carry out a program of work or to take other measures to ensure that the fire safety of buildings is adequate; or b prohibiting occupation of the building until satisfied that any fire hazard no longer exists; or c requiring the owner to take such other action as prescribed by regulation pursuant to Section 71(6) of the Development Act 1993. 	Y CEO	
45A.4	The power to vary or revoke a notice under Section 71 pursuant to Section 71(11) of the Development Act 1993.	Y CEO	
46. Advertisements			
46.1	The power pursuant to and in accordance with Section 74(1) of the Act to:	Y CEO	
46.1.1	form the opinion that an advertisement or advertising hoarding disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality or is contrary to a character desired for a locality under the relevant Development Plan; and	Y CEO	
46.1.2	serve notice in writing requiring the removal or obliteration of the advertisement or the removal of the advertising hoarding (or both).	Y CEO	
46.2	The power pursuant to Section 74(3) of the Act where a person has failed to comply with a notice under Section 74(1) of the Act, to enter on land, carry out the terms of the notice and recover the costs of doing so as a debt from the person on whom the notice was served.	Y CEO	

47. Enforcement Notices		
47.1 The power pursuant to and in accordance with Section 84(2) of the Act to issue an enforcement notice where the Delegate has reason to believe on reasonable grounds that a person has breached the Act or a repealed Act.	Y CEO	
47.2 The power pursuant to Section 84(3) of the Act to determine that a direction under Section 84(2) of the Act is urgently required and can be orally given by an authorised officer.	Y CEO	
47.3 Where a person has failed to comply with a direction contained in a notice issued pursuant to Section 84(2)(b) of the Act:		
47.3.1 the power pursuant to Section 84(6) of the Act to cause the necessary action to be undertaken; and	Y CEO	
47.3.2 pursuant to and in accordance with Sections 84(7) and 84(8) of the Act to recover the costs of doing so as a debt from the person whose failure gave rise to the action.	Y CEO	
48. Applications to Court		
48.1 The power pursuant to Section 85(1) of the Act to apply to the Court for an order to remedy or restrain a breach of the Act, or a repealed Act.	Y CEO	
48.2 Where the Court has made an order under Section 85(6)(d) of the Act and a person has failed to comply with the order, the power pursuant to and in accordance with Section 85(12) and Section 85(13) of the Act, to cause any work contemplated by the order to be carried out and to recover the costs of doing so as a debt from the person.	Y CEO	
49. General Right to Apply to Court		

49.1	Where the Council is a party to a dispute referred to in Section 86(1)(e) of the Act, the power pursuant to Section 86(1)(e) of the Act to apply to the Court for determination of the dispute.	¥CEO	
50.	Authority to be Advised of Certain Matters		
50.1	The power pursuant to Section 93(1)(b)(iii) of the Act to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the Delegate or the Council may require.	¥CEO	
51.	Referrals		
51.1	The power pursuant to and in accordance with Section 94 of the Act to consent to the referral by a private certifier to the Council or Delegate of any function under the Act.	¥CEO	
52.	Professional Advice to be Obtained in Relation to Certain Matters		
52.1	The power pursuant to Section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.	¥CEO	
52.2	The duty pursuant to Section 101(2) of the Act to seek and consider the advice of a person with prescribed qualifications or person approved by the Minister in relation to a matter prescribed by the Regulations.	¥CEO	

	Delegate to CEO	Sub-delegation
<u>DELEGATIONS UNDER THE DEVELOPMENT (DEVELOPMENT PLANS) AMENDMENT ACT 2006</u>		
53. Transitional Provisions		
<p>53.1 The power pursuant to and in accordance with Clause 5(1) of Schedule 1 to the Development (Development Plans) Amendment Act 2006 ("the DPA Act"), if the Council or the Delegate has, before the commencement of Clause 5 of Schedule 1 to the DPA Act reached an agreement with the Minister on a Statement of Intent with respect to an amendment to a Development Plan, or taken steps to prepare a Plan Amendment Report on the basis of such a Statement of Intent subject to Clause 5(2) of Schedule 1 to the DPA Act, to continue with the process as set out in Section 25 of the Act (as in force immediately before the commencement of Clause 5 of Schedule 1 to the DPA Act) as if the DPA Act had not been enacted until the relevant amendment is approved (with or without alteration) or otherwise dealt with by the Minister under Section 25(15) of the Act, subject to the qualification that the relevant Plan Amendment Report may be referred to as a Development Plan Amendment.</p>	CEO	
<p>53.2 The power pursuant to Clause 5(2) of Schedule 1 to the DPA Act to agree on a Statement of Intent that is to supersede a Statement of Intent agreed between the Council or the Delegate and the Minister before commencement of Clause 5 of Schedule 1 to the DPA Act.</p>	CEO	

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NOTES

1. In exercise of the powers contained in Section 20 of the Development Act, 1993, the powers, functions and duties under the Development Regulations, 2008 are hereby delegated this 26th day of June 2018 to the person occupying the office of Chief Executive Officer of the Council and the said powers, functions and duties may be sub-delegated by the said delegate to any other officer of the Council:

References:

Abbreviation	Position Title
<u>ACAG</u>	<u>Administration Co-ordinator</u> Administration Co-ordinator
<u>ASODSASODS</u>	<u>Administration Support Officer Development Services</u> Administration Support Officer Development Services
<u>BS</u>	<u>Building Surveyor</u> Building Surveyor
<u>DCODCO</u>	<u>Development Compliance Officer</u> Development Compliance Officer
<u>DOBDDB</u>	<u>Development Officer Building</u> Development Officer Building
<u>DOE</u>	<u>Development Officer Engineering</u> Development Officer Engineering
<u>DOPDOP</u>	<u>Development Officer Planning</u> Development Officer Planning
<u>EHO</u>	<u>Environmental Health Officer</u> Environmental Health Officer
<u>FG</u>	<u>Financial Coordinator</u> Financial Coordinator
<u>GMCDMDRS</u>	<u>General Manager City Development</u> Manager Development & Regulatory Services
<u>GMCiSMF</u>	<u>General Manager City Services</u> Manager Finance
<u>GMCoSPOA</u>	<u>General Manager Corporate Services</u> Planning Officer Arboriculture
<u>MDRSP</u>	<u>Manager Development and Regulatory Services</u> Policy Planner
<u>MEFSSDOB</u>	<u>Manager Engineering and Field Services</u> Senior Development Officer Building
<u>MFSDOP</u>	<u>Manager Finance</u> Senior Development Officer Planning
<u>SO</u>	<u>Systems Officer</u> Systems Officer
<u>SPP</u>	<u>Senior Policy Planner</u> Senior Policy Planner
<u>TLB</u>	<u>Team Leader Building</u> Team Leader Building
<u>SDOBGCCHS</u>	<u>Senior Development Officer Building</u> Unit Manager Community Health and Safety
<u>SDOP</u>	<u>Senior Development Officer Planning</u> Senior Development Officer Planning
<u>SOTLP</u>	<u>Systems Officer</u> Team Leader Planning
<u>SPPTLES</u>	<u>Senior Policy Planner</u> Team Leader Engineering Services

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

<u>DELEGATIONS UNDER THE DEVELOPMENT REGULATIONS 2008</u>		Delegate to CEO	Sub-delegation
54. Infrastructure Planning			
54.1	The power pursuant to Regulation 9A(1) to, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek, in accordance with Regulation 9A(2), the advice of a Minister and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.	Y CEO	
55. Consultation with Government Departments or Agencies			
55.1	The duty pursuant to Regulation 10A(1) of the Regulations if the Council is subject to a requirement under Section 25(7)(a) of the Act to ensure that a copy of any written report received from a Department or agency is furnished to the Minister for the purposes of considering the matter under Section 25(7)(b) of the Act.	Y CEO	
56. Public Consultation – Section 25 & 26			
56.1	Subject to Regulations 11A(3) and 11A(6) of the Regulations, for the purposes of Sections 25 and 26 of the Act, the duty pursuant to Regulation 11A(1) of the Regulations to give public notice of a DPA by publication in the designated manner of a notice:		

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56.1.1	advising the time and places at which the DPA is available for inspection (without charge) and purchase by the public; and	Y CEO	
56.1.2	inviting any interested person to make written submissions on the amendment to the council within the relevant period specified in the notice; and	Y CEO	
56.1.3	stating that the submissions will be available for inspection by any interested person at a place specified in the notice from the expiration of the period specified under Regulation 11A(1)(b) of the Regulations until the conclusion of any public hearing held for the purposes of Section 25(11)(b) or 26(5c)(b) of the Act (or, if no such meeting is to be held, until the decision is made not to hold the meeting); and	Y CEO	
56.1.4	providing information about when and where any public meeting is proposed to be held for the purposes of Sections 25(11)(b) or 26(5c)(b) of the Act (subject to a decision being made under the relevant section not to hold a meeting).	Y CEO	
56.2	If one or more written submissions are made in response to a notice published under Regulation 11A(1) of the Regulations, the duty pursuant to Regulation 11A(3) of the Regulations to make a copy of each submission available for inspection in accordance with the statement included under Regulation 11A(1)(c).	Y CEO	
56.3	For the purposes of Sections 25(9)(c) and 26(5b)(c) of the Act, the duty pursuant to Regulation 11A(4) of the Regulations to include in the written notice the same information as required for a notice under Regulation 11A(1) of the Regulations.	Y CEO	
56.4	The duty pursuant to Regulation 11A(5) of the Regulations, to ensure that a copy of any DPA released for public consultation under Section 25 of the Act is provided to the Minister within 2 business days after that release.	Y CEO	

57. Public Meeting		
57.1 The duty pursuant to and in accordance with Regulation 12 of the Regulations to hold a public meeting if an amendment has been prepared by the Council or the Delegate.	¥CEO	
57.2 The power pursuant to Regulation 12(4) of the Regulations to adjourn a public meeting from time to time, and place to place if necessary or appropriate.	¥CEO	
58. Application to Relevant Authority		
58.1 The power pursuant to Regulation 15(1)(c) of the Regulations to require an additional or lesser number of copies of plans, drawings, specifications and other documents and information relating to a proposed development than the number prescribed in Regulation 15(1)(c) of the Regulations.	¥CEO	
58.2 The duty pursuant to and in accordance with Regulation 15(4) of the Regulations, if an application is lodged with the Council but a regional development assessment panel is the relevant authority, to retain a copy of the application and other accompanying information and to forward the application on to the appropriate person acting on behalf of the regional development assessment panel.	¥CEO	
58.3 The duty pursuant to and in accordance with Regulation 15(5) of the Regulations, when an application is lodged with the Council but the Development Assessment Commission is the relevant authority, to forward all but one copy of the application and the accompanying information, as well as a written acknowledgment that the appropriate fees have been paid, to the Development Assessment Commission.	¥CEO	
58.4 The power pursuant to Regulation 15(7)(b) of the Regulations to indicate, in such manner as may be determined by the Development Assessment Commission, that the Council wishes to receive written documentation instead of electronic access to the relevant documents and information via the Internet.	¥CEO	

58.4A	The power and duty pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application form under Regulation 15(7a) of the Regulations, furnish to the private certifier:		
58.4A.1	the Development Assessment number assigned to the development proposed under the application; and	Y CEO	
58.4A.2	if the private certifier, at the time of forwarding a copy of an application under Regulation 15(7a) of the Regulations, requests advice on the matters set out in subparagraphs (i) and (ii), and if such advice is relevant:	Y CEO	
58.4A.2.1	advice about any site contamination that is believed to exist at the site where the development would be undertaken; and	Y CEO	
58.4A.2.2	advice about the likely need for approval to alter a public road under section 221 of the Local Government Act 1999 in order to establish a new access point.	Y CEO	
58.4A.2.3	advice about whether the relevant development plan specifies any requirements relating to finished floor levels (expressed by reference to AHD or ARI) in relation to the site where the development would be undertaken.	Y CEO	
58.5	The power pursuant to Regulation 15(8) of the Regulations to extend the period prescribed in Regulation 15(8) for the lodging of an application for the appropriate development authorisation as required by Section 54(2)(c).	Y CEO	
58.6	Deliberately left blank		
58.7	The power pursuant to Regulation 15(11) of the Regulations, to modify the requirements of		

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Schedule 5 in relation to a particular application, subject to the following qualifications.		
58.7.1 in the case of an application that is lodged with the Council for assessment as residential code development – the requirements of Schedule 5 may not be modified in any way by the delegate assessing the application (whether so as to require more or less information), except on authority of the Minister under Section 39(1)(a) of the Act;	Y CEO	
58.7.2 58.7.2 in any other case, the delegate must not, when requiring plans, drawings, specifications and other documents in relation to the application, require the applicant to provide more information than that specified under Schedule 5 (subject to Section 39 of the Act).	Y CEO	
58.8 The power pursuant to Regulation 15(12) of the Regulations to, in exercising the discretion under Section 39(4)(b) of the Act, dispense with the requirements of Schedule 5 in relation to a particular application.	Y CEO	
59. Nature of Development		
59.1 The duty pursuant to Regulation 16(1) of the Regulations, where an application requires the assessment of a proposed development against the provisions of the Development Plan, to determine the nature of the development applied for.	Y CEO, CAP	
59.2 The power pursuant to Regulation 16(2) of the Regulations to form the opinion that a development is non-complying, and the duty if the Delegate is of the opinion that an application relates to a kind of development that is non-complying and the applicant has not identified the development as such, by notice in writing to inform the applicant of that fact.	Y CEO, CAP	
59.3 The power pursuant to Regulation 16(3) of the Regulations to, if an application in relation to a proposed development identifies the development as <i>residential code</i> development or designated development, form the opinion that the	Y CEO	

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	development is <i>residential code</i> development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.		
59.4	The power pursuant to Regulation 16(4) of the Regulations to, if an application in relation to a proposed development identifies the development as <i>residential code</i> development or designated development, form the opinion that the development is not <i>residential code</i> development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the Delegate's opinion.	Y CEO	
60.	Non-Complying Development		
60.1	The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as non-complying development to:		
60.1.1	refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or	Y CEO, CAP	
60.1.2	resolve to proceed with an assessment of the application.	Y CEO, CAP	
60.2	The duty pursuant to Regulation 17(4) of the Regulations, in situations where the Council or Delegate has resolved to proceed with the assessment of an application for non-complying development, to require the applicant to provide a statement of effect.	Y CEO, CAP	
60.3	The power pursuant to Regulation 17(6) of the Regulations to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.	Y CEO, CAP	
61.	Notification of Application for Tree-damaging Activity to Owner of Land		
61.1	Where the owner of land to which an application for a tree-damaging activity in relation to a significant tree relates is not a party to the application, the duty pursuant to and in		

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accordance with Regulation 18 of the Regulations:			
61.1.1	to give the owner of land notice of the application; and	Y CEO	
61.1.2	to give due consideration, in the assessment of the application, to any submission made by the owner within a reasonable time after the giving of notice of the application.	Y CEO, CAP	
62. Amended Applications			
62.1	The power pursuant to Regulation 20(4) of the Regulations to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations is not required.	Y CEO	
62.2	The power pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the variation on the basis that the application will be treated as a new application.	Y CEO	
63. Withdrawing / Lapsing Application			
63.1	The duty pursuant to Regulation 22(1) of the Regulations, where an applicant withdraws an application, to notify any agency to which an application was referred under Part 5 of the Regulations and any person who made a representation in relation to the application under Part 6 of the Regulations of the withdrawal.	Y CEO	
63.2	Where at least two years have passed since the date on which an application for development authorisation under Part 4 of the Act was lodged with the Council the power, pursuant to Regulation 22(2) of the Regulations to lapse the said application.	Y CEO	
63.3	Before taking action to lapse a development application under Regulation 22(2) of the Regulations the duty, pursuant to and in accordance with Regulation 22(3) of the Regulations to:	Y CEO	

63.3.1	take reasonable steps to notify the applicant of the action under consideration; and	Y CEO	
63.3.2	allow the applicant a reasonable opportunity to make submissions to the Council or the Delegate about the proposed course of action, and the power to determine the manner and form of those submissions.	Y CEO	
64. Contravening Development			
64.1	The power pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act have been concluded.	Y CEO	
65. Referrals			
65.1	The duty pursuant to Regulation 24(1) of the Regulations to refer an application of a prescribed kind together with a copy of any relevant information provided by the applicant to the relevant body prescribed by Schedule 8 of the Regulations and to not make a decision on the application until a response has been received from the referral body or the time period for receipt of a response has lapsed.	Y CEO, CAP	
66. Procedure Where Concurrence Required			
66.1	The duty pursuant to Regulation 25 of the Regulations, if concurrence must be sought from another body prior to issuing a consent or approval to forward to the other body whose concurrence must be sought that information required by Regulation 25(b) of the Regulations.	Y CEO, CAP	
67. Additional Information or Amended Plans			
67.1	The duty pursuant to Regulation 27(1) of the Regulations, where an application has been referred to a prescribed body under Part 5 of the Regulations and additional information is received which is materially relevant to the referral, to repeat the referral process where the Delegate is of the opinion that the additional information or amendment is significant and the power to repeat the referral process in all other instances.	Y CEO, CAP	

68. Special Provisions - Referrals		
68.1 The duty pursuant to and in accordance with Regulation 28(3) of the Regulations to refer an application for building rules consent to the relevant fire authority for comment and report where the Delegate considers that:		
68.1.1 a proposed alternative solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or	¥CEO	
68.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or	¥CEO	
68.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,	¥CEO	
and the duty pursuant to Regulation 28(5) of the Regulations to have regard to any report received from the fire authority under Regulation 28.	¥CEO	
68.2 The power pursuant to Regulation 28(4) of the Regulations, when a report from a fire authority pursuant to Regulation 28(3) is not received by the Council within 20 business days, to presume that the fire authority does not desire to make a report.	¥CEO	
68.3 If, in respect of an application referred to a fire authority under Regulation 28, the fire authority:		

68.3.1	recommends against the granting of building rules consent; or	¥CEO	
68.3.2	concurs in the granting of consent on conditions specified in its report,	¥CEO	
	but the Delegate:		
68.3.3	proposes to grant building rules consent despite a recommendation referred to in Regulation 28(5a)(a) of the Regulations; or	¥CEO	
68.3.4	does not propose to impose the conditions referred to in Regulation 28(5a)(b) of the Regulations, or proposes to impose the conditions in varied form, on the grant of consent,	¥CEO	
	the duty pursuant to Regulation 28(5a) of the Regulations to:		
68.3.5	refer the application to the Building Rules Assessment Commission; and	¥CEO	
68.3.6	not grant consent unless the Building Rules Assessment Commission concurs in the granting of consent.	¥CEO	
68.4	The duty pursuant to Regulation 28(6) of the Regulations to provide to the Building Rules Assessment Commission a copy of any report received from a fire authority under Regulation 28(1) that relates to an application referred to the Building Rules Assessment Commission under the Act.	¥CEO	
68.5	The duty pursuant to Regulation 28(7) of the Regulations, where building work comprises or includes the construction or installation of a private bushfire shelter, not to grant a building rules consent unless the Building Rules Assessment Commission concurs in the granting of the consent.	¥CEO	
69. Land Division Applications			
69.1	The duty pursuant to Regulation 29(1) of the Regulations, subject to the provisions in Regulation 29(2) of the Regulations, to withhold making a decision on an application which relates	¥CEO, CAP	

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	to a proposed development that involves the division of land until a report has been received from the Development Assessment Commission.		
69.2	The power pursuant to Regulation 29(2) of the Regulations, when a report from the Development Assessment Commission pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the Development Assessment Commission may require by notice in writing to the Council, to presume that the Development Assessment Commission does not desire to make a report.	Y CEO, CAP	
70.	Underground Mains Area		
70.1	The power pursuant to Regulation 30(1) of the Regulations to seek a report from the relevant electricity authority where the Delegate considers that an area should be declared an underground mains area.	Y CEO	
70.2	The power pursuant to Regulation 30(2) of the Regulations to declare an area as an underground mains area.	Y CEO	
70.3	The power pursuant to Regulation 30(4) of the Regulations, where a development includes the division of land within or partly within an underground mains area, to require, as a condition of the decision, that any electricity mains be placed underground.	Y CEO, CAP	
71.	Preliminary Advice and Agreement – Section 37AA		
71.1	The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.	Y CEO	
71.2	The power pursuant to Regulation 31A(6) of the Regulations if:		
71.2.1	a relevant authority permits an applicant to vary an application under Section 39(4) of the Act; and	Y CEO	
71.2.2	the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed	Y CEO	

	body, to refer the application (unless withdrawn) to the prescribed body -		
	71.2.3 to obtain a variation to the agreement under Section 37AA of the Act; or	Y CEO	
	71.2.4 to obtain a response from the prescribed body for the purposes of Section 37 of the Act.	Y CEO	
	71.3 The power pursuant to Regulation 31A(7) of the Regulations if:		
	71.3.1 an application is withdrawn by the Applicant; and		
	71.3.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application,		
	to notify the relevant prescribed body of the withdrawal of an application.	Y CEO	
	71.4 The power pursuant to Regulation 31A(8) of the Regulations if:		
	71.4.1 an application is lapsed by a relevant authority under Regulation 22 of the Regulations; and		
	71.4.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application,		
	to notify the relevant prescribed body of the lapsing of an application.	Y CEO	
	71.5 The power pursuant to Regulation 31A(9) of the Regulations if:		
	71.5.1 an application seeks to rely on an agreement under Section 37AA of the Act in connection with the application; and		
	71.5.2 a notice of decision is issued by the relevant authority under Regulation 42 of the Regulations,		
	to send a copy of the notice to the prescribed body	Y CEO	

within 5 business days after the notice is given to the applicant under Regulation 42 of the Regulations.		
71A. Public Notice Categories		
71A.1 The power pursuant to Regulation 32(2)(5) of the Regulations to determine that a form of development comprises 2 or more elements.	Y CEO	
72. Public Inspection of Certain Applications		
72.1 The duty pursuant to and in accordance with Regulation 34(1) of the Regulations, subject to Regulation 34(4) of the Regulations to ensure that copies of documents referred to in Regulation 34(1) concerning an application are reasonably available for inspection by the public (without charge).	Y CEO	
72.2 The duty pursuant to Regulation 34(2) of the Regulations, subject to Regulation 34(4) of the Regulations, where a request is made within the time period that applies under Regulation 34(1) of the Regulations and on payment of a fee fixed by Council to provide to a member of the public a copy of any document of information available for inspection under Regulation 34(1) of the Regulations.	Y CEO	
72.3 The power pursuant to Regulation 34(3) of the Regulations to require that a person who has made a request under Regulation 34(2) of the Regulations verify his or her name, address and contact details in such manner as the Delegate thinks fit.	Y CEO	
72.4 The power pursuant to Regulation 34(4) of the Regulations to form the opinion that the present or future security of a building would be jeopardised if plans, drawings, specifications or other documents or information relating to the assessment of a proposed development against the Building Rules were to be made available for inspection.	Y CEO	
73. Response by Applicant		

73.1	The power pursuant to Regulation 36 of the Regulations to extend the time within which an applicant may respond to any representation	¥CEO	
74.	Determination of Commission as Relevant Authority		
74.1	Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act:		
74.1.1	in a case where the Minister has made a declaration under Section 34(1)(b)(iii) or 34(1)(b)(vi) of the Act, the duty pursuant to and in accordance with Regulation 38(2)(a)(i) of the Regulations to forward to the Development Assessment Commission any application received by the Council under the Act and the Regulations in relation to the matter together with accompanying documentation or information and, as appropriate, fees; and	¥CEO	
74.1.2	in any case, the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under Section 33(1) (as relevant).	¥CEO, CAP	
74.2	Where the Development Assessment Commission is the relevant authority under Section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power, pursuant to Regulation 38(4) of the Regulations, to provide the Development Assessment Commission with comments on the proposed development.	¥CEO, CAP	
75.	Assessment in Respect of Building Rules Referred to the Council		
75.1	The duty pursuant to and in accordance with Regulation 39 of the Regulations, where the Council is the relevant authority pursuant to Section 34(2) of the Act, not to give any decision in respect of the assessment against the Building Rules until the Development Assessment Commission or the regional development assessment panel (as the case may be) has made its decision.	¥CEO	

76. Notification of Decision to Applicant (Including Conditions)		
76.1 The duty pursuant to and in accordance with Regulation 42 of the Regulations to give notice of a decision on an application under Division 1 of Part 4 of the Act including, but not limited to, the power to endorse approved plans and documentation under Regulation 42(4).	Y CEO	
77. Notification of Decision to a Prescribed Body		
77.1 The duty pursuant to and in accordance with Regulation 43 of the Development Regulations, to send a copy of the notice of decision issued under Regulation 42 of the Regulations to any prescribed body to which the application had been referred.	Y CEO	
77.2 The duty pursuant to and in accordance with Regulation 43(3) of the Regulations to send a copy of a notice of a decision on an application, if or when a development authorisation is issued in relation to a proposed division of land, to the Development Assessment Commission.	Y CEO	
78. Notification of Decision to Owner of Land		
78.1 The duty pursuant to and in accordance with Regulation 44 of the Regulations to send a copy of any notice issued under Regulation 42 of the Regulations to the owner of land to which a decision on the application relates where the owner is not a party to the application.	Y CEO	
79. Scheme Description – Community Titles		
79.1 The duty pursuant to Regulation 45(2) of the Regulations to endorse a scheme description under Section 3 of the Community Titles Act 1996 in the following terms:		
79.1.1 63.4A.1 All the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the relevant plan of community division under the Community Titles Act 1996 have been granted.	Y CEO, <u>CAP</u>	

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<p style="text-align: center;">OR</p> <p>No consent or approval is required under the Development Act 1993 in relation to the division of land (or a change in the use of the land) in accordance with this scheme description.</p> <p>This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the Development Act 1993 in relation to any other development envisaged by this scheme description.</p> <p>Signed:</p> <p>Dated:</p>		
<p>79.2 The power pursuant to Regulation 45(2) of the Regulations to include in an endorsement of a scheme description under Section 3 of the Community Titles Act 1996, notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and to sign and date the endorsement.</p>	<p>YCEO, CAP</p>	
<p>80. Special Provisions Relation to Staged Consents</p>		
<p>80.1 The duty pursuant to and in accordance with Regulation 46(1) of the Regulations, and in a case where the development is within the ambit of Schedule 1A, subject to, in accordance with Regulations 46(4) and (5) of the Regulations, take any step that the Delegate, as the relevant authority considers it needs to take under Section 42 of the Act, to issue a Notice of Approval in the circumstances prescribed by Regulation 46 of the Regulations.</p>	<p>YCEO</p>	
<p>81. Endorsed Plans</p>		
<p>81.1 The duty pursuant to Regulation 47 of the Regulations to return to a successful applicant, a copy of the plans, drawings, specifications and other documents and information lodged by the applicant duly endorsed with the building rules consent.</p>	<p>YCEO</p>	
<p>81.A Minor Variation of Development Authorisation</p>		

<p>81A.1 The power pursuant to Regulation 47A(1) of the Regulations, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion that the variation is minor in nature and, if the delegate is satisfied that the variation is minor in nature, to approve the variation.</p>	<p>YCEO</p>	
<p>82. Lapse of Consent or Approval</p>		
<p>82.1 The power pursuant to Regulation 48(2) of the Regulations to extend the time when any consent or approval under Part 4 of the Act will lapse.</p>	<p>YCEO</p>	
<p>83. Width of Roads and Thoroughfares</p>		
<p>83.1 The power pursuant to Regulation 51(4) of the Regulations to dispense with the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.</p>	<p>YCEO, CAP</p>	
<p>83.2 The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.</p>	<p>YCEO, CAP</p>	
<p>84. Road Widening</p>		
<p>84.1 The power pursuant to Regulation 52(1) of the Regulations to require a road widening if land to be divided abuts an existing road.</p>	<p>YCEO, CAP</p>	
<p>85. Requirement as to Forming of Roads</p>		
<p>85.1 The power pursuant to Regulation 53(1) and (2) of the Regulations to specify the width of roads.</p>	<p>YCEO, CAP</p>	
<p>85.2 The power pursuant to Regulation 53(4) of the Regulations to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the Delegate is of the opinion that the cul-de-sac is likely to become a</p>	<p>YCEO, CAP</p>	

through road.			
85.3	The power pursuant to Regulation 53(6) of the Regulations to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water-tables, kerbing, culverts and drains on proposed roads.	YCEO, <u>CAP</u>	
86. Construction of Roads, Bridges, Drains and Services			
86.1	The power pursuant to Regulation 54(1) of the Regulations to require the paving and sealing of the roadway of proposed roads.	YCEO, <u>CAP</u>	
87. Supplementary Provisions			
87.1	The duty pursuant to Regulation 55(1) of the Regulations to consider and if appropriate approve a road location and grading plan for the forming of any proposed road, including every footpath, water-table, kerbing, culvert and drain.	YCEO, <u>CAP</u>	
87.2	The duty pursuant to Regulation 55(2) of the Regulations to consider, and if appropriate approve, detailed construction plans and specifications signed by a professional engineer or licensed surveyor for all work referred to in Regulations 53 and 54 of the Regulations.	YCEO, <u>CAP</u>	
87.3	The duty pursuant to Regulation 55(4) of the Regulations to consider, and if appropriate accept, that all connections for water supply and sewerage services to any allotment delineated on a plan of division have been laid under the surface of a proposed road before the roadway is sealed.	YCEO, <u>CAP</u>	
88. General Land Division			
88.1	The power pursuant to and in accordance with Regulation 58(1) of the Regulations to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements.	YCEO, <u>CAP</u>	
88.2	The power pursuant to and in accordance with Regulation 58(2) of the Regulations to advise the Development Assessment Commission that an applicant has entered into appropriate binding arrangements pursuant to Section 51(1) of the Act.	YCEO, <u>CAP</u>	

89. Division of Land by Strata Title		
89.1 The power pursuant to Regulation 59(1) of the Regulations to advise the Development Assessment Commission that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of Section 33(1)(d) of the Act and that the arrangement is supported by adequate security.	YCEO, CAP	
90. General Provisions		
90.1 The power pursuant to and in accordance with Regulation 60(1) of the Regulations to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission for the purposes of Section 51(1) of the Act.	YCEO, CAP	
90.2 The power pursuant to Regulation 60(7) of the Regulations, for the purposes of Section 51(4) of the Act, to request (in such a manner as may be determined by the Development Assessment Commission) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 30(4) of the Regulations be furnished to the Council by sending a written copy to the Council.	YCEO, CAP	
90.3 The power pursuant to Regulation 60(9) of the Regulations to consult with the Development Assessment Commission before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.	YCEO, CAP	
91. Declaration by The Minister – Section 46		
91.1 The duty pursuant to and in accordance with Regulation 61(2) of the Regulations, to transmit to the Minister any relevant documentation (including the application and any accompanying documentation or information lodged by the proponent with the Council under Division 1 of Part 4 of the Act) within 10 business days after the receipt of a copy of a notice required by Regulation 61(1) of the Regulations.	YCEO	
91.2 At the same time that documents are transmitted to the Minister under Regulation 61(2) of the Regulations, the duty pursuant to Regulation 61(3) of the Regulations to also transmit to the Minister	YCEO	

	any fees that have been paid by the proponent under Schedule 6 (less any amount that the Minister determines should be retained by the Council).		
91.3	Where an application lodged with the Minister under Section 46 of the Act requires an assessment against the Building Rules and the assessment against the Building Rules is to be referred to the Council, the power pursuant to Regulation 61(5)(d) of the Regulations, to require from the applicant additional copies of the plans, drawings, specifications and other documents and information required by Regulation 61(4) of the Regulations.	Y CEO	
92.	Referral of Assessment of Building Work		
92.1	Where a development application which is subject to the operation of Section 48 of the Act is referred to the Council for assessment in respect of the Building Rules the duty pursuant to and in accordance with Regulation 64(2) of the Regulations, to ensure that the assessment is consistent with any development plan consent previously given under Section 48 of the Act.	Y CEO	
92.2	Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to:		

92.2.1	provide the certification in the form set out in Schedule 12A; and	Y CEO	
92.2.2	to the extent that may be relevant and appropriate:		
92.2.2.1	issue a schedule of essential safety provisions under Division 4 of Part 12 of the Act; and	Y CEO	
92.2.2.2	assign a classification to the building under the Regulations; and	Y CEO	
92.2.2.3	ensure that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993.	Y CEO	
92.3	Where the Council issues a certificate in the form set out in Schedule 12A of the Regulations as required by Regulation 64(3)(a) of the Regulations, the duty pursuant to Regulation 64(4) of the Regulations to furnish to the Minister a copy of the certificate together with a copy of any schedule of essential safety provisions.	Y CEO	
93. Notifications During Building Work			
93.1	The power pursuant to Regulation 74(1)(b) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	Y CEO	
93.2	The power pursuant to Regulation 74(1)(c) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	Y CEO	
93.3	The duty pursuant to Regulation 74(4) of the Regulations to make a note on the relevant building file of any notice given in accordance with Regulation 74(3)(d) by a person by telephone.	Y CEO	
94. Essential Safety Provisions			

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94.1	The duty pursuant to Regulation 76(4) of the Regulations, on either the granting of a building rules consent or on application by the owner of a building, to issue a schedule in the form set out in Schedule 16 specifying the essential safety provisions for buildings and the standards and requirements for maintenance and testing in respect of those provisions.	Y CEO	
94.2	The power pursuant to Regulation 76(10) of the Regulations to require compliance with Regulation 76(7) despite Regulation 76(9) of the Regulations if the essential safety provisions were installed under a modification of the Building Rules under Section 36(2) of the Act or the building has been the subject of a notice under Section 71 of the Act.	Y CEO	
94A	Swimming Pool Safety		
94A.1	The power pursuant to Regulation 76D(4a) of the Regulations to, for the purposes of Section 71AA(7) of the Act, subject to Regulation 76(D)(4b) of the Regulations, establish a swimming pool inspection policy.	Y CEO	
95.	Building Rules: Bushfire Prone Areas		
95.1	Where:		
95.1.1	application is made for building rules consent for building work in the nature of an alteration to a class 1, 2 or 3 building under the Building Code; and		
95.1.2	the building is in a bushfire prone area under Regulation 78(1) of the Regulations; and		
95.1.3	the total floor area of the building would, after the completion of the proposed building work, have increased by at least 50% when compared to the total floor area of the building as it existed 3 years before the date of the application (or, in the case of a building constructed since that time, as it existed at the date of completion of original construction),		
	the power, pursuant to Regulation 78(2) of the Regulations, to require, as a condition of consent,	Y CEO	

that the entire building be brought into conformity with the relevant requirements of the Building Rules for bushfire protection.		
96. Construction Industry Training Fund		
96.1 The duty pursuant to Regulation 79(2) of the Regulations to withhold issuing a building rules consent until satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or that no such levy is payable.	¥CEO	
96.2 The power pursuant to Regulation 79(4) of the Regulations to form an opinion whether the appropriate levy under the Construction Industry Training Fund Act 1993 has or has not been paid, or is or is not payable, and notify the applicant that a building rules consent cannot be issued until the Delegate is satisfied that the levy has been paid or is not payable.	¥CEO	
96.3 The power pursuant to and in accordance with Regulation 79(5)(b) of the Regulations to determine that the application has lapsed.	¥CEO	
96A Requirement to Up-grade Building in Certain Cases		
96A.1 The power pursuant to Regulation 80(1a) of the Regulations, if an application for a building rules consent relates to building work in the nature of an alteration to a class 2 to class 9 building constructed before 1 January 2002, to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition, and to require, as a condition of consent:		
96A.1.1 that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards; or	¥CEO	
96A.1.2 that the building work comply with Minister's Specification SA: Upgrading health and safety in existing buildings (to the extent reasonably applicable to the building and its condition).	¥CEO	
97. Classification of Buildings		

97.1	The power pursuant to Regulation 82(3)(b)(i) of the Regulations to require such details, particulars, plans, drawings, specifications, certificates and other documents as may reasonably be required to determine a building's classification upon application by an owner of a building under Regulation 82(1) or (2) of the Regulations.	Y CEO	
97.2	The power pursuant to Regulation 82(4) of the Regulations and subject to Regulation 82(4a) of the Regulations, to assign the appropriate classification under the Building Code to a building upon being satisfied on the basis of the owner's application and accompanying documents that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.	Y CEO	
97.2A	The power pursuant to Regulation 82(4a) of the Regulations, if an application under Regulation 82 of the Regulations is made in respect of an existing class 2 to class 9 building, to require the applicant to satisfy the delegate that <i>Minister's Specification SA: Upgrading health and safety in existing buildings</i> has been complied with (to the extent reasonably applicable to the building and its present or intended use).		
97.3	The power pursuant to Regulation 82(5) of the Regulations, on assigning a classification to a building (or part of a building), to, if relevant, determine and specify in the notice to the owner under Section 66(4) of the Act –		
97.3.1	the maximum number of persons who may occupy the building (or part of the building); and	Y CEO	
97.3.2	If the building has more than one classification – the part or parts of the building to which each classification relates and the classification currently assigned to the other parts of the building.	Y CEO	
98. Certificates of Occupancy			
98.1	The power pursuant to Regulation 83(2)(c) of the Regulations to require from an applicant for a certificate of occupancy reasonable evidence that conditions attached to a development approval	Y CEO	

have been satisfied.		
<p>98.2 The power pursuant to Regulation 83(2)(d) of the Regulations where an application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, to require from an applicant for a certificate of occupancy reasonable evidence that in the case of a building of more than one storey, the requirements of Minister's Specification SA 83 have been complied with, or in any other case the building is suitable for occupation.</p>	Y CEO	
<p>98.3 The power pursuant to Regulation 83(3) of the Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after the commencement of the Development (Building Cladding) Variation Regulations 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 83(2)(a) if the Delegate is satisfied that a person required to complete one or both parts of the Statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification(s) and it appears to the Delegate that the relevant building is suitable for occupation.</p>	Y CEO	
<p>98.4 Where:</p>		

98.4.1	a building is required by the Building Rules:		
98.4.1.1	to be equipped with a booster assembly for use by a fire authority; or	<u>¥CEO</u>	
98.4.1.2	to have installed a fire alarm that transmits a signal to a fire station; and	<u>¥CEO</u>	
98.4.2	facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,	<u>¥CEO</u>	
	the duty pursuant to Regulation 83(4) of the Regulations to not grant a certificate of occupancy unless or until a report has been sought from the fire authority as to whether those facilities have been installed and operate satisfactorily.	<u>¥CEO</u>	
98.5	The power pursuant to Regulation 83(5) of the Regulations, when a report from the fire authority pursuant to Regulation 83(4) is not received within 15 business days, to presume that the fire authority does not desire to make a report.	<u>¥CEO</u>	
98.6	The duty pursuant to Regulation 83(6) of the Regulations to have regard to any report received from a fire authority under Regulation 83(4) before issuing a certificate of occupancy.	<u>¥CEO</u>	
98.7	The power pursuant to Regulation 83(9) of the Regulations to revoke a certificate of occupancy.	<u>¥CEO</u>	
99.	Certificate of Independent Technical Expert in Certain Case		
99.1	The power pursuant to Regulation 88(3) of the Regulations, in circumstances where Regulation 88 of the Regulations applies, to rely on the certificate of an independent technical expert.	<u>¥CEO</u>	

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100. Fees		
100.1 The power pursuant to Regulation 95(2) of the Regulations to require an applicant to provide such information as the Delegate may reasonably require to calculate any fee payable under Schedule 6 and the power to make any other determination for the purposes of Schedule 6.	Y CEO	
100.2 The power pursuant to the provisions of Regulation 95(3) of the Regulations to calculate any fee on the basis of estimates made by the Delegate where the Delegate believes that any information provided by an applicant is incomplete or inaccurate.	Y CEO	
100.3 The power pursuant to Regulation 95(4) of the Regulations to, at any time, and despite any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations.	Y CEO	
100.4 The duty pursuant to Regulation 95(5) of the Regulations, on a reassessment under Regulation 95(4) of the Regulations:		
100.4.1 if it appears that an overpayment has occurred, to refund any amount due in accordance with the reassessment; and	Y CEO	
100.4.2 if it appears that an underpayment has occurred, to charge any further amount payable in accordance with the reassessment.	Y CEO	
101. Register of Applications		
101.1 The duty pursuant to Regulation 98 of the Regulations to keep available for public inspection a register of applications for consent, approval, or the assignment of building classifications under the Act.	Y CEO	
101.2 The power pursuant to Regulation 98(3) to fix a fee and upon payment of that fee, make available to a member of the public a copy of any part of a register or document kept for the purposes of Regulation 98(1).	Y CEO	
102. Registration of Land Management Agreements		

102.1	The duty pursuant to and in accordance with Regulation 99(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57(2) of the Act.	Y CEO	
102.2	The power pursuant to Regulation 99(3) of the Regulations to determine what other information may be contained in the Register.	Y CEO	
103.	Land Management Agreements - development applications		
103.1	The duty pursuant to Regulation 100(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57A of the Act	Y CEO	

103.2	The duty pursuant to Regulation 100(3) of the Regulations to include in the register a copy of each agreement entered into by the Council under Section 57A of the Act and other information the Delegate considers appropriate.	Y CEO	
103.3	The duty pursuant to Regulation 100(5) of the Regulations to keep the register at the principal office of the Council.	Y CEO	
103.4	The duty pursuant to Regulation 100(6) of the Regulations to keep the register available for public inspection during normal office hours for the office where the register is situated.	Y CEO	
103.5	The duty pursuant to Regulation 100(9) to give a copy of a notice under Regulation 100(8) to any owner of the land who is not a party to the agreement.	Y CEO	
104. Documents to be Preserved by Council			
104.0	The power and duty pursuant to Regulation 101(a1) of the Regulations to retain a copy of each document provided to the Council by a private certifier in relation to any application for a development plan consent assessed by the private certifier.	Y CEO	
104.1	The duty pursuant to Regulation 101(1) of the Regulations to retain a copy of the documents listed in Regulation 101 of the Regulations in relation to any building work approved under the Act.	Y CEO	
104.1A	The power and duty pursuant to Regulation 101(1a) of the Regulations to preserve any document referred to in Regulation 101(a1) for a period of at least 10 years.	Y CEO	
104.2	The duty pursuant to Regulation 101(2) of the Regulations to preserve any document referred to in Regulation 101(1) of the Regulations until the building to which the document relates is demolished or removed.	Y CEO	
104.3	The power pursuant to and in accordance with Regulation 101(3) of the Regulations to offer to give plans and specifications in the Council's possession to a building owner and if the building	Y CEO	

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	owner declines the offer, the power to destroy the documents.		
104.4	The power pursuant to and in accordance with Regulation 101(4) of the Regulations to make available for inspection at the offices of the Council during normal office hours any document retained by the Council under Regulation 101(a1) or (1) of the Regulations (without charge) and to fix a reasonable fee for a copy of any document retained by the Council under Regulation 101(a1) or (1) of the Regulations.	Y CEO	
104.5	The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:	Y CEO	

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104.5.1 for inspection under Regulation 101(4)(a) if to do so would:		
104.5.1.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or	Y CEO	
104.5.1.2 constitute a breach of any other law; or	Y CEO	
104.5.2 for copying under Regulation 101(4)(b) if to do so would:		
104.5.2.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or	Y CEO	
104.5.2.2 involve an infringement of copyright in matter contained in a document; or	Y CEO	
104.5.2.3 constitute a breach of any other law.	Y CEO	
104A Documents to be Provided by Private Certifier		
104A.1 The power pursuant to Regulation 102(2) of the Regulations to request a private certifier to produce to the Council within a reasonable period, a copy of any document that has been submitted to the private certifier for the purposes of an application for development plan consent (and that it is not already held by the Council under the Regulations) so that the Council can respond to a request from a member of the public for access to such document.	Y CEO	
105. Transfer Of Development Potential		
105.1 The duty pursuant to Regulation 104 of the Regulations, wherever the provisions of the Development Plan provide for the transfer of development potential, to maintain a register of development rights containing the information prescribed in Regulation 104(1) and to make the said register available for public inspection on payment of the appropriate fee.	Y CEO	

106. System Indicators		
106.1 The duty pursuant to Section 115(1)(a) of the Regulations to keep and collate the information specified in the system indicators document on a quarterly basis.	¥CEO	
106.2 The duty pursuant to Section 115(1)(b) of the Regulations to provide the information for each quarter to the Minister in a manner and form determined by the Minister, within 21 days after the end of the quarter.	¥CEO	
106.3 The power pursuant to Regulation 115(2) of the Regulations to apply to the Minister to exempt the Council from a requirement in the system indicators document.	¥CEO	
107. Schedule 1A – Demolition		
107.1 The power, pursuant to Clause 12(3) of Schedule 1A of the Regulations, to make an application to the Minister for an area to be declared by the Minister to be a designated area.	¥CEO	
107.2 The power pursuant to Clause 12(9) of Schedule 1A of the Regulations, before the Minister takes action to vary or revoke a declaration under Clause 12(3) of Schedule 1A of the Regulations or a condition under Clause 12(7) of Schedule 1A of the Regulations, to in response to a notice in writing from the Minister, show, within the specified time, why the proposed course of action should not be taken.	¥CEO	
108. Schedule 4 – New Dwellings		
108.1 The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land other than a previous use or activity for residential purposes.	¥CEO. CAP	
109. Fees		
109.1 The power pursuant to Clause 1(7) of Schedule 6 to the Regulations to determine the amount of the fee to be charged to an applicant to cover the	¥CEO	

Council's reasonable costs in giving public notice of the application under Section 38(5) of the Act.		
110. Schedule 8 – Development Near the Coast		
110.1 The power pursuant to Item 1(b) of Clause 2 of Schedule 8 of the Regulations, where development is on coastal land, to form the opinion that the development is of a minor nature only, and comprises the alteration of an existing building or the construction of a building to facilitate the use of an existing building.	¥CEO	
111. Schedule 8 - Development Adjacent to Main Roads		
111.1 The power pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is likely to:		
111.1.1 alter an existing access; or	¥CEO, CAP	
111.1.2 change the nature of movement through an existing access; or	¥CEO, CAP	
111.1.3 create a new access; or	¥CEO, CAP	
111.1.4 encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972,	¥CEO, CAP	
in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the relevant Development Plan).	¥CEO, CAP	
112. Schedule 8 - State Heritage Places		
112.1 The power pursuant to Item 5(1) of Clause 2 of Schedule 8 of the Regulations to form the opinion that a development materially affects the context within which a State Heritage place is situated.	¥CEO, CAP	
113. Schedule 8 – Mining – General		
113.1 The power pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development	¥CEO, CAP	

is of a minor nature only.		
114. Schedule 8 - Activity of Environmental Significance		
114.1 The power pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.	Y CEO, CAP	
115. Schedule 8 – Aquaculture Development		
115.1 The power pursuant to and in accordance with Item 15 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development involves a minor alteration to an existing or approved development.	Y CEO, CAP	
116. Schedule 8 – Development Within the River Murray Floodplain Area		
116.1 The power pursuant to and in accordance with Item 19(b) of Clause 2 of Schedule 8 of the Regulations to form the opinion that development materially affects the context within which a State Heritage place is situated.	Nil	
117. Schedule 8 – Development Within the River Murray Tributaries Area		
117.1 The power pursuant to and in accordance with Item 20(a) of Clause 2 of Schedule 8 of the Regulations to form the opinion that development materially affects the context within which a State Heritage place is situated.	Nil	
118. Schedule 9 - Part One, Category One Development		

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and Part Two Category Two Development		
118.1	The power pursuant to Clause 1 of Part 1 to Schedule 9 of the Regulations in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.	Y CEO, CAP
118.2	The power pursuant to Clause 2(1)(g) of Part 1 to Schedule 9 of the Regulations to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	Y CEO, CAP
118.3	The power pursuant to the following designated sub-paragraphs of Clause 3 of Part 1 to Schedule 9 of the Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that:-	
118.3.1	the alteration of, or addition to, a building is of a minor nature only, pursuant to sub-paragraph (a);	Y CEO, CAP
118.3.2	the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to sub-paragraph (b).	Y CEO, CAP
118.4	The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:-	
118.4.1	that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and	Y CEO, CAP
118.4.2	whether the division will change the nature or function of an existing road.	Y CEO, CAP
118.5	The power pursuant to Clause 11 of Part 1 to Schedule 9 of the Regulations, in circumstances	Y CEO, CAP

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where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.		
118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:		
118.6.1 the duty to not take into account what is included within Schedule 3 of the Regulations; and	Y CEO, CAP	
118.6.2 the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and	Y CEO, CAP	
118.6.3 the power to concluded, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 to the Regulations.	Y CEO, CAP	
118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:		
118.7.1 that in respect of a proposed division of land that the applicant's proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and	Y CEO, CAP	
118.7.2 whether the proposed division will change the nature or function of an existing road.	Y CEO, CAP	

SCHEDULE OF CONDITIONS

**INSTRUMENT OF DELEGATION UNDER THE
DEVELOPMENT ACT 1993 AND DEVELOPMENT REGULATIONS 2008**

**CONDITIONS OR LIMITATIONS
APPLICABLE TO DELEGATIONS
CONTAINED IN THIS INSTRUMENT**

<u>Paragraph(s) No(s) in Head Delegation</u>	<u>Section number(s) in Act</u>	<u>Name of Act</u>	<u>Conditions or Limitations</u>	
		<u>Development Act 1993 Development Regulations 2008</u>	<u>The Chief Executive Officer will apply conditions on sub- delegations according to the qualifications and experience of the officer.</u>	
<u>5.5</u>	<u>25(4) & Reg 86</u>	<u>Development Act 1993 And Development Regulations 2008</u>	<u>Subject to the person having prescribed qualifications as specified in Regulation 86(3)</u>	
<u>42.</u>	<u>67 & Reg 87</u>	<u>Development Act 1993 And Development Regulations 2008</u>	<u>Subject to the person having prescribed qualifications as specified in Regulation 87.</u>	
<u>43.</u>	<u>68 & Reg 87</u>	<u>Development Act 1993 And Development Regulations 2008</u>	<u>Subject to the person having prescribed qualifications as specified in Regulation 87.</u>	
<u>44.</u>	<u>69 & Reg 87</u>	<u>Development Act 1993 And Development Regulations 2008</u>	<u>Subject to the person having prescribed qualifications as specified in Regulation 87.</u>	

**DELEGATIONS UNDER THE DEVELOPMENT ACT 1993
AND DEVELOPMENT REGULATIONS, 2008**

Pursuant to Section 20 and 34(23) of the Development Act 1993 and effective from 26th June 2018, the Council delegates to the Council Assessment Panel the following powers, functions and duties of the Council under the Development Act and Regulations, and the said powers, functions and duties may be sub-delegated by the Council Assessment Panel (CAP) to an officer or officers of the Council.

<u>Ref DA/DAP--</u>	<u>Sub- delegation</u>
<u>119. THE POWER, AS THE RELEVANT AUTHORITY AND PURSUANT TO SECTION 33 OF THE DEVELOPMENT ACT 1993, TO ASSESS A DEVELOPMENT AGAINST THE PROVISIONS OF THE APPROPRIATE</u>	

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<u>Ref DA/DAP—</u>	<u>Sub-delegation</u>
<u>DEVELOPMENT PLAN AND GRANT WITH OR WITHOUT CONDITIONS OR REFUSE CONSENT IN RESPECT OF EACH OF THE FOLLOWING:</u>	
<u>a— Development that has been the subject to Category 2 or 3 public notification where there has been written representations by third parties expressing opposition to the proposal that cannot be satisfied by conditions or modifications to the plans, other than</u> <ul style="list-style-type: none"> • <u>where the representor/s has not expressly identified they wish to appear before the Panel (either in person or by a representative); and/or</u> • <u>where concerns raised in a representation, in the opinion of the Manager Development and Regulatory Services, relate solely to elements of the proposal that comply with the quantitative Development Plan policies relevant to that development.</u> 	<u>N/A</u>
<u>b— Development that has been classified as non-complying. The Manager Development and Regulatory Services may determine to proceed with further assessment with a non-complying development. Such decisions shall be reported to the next meeting of the CAP.</u>	<u>N/A</u>
<u>c— Development that includes or is likely to include a new Liquor License or substantial amendment to an existing Liquor License other than for applications or amendments of a minor nature which may be determined by the Manager Development and Regulatory Services. Such applications shall be reported to the next meeting of the CAP.</u>	<u>N/A</u>
<u>d— Residential development and land division applications received by Council after 14 August 2003 that incorporate proposed allotments or site areas below the minimum allotment or site areas designated in respective zones and policy areas in the City of Marion Development Plan, unless the Manager Development and Regulatory Services intends to refuse such an application.</u>	<u>N/A</u>
<u>e— Development that includes outdoor advertising signs:</u> <ul style="list-style-type: none"> • <u>all new signs (whether freestanding or attached to a building) where the face of the advertising structure exceeds 10m² in area (10m² each side when double sided).</u> • <u>alterations and/or additions to an existing sign (whether freestanding or attached to a building) where the proposed works would result in the face of the advertising structure exceeding 10m² in area (10m² each side when double sided)</u> <ul style="list-style-type: none"> • <u>of a “billboard” construction/design</u> • <u>any illuminated advertisement that has been referred to the Department for Planning, Transport and Infrastructure where the Department raises opposition to the proposal</u> 	<u>N/A</u>
<u>f— Any matter that is referred for consideration or determination under Part 4 of the Development Act 1993 at the discretion of the Manager Development Services that may otherwise be considered or determined by the Manager Development and Regulatory Services, Team Leader Planning or Development Officer Planning under separate delegation from Council or the Chief Executive Officer.</u>	<u>N/A</u>

1. RATIONALE

- 1.1 Section 83 of the *Planning, Development and Infrastructure Act 2016* requires the Council to establish a Council Assessment Panel (the Panel) to undertake development assessment functions on its behalf.
- 1.2 Section 34(23) of the *Development Act 1993*, requires the Council to delegate its powers and functions as a relevant authority with respect to determining whether, or not, to grant development plan consent under the *Development Act 1993*, to the Panel and/or the Council's Administration.
- 1.3 This policy meets Council's obligations under Section 34(27) of the *Development Act 1993*, which requires Council to adopt a Development Delegations Policy.

2. POLICY STATEMENT

- 2.1 The purpose of this policy is to outline the basis upon which Council will delegate its powers and duties, under the *Development Act 1993* and the *Planning, Development and Infrastructure Act 2016*, as a relevant authority with respect to determining whether, or not, to grant development plan consent.
- 2.2 This policy establishes what applications will be determined by Council's Assessment Panel and what applications will be determined by the Council's Administration.

3. OBJECTIVES

- 3.1 Council actively supports the growth of the City through appropriate development that maintains and enhances the social, economic and environmental conditions desired by the community.
- 3.2 Council acknowledges that an effective and efficient development assessment system is critical to achievement of community and council goals.
- 3.3 The aim of the policy is to identify the basis upon which delegations are made under the *Development Act 1993*. It sets out the types of Development Applications that will be determined by the Council Assessment Panel.

4. POLICY SCOPE AND IMPLEMENTATION

- 4.1 The Panel will undertake the role of the relevant authority pursuant to Section 33 of the *Development Act 1993*, in relation to the following types of development applications:
 - 4.1.1 Non-complying applications – the Panel will decide to refuse the application or seek the concurrence of the State Commission Assessment Panel to approve the application, except for the following:
 - the decision to proceed with an assessment of a non-complying application pursuant to Regulation 17 (3)(b) of the *Development Regulations 2008*).

- non-complying applications deemed to be minor in accordance with Regulation 17 and Schedule 9 Part 1 (3) of the *Development Regulations 2008*.

- 4.1.2 Any 'merit' application that has undergone Category 2 or Category 3 public notification where at least one representor has expressed opposition to the proposed development and has expressed their desire to be heard by the Panel.
- 4.1.3 Any application in relation to a Local Heritage Place or a State Heritage Place where the heritage advice commissioned by the Council or the State Government Department responsible for State Heritage have recommended that approval should not be granted.
- 4.1.4 Any application for the total demolition of a Local Heritage Place or a State Heritage Place.
- 4.1.5 Any application for land division that proposes the creation of four or more additional allotments (excluding an allotment identified as common property or as a free an unrestricted right of way) where one or more of the proposed allotments is more than 5% below the minimum site area recommended by the relevant Policy Area of the Development Plan.
- 4.1.6 Any application for four or more dwellings (including detached, semi-detached, row and residential flat) where one or more dwelling sites are more than 5% below the minimum site area recommended by the relevant Policy Area of the Development Plan.
- 4.1.7 Any application involving development by the Council where the Minister has declined a request by the Council that the Development Assessment Commission be appointed as the relevant authority.
- 4.1.8 Any application where an appeal has been made to the Environment, Resources and Development Court, and the General Manager City Development has referred to the Panel a proposed compromise made by the appellant.
- 4.1.9 Any application where the Manager Development and Regulatory Services determines that the application warrants assessment by the Panel due to its significant, contentious or controversial nature.

5. Applications to be determined by Council's Administration

- 5.1 All development applications other than applications set out in Section 4.1 of this Policy will be determined by the Administration.

6. AVAILABILITY

- 6.1 The Policy is available to be downloaded, free of charge, from the Council's website www.marion.sa.gov.au

- 6.2 The Policy is available for inspection without charge at the Administration Building during standard business hours and a copy may be purchased at a fee set annually by Council.

City of Marion Administration Building
245 Sturt Road, Sturt SA 5047

Telephone: 8375 6600

Email: council@marion.sa.gov.au

Office hours: Monday to Friday, 8:30am to 5:00pm (except public holidays)

7. REVIEW AND EVALUATION

- 7.1 This policy will be reviewed annually in conjunction with Council's annual review of delegations required under Section 40 (6) of the Local Government Act 1999.

8. REFERENCES

Development Act 1993
Development Regulations 2008
Schedule of Delegations and Sub-delegations

ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

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REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY
AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

NOTES

In exercise of the power contained in Section 44 of the Local Government Act 1999 the following powers, functions and duties under the Road Traffic Act 1961, the Road Traffic (Miscellaneous) Regulations 1999 and the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999 are hereby delegated this 1~~10~~th day of ~~October~~ September 201~~8~~⁷ to the person occupying the office of Chief Executive Officer of the Council and the said powers, functions and duties may be sub-delegated by the delegate to any other officer of Council.

References:

Abbreviation	Position Title
TLCS	Team Leader Community Safety
UME	Unit Manager Engineering
UMR	Unit Manager Risk
CT&P	Coordinator Traffic and Parking

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

<u>1. Installation etc of traffic control devices – general provision</u>	<u>Delegate to CEO</u>	<u>Sub-delegation</u>
<u>1.1 The power pursuant to Section 17(1) of the Road Traffic Act 1961 ('the Act'), to, with the approval of the Minister (or in accordance with a roadworks permit issued under Section 20 of the Act), install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road.</u>	<u>Y</u>	
<u>1.2 The power pursuant to Section 17(2) of the Act, to, with the approval of the Minister (or in accordance with a roadworks permit issued under Section 20 of the Act), remove a traffic control device or cause a traffic control device to be removed.</u>	<u>Y</u>	
<u>1.3 The power pursuant to Section 17(3) of the Act, to, with the approval of the Minister (or in</u>	<u>Y</u>	

ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

<u>accordance with a roadworks permit issued under Section 20 of the Act), install, display, alter, operate or remove traffic control devices:</u>		
<u>1.3.1 in relation to an area where persons are engaged in work or an area affected by works in progress; or</u>	<u>Y</u>	
<u>1.3.2 in relation to a part of a road temporarily closed to traffic under the Act or any other Act; or</u>	<u>Y</u>	
<u>1.3.3 for any temporary purposes.</u>	<u>Y</u>	
<u>1.4 The power pursuant to Section 17(5) of the Act to make an application for an approval of the Minister in a manner determined by the Minister (which may differ between applications according to factors determined by the Minister) and to accompany the application with the fee fixed by, or calculated in accordance with, the regulations.</u>	<u>Y</u>	
<u>2.</u> <u>4.</u> Direction as to installation etc of traffic control devices	Delegate to CEO	
<u>42.1</u> The duty pursuant to Section 18(5) of the Road Traffic Act 1961 ("the Act") to carry out a direction which the Minister directs the Council (as a road authority) to carry out pursuant to Section 18(6) of the Act in circumstances where another road authority has failed to comply with the direction.	Y	
<u>42.2</u> The power pursuant to Section 18(7) of the Act where the Minister has directed the Council to carry out a direction pursuant to Section 18(6) of the Act, to recover as a debt due from the defaulting road authority any expenses incurred in carrying out the direction under Section 18(6) of the Act, subject to Section 18(8) of the Act.	Y	
<u>3. Work areas and work sites</u>		
<u>3.1 The power pursuant to Section 20(3) of the Act to, with a relevant authorisation and in accordance with Part 2 of the Act and any regulations made for the purposes of Part 2 of</u>	<u>Y</u>	

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<u>the Act, place signs on a road for the purpose of indicating a maximum speed to be observed by drivers while driving on, by or towards a work area or work site where workers are engaged, or works are in progress, at the direction of the Council or the Council's delegate.</u>		
<u>3.2 The power pursuant to Section 20(4) of the Act to place speed limit signs on a road:</u>	<u>Y</u>	
<u>3.2.1 if the Council holds a permit issued by the Minister under Section 20 of the Act (a 'roadworks permit') and the signs are placed on the road in accordance with the permit; or</u>	<u>Y</u>	
<u>3.2.2 if:</u>		
<u>3.2.2.1 the work is required to be undertaken by the Council as a matter of urgency; and</u>	<u>Y</u>	
<u>3.2.2.2 the signs are placed on the road in accordance with an approval of the Minister under Part 2 of the Act; and</u>	<u>Y</u>	
<u>3.2.2.3 the Minister is notified of the placement of the signs as soon as is practicable (and, in any case, within two hours after the signs are placed on the road); and</u>	<u>Y</u>	
<u>3.2.2.4 the signs are placed on the road for a period not exceeding 24 hours or such longer period as may be determined by the Minister on an application under Section 20(9) of the Act; or</u>	<u>Y</u>	
<u>3.2.3 if:</u>		
<u>3.2.3.1 the signs will not relate to any prescribed roads; and</u>	<u>Y</u>	
<u>3.2.3.2 the signs are placed on the road in accordance with an</u>	<u>Y</u>	

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<u>approval of the Minister under Part 2 of the Act.</u>		
<p><u>3.3 The power pursuant to Section 20(6) of the Act to make an application for a roadworks permit in a manner determined by the Minister (which may differ between applications according to factors determined by the Minister) and to accompany the application with the fee fixed by, or calculated in accordance with, the regulations.</u></p>	<u>Y</u>	
<p><u>3.4 The power pursuant to Section 20(9) of the Act to make an application to the Minister for an extension of the 24 hour period referred to in Section 20(4)(b)(v) of the Act:</u></p>	<u>Y</u>	
<p><u>3.4.1 by telephone or any other manner prescribed by the regulations; and</u></p>	<u>Y</u>	
<p><u>3.4.2 at least three hours before the end of that 24 hour period (unless the Minister is satisfied that there were good reasons for a delay in making the application).</u></p>	<u>Y</u>	
<p><u>4. Appeal to District Court</u></p>		
<p><u>4.1 The power pursuant to Section 20A(1) of the Act, if the Council having applied for an approval of the Minister under Section 17 of the Act or for a roadworks permit under Section 20 of the Act, is dissatisfied with a decision of the Minister in relation to the application, or in relation to an approval or permit granted as a result of the application, to appeal to the District Court against the decision.</u></p>	<u>Y</u>	
<p><u>5. 2. Action to deal with false devices or hazards to traffic</u></p>		
<p><u>52.1 The power pursuant to Section 31(2) of the Act to remove from any road the care, control or management of which is vested in the Council and dispose of any false traffic control device or any device, structure or thing that the Delegate is satisfied might constitute a hazard to traffic.</u></p>	Y	

ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

<u>6.</u> 2A. Road Closing and Exemptions for Certain Events		
2A.16.1 The power pursuant to Section 33(2) of the Act, to consent to an order under Section 33(1) of the Act to close a road in the Council's area.	Y	
<u>7.</u> 3. Notice of Removal of Vehicle and Disposal of Vehicle if Unclaimed		
73.1 The duty pursuant to Section 40P(3) of the Act and subject to Section 40P(4) to offer a vehicle, which was removed by an officer of the Council under Section 40N of the Act and for which there had been notice given according to Section 40P(2) of the Act and the owner of the vehicle failed to take possession of the vehicle and pay all expenses in connection with the removal, custody and maintenance of the vehicle and of serving, posting or publishing the notice, within one month after service or publication of the notice in accordance with Section 40P(2) of the Act, for sale by public auction.	Y	
73.2 The power pursuant to Section 40P(4) of the Act, where a vehicle is offered for sale by public auction but is not sold at the auction or the relevant authority reasonably believes that the proceeds of the sale of the vehicle would be unlikely to exceed the costs incurred in selling the vehicle, to dispose of the vehicle in such manner as the Delegate thinks fit.	Y	
73.3 The duty pursuant to Section 40P(5) of the Act to apply the proceeds of the sale of a vehicle as follows:	Y	
73.3.1 firstly, in payment of the costs of and incidental to the sale;	Y	
73.3.2 secondly, in payment of the costs of and incidental to the removal, custody and maintenance of the vehicle and of the notice served, posted or published under this section; and	Y	

ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

73 3.3	thirdly, in payment of the balance to the owner of the vehicle.	Y	
73 4	The power pursuant to Section 40P(6) of the Act, if after reasonable inquiry following sale of the vehicle the owner of the vehicle cannot be found, to pay the balance of the proceeds of the sale to the Council.	Y	
8. 3A.	Council May Determine That Ticket for Parking be Obtained Without Fee		
83A .1	The power pursuant to Section 86 of the Act, if the Council has installed, or determined that it will install, permissive parking signs to apply to a length of road or area, to (in addition to any other action the Council may be empowered to take by or under the Act):		
83A .1.1	determine that a ticket must be obtained for parking in the length of road or the area through the operation of parking ticket-vending machines installed or to be installed in or near the length of road or area without payment of a fee; or	Y	
83A .1.2	vary or revoke a determination made under Section 86 of the Act.	Y	
9. 4.	Compensation Orders for Damage to Road Infrastructure		
9 .1	The power, pursuant to Section 163ZC(2) of the Act and in accordance with Section 163ZC(5) of the Act to make an application for a compensation order.	Y	
10. 4A.	Assessment of Compensation		
104A .1	The power pursuant to Section 163ZD(2) of the Act and in accordance with Section 163ZE of the Act to use in proceedings for the court to take into account in assessing the amount of any compensation:	Y	
104A .1.1	any evidence not adduced in connection with the prosecution of the offence but adduced in connection	Y	

ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

with the making of the proposed order; and		
<u>104A.1.2</u> any certificate of the Council, as the road authority stating that the Council maintains the road concerned; and	Y	
<u>104A.1.3</u> any other certificate of the Council as the road authority, such as a certificate:	Y	
<u>104A.1.3.1</u> estimating the monetary value of all or any part of the road infrastructure or of the damage to it; or	Y	
<u>104A.1.3.2</u> estimating the cost of remedying the damage; or	Y	
<u>104A.1.3.3</u> estimating the extent of the offender's contribution to the damage.	Y	
<u>11. 4B.</u> Service of Certificates		
<u>114B.1</u> The duty, pursuant to Section 163ZE(1) of the Act, if the Council, as the road authority, proposes to use a certificate referred to in Section 163ZD in proceedings, to serve a copy of the certificate on the defendant at least 28 working days before the day on which the matter is set down for hearing.	Y	
<u>12. 5.</u> Exemptions		
<u>125.1</u> The power pursuant to Section 174C(1) of the Act to exempt any person, or any persons of specified class, or any specified vehicle, or any vehicles of a specified class, from compliance with a prescribed provision of the Act, subject to the payment of such fee and to such other conditions (if any) as the Delegate thinks fit and specifies in the exemption.	Y	

INSTRUMENT OF DELEGATION UNDER THE

ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

<u>DELEGATIONS UNDER THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 2014</u>	<u>Delegate to CEO</u>	<u>Sub- delegation</u>
<u>13. 6.</u> Event Management Plan		
<u>136.1</u> The power pursuant to Regulation 6(2) of the Road Traffic (Miscellaneous) Regulations 2014 to consult with an applicant in the preparation of an event management plan to be provided to the Council for the purpose of a temporary road closure under Section 33(1) of the Act.	Y	
<u>136.2</u> The power pursuant to Regulation 6(2) of the Road Traffic (Miscellaneous) Regulations 2014 to consult with the Minister in the preparation of an event management plan to be provided to the Council for the purpose of a temporary road closure under Section 33(1) of the Act.	Y	

<u>DELEGATIONS UNDER THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 2014</u>	<u>Delegate to CEO</u>	<u>Sub- delegation</u>
<u>14. 7.</u> Permit Zones		
<u>147.1</u> The power pursuant to Regulation 17(2) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 to determine –		
<u>147.1.1</u> the class of permits required for vehicles to stop in a permit zone established by the Council;	Y	
<u>147.1.2</u> the persons entitled to such permits;	Y	
<u>147.1.3</u> any fees to be paid for such permits;	Y	
<u>147.1.4</u> the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles).	Y	

ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE
ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999

and to vary any such determination.		
<u>147.2</u> The power pursuant to Regulation 17(3) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 to issue permits in respect of permit zones to persons entitled to them, on payment of a fee (if any) and subject to the conditions, determined by the Delegate.	Y	
<u>15. 8.</u> ——— Parking and Parking Ticket-Vending Machines or Parking Meters		
<u>815.1</u> The power pursuant to Regulation 17(2) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 if the Council has installed permissive parking signs on a length of road or an area, to determine fees that will be payable for parking by the operation of parking ticket-vending machines or parking meters, installed or to be installed in the length of road or area, and the power to vary such fees.	Y	

Independent Member - Finance and Audit Committee Meeting

Originating Officer	Governance Officer - Victoria Moritz
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911R12

REPORT OBJECTIVE

For Council to consider the re-appointment of Ms Emma Hinchey, Independent Member to the Finance and Audit Committee (FAC).

EXECUTIVE SUMMARY

The FAC has three expert members that form part of the membership of the Committee. The term of the expert members has historically been for a three-year period and is structured to ensure that the expiration of the term falls at different times to allow continuity of membership despite changes to Council's elected representatives.

This report highlights that Ms Emma Hinchey's term on the FAC expires on 30 November 2018. Ms Hinchey's term on the FAC commenced on 1 January 2017. Council has two options regarding this position:

1. Re-appoint Ms Hinchey for a term of three (3) years, or
2. Undertake a recruitment process for the position through the Review and Selection Committee.

The views of Ms Hinchey have been sought and she has expressed her desire to continue on the FAC if Council so determined.

If the Council wishes to discuss the performance of Ms Hinchey, it is recommended that the Council move into confidence in accordance with the following resolution:

That Pursuant to Section 90(2) and (3)(a) of the Local Government Act, 1999 the Review and Selection Committee orders that all persons present, with the exception of Adrian Skull, CEO, Kate McKenzie, Manager Corporate Governance, Vincent Mifsud, General Manager Corporate Services and Steph Roberts, Manager Human Resources be excluded from the meeting as the Committee considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Council will consider the performance of the Finance and Audit Committee.

A report was considered by the Review and Selection Committee at its meeting on 28 August 2018 in relation to the two options and resolved the following:

That the Review and Selection Committee recommend to Council:

1. *That Ms Emma Hinchey be re-appointed for a period of 3 years until 30 November 2021.*

RECOMMENDATION

That Council:

1. **Re-appoint Ms Emma Hinchey to the Finance and Audit Committee for a period of 3 years until 30 November 2021**

GENERAL ANALYSIS

The Finance and Audit Committee (FAC) (renamed in 2015) was established in 2006 pursuant to section 126 of the *Local Government Act 1999*. Under the FAC's Policy and Terms of Reference, the FAC will comprise of five (5) members – two (2) elected members and three (3) expert members.

Section 3.6 to 3.11 of the FAC Terms of Reference states the following:

External Expert Members

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

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

3.8 The Council will determine the process for appointing an expert member.

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

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

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

The following table provides the details of the current FAC membership, when they were appointed and when their terms expires.

Member	First Appointed	Expiry of Term
Mr. Greg Connor	November 2013	November 2019
Ms Natalie Johnston	13 February 2018	30 November 2020
Ms Emma Hinchey	1 January 2017	30 November 2018
Councillor Raelene Telfer	October 2015	10 November 2018
Councillor Nick Kerry	October 2015	10 November 2018

Elected Member Positions

Council has resolved that the Elected Member positions for the FAC will remain the same with Councillors Raelene Telfer and Nick Kerry re-appointed from 1 December 2017 until 10 November 2018.

If a recruitment process is undertaken, the Review and Selection Committee will manage this process.

Policy Review

Originating Officer	Quality Governance Coordinator - Deborah Horton
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911R13

REPORT OBJECTIVE

That Council reviews and endorses the attached policies, so that all Council policies are up to date and current before caretaker period commences on 18 September 2018.

EXECUTIVE SUMMARY

The City of Marion now has a centralised approach to its policy management with a framework to provide clarity of policy hierarchy and clear procedures for the creation, evaluation and rescission of policies. This approach is consistent with recommendations arising from an internal audit undertaken by KPMG mid last year (GC150817R8.2) and a report titled "Organisational Policy Review 2018" to the General Council meeting on 10 July 2018 (GC180710R01).

In this report, there are seven policies for Council's review. The policies attached to this report require Council review to ensure that they are current and align with Council strategy and business plans.

All policies will now follow a new review structure whereby policies will be formally reviewed by Council once a term unless specified otherwise either by legislation or a resolution of Council. It is proposed that the following policies will be formally reviewed again by the next Council (2018-2021).

RECOMMENDATION

That Council :

1. Reviews and thereby endorses the following Policies:

- **City Limits Policy (Appendix 1)**
- **Sister Cities Policy (Appendix 2)**
- **Community Awards and Recognition (Appendix 3)**
- **Social Media Policy (Appendix 4)**
- **Economic Development (Appendix 5)**
- **Donations and Sponsorship Policy (Appendix 6)**
- **Grants Policy (Appendix 7)**

DISCUSSION

City Limits Publication Policy (Appendix 1)

At its meeting on the 23 May 2017 (GC230517R06), Council reviewed the City Limits publication endorsing a 24 page A4 sized magazine to be distributed three times a year, with one column from the Mayor and six Ward Councillors each edition. This new format has been included into the policy since it was last reviewed and updated into the new policy template with no major changes made to the policy intention.

Sister Cities Policy (Appendix 2)

This policy has been updated into the new policy template with no major changes to the policy intention. Minor grammatical and formatting edits have been undertaken. A definition of a 'bilateral agreement' has

been added for further clarification. Elements included in the policy (criteria and approval process) are procedural in nature. It would be prudent in a future review to extract this information from the policy into a stand-alone procedure.

Community Awards and Recognition Policy (Appendix 3)

This policy has been updated into the new policy template with no major changes to the policy intention. Minor grammatical and formatting edits have been undertaken.

Social Media Policy (Appendix 4)

This policy has been updated into the new policy template with no major changes to the policy intention. Minor grammatical and formatting edits have been undertaken.

Economic Development Policy (Appendix 5)

This policy has been updated into the new policy template with no major changes to the policy intention. Minor grammatical and formatting edits have been undertaken.

Donations and Sponsorship Policy (Appendix 6)

This policy has been updated into the new policy template with no major changes to the policy intention. Elements included in this policy (eligibility and assessment process) are procedural in nature. Inclusion in this policy is reference to the recently introduced Community Events Fund.

It may be prudent to consider a Philanthropy Policy in the future combining all policies that relate to Council's financial programs that support community initiatives/programs/activities etc.

Grants Policy (Appendix 7)

This policy has been updated into the new policy template and has changed from a Community Grants Policy to a Grants Policy due to the increased number of programs that Council provides financial support to the community. The intent of the policy remains the same with reference to each individual program. Minor grammatical and formatting edits have been undertaken.

Attachment

#	Attachment	Type
1	Appendix 1 - City Limits Policy 2018	PDF File
2	Appendix 2 - Sister City Policy 2018	PDF File
3	Appendix 3 - Community Awards and Recognition Policy 2018	PDF File
4	Appendix 4 - Social Media Policy	PDF File
5	Appendix 5 - Economic Development Policy	PDF File
6	Appendix 6 - Donations and Sponsorship Policy	PDF File
7	Appendix 7 - Council Grants Policy	PDF File

1. RATIONALE

To communicate with residents and stakeholders to reinforce and promote the directions and strategies of the six themes within the *Community Vision – Towards 2040* and not include information that **is contradictory**. ~~contradicts them.~~

2. POLICY STATEMENT

This policy provides guidance of the content of advertising and the types of articles published in *City Limits*.

3. PRINCIPLES

In producing and publishing the *City Limits*, the following principles are **considered and applied**;

~~Overriding principles~~ *City Limits*:

- 3.1 Promotes the directions and themes of the *Community Vision – Towards 2040* and provides information to the community.
- 3.2 Aims to be free of discriminatory or defamatory content.
- 3.3 Articles should not expose Council to legal action.
- 3.4 Reporting and commentary should adhere to the highest standard of accuracy.
- 3.5 Is produced in accordance with the City of Marion Style Guide.
- 3.6 ~~Adheres to~~ **Consistent** with the Publications Policy (Elected Members).
- 3.7 Is produced and distributed three times a year.
- 3.8 Articles should not portray people or depict material ~~which~~ **that** discriminates against or vilifies a person or community group based on race, ethnicity, sex, age, sexual preference ~~orientation~~, religion, disability or political belief.
- 3.9 Articles ~~should~~ **will** not directly ~~thereby intentionally~~ promote:
 - 3.9.1 Alcoholic drinks,
 - 3.9.2 Betting or gambling,
 - 3.9.3 Tobacco products or manufacturers of tobacco products,
 - 3.9.4 Products or services of an intimate nature including adult stores, ~~sex lines~~ **and or sexual** websites,
 - 3.9.5 Financial products or services that promote loans,
 - 3.9.6 Illegal activities or anti-social behaviour including use of illicit drugs or reckless driving,
 - 3.9.7 Violence.

Development of Articles:

- 3.10 Content is developed, written and edited by the City of Marion. Qualified sub-contractors or special contributors may also be required to write articles.
- 3.11 Senior management will be consulted on the overall direction and on feature articles of strategic importance.
- 3.12 Ideas for articles are provided by City of Marion staff, members of the community, management and Elected Members.
- 3.13 City of Marion will obtain a person's consent to take their photograph and feature them in an article. If the person is a minor, consent will be obtained from their parent or legal guardian.
- 3.14 The selection criteria for articles includes:
 - 3.14.1 Supports the *Community Vision – Towards 2040*,
 - 3.14.2 Newsworthiness,

- 3.14.3 Topicality,
- 3.14.4 Photographic opportunity,
- 3.14.5 Balance of subject matter,
- 3.14.6 Content of previous editions.

Format:

- 3.15 City Limits is a 24 page, A4 size full colour publication **distributed three times a year.**¹
- 3.16 Technical standards including font and layout will adhere to the City of Marion Style Guide.

Elected Member Contributions:

- 3.17 Space will be reserved for one column from the Mayor in each edition.²
- 3.18 Space will be reserved for a column from six Ward Councillors (one from each ward) in each edition.³
- 3.19 Ward Councillor columns will be alternated so that each Councillor provides a column in every second edition.
- 3.20 Contributions will appear in **ward** alphabetical order ~~by ward~~ (Coastal, Mullawirra, Southern Hills, Warracowie, Warriparinga, Woodlands).
- 3.21 ~~Elected Member~~ **Ward Councillor** contributions will appear with their photograph and contact details.
- 3.22 Contact details of ward Councillors who do not have a column in an edition will also be included.
- 3.23 Space will be reserved for 200 words for each ~~Elected Member~~ **ward Councillor column.**
- 3.24 A photograph relevant to content will be inserted in each ward Councillor's column.
- 3.25 Contributions from ward Councillors must be emailed to the City of Marion by a deadline which will be specified during the lead up to publication.
- 3.26 ~~Elected Member~~ **Ward Councillor** contributions will not be published during a caretaker period for Local Government Elections.
- 3.27 Contributions must adhere to the Publications Policy (Elected Members).

Advertising:

- 3.28 ~~The magazine~~ **City Limits** does not include paid advertising.
- 3.29 Adverts promoting ~~e~~**C**ouncil events, services or initiatives may be included at the discretion of the City of Marion where it is considered that this will be a more effective approach than articles.
- 3.30 Adverts promoting initiatives or projects supported by ~~e~~**C**ouncil may be included where it is considered this will be a more effective approach than articles.

Distribution:

- 3.31 ~~The publication~~ **City Limits** is free.
- 3.32 ~~It is distributed~~ **Distribution of City Limits is via;**
 - 3.32.1 letterbox drop,
 - 3.32.2 made available at City of Marion facilities including the Administration Building, Libraries and neighbourhood centres,
 - 3.32.3 ~~and on e~~**C**ouncil's website,

¹ Refer City of Marion General Council meeting 23 May 2017 (GC230517R06).

² As above.

³ As above.

3.32.4 mailed to stakeholders outside the council area.

4. POLICY SCOPE AND IMPLEMENTATION

This policy applies to the City of Marion.

5. DEFINITIONS

The following terms apply to this policy;

Adult store	<i>A shop that provides services or products of a sexual nature.</i>
Advertising	<i>Attracting public attention to a product, service or business by a paid announcement.</i>
Alcoholic drinks	<i>Any beer, wine, spirits or cider or other drinks of an intoxicating nature.</i>
Article	<i>Non-fictional journalistic account of events.</i>
<i>Community Vision – Towards 2040</i>	<i>City of Marion Strategic document that espouses six themes that represents the shared values and aspirations that will guide how our city develops.</i>
Illicit drugs	<i>Unlawful drugs and substances.</i>
Ward Councillor	<i>Elected Member.</i>

6. ROLES AND RESPONSIBILITIES

The Communications Team is responsible for the implementation and management of this policy.

7. REFERENCES

- Publications Policy (Elected Members)
- City of Marion *Community Vision – Towards 2040*

8. REVIEW AND EVALUATION

This policy will be reviewed once during a term of Council. Its review will be initiated by the Governance Department.

1. RATIONALE

The City of Marion's participation in the Sister Cities Program (SCP) enables the community to establish and maintain friendships with other communities throughout the world.

2. POLICY STATEMENT

The program SCP creates the opportunity to foster international goodwill while enriching our community with a broader understanding of other nations, their traditions, customs and cultures. It also provides an avenue that may lead to economic benefits, tourism and cultural exchanges.

3. OBJECTIVES

To outline identify how the City of Marion will select and maintain the SCP sister cities' relationships to;

- Develop long-lasting, mutually beneficial friendships and exchange ideas.
- Gain a valuable understanding of international, national or state issues, cultures and traditions,
- Generate harmony, tolerance and goodwill
- Promote economic growth and increase tourism
- Exchange cultural and educational experiences and values
- Exchange technical assistance and advice to other cities.

4. EXISTING SISTER CITIES RELATIONSHIPS

The City of Marion maintains the following sister cities relationships;

- Kokubunji, Japan (established 1993)
- Naracoorte, South Australia (established 1995)

This relationship is a link between the City of Marion and the above cities to promote the objectives of the program SCP.

5. ESTABLISHING AND MAINTAINING A SISTER CITY RELATIONSHIP

Sister city relationships should be established for their strategic relevance to the City of Marion and its residents. Where possible, relationships should be based on the concept of reciprocity and mutual benefit except in circumstances where they have been entered into for humanitarian reasons.

5.1 Criteria

In addition to ensuring the relationship meets the objectives of the SCP and this policy, council will use the following criteria to assess the suitability of entering into a new sister cities relationship or when reviewing existing friendships;

5.1.1 **General:** relevance to the local community, any existing linkages, demographics (including cultural), historical, sporting or artistic significance and ease of access.

5.1.2 **Economic:** similar economic conditions, trade and investment opportunities tourism potential.

5.1.3 **Social:** similar social infrastructure and issues, opportunity for broad-based activity, people-to-people interest, energy and commitment.

5.1.4 **Educational:** opportunity for student/teacher exchange programs.

5.1.5 **Humanitarian:** opportunity to use skills of City of Marion staff and the community to assist in the development of the sister city consistent with the provisions of the ~~Humanitarian Leave Procedure~~ other organisational policy/procedure.

5.1.6 **Existing relationships:** assessed against level of communication with Sister City, history of outcomes to-date and current and /proposed projects.

A review of the relationship /friendship will be undertaken upon Council direction.

5.2 Approval Process

Approval of a sister city relationship is a three-staged process to be followed as identified below:

5.2.1 Sister Cities Friendship Group (see below) identifies and recommends to a General Council Meeting a potential relationship.

5.2.2 Adoption at a General Council meeting of a resolution to establish/not establish a sister city relationship.

5.2.3 Formalising the relationship with the exchange of a Memorandum of Understanding (MoU) signed by the Mayor of the City of Marion and the leader of the nominated city/town.

5.3 Sister Cities Friendship Group

A Sister Cities Friendship Group will be established with the purpose of:

5.3.1 Identifying potential sister city relationship based on the above objectives and criteria and making recommendations to council.

5.3.2 Recommending to council a program SCP including any budgetary considerations to strengthen and maintain the relationship. Costs associated with the operation of a SCP or friendship group will be determined through mutual agreement with respective cities and be subject to normal usual budget approval process.

5.3.3 Reviewing the ongoing success of the relationship in meeting the key objectives and criteria outlined in this document and making recommendations to council.

The friendship group will meet as required and comprise the Mayor, two Elected Members, community members (number as interested). The City of Marion will provide support to the group.

6. POLICY SCOPE AND IMPLEMENTATION

This policy applies to the Corporation of the City of Marion.

7. DEFINITIONS

Bilateral agreement: An agreement formed by an exchange of a promise in which the promise of one party is consideration supporting the promise of the other party.

Memorandum of

Understanding (MOU): A formal document describing a bilateral agreement between two parties.

Sister cities:

A co-operative agreement between the City of Marion and another city/town in Australia or overseas to promote shared cultural,

educational, humanitarian, economic connections and awareness.

Sister cities friendship group:

A group comprising Elected Members and the community to advise Marion Council on establishing and maintaining sister cities relationships.

8. ROLES AND RESPONSIBILITIES

This policy will be implemented and managed by the City of Marion's Communications Department.

9. REFERENCES

- N/a

10. REVIEW AND EVALUATION

This policy will be reviewed once in a term of Council (2018 – 2022). Its review schedule will be coordinated by the City of Marion Governance Unit in consultation with the Communications Unit and other key stakeholders.

1. RATIONALE

To celebrate the outstanding achievements and contributions individuals, organisations/groups and business make to enriching our community.

2. POLICY STATEMENT

The City of Marion is committed to celebrating the outstanding achievements and contributions individuals, organisations/groups and business make to enriching our community.

The Community Awards and Recognition Policy This policy outlines how the City of Marion will formally acknowledge these outstanding role models in the community whose contributions often go unrecognised. The Policy explains the types of awards and recognition council offers, who is eligible and the role of Elected Members in supporting the program.

The policy should be read in conjunction with the Community Awards and Recognition Procedures which detail how the program is administered.

3. OBJECTIVES

The Community Awards and Recognition Program reflect the values in the Community Plan – Towards 2040. The objectives of the program are to:

- Publicly and formally celebrate the outstanding achievements and contributions made by individuals, organisations/groups and businesses to the community.
- Foster pride in the achievement of those who have been nominated for recognition among the wider community.
- Build a stronger, more engaged community that values the importance of volunteering and encourages positive role models.
- Enable the City of Marion to thank recipients for their contribution on behalf of the community.

4. POLICY SCOPE AND IMPLEMENTATION

This policy applies to the City of Marion (organisational wide).

5. DEFINITIONS

Award	A prize or honour bestowed on an individual, organisation/groups and business.
Community Awards and Recognition Program	The initiative of the City of Marion to celebrate the outstanding achievements and contributions of individuals, organisations/groups and businesses to the community.
Formal awards	Formal awards are part of the Community Awards and Recognition Program. All other awards are non-formal.
Recognition	An acknowledgement bestowed on an individual, group of people.

6. COMMUNITY AWARD AND RECOGNITION PROGRAM AND PRINCIPLES

The City of Marion's Community Award and Recognition program comprises ~~seven~~ **five** awards including:

- Australia Day Awards
- Community Excellence Awards
- Unsung Heroes Awards
- Certificate of Appreciation
- ~~Marion Learning Festival Scholarship~~
- ~~Youth Recognition Awards~~
- Volunteer Recognition Awards

Non-formal recognition and creating other awards

Other formal award and recognition programs can be established provided they adhere to the principles of this policy (see the Community Awards and Recognition Procedure). The process for non-formal recognition of community members and accessing external awards are included in the procedures.

Recipients

Each award will have its own selection criteria and nomination process which must be adhered to for an entry to be valid. As a general principle, recipients of a City of Marion award can be:

- Living or deceased
- Reside, study, **train** or work in the City of Marion.
- Involved in an organisation that works predominately to benefit the City of Marion community.
- Staff employed by the City of Marion provided their involvement falls outside of employee-related activities.
- An animal.

Nominations

All nominations must adhere to the following principles:

- Nominations for all awards/recognition categories should be made by persons other than the nominee themselves and should address the specific selection criteria.
- All nominations must be accompanied by the contact details of at least one referee able to confirm the accuracy of the information provided by the nominator.
- All nominations, including the details of nominators and referees, will be kept in strictest confidence.

7. ROLE OF ELECTED MEMBERS

The role of Elected Members in the Community Awards and Recognition program ~~is to~~ **include**;

- Promote individual awards to the community
- Nominate individuals and groups for awards
- Participate in the judging of awards as required
- Represent the community at award ceremonies

Judging

Australia Day Awards – A judging panel comprising the Mayor, Deputy Mayor and one other Elected Member will select the winner of the awards.

Marion Learning Festival Scholarship – The Mayor will select the scholarship winner from names forwarded by the Marion Learning Festival organising committee.

The other award categories do not require judging.

7. ROLES AND RESPONSIBILITIES

The Unit Manager Communications is responsible for the implementation of this policy.

8. REFERENCES

- *Community Awards and Recognition Procedures*
- *2013–2016 Youth Plan*
- *Staff Memorial Policy*
- *City of Marion Community Vision – Toward 2040*

9. REVIEW AND EVALUATION

This policy will be reviewed once during a term of Council. Its review will be initiated by the Governance Department Communications Unit.

1. RATIONALE

This policy aims to build strong and positive relationships with the community and stakeholders using technology via various social media platforms.

2. POLICY STATEMENT

~~With the growing use of social media, the City of Marion recognises the opportunity to connect further with the community. Social media allows the community to share their thoughts, feelings and ideas with the Council and vice versa. This will result in genuine two-way communication and engagement.~~

~~Social media forms part of the City of Marion's Digital Communication and Engagement Strategy. It aims to build strong and positive relationships with the community and stakeholders.~~

~~Social media tools will be integrated into the official website and other channels so that all of City of Marion's communication and engagement, including traditional methods, actively promote and complement each other.~~

~~The use of social media will be conducted in an appropriate and professional manner, hence upholding the integrity and professionalism of City of Marion's reputation in the online environment.~~

~~This policy outlines how social media will be used across the City of Marion on for Council business or relevant topics. This policy should be read in accordance with the Social Media Procedure and relevant documentation.~~

3. OBJECTIVES

The City of Marion's social media interactions aim to be:

- Accurate.
- Provide clear and timely information.
- Be free from and discriminatory/defamatory or potentially discriminatory/defamatory content.
- Mitigate potential to expose Council to legal action.

4. POLICY SCOPE AND IMPLEMENTATION

This policy is applicable to any social media sites in the online environment including, but not limited to, social networking sites, microblogging sites, photo sharing sites, video sharing sites, media sites, blogs, wikis, forums and discussion boards. ~~As the digital landscape is ever evolving, This~~ policy captures any new platforms that emerge. This policy is applicable to all staff who use the City of Marion social media accounts **in a corporate context**. ~~Where staff refer to City of Marion in their personal accounts, this policy will come into effect.~~

This policy does not apply to Elected Members' personal use of social media, provided that the City of Marion is not referenced in a manner which defames the Corporation, Elected Members or staff. In this event, ~~this policy will come into effect~~ **any reference to the City of Marion be consistent with the Publications Policy.**

5. DEFINITIONS

Account –	a profile on a single social media platform.
City of Marion –	The Corporation of the City of Marion Council and its Elected Members, staff, policies, services, suppliers, stakeholders or any other council related issues.
Community –	people who live, work, study, conduct business and use the facilities or public places in the City of Marion.
Content –	any information that can be published to an account, such as statements, photos, and videos.
Documentation –	social media documents (listed in references) to assist staff in best practice use.
Social media –	web-based tools and smartphone applications that allow users to easily connect and communicate with each other as well as publish, share and discuss information content such as text, photos, video and audio. Social media websites are characterised by interaction, collaboration and user-generated content, with a focus on building online communities of people who share interests and/or activities.
Local catchment area –	City of Marion and surrounding council areas from where visitors or customers travel, including Holdfast Bay, West Torrens, Unley, Mitcham and Onkaparinga.
Online/digital communications –	any communications that takes place using the internet.
Platform/tool/site –	a social media website, such as Facebook, Twitter or YouTube.
Publish –	the uploading of content to an account, such as a status update, comment, post, tweet, photo, video or link.
Staff –	any person carrying out duties or performing tasks for and on behalf of the City of Marion whether they are paid or unpaid, including employees, contractors, consultants, volunteers, students or any other persons that are involved with the City of Marion.

6. USE OF SOCIAL MEDIA

The City of Marion will use social media as follows:

- Maintain accounts for target audiences where positive social media engagement might be most successful.
- Regularly maintain and monitor the accounts to ensure content is published on a regular basis; enquiries are responded to in a timely manner; and any inappropriate use of the account is dealt with appropriately.
- Regularly communicate and promote City of Marion news, initiatives and events - and actively listen to the community's views.

- Raise the profile and public awareness of council business, services, public resources and facilities.
- Provide more opportunity for timely responses to relevant customer enquiries, and provide referrals to other communication methods if needed, ~~particularly other digital tools and online services~~ such as the website.
- Increase access between City of Marion and the community, especially with different audiences who may not receive messages through traditional channels. ~~such as young people and people who are homebound.~~
- Strengthen City of Marion's reputation as being responsive, consultative, participatory and transparent.
- Develop and manage an online community that is a safe and respectful place where members are encouraged to communicate and interact with City of Marion and each other, without any defamatory or inappropriate content. Involve the community in strategic direction and planning processes by promoting community consultation projects and engagement opportunities to seek public opinion.
- Identify issues circulating in the community.
- Promote local businesses, organisations and events that are located within the City of Marion and local catchment area that may be of interest to the local community, in accordance with the City Limits Publications Policy Advertising Principles (5.4 and 5.5). Promotion is at the discretion of the City of Marion.
- City of Marion social media accounts should actively promote other council accounts by sharing posts or mentioning each other where possible.

7. ROLES AND RESPONSIBILITIES

The Unit Manager Communications is responsible for the implementation and management of this policy.

8. REFERENCES

- Social Media Procedure
- Digital Communications and Engagement Strategy
- **Publication Policy**
- Internet & Email Access and Usage Policy
- Community ~~Consultation~~ **Engagement** Policy
- Records & Document Management Policy
- ~~Publications Policy~~

Copyright Act 1968 (Cth)
Criminal Law Consolidation Act 1935 (SA)
Defamation Act 2005 (SA)
Fair Trading Act 1997 (SA)
Fair Work Act 1994 (SA)
Freedom of Information Act 1991 (SA)
Local Government Act 1999 (SA)
Local Government (Elections) Act 1999 (SA)
Equal Opportunity Act 1984 (SA)
Australian Human Rights Commission Act 1986 (Cth)
Spam Act 2003 (Cth)
Privacy Act 1988 (Cth)
State Records Act 1997 (SA)
Civil Liability Act 1936 (SA)

9. REVIEW AND EVALUATION

This policy will be reviewed once during a term of Council. Its review will be initiated by the Governance Department.

DRAFT

1. RATIONALE

To establish general principles that will guide the City of Marion's activities in supporting and developing the local economy.

2. POLICY STATEMENTS

- 2.1 The *City of Marion Community Vision - Towards 2040* endorses six themes which represent the shared values and aspirations that will guide how our city develops.
- 2.2 Growing prosperity in the City of Marion is vital to achieving a better quality of life for the community.
- 2.3 Sustainable economic growth at a local level is critical to generate ongoing employment opportunities and to support improvements in infrastructure and services for the community as a whole.
- 2.4 A commitment to environmental sustainability, through a circular and low carbon economy is needed to help ensure the long-term sustainability of the local economy.
- 2.5 Although recognising the influences of market forces and other factors on local economic conditions, local government plays a major role in sustainable economic growth.
- 2.6 The *Local Government Act 1999* (SA) specifically identifies one of the functions of a council as promoting its area to provide an attractive climate and locations for the development of business, commerce, industry and tourism.¹

3. PRINCIPLES

- 3.1 The City of Marion is committed to facilitating **city activation** through economic development and to developing a local economy that is diverse, innovative and adapts quickly and effectively to change.
- 3.2 The City of Marion will play three major roles in supporting economic development;
 - 3.2.1 Providing leadership for its community by supporting innovative smart initiatives in developing the local economy.
 - 3.2.2 Facilitating the delivery of projects that assist with the growth of the local economy, development of its businesses and creation of ongoing employment and skills development opportunities for its residents.
 - 3.2.3 Building partnerships with both the private and public sectors to achieve its economic development aims.
- 3.3 The City of Marion will provide services that contribute to the creation and maintenance of a supportive local business environment and will ensure that the needs of the business community are considered when designing and delivering infrastructure.
- 3.4 The City of Marion will actively promote Marion as a place to live, learn, work, invest and do business.
- ~~3.5 Where appropriate, the City of Marion will seek to add value to State and Commonwealth Government programs based on the potential for economic benefits to the City and its community.~~
- 3.5 The City of Marion will work collaboratively with the Southern Adelaide Economic Development Board to advocate throughout government, business, education, community and not-for-profit organisations to realise the full economic potential of our community.

¹ *Local Government Act 1999* (SA) s 7(g).

- 3.6 The City of Marion will **build strategic partnerships/utilise a collaborative approach** with other stakeholders at a regional, metropolitan and state level where there are clear benefits to be gained for the City of Marion community.
- 3.7 ~~Individual projects will be assessed on a case-by-case basis and the City of Marion will consider taking a direct financial interest in projects subject to a full assessment of the risks and potential financial and economic returns.~~
- 3.8 Economic development will be balanced with community wellbeing.

4. POLICY SCOPE AND IMPLEMENTATION

This policy applies to the City of Marion.

5. DEFINITIONS

N/A.

6. ROLES AND RESPONSIBILITIES

The Unit Manager Economic Development is responsible for the implementation and management of this policy.

7. REFERENCES

- City of Marion *Community Vision – Towards 2040*.
- *Local Government Act 1999 (SA)* s 7.

8. REVIEW AND EVALUATION

This policy will be reviewed once during a term of Council. Its review will be initiated by the Governance Department.

1. RATIONALE

The City of Marion Council values the many community initiatives and endeavours that enhance the quality of life its for residents. of the City of Marion. In this context, Council acknowledges the contribution made by individuals, groups, not-for-profits, educational institutions and organisations in promoting these initiatives. ~~The purpose of Council's Donations and Sponsorship policy is to assist eligible individuals, groups, not-for-profits and organisations with activities that benefit the residents of the City of Marion.~~

2. POLICY STATEMENT

The City of Marion acknowledges and takes seriously its responsibility to manage ratepayer funds with probity, integrity, transparency and in the interest of the City of Marion community.

3. OBJECTIVES

The policy aims to

- To assist eligible individuals, groups, not-for-profits and organisations with ~~activities/activities/events~~ resources for community programs and initiatives to directly that benefit the residents of the City of Marion.
- ~~Provide~~ Secure an open, transparent, transparency and a coordinated approach to the City of Marion's decision-making process for community requests for, donations (monetary and in-kind) and sponsorships from Council; and
- Provide an accessible and equitable process for all individuals, groups, not-for-profits, educational institutions and organisations seeking support donations and sponsorships from Council.the City of Marion.

4. POLICY SCOPE AND IMPLEMENTATION

This policy operates organisational wide however oversight of its implementation is provided by the Community Wellbeing business unit, City Services Division.

~~The City of Marion Under this policy, Council will consider the provision of small amounts of assistance to individuals, groups, not-for-profits and organisations of up to \$100 in value of cash or up to \$500 in-kind support (e.g venue hire) per eligible application with a minimum of one successful application per year per group.. Such assistance will be given within the eligibility and criteria defined below.~~

~~It is noted that this Policy forms part of a suite of policies that collectively provide assistance to the City of Marion community. Other policies/programs within this suite include:~~

- ~~Community grant Program~~
- ~~Youth Achievement Grant Program~~
- ~~Community Facilities Partnership Program.~~

~~All requests for assistance other than within the above scope will be referred to Council for considerations on the basis of the merits of the individual request. Requests for donations to humanitarian appeals will also be considered and weighted against its impact upon the City of Marion community. referred to Council.~~

5. DEFINITIONS

Donation Voluntary contribution made without expectation of full return.

Grant	Funds or other assistance, Money provided conditionally upon application to the a specific program/purpose (e.g. Community Grants Program) and conditional upon agreed terms and condition. Funds provided to a recipient through a formal program for a specified purpose, directed at achieving goals and objectives consistent with this Council policy and strategic direction, where The recipient is selected on merit against a set criteria. and grants are provided without expectation of commercial return.
In-kind support	Resources that the City of Marion might provide at reduced rates or free of charge e.g. venue hire, traffic management, publicity in Council's magazine (City Limits); staff support; use of Council's logo; use of facility passes. In-kind support will be provided at a maximum of \$500 value in relation to venue hire. All other in-kind support will be decided at the discretion of management.
Things that the City of Marion might provide at reduced rates or free of charge e.g. venue hire; publicity in Council's magazine (City Limits); staff support; use of Council's logo. In-kind support will be provided at a maximum of \$500 in relation to venue hire. All other in-kind support will be decided at the discretion of management.	
Sponsorship	A contractual business arrangement under which whereby the a Sponsor (City of Marion), for a specified term, provides a specified amount of contribution in cash and/or in-kind ("contra") in return commiserate with for a specified negotiated commercial benefit(s). Benefits purchased may include the right to public recognition or association with a service, program event, activities, a particular individual, infrastructure or association.

6. ELIGIBILITY

To be eligible to apply for support in accordance with this policy, the applicant must be an individual, group, not-for-profit or organisation located within the City of Marion or providing a direct service that demonstrably contributes to the wellbeing and development of the City of Marion community.

Specific eligibility requirements will need to be met for the following programs;

- Community Grant Program
- **Community Events Fund**
- Youth Achievement Grant Fund
- Community Facilities Partnership Program

7. APPLICATION AND ASSESSEMENT

Applications for assistance under this policy:

- May be made at any time during the year
- Must be made using the **online form found** <https://www.marion.sa.gov.au/services-we-offer/grants>

All applications for funding ~~under~~ **in accordance with** this policy will be determined by the Unit Manager Community Connections **(or their proxy)**. ~~in alignment with the above eligibility and~~

~~criteria.~~ Any retrospective applications will be automatically denied. ~~not be accepted for activities already held.~~

~~If the applicant has received a similar donation/sponsorship in the past, even if the criteria is met, the applicant is not guaranteed to receive funding.~~

Preference is given to individuals, groups, not-for-profits, organisations to applications that who have not received assistance within the previous two years. Please note, if the eligible applicant has been successful in the past with a similar donation/sponsorship from the City of Marion, the applicant is not guaranteed approval ~~even if the criteria is met for the current application).~~

Donations/sponsorship will be provided to a maximum of five individuals from any one organisation/club/sporting group.

Sporting groups, organisations, clubs can only apply for donations/sponsorship once per year ie one applications per financial year.

8. ROLES AND RESPONSIBILITIES

The Manager of Community Connections is responsible for the implementation and management of this policy.

Reporting

Successful applicants are required to provide to the Manager Community Connections, upon ~~within three months of the completion of the activity/program/sponsorships,~~ a brief statement/report detailing how funds were expended. Applicants are encouraged to refer to reporting requirements as provided within guidelines associated with specific programs.

A report detailing all donations and sponsorships requested and provided under this Policy will be prepared by the City of Marion and used to inform ~~considered by Council on an annual basis.~~

Acquittals

Any unspent donations funds will need to be required to be returned to Council. Applicants who do not complete an acquittal report will be ineligible for any future funding.

9. REFERENCES

- Community Plan: Towards 2040
- City of Marion Strategic Plan 2017-2027
- City of Marion Business Plan 2016-2019
- Community Grant Program
- Youth Achievement Grant Program
- Community Events Fund Guidelines
- Community Grants Policy

10. REVIEW AND EVALUATION

This policy will be reviewed once during a term of Council. Its review will be initiated by the Community Wellbeing Unit.

1. RATIONALE AND POLICY STATEMENT

The City of Marion recognises and values the role of individuals and organisations in contributing to the support and development of its diverse community. To this end, Council offers a Community Grants Program to eligible applicants.

The City of Marion has a responsibility to ensure that the Grant programs support and enable local initiatives, projects, activities and events that strengthen community connections and wellbeing across the city.

~~Council acknowledges that individuals, groups, not-for-profits and organisations require funds to support local initiatives that progress community development outcomes and make a contribution to sport and recreation, arts and culture, environment, community or social development.~~

2. POLICY STATEMENT

The City of Marion acknowledges and takes seriously its responsibility to manage rate payers funds with probity, integrity, transparency, equity and in the interest of the City of Marion.

3. OBJECTIVES

This policy aims to:

- ~~— secure an open and transparent decision making process for require for community grants;~~
and
- Provide an accessible and equitable process for individuals, groups, not-for-profits and organisations seeking funding through one of the identified grant programs community grants.
- Facilitate a transparent and equitable process across all grant program areas.

3. POLICY SCOPE AND IMPLEMENTATION

This policy is intended for use by the Community Development Business Unit who are responsible for administering the Community various Grants Programs. ~~in addition to the Donations and Sponsorship; Youth Achievement Grant Program.~~

~~It is noted that this Policy forms part of a suite of policies that collectively provide assistance to the City of Marion community. Other policies/programs within this suite include:~~

- ~~— Donation & Sponsorship Policy~~
- ~~— Youth Achievement Grant Program~~
- ~~— Communities Facilities Partnership Program~~

The Grants Policy provides financial support through a number of programs

- Community Grants Program
- Community Events Fund
- Youth Development Grants and Partnerships
- Youth Achievement Grants
- Community Facilities Partnership Program

All requests for assistance other than within the above scope will be referred to Council for consideration on the basis of the merits of the individual request.

4. DEFINITIONS

Grant	Funds or other assistance Money provided, conditionally upon application to a the specific program/ purpose (e.g. Community Grants Program) and conditional upon agreed terms and conditions. Funds provided to a recipient through a formal program for a specified purpose, directed at achieving goals and objectives consistent with Council- this policy. and strategic direction, where The recipient is selected on merit against a set of criteria. and grants are provided without expectation of commercial return.
Grant Program	A targeted amount of grant funding for a specific purpose or targeted audience within the City of Marion. Each Grant Program has separate guidelines that must be observed when applying for financial support in each program area.
Not-for-profit	An organisation whose constitution states that any profits or surpluses must be used to further the objectives of the organisation rather than benefit an individual.

Acquittal-

~~The online acquittal form is the report at the end of the project which demonstrates that the funding has been used for the purpose for which it was provided this includes providing a certified report of financial transactions and whether the project achieved its intended objectives.~~

Community Benefit

~~How your project will provide access and inclusion opportunities to people accessing or participating in your organisation and the wider community.~~

Donation

~~Voluntary contribution without expectation of return.~~

Equipment (non-consumables)

~~Equipment is purchased to be used during the project but can continue to be used after the completion of the project.~~

In-kind Support

~~Things that the City of Marion might provide at reduced rates or free of charge e.g. venue hire; publicity in Council 's magazine (City Limits); staff support; use of Council' s logo.~~

Materials (consumables)

~~Materials are purchased to be used during the project but are used up by the completion of the project.~~

Organisational Governance

~~The way a committee or board work to inform, direct, manage and monitor the activities of the organisation toward the achievement of its objectives. This includes the committees structure and processes.~~

Sponsorship

~~A contractual business arrangement under which a sponsor, for a specified term, provides a contribution in cash and/or in kind ("contra") in return for specified negotiated commercial benefits. Benefits purchased may include the right to public recognition or association with a service, program event, activities, individual, infrastructure or association.~~

~~To be eligible for the Community Grants Program applicants must be an individual, group, not-for-profit or organisation either located within the City of Marion or providing direct service that demonstrably contributes to the wellbeing and development of the City of Marion community.~~

3.2 WHO CAN APPLY?

- ~~any incorporated 'not-for-profit' group, community group or voluntary association~~
- ~~unincorporated groups are eligible to apply but applications should be made through an auspicing body (i.e. an incorporated body that supports the event or activity and is willing to accept responsibility for the funding)~~
- ~~groups or organisations that are currently in receipt of other Council funding may apply, providing that they can show that the community grant proposal is for a different project~~
- ~~community groups based within a school setting are eligible to apply provided they can demonstrate that:~~
 - ~~the project is initiated, managed and organised by local residents who are assisted rather than directed by the Department for Education and Child Development (DECD) or other school based staff~~
 - ~~alternative funding sources are not available from DECD for the project~~

5. ELIGIBILITY

To be eligible to apply for support in accordance with this policy, the applicant must be an individual, group, not-for-profit organisation located within the City of Marion or providing a direct service that demonstrably contributes to the wellbeing and development of the City of Marion community.

Specific eligibility requirements will need to be met for the following programs:

- Community Grants Program
- **Community Events Fund**
- **Youth Development Grants and Partnerships**
- Youth Achievement Grant Fund
- Community Facilities Partnership Program

6. APPLICATION AND ASSESSMENT PROCESS

~~Applications will be made online by using the Smart Grants platform. Council will offer one/two rounds of community grants funding each financial year.~~

All grants will be promoted across the City of Marion in a manner that will allow maximum opportunities for organisations and individuals to apply for funds.

Applications must be using the online form <https://www.marion.sa.gov.au/services-we-offer/grants>

Community Grants and Youth Development Grants

~~Assessment Panels will be A Community Grants Committee will be established to assess the applications and make recommendations to Council.~~

Council will receive a report from the **Assessment Panel** ~~Community Grants Committee~~ and approve the recommendations on an annual/biannual basis.

Preference is given to individuals, groups, not-for-profits and organisations who have not received assistance within the previous two years.

~~Grant recipients will be required to attend an event, hosted by Council, where grants will be~~

~~presented to all successful applicants.~~

~~Tax System—Goods and Services Tax~~

~~Applicants should be aware of the federal governments taxation requirements, including GST and the Australian Business Number (ABN). These may have implications for your projects.~~

~~If applicants or the auspicing body are GST registered, 10% GST will be added to your grant as an itemized GST gross-up.~~

~~If applicants or the auspicing body are not GST registered the 10% GST will be added to your grant, but not itemised as GST.~~

7. ROLES AND RESPONSIBILITIES REPORTING

The Manager Community Connections is responsible for the implementation and management of this policy.

Reporting

Successful applicants are required to provide the Manager Community Connections (or their nominated proxy) upon completion of the activity/program/event, a brief statement/report detailing how funds were expended. Applicants are encouraged to refer to reporting requirements as provided within guidelines associated with specific programs.

A briefing report detailing the outcomes of the various grant programs will be prepared by the City of Marion and used to inform Council on an annual basis.

Acquittals

Any unspent funds will be required to be returned to Council. Applicants who do not complete an acquittal will be ineligible for any future funding.

~~Successful applicants, once the grant funds have been expended, an acquittal form must be completed and returned to Council.~~

~~A report detailing all community grants funding and provided under this Policy will be prepared by the City of Marion and considered by Council.~~

3.5 PURPOSE OF THE GRANTS

~~Community Grants will be considered for community based projects and activities that contribute to the development of local communities and align with Councils Strategic direction.~~

~~Projects and activities that focus on the development of local communities and individual skills and are deemed to provide benefit to the community will be considered for community grants. Projects should be considered for community grants. Projects should relate to one of the following categories:~~

- ~~—arts and culture~~
- ~~—community development~~
- ~~—sport and recreation~~
- ~~—environment~~

~~Grants may also be used to fund minor equipment upgrade or replacement to assist with continuation of core business, provided this does not relate to a recurrent operational cost. Recurrent costs are~~

City of Marion 245 Sturt Road, Sturt SA 5047

PO Box 21, Oaklands Park SA 5046

T 08 8375 6600

F 08 8375 6699

www.marion.sa.gov.au

Category: Public

Owner: Manager Community Connections

Authorisation Date: February 2017

Review Date: 2018-2022

items purchased on a frequent basis (e.g. purchase of cricket balls by a cricket club).

8. REFERENCES

- Community Plan – Towards 2040
- City of Marion Strategic Plan 2017-2027
- City of Marion Business Plan 2016-2019
- Donations and Sponsorship Policy
- Community Grants Program Guidelines
- ~~Community Grant Program~~
- Youth Development Grants Guidelines
- Youth Achievement Grant Program
- Community Events Fund Guidelines
- Communities Facilities Partnership Program
- ~~Program Council Grants Policy~~

9. REVIEW AND EVALUATION

This policy will be reviewed once during a term of Council. Its review will be initiated by the Community Wellbeing business unit.

~~STRATEGIC PLAN:-~~

~~Community Wellbeing:~~

~~A community with a high level of wellbeing enjoys a healthy life. People have a comfortable standard of living, feel safe and experience a sense of belonging. They support each other, celebrate diversity and participate in their community.~~

~~Strong and Engaged Communities:~~

~~CW1.1 Build on local strengths to develop active, friendly and connected neighbourhoods CW1.2~~

~~Encourage an inclusive community that values diversity and engagement~~ **Excellence in**

~~Governance:~~

~~Governance is about the City of Marion's commitment to using a best practice approach to accountable decision making.~~

~~Policy Making:~~

~~EG2 — Maintain all the policies required to prove both council and management with the necessary guidance to make decision consistent with our Vision.~~

PROCEDURE REFERENCE

Nil

COUNCIL AGENDA REFERENCE

~~Adopted by Council: 9 February 2016~~

OTHER RELATED REFERENCES

~~7. AUTHOR~~

~~Liz Byrne, Acting Manager, Community and Cultural Services~~

CORPORATE REPORTS FOR INFORMATION/NOTING

Higher Density Dwelling Impacts on Adjacent Infrastructure and Local Parking Management

Originating Officer	Manager Engineering and Field Services - Mathew Allen
Corporate Manager	Manager Engineering and Field Services - Mathew Allen
General Manager	General Manager City Services - Tony Lines
Report Reference	GC180911R14

REPORT OBJECTIVE

The purpose of this report is to provide Council with information that outlines where Council has changed infrastructure to accommodate parking for higher density dwellings.

This report also identifies how Council can recoup the associated costs and in cases where this cannot be recovered, what rules/laws would need to change to allow the costs to be recovered.

RECOMMENDATION

That Council:

- 1. Notes the Report.**

GENERAL ANALYSIS

At the General Council meeting held on the 18 July 2018, it was resolved that:

1. Council be provided a report on the types of instances where higher density dwelling have required council to change adjacent infrastructure and local parking management.
2. This report identify the way council can recoup the associated costs and in cases where this cannot be recovered, what rules/laws would need to change to allow the costs to be recovered.

DISCUSSION

The City of Marion receives numerous complaints in relation to on street parking adjacent high density developments. These complaints are assessed by undertaking investigations into the extent of the issue raised and identifying possible solutions to resolve or improve the on street parking.

In some instances, opportunities for innovative solutions can be developed by using existing infrastructure such as medians to create additional on street parking. These site are then added to the list of capital works traffic projects for consideration.

There has been a number instances where higher density developments have required changes to parking controls, such as:

- Line-marking to depict driveways to discourage motorists from parking over the driveway and restricting access.
- The installation of parking restrictions - either No Stopping zones or timed parking.
- The trial of a residential parking permit zone. This has occurred in Rosedale Avenue, Morphetville, where 2 allotments have been redeveloped resulting in 7 townhouses. This trial will conclude in

December 2018.

In relation to the provision of infrastructure the only two instances where additional parking has been provided are as follows:

Parson Grove, Parkholme

The development of 4 townhouses on the western corner of Parsons Grove and Oaklands Road resulted in concerns being raised on the extent of parking and accessibility into Parsons Grove. To improve the situation car parking was provided within the wide median, with the main features of the design being:

- The provision of 14 sealed car parks within the median;
- The provision of a number of islands to accommodate landscaping;
- Removal of the haphazard vegetation in the median.

Trott Grove, Oaklands Park

As a result of the redevelopment of a 4 allotments within the cul-de-sac, concerns were raised in relation to parking and traffic movements. To improve the situation the wide median was utilised to accommodate parking. The main features of the design were:

- The provision of 13 sealed car parks within the median;
- The provision of a number of islands to accommodate landscaping.

The *Development Act 1993*, does not include a mechanism whereby the Council can obtain funds from developers to assist with financing upgrades to local road infrastructure.

The *Planning, Development and Infrastructure Act 2016*, through Part 13 – Infrastructure frameworks, provides a legislative process for the delivery of essential infrastructure within a “*designated area*” as determined by the Minister. An infrastructure scheme must be initiated by the Minister on their own initiative, or at the request of another interested person or body interested in the provision or delivery of infrastructure. Funding for the delivery of infrastructure is prescribed by the scheme that relates to the *designated area*. Funding may be provided by, but not limited to, State or Local government, developers and/or existing residents within the *designated area*. Until such time as the Regulations are drafted, it is uncertain as to how infrastructure schemes will work.

Council may wish to consider if it is worth recommending a motion to the LGA General Meeting on the matter. Motions are due to the LGA by 14 September 2018 for the October LGA annual general meeting.

Questions Taken on Notice Register

Originating Officer	Governance Officer - Karen Ferry
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911R15

REPORT OBJECTIVE

To receive and note the information contained within the *Questions Taken on Notice Register* provided in Appendix 1.

EXECUTIVE SUMMARY

The 'Code of Practice – Procedures At Council Meetings 2017/18' states that:

4.7 Questions without Notice that were not answered at the same meeting will be entered into a register. This register will be tabled as an information report at the following meeting.

Under Regulation 9 of the Local Government (Procedures at Meetings) Regulations 2013 (the regulations):

- (3) A member may ask a question without notice at a meeting.
- (4) The presiding member may allow the reply to a question without notice to be given at the next meeting.
- (5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

RECOMMENDATION

That Council:

- 1. Notes the report "Questions Taken on Notice Register".**


Attachment

#	Attachment	Type
1	Appendix 1 - Questions Taken on Notice Register	PDF File

Questions Taken on Notice Register



Appendix 1

Report Reference	Meeting Date	Councillor	Responsible Officer	Question taken on notice during the meeting	Response
GC180828R16	28 August	Cr Telfer	Mathew Allen	In the report 'Railway Terrace Streetscape Project' what does 'Angled surface treatments' mean?	<p>Angled surface treatments will be similar to the cobble stone treatments that have been installed on Railway Terrace between Daws Road and Sixth Avenue.</p> 
GC180828M01	28 August	Cr Westwood	Greg Salmon	Mitchell Park Sports and Community Centre Project - Can the safety benefits of indoor sports courts versus outdoor sports courts be provided?	<p>Pros of Indoor Facilities</p> <ul style="list-style-type: none"> • The temp is usually consistent and air conditioned – no weather issues to put a person at risk such as heat, hail, wind etc.. You can exercise regardless of the weather. • If you're injured there is usually a trained first aid person on duty at an indoor recreation centre and first aid rooms. • There's usually good quality amenities

Questions Taken on Notice Register



					<ul style="list-style-type: none"> • There are always water/drinks available • No animals - Can't get chased by a dog or swooped by a magpie! <p>Cons of Indoor Exercise</p> <ul style="list-style-type: none"> • Sprung floors can become slippery as the surface wears. Need to monitor the surface regularly. <p>Pros of Outdoor Exercise</p> <ul style="list-style-type: none"> • Fresh, clean air means less exposure to germs. • Exercise outdoors has been shown to boost your mood and self-esteem. • You get a free dose of vitamin D. <p>Plexipave courts can last up to 10 years before the surface can become hazardous to player safety.</p> <p>Cons of Outdoor Exercise</p> <ul style="list-style-type: none"> • More contact sports are played outdoors – contact sports are associated with higher risk of injury. • Turf quality of ovals vary substantially - increases risks to player safety. • Weather can have a large impact on players and game conditions, heat, rain, wind etc.
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Corporate and CEO KPI Report Quarter Four 2017/18

Originating Officer	Governance Officer - Victoria Moritz
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
	Chief Executive Officer - Adrian Skull
Report Reference	GC180911R16

REPORT OBJECTIVE

To provide the draft results of the 2017-18 Corporate and CEO Key Performance Indicators (KPI's) for the year to date as at 30 June 2018 (Appendix 1). Further details regarding each key performance indicator is provided in Appendix 2.

RECOMMENDATION

That Council:

- Notes this report; acknowledging that the final audited financial statements for KPI's one, four, seven and eight will be provided to Council in a separate report to align with the end of financial year independently audited statements (expected October 2018).**

Attachment

#	Attachment	Type
1	Appendix 1	PDF File
2	Appendix 2	PDF File

Corporate and CEO KPI Report Quarter Four 2017/18 – APPENDIX 1

KPI	Details	Target	Stretch Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4
1	Financial sustainability.	Council maintains a break even or positive cash funding position in delivering its annual budget	-	\$26k	\$165k	\$1,218k	\$3,064k
				Comment: Estimated unaudited result. Target has been achieved, including a \$765k SRWRA cash contribution and once-off fleet savings of \$790k.			
2	Delivery of agreed projects identified in the <i>Annual Business Plan</i> and the second year targets in the three-year plan.	Greater than or equal to 95%	-	Verbal update	Verbal Update	Verbal Update	98.6%
				Comment: Target has been achieved with 70 out of 71 projects completed. One project is on hold (L6 Morphetville Racecourse).			
3	Lost Time Injury Rate.	Greater than or equal to 25% reduction from the previous year's result	Greater than or equal to 30% reduction from the previous year's result	57%	42.5%	42.5%	50.0%
				Comment: Core and stretch targets have been surpassed.			
4	Total employee costs (inc agency).	Less than or equal to 3% increase in actual employee costs (including agency staff) against prior year's actual costs	Less than or equal to 2% increase in actual employee costs (including agency staff) against prior year's actual costs	4.4%	2.2%	1.5%	3.4%
				Comment: Estimated unaudited result. Target not achieved. This is predominantly due to a decrease of \$272k in capitalised labour costs which have been charged to operating expenditure. \$156k of this was due to delays in Kerb & Water Table works as a result of consultant delays in developing a 5 year road reseal program, as well as delays in the drainage program associated with delays in service relocations.			
5	Retention of key staff.	Greater than or equal to 80% key staff retained	Greater than or equal to 90% key staff retained	100%	95%	95%	95%
				Comment: 1 key staff member left in November 2017 resulting in a 95% retention rate. Core and stretch targets have been surpassed.			
6	Overall satisfaction with Council's performance.	Greater than or equal to 75% rated as satisfied or above	Greater than or equal to 85% rated as satisfied or above	N/A	N/A	N/A	90.3%
				Comment: This is an annual measure. Core and stretch targets have been surpassed.			
7	Asset sustainability.	Asset sustainability ratio greater than or equal to 80%	Asset sustainability ratio greater than or equal to 90%	102%	102%	102%	77.3%
				Comment: Estimated unaudited result. Target not achieved. However this is predominantly due to the positive outcomes achieved from the Fleet Optimisation Review project. This resulted in a \$1,934k realignment of the fleet replacement program, reviewing utilisation rates and deferring \$1,144k in the replacement of underutilised fleet and also achieving a once-off saving of \$790k. A ratio of 88.6% and the core target would have been achieved if this realignment did not occur.			
8	Delivery of Council's capital works.	Greater than or equal to 80% of Council's planned capital works program (adjusted for extraordinary items)	Greater than or equal to 90% of Council's planned capital works program (adjusted for extraordinary items)	Verbal update	Verbal update	Verbal update	84.6%
				Comment: Estimated unaudited result. Core target has been achieved.			

QUARTER FOUR: YTD JUNE '18 – APPENDIX 2

1

Financial sustainability

Target: Council maintains a break even or positive cash funding position.

Measure: This target compares funding cash position at the relevant budget review with the adopted budget figure.

Achieved: \$3,064k - Estimated unaudited result. Target has been achieved, including a \$765k SRWRA cash contribution and once-off fleet savings of \$790k.

\$3,064k

Fourth review

\$1,218k

Third review

\$165k

Second review

\$26k

First review

Adopted budget \$0

OVERALL RATING:

5 4 3 2 1

2

Delivery of agreed projects identified in ABP and 3 year Plan (71 projects)

Target: Greater than or equal to 95%.

Measure: Monthly data as at 30 June 2018.

Achieved: Target has been achieved with **70 out of 71** projects completed. One project is on hold (L6 Morphettville Racecourse).

Actual not on track 1 (1.4%)

Core > or = 95%

Actual on track 70 (98.6%)

10|.....20|.....30|.....40|.....50|.....60|.....70|.....80|.....90|.....100|

3

Lost Time Injury Frequency Rate.

Core target: Greater than or equal to 25% reduction from 2016/17 (9.3).

Stretch target: Greater than or equal to 30% reduction from 2016/17 (8.7).

Measure: The LTIFR for 2016/17 was 6.2.

Achieved: 50.0% – Core and stretch targets have been surpassed

Core > or = 25%

Stretch > or = 30%

Actual 50%

10|.....20|.....30|.....40|.....50|.....60|.....70|.....80|.....90|.....100|

4

Total Employee Costs

Core target: less than or equal to 3% increase in actual employee costs.

Stretch target: less than or equal to 2%.

Measure: The 2016/17 Actual audited figure = \$32,221k. The 2017/18 estimated unaudited result = \$33,304k.

Achieved: 3.4% - Estimated unaudited result. Target not achieved. For further details see attached.

Stretch > or = 2%

Core > or = 3%

Actual 3.4%

1|.....2|.....3|.....4|

5

Retention of Key Staff

Core target: Greater than or equal to 80% of key staff retained.

Stretch target: Greater than or equal to 90% of key staff retained.

Measure: Twenty key staff have been identified as key retains for 2017/18.

Achieved: 95% - 1 key staff member left in November 2017. Core and stretch targets have been surpassed.

Core > or = 80%

Stretch > or = 90%

Actual 95%

50|.....60|.....70|.....80|.....90|.....100|

6

Overall Satisfaction with Council's performance

Core target: Greater than or equal to 75% rated as satisfied or above.

Stretch target: Greater than or equal to 85% rated as satisfied or above.

Measure: This target is an annual measure.

Achieved: 90.3% - Core and stretch targets have been surpassed.

Core > or = 75%

Stretch > or = 85%

Actual 90.3%

70|.....80|.....90|.....100|

7

Asset Sustainability

Core target: Asset sustainability ratio greater than or equal to 80%.

Stretch target: Asset sustainability ratio greater than or equal to 90%.

Achieved: 77.3% - Estimated unaudited result. Target not achieved. For further details see attached.

Achieved 77.3%

Core > or = 80%

Stretch > or = 90%

50|.....60|.....70|.....80|.....90|.....100|

8

Delivery of Council's capital works program

Core target: Greater than or equal to 80% delivery of Council's planned capital works program (adjusted for extraordinary items).

Stretch target: Greater than or equal to 90% of Council's planned capital works program (adjusted for extraordinary items).

Achieved: 84.6% - Estimated unaudited result. Core target has been achieved.

Core > or = 80%

Achieved 84.6%

Stretch > or = 90%

50|.....60|.....70|.....80|.....90|.....100|

Work Health & Safety - Monthly Performance Report August 2018

Originating Officer	Unit Manager Risk - Sherie Walczak
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager Corporate Services - Vincent Mifsud
Report Reference	GC180911R17

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 to monitor Council's target of a 25% reduction of the Lost Time Injury Frequency Rate (LTIFR) from the previous year.

RECOMMENDATION

That Council:

1. Notes the report and statistical data contained therein.

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) both of which are outlined in **Appendix 1**.

The current LTIFR is 0.0, although one LTI has been reported but has not yet been accepted by the LGAWCS as yet. This is equal to last years result at the same time and is below the industry comparison LTIFR rate of 2.2.

Key initiatives implemented which have contributed to the reduction in LTIFR include;

- The roll-out of the SkyTrust 'app' for mobile incident and hazard reporting.
- The ongoing implementation of SkyTrust for document management, hazard management and work area inspections.
- Widening of the Think Safe Live Well Safety Observation program with front-line staff being visited and observed by relevant people leaders.

CONCLUSION

The ongoing significant reduction in Lost Time Injuries being 75% over the 2016/17 and 2017-18 reporting periods has been a commendable achievement 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. In the 2018-19 reporting period, we will consolidate and further build on the good work that has been implemented and aim to achieve Council's KPI of 10% or greater reduction in LTIFR compared to the end of 2017-18 reporting period.

Attachment

#	Attachment	Type
1	GC110918R - WHS Monthly Performance Report – Aug 2018	PDF File

APPENDIX 1 – WHS Monthly Performance Report - August 2018

The Think Safe Live Well program's vision is **'through our thoughts words and actions, we can all make a difference and reduce harm'**. It specifically focuses on further developing our leadership styles, organisational culture and WHS systems by:

- Developing our people to lead the change across the City of Marion
- Embedding a culture of safety and wellbeing as a part of normal business practice
- 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 2018-19

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
17	9											26

Table 2: 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	3	5	11	10	16	10	14	132

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 2018

Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Total
3%	21%	28%	28%	40%	53%	70%	78%			78%

Good progress has been made towards completion of identified actions in the LGAWCS Action Plate with 31 (78%) of the 40 identified actions scheduled for completion, being completed to date. (Please note that no actions were scheduled for completion in April hence no movement reported).

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 2018-19

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
1	0											1

Table 5: Number of LTIs per month - Financial Year 2017-18

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	0	0	1	0	1	0	1	0	0	0	4

Individual LTI's reported for 2018/19 are outlined in Table 6 below :

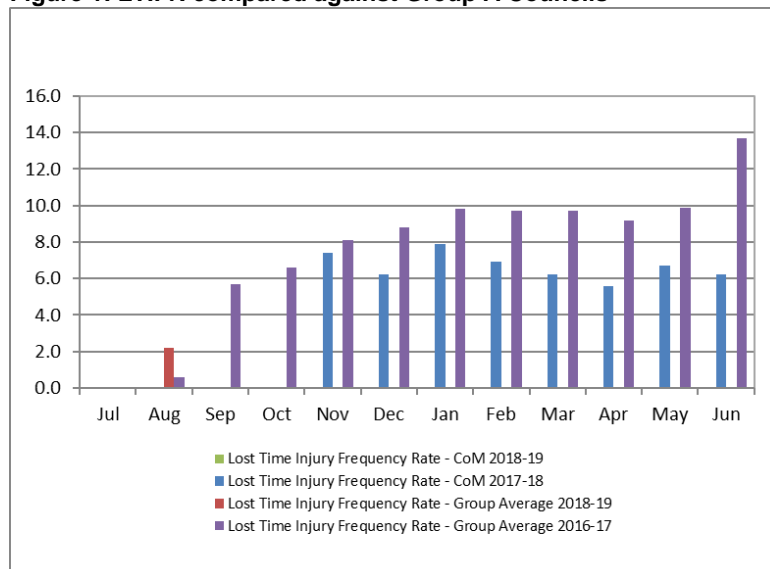
Table 6: Outline of LTI's reported - Financial Year 2018-19

No.	Description of Incident	Mechanism of Injury	Injury Description
1	Trip and fall down internal stair well	Fall on differing level	Bilateral shoulder sprain and left knee sprain injuries.

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

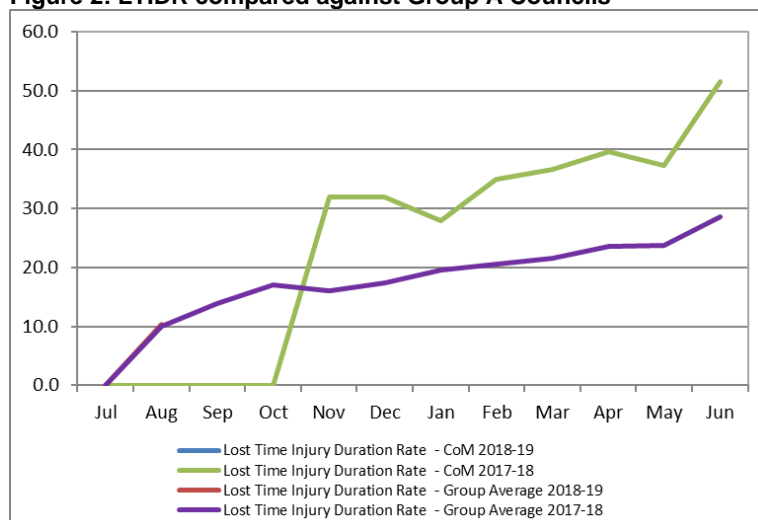


The current LTIFR for the City of Marion (which would be represented in green if any had been recorded) is 0.0 as, although one LTI has been reported, but it has not yet been accepted by the LGAWCS as yet. This is equal to last years result at the same time and is below the industry comparison LTIFR rate of 2.2.

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 reporting period to enable comparison to other organisations. Council's LTIDR is outlined in Figure 2, data is 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



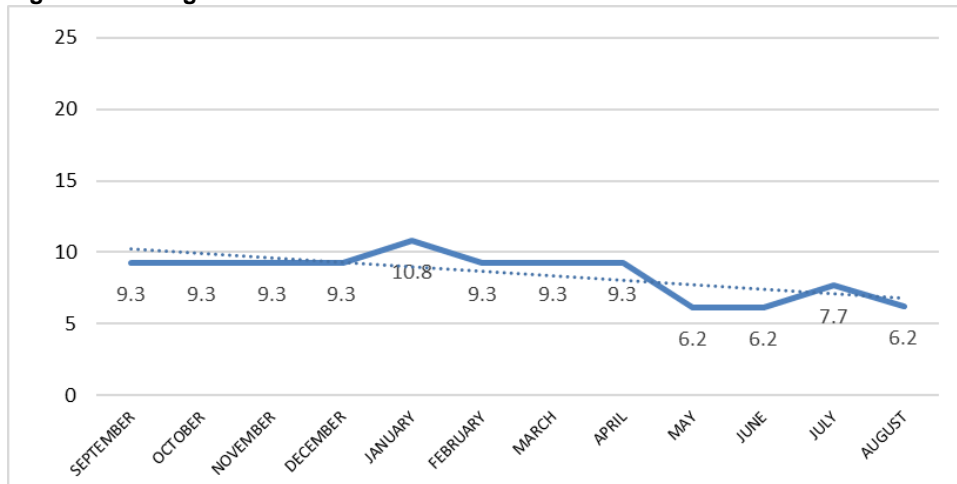
The current LTIDR for the City of Marion (which would be represented in blue if any time lost had been recorded) is 0.0 which is under the industry comparison LTIDR rate of 10.3. However this will be revised upon acceptance of the claim awaitance acceptance by the LGAWCS.

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

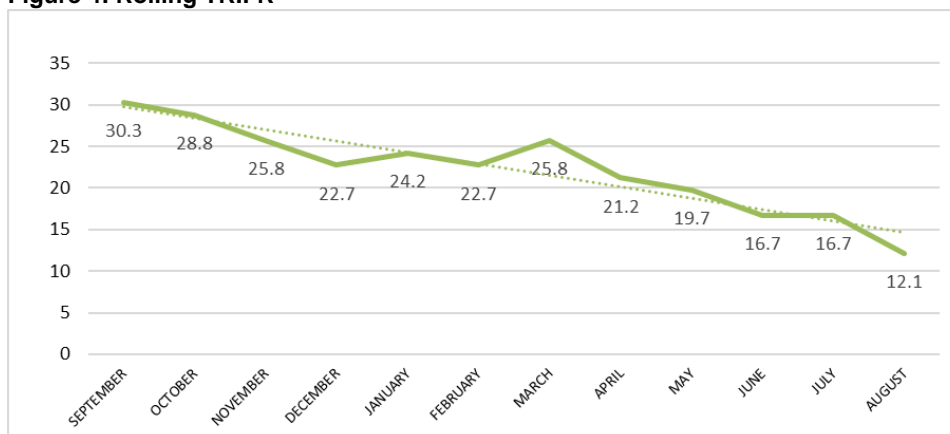


The current rolling LTIFR for the City of Marion is 6.2, which represents a 33.3% reduction over the previous 12 months.

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 12.1 which represents a 60% reduction over the previous 12 months.

Draft Public Consultation Policy

Originating Officer	Community Engagement Coordinator - Patrice Pearson
Corporate Manager	Manager Customer Experience - Karen Cocks
General Manager	General Manager City Services - Tony Lines
Report Reference	GC180911R18

REPORT OBJECTIVE

To update Council on the progress on the Draft Public Community Consultation Policy.

EXECUTIVE SUMMARY

At its meeting 14 August 2018, Council moved to consider the Draft Public Consultation Policy at the 11 September meeting. The motion was as follows:

8.53pm Draft Public Consultation Policy
Report Reference: GC180814R05

Moved Councillor Crossland, Seconded Councillor Gard that Council:

1. Considers the item at the 11 September 2018 General Council meeting.

We now recommend the revised Draft Public Consultation Policy be presented to the new Council in December 2018.

RECOMMENDATION

That Council notes:

1. **The revised Draft Public Consultation Policy will be presented to the new Council in December 2018.**

City of Marion Public Health Planning - Progress Report 1 July 2016 - 30 June 2018

Originating Officer	Social/Cultural Sustainability Planner - Melissa Batt
Corporate Manager	Manager Innovation and Strategy - Fiona Harvey
General Manager	General Manager City Development - Abby Dickson
Report Reference	GC180911R19

REPORT OBJECTIVE

This report seeks Council's endorsement for a report to the Chief Public Health Officer for forwarding to the Minister of Health on the extent to which the City of Marion has met the requirements of the South Australian Public Health Act 2011 in relation to public health planning for the period of 1 July 2016 to 30 June 2018.

EXECUTIVE SUMMARY

Councils are required to submit a report on their progress towards achieving public health outcomes to the Chief Public Health Officer for forwarding to the Minister for Health in accordance with the South Australian Public Health Act 2011 (S51, S52). A City of Marion report is presented to Council for endorsement.

RECOMMENDATION

That Council:

- 1. Endorses the 1 July 2016- 30 June 2018 City of Marion Progress Report on Public Health Planning for submission to the Chief Public Health Officer and forwarding to the Minister for Health (Appendix 1).**

Legal / Legislative / Policy: Reporting on the City of Marion's contribution to public health is a requirement of the South Australian Public Health Act 2011 S51, S52.

DISCUSSION

The South Australian Public Health Act 2011, (S51, S52) requires councils develop Regional Public Health Plans and report on their implementation on a 2 yearly basis. These Plans can be prepared by a group of Councils or an individual Council, or alternatively, as stated in the State Public Health Plan (p. 7), Councils can work towards 'greater integration of public health planning with Council's strategic management plans after the 2014 Local Government elections'. The City of Marion has taken this latter approach with the support of SA Health.

Reports are due to the Chief Public Health Officer by 30 September 2018 for the reporting period 1 July 2016 to 30 June 2018.

Public health planning must be consistent with the State Public Health Plan's four priority areas:

1. Stronger and healthier communities and neighbourhoods for all generations
2. Increasing opportunities for healthy living, health eating and being active
3. Preparing for climate change
4. Sustaining and improving public and environmental health protection.

The aim of reporting as stated in a Guideline for Reporting on Regional Public Health Plans issued by the Chief Public Health Officer, is to build a shared understanding of:

- Councils' achievements in implementing Public Health Plans with a focus on local priorities, key strategies and actions
- The alignment of local action with state priorities
- Key partnerships in delivering council achievements
- Key issues in Public Health Plan implementation
- Key issues for future iterations of the State Public Health Plan and Chief Public Health Officer's report

The previous City of Marion public health report was endorsed by Council in September 2016 (GC270916R12) for the period of 1 July 2014 - 30 June 2016.

City of Marion Approach to Public Health Planning

The City of Marion uses an integrated approach to public health planning and reporting, therefore links are made between the Community Vision themes, and the State Public Health Plan priorities. Council's Strategic Management Framework articulates an integrated approach to planning that encompasses public health.

The City of Marion's current strategic plans provides an integrated approach to public health:

- Community Vision – Towards 2040, which outlines our community's aspirations based on extensive community engagement
- City of Marion Strategic Plan 2017-2027, which includes strategies that aim to achieve public health outcomes
- Business Plan 2016-2019, which identifies goals and initiatives within the context of the Community Vision and Strategic Plan.

In addition to strategies and initiatives outlined in the Business Plan, Council also provides a range of services for its community that deliver public health outcomes. These include services such as community programs; footpath provision; walking and cycling infrastructure; open spaces; auditing and inspection; immunisation education; and volunteer programs. These are areas that have significant impacts on people's health and have been included in the report as they are state and local government priorities.

A progress report to the Chief Public Health Officer for the period 2016-2018 is attached (Appendix 1) for endorsement by Council.

Attachment

#	Attachment	Type
1	Appendix 1 - City of Marion Public Health Progress Report 2016-2018	PDF File

Dear Professor Phillips

RE: Public Health Planning Progress Report 1 July 2016 – 30 June 2018

Please find attached, in accordance with the requirements of the South Australian Public Health Act S52, a copy of the City of Marion's third Progress Report on Public Health Planning for the period of 1 July 2016 to 30 June 2018 as endorsed by the City of Marion on 11 September 2018.

The City of Marion's approach has been to integrate public health planning with Council's strategic plans, due to the strong alignment between the Local Government Act and the South Australian Public Health Act as stated in the 2013-2018 South Australian Public Health Plan.

Yours

Mayor Kris Hanna

DRAFT

APPENDIX 1 part 1

Section 1: STATUS OF RPHP COMMITMENT IMPLEMENTATION (for the purpose of this Guidance, a ‘commitment’ can include a priority, strategy or action)									
1. PRIORITY/STRATEGY/ ACTION	2. STATE PUBLIC HEALTH PLAN STRATEGIC PRIORITY(S) ALIGNMENT				CoM Strategic Alignment	3. STATUS Please number according to one of the following	4. ACHIEVEMENTS (if deferred, or not commenced, please mark N/A)	5. PARTNERSHIP(S) ESTABLISHED OR SOUGHT TO ACHIEVE THIS COMMITMENT (if any) (if not applicable, please mark N/A)	
	TICK BOX - can be more than one								CoM strategic alignment
	1	2	3	4		1. in progress			
						2. completed			
						3. ongoing			
						4. deferred			
						5. will not be progressed			
2016/17 projects									
3 year Business Plan development and implementation	X	X	X	X	Excellence	Completed	Develop, finalise & launch 3-year Business Plan 2016-19 that integrates public health. Meet Strategic Planning requirements of the Local Government Act. Build capacity for strategic thinking and performance management across the organisation		
Air Quality Policy			X	X	Liveable	Completed	The State Government has amended legislation to create the Environment Protection (Air Quality) Policy		
Better manage traffic in Marion and Oaklands Park	X			X	Liveable	Completed	As a result of extensive consultation with residents in the vicinity of George Street and Dwyer Road, the provision of traffic control devices has been considered to reduce the volume of traffic utilising both roads		
Community Grants	X	X	X		Liveable	Completed	Annual program of funding to support local community groups		
Deliver a solar panel network at key council sites across the City			X		Innovative	Completed	Expand the solar panel network to maximise the use of renewable energy at council facilities		
Deliver Capella Reserve redevelopment in partnership with the Cove Football Club to pursue funding opportunities	X	X			Liveable	Completed	Increase soccer facilities in the southern area by providing lights to enable the facility to used at night	Office for Recreation & Sports Federal Government Stronger Communities Program Cove Football Club	
Deliver Streetscape program of works	X	X			Liveable	Completed	To provide consistent design for streets that balances the needs of pedestrians/cyclists and vehicles, provides visual amenity, supports connectivity and safety, and is environmentally sustainable	Department of Planning, Transport & Infrastructure, adjoining Councils	
Deliver the Tonsley Small Business Advisory Service, providing free advice to start up and early stage business	X				Prosperous	Completed	Facilitate the success of start up businesses and assist existing businesses with their sustainability and growth	Cities of Onkaparinga, Holdfast Bay and Mitcham, DSD, Renewal SA	
Develop a business case for an innovative ‘Creative Space’ that showcases leading edge technologies for the community’s creative and learning opportunities	X				Connected	Completed	Develop a business case for an innovative ‘Creative Space’ that will showcase leading edge technologies for the community’s creative and learning opportunities		
Develop and deliver an Age Friendly Strategy in partnership with neighbouring councils		X			Liveable	Completed	Develop and deliver an Age Friendly Strategy in partnership with neighbouring councils	City of Holdfast Bay, City of Mitcham, Council of the Ageing,	
Dog Signs		X			Liveable	Completed	Create and install signs parks in the City of Marion regarding where dogs must be on a leash.		
Expand the walking and Cycling network linking key destinations across the City and beyond	X				Connected	Completed	To support and achieve the active living health, social and environmental benefits of walking and cycling within the City of Marion by upgrading and expanding the pedestrian and cycle network (i.e. on and off-road pathways) and improving existing infrastructure (i.e. sharing streets).	DPTI (various departments) neighbouring Councils	
Food Waste Recycling program expansion			X		Valuing Nature	Completed	The Food Waste Recycling Program using kitchen caddies is an effective way to divert food waste from landfill and has proven to be a highly successful strategy for community engagement and greater awareness about the need to reduce waste, demonstrated by the ongoing interest of Marion Council residents.		
Launch a marketing plan for all neighbourhood centres that supports creative use, programming and participation within the centres	X	X	X		Innovative	Completed	To deliver a marketing plan that will promote the role of Neighbourhood centres as inclusive activity hubs where people of all ages and abilities can meet, socialise and learn. 1. Attract new customers by raising the profile of the centres 2. Strengthen loyalty among existing customers. 3. Build a brand that is embraced and valued by the community 4. Enhance capability to win funding	TAFE, Universities, NGOs, funding bodies, users of the centres, social, sporting and community groups, State and Federal Govt departments and agencies that provide social support services, local schools	
Adelaide Living Laboratory	X	X			Liveable	Ongoing	Support our community to ‘age well’ through participation in the Adelaide Living Laboratory. Report quarterly on discussions with stakeholders (COTA)		
Native Vegetation Monitoring Program			X		Valuing Nature	Completed	Develop a monitoring program for up to three native vegetation sites each year		
Natural Landscape Guideline			X		Valuing Nature	Completed	Plan developed for water sensitive urdan design plantings in reserves		
Pilot a place activation project focused on the use of vacant commercial properties in partnership with local community groups	X				Engaged	Completed	Decrease the amount of under utilised commercial properties in Marion centres	Property owners and property managers, tenants in centres	

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Section 1: STATUS OF RPHP COMMITMENT IMPLEMENTATION (for the purpose of this Guidance, a ‘commitment’ can include a priority, strategy or action)									
1. PRIORITY/STRATEGY/ ACTION	2. STATE PUBLIC HEALTH PLAN STRATEGIC PRIORITY(S) ALIGNMENT				CoM Strategic Alignment	3. STATUS Please number according to one of the following	4. ACHIEVEMENTS (if deferred, or not commenced, please mark N/A)	5. PARTNERSHIP(S) ESTABLISHED OR SOUGHT TO ACHIEVE THIS COMMITMENT (if any) (if not applicable, please mark N/A)	
						1. in progress			
	TICK BOX - can be more than one				CoM strategic alignment	2. completed			
	1 Stronger healthier communities for all generations	2 Healthy living, healthy eating and being active	3 Preparing for climate change	4 Sustaining PEH Protection	Liveable Valuing Nature Engaged Innovative Prosperous Connected	3. ongoing			
						4. deferred			
5. will not be progressed									
Playspace Strategy Review	X	X			Liveable	Completed	To review the current Playspace Strategy and develop a revised Playground Framework. Develop a Playground Framework including Policy, Service Levels, Works Program and Methodology.		
Re-invigorate the Southern Adelaide Economic Development Board to establish an industry-led, independent advocacy and advisory group for the southern Adelaide region	X				Prosperous	Completed	Implemented the priority actions of the Southern Adelaide Economic Development Board		
Reserve Shade	X	X			Liveable	Completed	Design and Install shade sails at City of Marion playground sites as identified		
Review under-utilised council reserves and facilities to ensure community use is optimised	X			X	Liveable	Completed	Stakeholder Survey (lessees of Council properties) re Land and Property interaction acheived at least 80% Satisfaction	Community	
Sporting Club improvements		X			Liveable	Completed	Various improvements and upgrades, including changerooms, resurfacing, lighting with focus on tennis, netball and cricket		
Strive for the opening up of Glenthorne Farm for community benefit in partnership arrangements	X	X	X		Valuing Nature	Completed	Strive for the opening up of Glenthorne Farm for community benefit in partnership arrangements	Friends of Glenthorne, residents and ratepayers, Natural Resources Management Board, Local MP's, Minister for Planning, Minister for Urban Development, Premier, Adelaide university	
Sustainable Lighting			X		Valuing Nature	Completed	Commencement of delivery of the transition to safe and sustainable street and public lighting		
Streetscape design guidelines	X				Liveable	Completed	To improve amenity and functionality of streetscapes through provision of standards for high quality streetscape environments		
Trott Park Art Suburb	X				Liveable	Completed	The suburb of Trott Park has streets named after Australian artists. An opportunity exists to explore the community arts, placemaking and tourism potential of this area. This builds on previous work in the Trott Park area working with the Community Capacity Building project. This potential project will provide an expressive and creative engagement opportunity, connect local community to place and shared identity and provide a creative destination for people using the Coast to Vine bikeway. This project has the potential to be a large scale, staged project that incorporates: skills development workshops, connection to the Australian art collection of the AGSA, exhibition of local community’s artwork, potential software/app development for cultural walks and placemaking	Art Gallery of S.A., local schools/education providers, residents	
2017/18 projects									
Capella Precinct Plan		X			Liveable	In progress	To develop a Precinct Plan for Capella Reserve that considers the open space and recreation needs for the reserve with consideration to surrounding open space, reserves and recreation facilities		
Coastal Walkway Upgrade		X			Liveable	In progress	Ensure the walkway is safe and maintained. The walkway is actively used by the community, due to the nature of the area and the construction of the walkway it is important to regularly review the condition, provide timely responses to any identified issues and to proactively work on replacement of components. Consider an approach to the long term maintenance and replacement of the walkway	Friends of the Coastal Walkway, surrounds residents,	
Complete the detailed design of the Marion Outdoor Pool Masterplan		X			Liveable	Completed	Complete the detailed design of the Marion Outdoor Pool Masterplan and seek grant/partnership funding	Community members, Friends of the Marion Outdoor Swimming Centre, Meteors Triathlon Club, Marion Masters Swim Club, schools, government agencies eg DECD, Office for Recreation and Sport, peak bodies (Recreation SA, Swimming SA, Surf Life Saving SA, Royal Life Saving, YMCA)	
Deliver Creative Space + programs to harness tech/equipment_SEED digital literacy_	X				Connected	Completed	To draft a business plan that will enable funding approvals to initiate creative spaces in our community that will showcase leading edge technologies for the community’s creative and learning opportunities		
Delivery of 5 Playgrounds		X			Liveable	Completed	To provide an equitbale distribution of renewed and upgraded playgrounds across the city	Various State Government Departments, Community, YMCA, Scouts	

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	TICK BOX - can be more than one								CoM strategic alignment
	1	2	3	4					
	Stronger healthier communities for all generations	Healthy living, healthy eating and being active	Preparing for climate change	Sustaining PEH Protection					Liveable Valuing Nature Engaged Innovative Prosperous Connected
					1. in progress				
					2. completed				
					3. ongoing				
					4. deferred				
					5. will not be progressed				
Digital Literacy Programs	X				Connected	Ongoing	To integrate digital literacy programs in our neighbourhood centres and libraries. To meet community needs for digital literacy skills, knowledge and development. To provide a coordinated approach to digital literacy training and access to resources		
Expand Online Services	X				Connected	Completed	To provide access for request for services or information through all available platforms		
Glade Crescent wetlands			X		Valuing Nature	Completed	Continue to transform the Glade Crescent Wetlands scheme to improve water quality and recreational amenity	AML NRM Board,	
Glandore Laneway	X				Connected	Completed	To make Glandore Laneways a Council road which provides satisfactory access and amenity for the abutting residents		
Housing Zone review (includes Priority precincts)	X				Liveable	In progress	Review housing zones to preserve the character of areas in the north of our city and create housing choice in the south and facilitate the development of priority precincts that caters for a range of residential and business needs, and services that are aligned with the 30 Year Plan for Greater Adelaide. Support the development of priority precincts that cater for a range of residential and business needs, and services that are aligned with the 30 Year Plan for Greater Adelaide	Minister of Planning, DPTI, Residents and Business in the City of Marion	
International BMX Complex		X			Liveable	In progress	Deliver an International standard BMX complex in the South		
Jervois Street Reserve		X			Liveable	Completed	Complete construction, handover and evaluation of regional open space	Edwardsrtown Rotary Club, Forbes Primary School and Child care centre, vermont retirement village, Outside Ideas contractor	
Lease Optimisation		X			Excellence	Completed	Renew the Leasing and Licensing Policy to set up strong support and collaboration model for clubs and organisations to continue to innovate their businesses		
Local Nuisance and Litter Control Act				X	Liveable	Completed	Implement new mandatory legislation: Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2016, which Council must administer and enforce		
Morphettville racecourse	X				Liveable	In progress	To rezone the northern section of Morphettville Racecourse to facilitate medium to high density housing in close proximity to public transport, together with retail and community uses and open space as part of a integrated urban regeneration project	In partnership with State Government, the SA Jockey Club and adjoining councils, support the housing development at Morphettville Racecourse	
Oaklands Recreation Plaza		X			Liveable	In progress	Develop remaining elements of Oakland Recreation Plaza and landscape development to replace the roundhouse	Community, Youth, Oaklands Estate Association	
Oaklands water supply business, implementation stage			X		Valuing Nature	In progress	Supply recycled water from Oaklands Wetlands to third parties	ESCOSA, EPA, Dept of Health, Customers, Residents	
Open Space Strategy Review		X			Liveable	In progress	Plan and Prioritse open space developments and actions based on our Open Space policy, to meet the needs of a growing and changing community into the future		
Partner with EPA for use of CCTV			X	X	Liveable	Completed	Dumped rubbish is an ongoing issue that requires a constantly changing approach to reduce incidents. Partnering with EPA for use of CCTV through to prosecution has provided an opportunity to apply additional enforcement to reduce dumping. This will be partnered with communication / education to the community provided through signage and media opportunities	EPA	
Property asset Optimisation		X			Excellence	Completed	Review under-utilised council reserves and facilities to ensure facilities are optimised		
Regional Coastal Management Plan			X		Valuing Nature	In progress	Deliver a plan that maps coastal values, identifies coastal threats (particularly due to climate change) and provides clarity around where Council will work regionally or independently to protect and enhance coastal assets	DEWNR - Coast Protection Board DEWNR - AMLR NRM Coastal Unit DEWNR - AMLR NRM Parks Metropolitan Coastal Councils LGA Community National Climate Change Adaptation Research Facility	
Remnant Vegetation			X		Valuing Nature	In progress	Development of a Remnant Vegetation Plan to assist in the management of precious remnant native vegetation	Adelaide and Mount Lofty Ranges Natural Resource Management Board; Friends of Sturt River landcare Group; Friends of Warriparinga; Friends of Nari Reserve; Friends of Lower Field River; Trees For Life; City of Holdfast Bay; City of Onakparinga	

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	Stronger healthier communities for all generations	Healthy living, healthy eating and being active	Preparing for climate change	Sustaining PEH Protection		3. ongoing			
						4. deferred			
						5. will not be progressed			
Reserve St Reserve Dog Park		X			Liveable	Completed	Develop Council's first dedicated dog park in Trott Park and undertake evaluation survey for project		
Reserve Tree Risk Audit	X	X	X		Valuing Nature	Completed	Deliver a tree risk audit to inform tree management requirements, unmanaged trees can be a legal and financial liability to Council		
Southern Region NRM Education	X		X		Valuing Nature	Completed	This program raises community awareness and knowledge and builds community capacity in relation to environmental matters; It is entirely funded via a 3-year grant from the AMLR NRM Board until 30 June 2017	AMLR NRM Board; schools, kindergartens	
Sporting Club improvements		X			Liveable	Completed	Various improvements and upgrades, including changerooms, resurfacing, lighting with focus on tennis and netball		
Sporting Hub Rezoning		X			Liveable	Completed	To undertake a rezoning (Recreation/Community DPA) to identify a more suitable zone and policy framework to apply to Council's 4 major sporting hubs in lieu of the current Residential zones, to allow the envisaged forms of development to occur whilst taking due consideration of potential impacts on surrounding residential development	Minister of Planning, DPTI	
Verge Gardening guideline Development		X	X		Valuing Nature	In progress	Development of verge guidelines, creating a systematic verge type request process e.g. residents may request a garden verge or a standard fill verge		
Volunteer Growth	X				Engaged	Ongoing	Strive to become renowned for volunteers through targeted growth and diversity, and maximising the skills and experience of our volunteers		
Waste Service Collaboration			X	X	Excellence	Completed	COM's kerbside waste collection contract expires 2018. Council Solutions is leading a collaborative procurement exercise to seek to leverage multiple council's spend to drive improved value for residents, and potentially attract innovation		

Appendix 1 part 2

<div>Section 2: EMERGING PUBLIC HEALTH ISSUES AND OPPORTUNITIES</div> <div>If applicable, please provide a description of emerging public health issues that have been encountered, and opportunities that have been identified, during the current reporting period.</div>
<div>Issues</div> <div><div>Chronic disease & mental health</div><div>-Higher (than metropolitan average) prevalence of: -prostate cancer, colorectal cancer, melanoma and lymphoma in males (Phidu) -breast cancer & lung cancer in females (Phidu) -Chronic Obstructive Pulmonary Disorder & Asthma in the Central and northern areas of Marion -Adults with mental and behavioural problems in some parts of Marion</div></div> <div><div>Well being</div><div>- Above average estimated no. of people aged 15 years and over with fair or poor self assessed health -Higher than metropolitan average prevalence of adults who are overweight -Lower intake of fruit and vegetables compared to the metropolitan average -Higher than metropolitan average of people not undertaking exercise -higher than metropolitan average of children who are overweight (not obese)</div></div> <div><div>Community</div><div>-Environmental Health officers at the City of Marion continue to deal with complaints about people living in hoarding and squalor</div><div><div>Disability</div><div>-Higher (than metropolitan average) number of people with a profound or severe disability and living in the community</div></div><div><div>Mortality</div><div>Youth mortality- Deaths of persons aged 15 to 24 years above metropolitan average</div></div></div>
<div>Opportunities</div> <div><div>NARI (New arrival and refugee Immunisations)</div><div>- The City of Marion continued to offer immunisation to people who are newly arrived to Australia and who have been refugees, through a monthly clinic at one of the neighbourhood centre's. This will ensure that our immunisation rate continues to remain on par or above that of Greater Adelaide</div></div> <div><div>Preventing food poisoning</div><div>- The City of Marion conducts safe food handling training to a range of groups of people including staff of nursing homes, staff and volunteers of canteens and staff and volunteers of the City of Marion's Neighbourhood and Community Centre's. For the general public Marion provides free on-line training called 'I'm alert'</div></div> <div><div>People living with hoarding and squalor</div><div>- Environmental Health officers continue to deal with complaints about people living in hoarding and squalor. People are referred to support groups such as 'Buried in Treasures' run by Centacare and other areas of support through the NDIS and My Aged Care. The City of Marion has provided no charge facilities for running of the 15 week program</div></div> <div><div>Endorsement of Community Indicators</div><div>- A council endorsed suite of 23 indicators with 2017 baseline measures has been established which help inform our business planning processes. The indicator themes include: housing choice, feeling of safety in the community, crime statistics, improved health status, improving environmental management, internet access, numbers of residents engaged in community programs, increase in physical activity , improved quality of open space , and an increase in active transport modes for walking and cycling</div></div>

WORKSHOP / PRESENTATION ITEMS**MOTIONS WITH NOTICE****Public Access to Information**

Elected Member Councillor Jerome Appleby

Report Reference: GC180911M01

Motion:**That Council:**

1. Requests the Administration develops an Administrative Release of Information Policy to provide staff with direction in relation to the release or disclosure of information, either proactively or as a response to a request, outside of a formal legislative process such as freedom of information (FOI) or other legislation.

Supporting Information:

Nil

Response Received From: Jaimie Thwaites, Unit Manager Governance and Records

Staff Comments:

The risks of inappropriately releasing information outside of a formal legislative process can be greatly reduced if the Council has an established policy and/or procedure for the administrative release of information.

If Council supports this motion an 'Administrative Release of Information Policy' can be developed. The policy would be presented to the new Council for endorsement as Council can not endorse a new Council policy during the caretaker period which commences on 18 September 2018.

QUESTIONS WITH NOTICE

Council nursery

Elected Member Councillor Ian Crossland

Report Reference: GC180911Q01

Question:

In 2015 Council took the decision to close its Horticultural nursery.

1. What was the 2013/2014 budget for the nursery and what was the value of the plants the nursery was able to supply?
2. Was there a shortfall in the number of plants required by Council and if there was a shortfall what was the additional cost to Council to meet that demand?
3. Since closing the nursery what have been the financial and supply benefits of only using external providers?
4. Considering all the costs, including capital expenditure (new nursery, depreciation, maintenance) what are the annual budget benefits savings, if any, as well as an indication of savings over the long term financial plan?

Supporting Information:

Nil

Response Received From:

Manager Engineering and Field Services - Mathew Allen

Staff Comments:

1. What was the 2013/2014 budget for the nursery and what was the value of the plants the nursery was able to supply?

The total nursery Operating Budget for the 2013/2014 financial year was \$177,748. The value of the plants that the nursery supplied (as determined from internal reimbursement costs) was \$80,145.

2. Was there a shortfall in the number of plants required by Council and if there was a shortfall what was the additional cost to Council to meet that demand?

In the 2013/2014 financial year there was a shortfall in the number of plants that the nursery was able to supply. The total number of plants purchased from external suppliers was 369 trees (\$14,760) and 1600 tube stock (\$2,400) at a total cost to Council in the order of \$17,160.

3. Since closing the nursery what have been the financial and supply benefits of only using external providers?

The current procurement of plants is delivered on time and the quality is guaranteed providing good value. There are multiple plant suppliers available to the City of Marion who are recognised by the Nursery Industry Accreditation Scheme.

Sampling was recently undertaken on 40% of the plantings that were supplied by Councils Nursery during the 2015/16 planting season. The results indicate that the nursery tree stock planted in 15/16 had a lower survival rate than the trees we have planted since. Survival rates have increased from 75% to 80%. This represents a saving in lost tree stock and planting costs of around \$15,000 per annum. This is due to the quality of the tree stock that we have been able to source from external providers.

The financial savings since the closure of the nursery are estimated to be \$391k, including once off saving on relocation of the nursery (\$82k) and average operating savings per year (\$103k).

4. Considering all the costs, including capital expenditure (new nursery, depreciation, maintenance) what are the annual budget benefits savings, if any, as well as an indication of savings over the long term financial plan?

Based on similar plant numbers to the 2013/14 financial year estimated budget savings per year are approximately \$103k per annum. Total savings over the long term financial plan (10 years) would be approximately \$1.03m based on current average operating savings per year.

MOTIONS WITHOUT NOTICE**QUESTIONS WITHOUT NOTICE****OTHER BUSINESS****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.