

His Worship the Mayor  
Councillors  
CITY OF MARION

## NOTICE OF GENERAL COUNCIL MEETING

Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt

Tuesday, 28 January 2020 at 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 10 December 2019

**Originating Officer** Unit Manager Governance and Council Support - Jaimie Thwaites

**Corporate Manager** Manager Corporate Governance - Kate McKenzie

**Report Reference:** GC200128R01

## RECOMMENDATION:

That the minutes of the General Council Meeting held on 10 December 2019 be taken as read and confirmed.

## ATTACHMENTS:

#	Attachment	Type
1	GC191210 - Final Minutes	PDF File





**MINUTES OF THE GC191210 - GENERAL COUNCIL MEETING**

**Tuesday, 10 December 2019 at 06:30 PM**

**Council Administration Centre, 245 Sturt Road, Sturt**



**PRESENT:****Elected Members**

Mayor - Kris Hanna, Councillor - Ian Crossland, Councillor - Tim Gard, Councillor - Jason Veliskou, Councillor - Bruce Hull, Councillor - Raelene Telfer, Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika

**DATE:**

Tuesday, 10 December, 2019 | Time 6:30 PM

**VENUE:**

Council Chamber

**In Attendance**

Chief Executive Officer – Adrian Skull  
General Manager City Services – Tony Lines  
General Manager City Property – Ilia Houridis  
General Manager Corporate Services – Sorana Dinmore  
Manager Corporate Governance – Kate McKenzie  
Unit Manager Governance and Council Support – Jaimie Thwaites

**OPEN MEETING**

The Mayor opened the meeting at 06:30 PM

**KAURNA ACKNOWLEDGEMENT**

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

**DISCLOSURE**

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

**ELECTED MEMBER'S DECLARATION OF INTEREST (if any)**

- Councillor Hull declared a conflict of interest in the item 'Tarnham Road and Seaview High School Sports Facilities' (GC191210R10).

**CONFIRMATION OF MINUTES**

**Confirmation of the minutes for the Special General Council Meeting held on 25 November 2019 and General Council Meeting held on 26 November 2019**

**Report Reference:** GC191210R01

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That the minutes of the Special General Council Meeting held on 25 November 2019 and General Council Meeting held on 26 November 2019 be taken as read and confirmed.

**Carried Unanimously**

**ADJOURNED ITEMS - Nil****DEPUTATIONS**

**Lucretia Way Reserve Lake deputation**

**Report Reference:** GC191210D01

Leanne Marchington gave a five minute deputation regarding the Public Consultation that is currently under way for the Lucretia Reserve Lake in Hallett Cove.

**VARY ORDER OF THE AGENDA**

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and bring forward the item 'Long Term Options to Manage the Lucretia Way Detention Basin - Hallett Cove'

**Long Term Options to Manage the Lucretia Way Detention Basin - Hallett Cove**

**Report Reference:** GC191210R04

**Moved      Councillor - Ian Crossland      Seconded      Councillor - Tim Gard**

That Council:

1. Notes this report.

2. Notes the extensive community engagement undertaken and the feedback from the online consultation, between 29/04/19 and 20/11/19.
3. Notes the 2019/20 works program includes investigations/reports, technical investigations, surveys and detailed designs at a cost of \$150,000 (Adelaide Mount Lofty NRM Board funding).
4. Endorses the Lucretia Way Detention Basin project to progress to a detailed design for a new hybrid option (which combines elements contained in Option 1 and Option 2), including the potential to adapt the wetland design to allow additional water detention with the slow release of storm water to mitigate downstream impacts in the Conservation Park.
5. Endorses a design process with ongoing community involvement.
6. Notes that the total capital cost for construction, estimated at \$1,239,000 will be prioritised within the \$2.722m drainage budget allocation in 2020/21 in Council's currently adopted long term financial plan.

**Carried Unanimously**

## LEAVE OF THE MEETING

Councillor Crossland sought and was granted leave of the meeting to include the letter from the Friends of Hallett Cove Conservation Park dated 8 December 2019 with the minutes (attached as appendix 1).

## COMMITTEE RECOMMENDATIONS

### Confirmation of Minutes of the Infrastructure and Strategy Committee Meeting held on 3 December 2019

**Report Reference:** GC191210R02

**Moved**            **Councillor - Matthew Shilling**   **Seconded**   **Councillor - Tim Gard**

That Council:

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 3 December 2019 with the following points to be included under the *Oaklands Smart Precinct Project – Update* item
  - Members expressed concern that designs were not made available to Council, the Infrastructure and Strategy Committee or at a Ward Briefing prior to a Council decision to close Diagonal Way. Members were notified this decision is now subject to a Section 270 Review and will be included in the next General Council agenda.
  - Members discussed the need to have data available to drive decision making around important community issues such as a road closure and requested pedestrian destination data be collected to assess where people are walking to/from prior to Council making any decisions around detailed design of the precinct.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the

Infrastructure and Strategy Committee.

**Carried Unanimously**

## **PETITIONS - Nil**

## **CONFIDENTIAL ITEMS**

### **VARY ORDER OF THE AGENDA**

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and bring forward the item 'Edwardstown Soldiers Memorial Community Club'

#### **Edwardstown Soldiers Memorial Community Club**

**Report Reference:** GC191210F04

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That pursuant to Section 90(2) 3(d) (i) and (ii) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Iliia Houridis, Sorana Dinmore, Kate McKenzie, Craig Clarke, James O'Hanlon, Jaimie Thwaites and Sasha Mason, be excluded from the meeting as the Council receives and considers information relating to Edwardstown Soldiers Memorial Community Club, 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 commercial information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest.

**Carried**

6.49pm the meeting went into confidence

**Moved Councillor Veliskou Seconded Councillor Crossland**

That formal meeting procedures be suspended in order to allow discussion on the item.

**Carried Unanimously**

6.51pm formal meeting procedures were suspended

## **CONFLICT OF INTEREST**

Councillor Clancy declared a perceived conflict of interest in the matter as her son plays for the football club. She remained in the meeting.

7.36pm formal meeting procedures were resumed

**Moved Councillor - Joseph Masika Seconded Councillor - Jason Veliskou**

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and attachments and minutes having been considered in confidence under Section 90 (2) and (3)(d) (i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2020.
2. Notwithstanding the confidentiality order of the Council, as resolved with this report, the Council authorises the Mayor and/or CEO to provide information and/or make statements in the public realm where they consider it necessary.

**Carried**

8.00pm the meeting came out of confidence

### **SWBMX Facility - Traffic Solution on Majors Road**

**Report Reference:** GC191210F01

**Moved Councillor - Matthew Shilling Seconded Councillor - Maggie Duncan**

That pursuant to Section 90(2) 3(b)(i) and (ii) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Brett Grimm, Carla Zub, Craig Clarke and Jaimie Thwaites, be excluded from the meeting as the Council receives and considers information relating to the report SWBMX Facility - Traffic Solution, 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.

**Carried Unanimously**

8.01pm the meeting went into confidence

8.01pm Councillor - Raelene Telfer left the meeting

8.03pm Councillor - Raelene Telfer re-entered the meeting

**Moved Councillor - Maggie Duncan Seconded Councillor – Ian Crossland**

That Council:

1. Note the outcome of the traffic management solution to provide access from Majors Road, O'Halloran Hill to the Sam Willoughby BMX Facility.
2. Note the outcome of the Department for Planning, Transport and Infrastructure's traffic study and the proposed location of the northern bound access ramp to the Southern Expressway relative to the SWBMX Facility.
3. Authorises for Administration to progress the Sam Willoughby BMX Facility to detailed design with the project scope to include delivery of the traffic management solution, subject to consideration of a Prudential Review in accordance with Section 48 of the Local Government Act 1999.
4. Authorises Administration to continue to seek a funding contribution from the State Government towards the traffic solution.

**Moved Councillor - Maggie Duncan Seconded Councillor - Matthew Shilling**

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report and attachments, 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 2020.

**Carried Unanimously**

8.06pm the meeting came out of confidence

8.06pm Councillor - Joseph Masika left the meeting

### **Electric Vehicle Charging Stations**

**Report Reference:** GC191210F02

**Moved Councillor - Raelene Telfer Seconded Councillor - Maggie Duncan**

That:

1. That pursuant to Section 90(2) 3(b) (i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Iliia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Mathew Allen, Carl Lundborg, Craig Clarke and Jaimie Thwaites, be excluded from the meeting as the Council receives and considers information relating to the report Electric Vehicle Charging Stations, 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 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.

**Carried Unanimously**

**Moved Councillor - Bruce Hull      Seconded Councillor - Ian Crossland**

That Council:

1. Notes the report
2. Advises Jolt Charge Pty Ltd that they are the successful proponent in the delivery of Electric Vehicle charging stations in the Marion council area under the terms and conditions described in this report.
3. Issues a permit for a 5 + 5 + 5 year arrangement in accordance with the Local Government Act.
4. Advises the Cities of Charles Sturt and Port Adelaide Enfield of (2) and (3) above.

**Carried Unanimously**

**Moved Councillor - Bruce Hull      Seconded Councillor - Tim Gard**

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and attachments, Electric Vehicle Charging Stations, having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

8.16pm the meeting came out of confidence

### **SRWRA Materials Recovery Facility (MRF)**

**Report Reference:** GC191210F03

**Moved Councillor - Raelene Telfer      Seconded Councillor - Maggie Duncan**

That pursuant to Section 90(2) 3(d) (i) and (ii) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Ilia Houridis, Sorana Dinmore, Kate McKenzie, Ray Barnwell, Craig Clarke and Jaimie Thwaites, be excluded from the meeting as



the Council receives and considers information relating to SRWRA Materials Recovery Facility (MRF), 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 commercial information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest.

**Carried Unanimously**

8.17pm the meeting went into confidence.

**Moved Councillor - Ian Crossland      Seconded Councillor - Matthew Shilling**

That Council:

1. receives the Materials Recovery Facility Prudential Report prepared for the SRWRA by UHY Haines Norton dated December 2019 (Attachment B).
2. approves the SRWRA request to borrow up to \$8.0 million from the Local Government Finance Authority if the SRWRA Board consider it necessary and prudent to do so.
3. notes that the level of borrowings noted in resolution 2 will be reduced through the SRWRA continuing to seek
  - a. State and Federal funding
  - b. Additional Council or Waste authority customers
  - c. Opportunities to partner with private enterprises for capital investment and / or operation of the MRF.
4. approves the SRWRA incurring capital expenditure of up to \$17.523 million (including 10% contingency) for the building and implementing of a Materials Recovery Facility.
5. resolves to commit all of its commingled domestic recyclables to be processed at the SRWRA MRF.
6. notes that the gate fee for SRWRA to receive and process Council's commingled domestic recyclables is modelled at \$75 per tonne and will be subject to contract clauses relating to:
  - a. Contamination rates of recyclables
  - b. Commodity market rise and fall

**Carried Unanimously**

**Moved Councillor - Ian Crossland      Seconded Councillor - Matthew Shilling**

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and attachments, having been considered in confidence under Section 90 (2) and (3)(d) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

8.29pm the meeting came out of confidence

## CORPORATE REPORTS FOR DECISION

### Spinnaker Circuit Reserve East - Community Engagement

**Report Reference:** GC191210R03

#### Moved Councillor Veliskou Seconded Councillor Gard

That formal meeting procedures be suspended in order to allow discussion on the item.

**Carried Unanimously**

8.36pm formal meeting procedures were suspended

8.54pm formal meeting procedures were resumed

**Moved Councillor - Raelene Telfer Seconded Councillor - Kendra Clancy**

That Council:

Option 5 (Five year lease without Community Consultation)

1. Notes the report.
2. Acknowledges that Community Consultation regarding leasing the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East to the St Martin de Porres School for a period of five years is not required.
3. Authorises the Chief Executive Officer to negotiate and enter into a lease of the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East at an amount that reflects a market rent from January 2020 for a five year term.

**Carried**

#### Division Called by Councillor Shilling

The vote was set aside to allow a vote for which individual Councillor decisions are recorded:

Voters	Against	For
Councillor - Bruce Hull		X

Councillor - Ian Crossland	X	
Councillor - Jason Veliskou	X	
Councillor - Joseph Masika		X
Councillor - Kendra Clancy		X
Councillor - Maggie Duncan	X	
Councillor - Matthew Shilling	X	
Councillor - Raelene Telfer		X
Councillor - Tim Gard		X

**Carried**

### Reconciliation Action Plans 2016-2019 and 2020-2023

**Report Reference:** GC191210R05

**Moved Councillor - Bruce Hull Seconded Councillor - Raelene Telfer**

8.57pm Councillor Shilling left the meeting That Council:

- Endorses the Draft Stretch level Reconciliation Action Plan 2020-2023 (Appendix 1)
- Endorses a total of \$20,900 over the next four years for the Reconciliation Action Plan:
  - \$2,725 in 2019/20 to be funded through the 2nd Budget Review of 2019/20
  - \$2,975 in 2020/21 for inclusion in Council's Long Term Financial Plan
  - \$11,725 in 2021/22 for inclusion in Council's Long Term Financial Plan
  - \$3,475 in 2022/23 for inclusion in Council's Long Term Financial Plan

**Carried Unanimously**

### Reconciliation Statement Policy

**Report Reference:** GC191210R06

**Moved Councillor - Raelene Telfer Seconded Councillor - Joseph Masika**

9.00pm Councillor Shilling re-entered the meeting That Council:

- Endorses the Reconciliation Statement Policy for public consultation (Appendix 1)

**Carried Unanimously**

**Draft - Elected Member Social Media and Media Policy****Report Reference:**GC191210R07**Moved      Councillor - Jason Veliskou      Seconded      Councillor - Ian Crossland**

That Council:

1. Notes the report.

**Carried Unanimously****Cove Sports Netball Courts****Report Reference:** GC191210R08**Moved      Councillor - Maggie Duncan      Seconded      Councillor - Matthew Shilling**

That Council:

1. Notes the report
2. Authorises the General Manager City Development delegation to sign off on relevant documentation relating to the delivery of the two courts and associated works as outlined in this report.
3. Supports the recommendation for these courts to remain open for public use when not in use by clubs as per their respective leases.
4. Endorses an allocation of \$6,413 p.a in the Long Term Financial Plan for depreciation and \$9,341 p.a for projected operating and maintenance costs.

**Carried Unanimously****Marion Sports and Community Club - Landlord Consent****Report Reference:** GC191210R09**Moved      Councillor - Raelene Telfer      Seconded      Councillor - Matthew Shilling**

That Council:

1. Grants Landlord Consent to extend the recently completed balcony structure on top of the existing concrete slab viewing area (Project 1) at Marion Sports and Community Club, 262B Sturt Road, Marion Certificate of Title Volume 6063 Folio 665, Volume 5497 Folio 569 and Volume 6063 Folio 666 subject to:
  - All works being undertaken in a professional manner and to the satisfaction of the City of Marion
  - The City of Marion being indemnified against all claims, suites, losses etc. that may result from carrying out this work
2. Grants Landlord Consent to refurbish the existing commercial grade kitchen (Project 2) at Marion Sports and Community Club, 262B Sturt Road, Marion Certificate of Title Volume 6063 Folio 665, Volume 5497 Folio 569 and Volume 6063 Folio 666 subject to:
  - All works being undertaken in a professional manner and to the satisfaction of the City of Marion
  - The City of Marion being indemnified against all claims, suites, losses etc. that may result from carrying out this work
3. Delegates to the General Manager City Development approval to authorise any relevant documents necessary to facilitate the construction and management of the works.
4. Advises that the Marion Sports and Community Club Incorporated will be responsible for any related costs and will be responsible for all future maintenance and repairs.
5. Notes that Landlord Consent will be subject to Development Approval and Building Rules Consent.

**Carried Unanimously**

### Tarnham Road and Seaview High School Sports Facilities

**Report Reference:** GC191210R10

#### **CONFLICT OF INTEREST**

Councillor Hull declared a conflict of interest in the item as his daughter attends Seaview High School and he left the meeting.

9.05pm Councillor Hull left the meeting

**Moved          Councillor - Raelene Telfer          Seconded          Councillor - Matthew Shilling**

That Council

1. Notes the report.
2. Approves the redevelopment of the Tarnham Rd Reserve, with four multipurpose courts and open space development on the eastern end.

3. Endorses the redevelopment of these four multipurpose courts, from the Asset Sustainability Reserve in 2020/21.
4. Endorses that the open space concept design and cost estimates be brought back to Council by November 2020.
5. Notes the estimated budget of \$1,640,000 to develop the eastern end of Tarnham Road Reserve with four multipurpose courts and open space development.
6. A further report will be presented to Council on reticulation of traffic and potential car parking in November 2020.
7. Authorises administration to write to Seaview High School advising them of Council's decision, and thanking them for their involvement and cooperation, in exploring the opportunity for developing shared school and community facilities

**Carried**

### **Lonsdale Residential DPA**

**Report Reference:** GC191210R11

9.11pm Councillor Hull re-entered the meeting

**Moved      Councillor - Ian Crossland      Seconded      Councillor - Maggie Duncan**

That Council:

1. Considers the Lonsdale Residential DPA (Ministerial) as in Attachment 1
2. Endorses the draft written submission to the State Planning Commission as in Attachment 2

**Carried Unanimously**

### **Planning Reform Update and Resource Review**

**Report Reference:** GC191210R12**Moved      Councillor - Matthew Shilling      Seconded      Councillor - Maggie Duncan**

That Council:

1. Note this report.

**Carried Unanimously**

9.17pm Councillor Veliskou left the meeting

9.17pm Councillor Veliskou re-entered the meeting

### Request for Review of Decision - Closure of Diagonal Way

**Report Reference:** GC191210R13

**Moved Councillor - Bruce Hull      Seconded Councillor - Raelene Telfer**

9.19 pm Councillor Duncan left the meeting That Council

1. Appoints an independent investigator to complete a Review of Decision regarding the decision of Council to close Diagonal Way.
2. Management advise Mr Steve Robertson of the appointment of an independent investigator to complete the review.

**Lost**

**Moved Councillor - Ian Crossland      Seconded Councillor - Matthew Shilling**

That Council

1. Endorses an internal review panel to complete a Review of Decision regarding the decision of Council to close Diagonal Way.
2. Management advise the Mr Steve Robertson that an internal review panel will complete the review.

**Lost**

### **MEETING EXTENSION**

**Moved Councillor Veliskou, Seconded Councillor Crossland**

That the meeting be extended to the conclusion of the Review of Confidential orders.

**Carried**

### **ANNUAL REVIEW OF CONFIDENTIAL ORDERS**

## Review of Confidential Items Overview - 2019

**Report Reference:** GC191210R14

**Moved**      **Councillor - Joseph Masika**    **Seconded**    **Councillor - Matthew Shilling**

That:

1. That the following items be moved en bloc as per the printed recommendations:
  - Review of Confidential Items Overview – 2019 (GC191210R14)
  - Review of Confidential items Reports GC191210R14 – (1) to GC191210R14 – (156), with the exception of Report *Review of Confidential Item - Cove Investigation – Response to Findings of Fact*, GC190924F02 (GC191210R14 - (16))

**Carried Unanimously**

**Moved**      **Councillor - Joseph Masika**    **Seconded**    **Councillor - Matthew Shilling**

1. That Council notes the report, '*Review of Confidential Orders - Overview - 2019*'.

**Carried Unanimously**

## 1. Review of Confidential Item - Organisational Service Reviews Qtr 1 2016/17, FAC151216F01

**Moved**      **Councillor - Joseph Masika**    **Seconded**    **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report 'Organisational Service Reviews Quarter 1 2016/17, FAC151216F01', and appendices be revoked

**Carried Unanimously**

## 2. Review of Confidential Item - Marion Outdoor Swimming Pool - Service Review, GC240117F02

**Moved**      **Councillor - Joseph Masika**    **Seconded**    **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report 'Marion Outdoor Swimming Pool -



Service Review, GC240117F02', and appendices be revoked.

**Carried Unanimously**

### **3. Review of Confidential Item - Marion Sports and Community Club Lease, GC220817R07**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Marion Sports and Community Club Lease, GC220817R07, Appendix 5 be revoked.

**Carried Unanimously**

### **4. Review of Confidential Item - Expression of Interest for Potential Land Acquisition Opportunity at Morphettville, GC281117F07**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. the confidentiality order pertaining to the report 'Expression of Interest for Potential Land Acquisition Opportunity at Morphettville, GC281117F07' and Appendix 1 be revoked.

**Carried Unanimously**

### **5. Review of Confidential Item - Finance and Audit Committee Minutes, GC300118F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report 'Finance and Audit Committee Confidential Minutes, GC300118F01' be revoked.

**Carried Unanimously**

## 6. Review of Confidential Item - Verbal Update from Chief Executive Officer, FAC270218

**Moved**      **Councillor - Joseph Masika**      **Seconded**      **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the minutes for the item 'Verbal Update from Chief Executive Officer, FAC270218 ' be revoked.

**Carried Unanimously**

## 7. Review of Confidential Item - Mitchell Park Sports and Community Club Redevelopment - Redevelopment Options, GC190212F01

**Moved**      **Councillor - Joseph Masika**      **Seconded**      **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Mitchell Park Sports and Community Club Redevelopment - Redevelopment Options, GC190212F01” appendices and minutes be revoked.

**Carried Unanimously**

## 8. Review of Confidential Item - Seaview High School Sports Facilities Partnership – Confidential Appendix, GC260319F04

**Moved**      **Councillor - Joseph Masika**      **Seconded**      **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Seaview High School Sports Facilities Partnership – Confidential Appendix, GC260319F04” appendices be revoked.

**Carried Unanimously**

## 9. Review of Confidential Item - Code of Conduct, GC190625F01

**Moved**      **Councillor - Joseph Masika**      **Seconded**      **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct, GC190625F01, appendices and minutes arising from this report be revoked and the item be released.

**Carried Unanimously**

#### **10. Review of Confidential Item - Independent Member – Finance and Audit Committee and SRWRA Audit Committee, RSC190806R02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Independent Member – Finance and Audit Committee and SRWRA Audit Committee, RSC190806R02” appendices and minutes be revoked.

**Carried Unanimously**

#### **11. Review of Confidential Item - Confidential Minutes of the Review and Selection Committee Meeting held on Tuesday 6 August 2019, GC190813F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Confidential Minutes of the Review and Selection Committee Meeting held on Tuesday 6 August 2019, GC190813F01” and appendices be revoked.

**Carried Unanimously**

#### **12. Review of Confidential Item - Independent Member – Finance and Audit Committee and SWARA Audit Committee, GC190813F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Independent Member – Finance and Audit Committee and SWARA Audit Committee, GC190813F02” appendices and minutes be revoked.

**Carried Unanimously**

**13. Review of Confidential Item - Political Signage, GC190813F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Political Signage, GC190813F04 and appendices be revoked.

**Carried Unanimously**

**14. Review of Confidential Item - Confidential Adjourned Item – Political Signage Report, SGC190902F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Confidential Adjourned Item – Political Signage Report, SGC190902F01” and appendices be revoked.

**Carried Unanimously**

**15. Review of Confidential Item - Tony Kernahan – President of Cove Football Club (Confidential), GC190924D01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Deputation “Tony Kernahan – President of Cove Football Club (Confidential), GC190924D01 ” be revoked.

**Carried Unanimously**

**17. Review of Confidential Item - Commercial Development Proposal, GC080518F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Commercial Development Proposal, GC080518F01,” and minutes be revoked and the item be released with the business names redacted.

**Carried Unanimously**

## **18. Review of Confidential Item - Commercial Development Within Regional Centre Zone, GC120618F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Commercial Development Within Regional Centre Zone, GC120618F02” and appendices be revoked and the item be released with the business names redacted.

**Carried Unanimously**

## **19. Review of Confidential Item - Code of Conduct, GC180724F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct, GC180724F02, appendices and minutes arising from this report be revoked and the item be released with the names and identifying information of any staff or members of the public redacted.

**Carried Unanimously**

## **20. Review of Confidential Item - Code of Conduct, GC180814F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct, GC180814F04, appendices and minutes arising from this report be revoked and the item be released with

the names and identifying information of any staff or members of the public redacted.

**Carried Unanimously**

## **21. Review of Confidential Item - Code of Conduct Preliminary Report - Matter 1, GC180911F07**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct Preliminary Report - Matter 1, GC180911F07, appendices and minutes arising from this report be revoked and the item be released with the names and identifying information of any staff or members of the public redacted.

**Carried Unanimously**

## **22. Review of Confidential Item - Code of Conduct Preliminary Report - Matter 2, GC180911F08**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct Preliminary Report - Matter 2, GC180911F08, appendices and minutes arising from this report be revoked and the item be released with the names and any identifying information of any staff or members of the public redacted.

**Carried Unanimously**

## **23. Review of Confidential Item - Confirmation of the Finance and Audit Committee Confidential Minutes from the Meeting on 11 December 2018, GC190129F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report "Confirmation of the Finance and Audit Committee Confidential Minutes from the Meeting on 11 December 2018, GC190129F01" and appendices be revoked and the item be released with the business names redacted.

**Carried Unanimously**

**24. Review of Confidential Item - Appointment to Council Assessment Panel, RSC190528F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Appointment to Council Assessment Panel, RSC190528F01” and minutes be revoked and the items be released with the names of the unsuccessful candidates redacted.

**Carried Unanimously**

**25. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee Meeting – 28 May 2019, GC190611F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Confirmation of Confidential Minutes of the Review and Selection Committee Meeting – 28 May 2019, GC190611F02” and appendices be revoked and the items be released with the names of the unsuccessful candidates redacted.

**Carried Unanimously**

**26. Review of Confidential Item - Review and Selection Committee – Appointment of Independent Council Assessment Panel (CAP) Members, GC190611F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Review and Selection Committee – Appointment of Independent Council Assessment Panel (CAP) Members, GC190611F04” appendices and minutes be revoked and the items be released with the names of the unsuccessful candidates redacted.

**Carried Unanimously**

## **27. Review of Confidential Item - Confirmation of the minutes of the Review and Selection Committee Meeting held on 24 September 2019, GC191008F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Confirmation of the minutes of the Review and Selection Committee Meeting held on 24 September 2019, GC191008F01” appendices and minutes be revoked and the items be released with the names of the unsuccessful candidates redacted.

**Carried Unanimously**

## **28. Review of Confidential Item - Living Kurna Cultural Centre, GC250105F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ‘Living Kurna Cultural Centre, GC250105F02’ be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90 (3)(a) of the Local Government Act 1999) and may affect the security of Council and safety of members, employees of the Council, and other persons (Section 90(3)(e)), of the Local Government Act 1999. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **29. Review of Confidential Item - Living Kurna Cultural Centre, GC220305F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ‘Living Kurna Cultural Centre, GC220305F01’ be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the



personal affairs of any person (living or dead) (Section 90 (3)(a) of the Local Government Act 1999) and may affect the security of Council and safety of members, employees of the Council, and other persons (Section 90(3)(e)), of the Local Government Act 1999. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **30. Review of Confidential Item - Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01" together with the appendices and minutes arising from the report be kept confidential on the basis that it deals with information concerning tenders for the supply of goods, the provision of services or the carrying out of works (Section 90(3)(k) and contains confidential commercial information which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer an advantage on a third party and on balance the disclosure would be contrary to the public interest (Section 90(3)(d)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **31. Review of Confidential Item - Provision of Advertising on Bus Shelters to City of Marion, GC270207F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, annexure and minutes titled "Provision of Advertising Bus Shelters to the City of Marion, GC270207F01" be kept confidential on the basis that the matter relates to commercial information of a confidential nature (Section 90(3)(d) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **32. Review of Confidential Item - Oaklands Regeneration Project, State Aquatic, SGC300608F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix 1 to the report, 'Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01' be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)), and to ensure Council does not breach a duty of confidence (Section (3)(g)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Delegate to the CEO the power to revoke the confidential order.
3. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **33. Review of Confidential Item - CEO Performance Review - Appointment of External Consultant, CRC291111F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the annexure of the report, Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01 having been considered in confidence be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest (Section 90(2) and (3)(d) of the Act). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Delegate to the CEO the power to revoke the confidential order.

3. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **34. Review of Confidential Item - Commercial Arrangements, GC240112F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Commercial Arrangements, GC240112F01, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

### **35. Review of Confidential Item - Commercial Arrangements, GC240712F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Commercial Arrangements, GC240712F01, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

**36. Review of Confidential Item - Commercial Arrangements, GC260313F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Commercial Arrangements, GC260313F02, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

**37. Review of Confidential Item - Chief Executive Officer's Employment Contract, SGC190215F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the deed relating to this report Chief Executive Officer's Employment Contract SGC190215F02 distributed at the meeting be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the former Chief Executive Office of the Council (Section (3)(a)), and to ensure Council does not breach any duty of confidence or other legal obligation or duty (Section 90(3)(g)). This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**38. Review of Confidential Item - Cove Civic Centre - Cost and Programme Management, GC240215F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Civic Centre – Cost and Programme Management, GC240215F01' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) and would breach a duty of confidence (Section 90(3)(g)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **39. Review of Confidential Item - Surplus Land Associated with City Services Development, GC240315F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that report Surplus Land associated with City Services Redevelopment, GC240315F02 and appendices having been considered in confidence under Section 90 (2) and (3)(b) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council, and the disclosure of this information would, on balance, be contrary to the public interest as it could prejudice Council's ability to be able to negotiate effectively for the benefit of the Council and the community. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

### **40. Review of Confidential Item - Signatures Cafe, GC240315F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC240315F03, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

#### **41. Review of Confidential Item - Internal Audit and Service Reviews Tender Assessment, AC180815F8.2**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Internal Audit and Service Reviews – Tender Assessment, AC180815F8.2, appendices to the report and minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (3)(g) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that it contains information relating to a tender assessment for the provision of services that is commercial in confidence, and the release would, on balance, be contrary to the public interest, and to ensure Council does not breach any duty of confidence. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the December 2020 Council meeting.

**Carried Unanimously**

#### **42. Review of Confidential Item - Internal Audit and Service Reviews Tender, GC250815F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 Council orders that Appendix A to the report Internal Audit and Service Review Tender, GC250815F04 having been

considered in confidence under Section 90(2) and (3)(d) and (3)(g) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that it contains information relating to a tender assessment for the provision of services that is commercial in confidence, and the release would, on balance, be contrary to the public interest, and to ensure Council does not breach any duty of confidence. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the December 2020 Council meeting.

**Carried Unanimously**

#### **43. Review of Confidential Item - Investigation, GC250815F05**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the unredacted versions of the report, 'Investigation, GC250815F05' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)). This order is to remain in force until such time as the conditions of confidentiality no longer exist.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **44. Review of Confidential Item - Signatures Cafe, GC080915F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC080915F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

Carried Unanimously

**45. Review of Confidential Item - Investigation, GC080915F03****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the unredacted versions of the report, 'Investigation, GC080915F03', appendices 1 to 4 and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90 (3)(a)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)). This order is to remain in force until such time as the Council no longer has a duty of confidence.
2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

**46. Review of Confidential Item - Telecommunications Facilities Morphetville, GC131015R01****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 3 to the report, 'Telecommunication Facilities Morphetville, GC131015R01' be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

**47. Review of Confidential Item - Signatures Cafe, GC260416F01****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:



1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC260416F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

#### **48. Review of Confidential Item - CEO Interim Performance Review, GC240516F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Interim Performance Review, GC240516F03 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3) **(a)** of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **49. Review of Confidential Item - Glenthorne Farm, GC280616F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Glenthorne Farm, GC280616F01, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a

commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **50. Review of Confidential Item - Signatures Cafe, GC260716F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC260716F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

## **51. Review of Confidential Item - Local Government Association Membership, SGC010816F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (Local Government Association Membership SGC010816F01) to this report, having been considered in confidence under s 90(2) and (3)(b) and (h) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**52. Review of Confidential Item - Internal Audit Program, FAC160816R7.8**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Internal Audit Program, FAC160816R7.8' and the minutes be kept confidential and not available for public inspection on the basis that the Appendix and minutes contains information the disclosure of which could reasonably be expected to affect the security of Council property(Section 90(3)(e) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**53. Review of Confidential Item - Finance and Audit Committee Minutes, GC230816F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Finance and Audit Committee Confidential Minutes, GC230816F01' be kept confidential and not available for public inspection on the basis that the Appendix to the Report contains information the disclosure of which could reasonably be expected to affect the security of Council property(Section 90(3)(e) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

**54. Review of Confidential Item - CEO Annual Performance Review 2015/16, GC240516F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that the report CEO Annual Performance Review 2015/16, GC240516F03 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90 (2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **55. Review of Confidential Item - Internal Audit Contract, FAC151216F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (Internal Audit Contract, FAC151216F02) to this report, having been considered in confidence under Section 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **56. Review of Confidential Item - Finance and Audit Committee Confidential Minutes, GC240117F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Finance and Audit Committee Confidential Minutes, GC240117F01' be kept confidential having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial

advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **57. Review of Confidential Item - CEO Key Performance Indicators for Quarter 2 - 2016/17, RSC070217R8.1**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key Performance Indicators for Quarter 2 - 2016/17, RSC070217R8.1 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **58. Review of Confidential Item - LGA Insurance Schemes Review, FAC280217R7.1**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Appendix to this report and minutes (Local Government Association Insurance Schemes Review FAC280217R7.1) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously****59. Review of Confidential Item - LGA Membership, FAC280217R7.2****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report and Appendix 1 (LGA Membership FAC280217R7.2) to this report, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) and contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously****60. Review of Confidential Item - External Audit Tender, FAC280217R7.5****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report External Audit Tender, FAC280217R7.5 and Appendix 1 to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order was made on the on the grounds that the report contains commercial information of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**61. Review of Confidential Item - Signatures Cafe, GC280217F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC280217F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

**62. Review of Confidential Item - Finance and Audit Committee Confidential Minutes, GC140317F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Finance and Audit Committee Confidential Minutes, GC140317F01' be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (d) and (h) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting given the information relates to personal affairs, commercial information of a confidential nature and legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**63. Review of Confidential Item - Local Government Association Membership, GC140317F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (Local Government Association Membership, GC140317F02) to this report, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) and contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **64. Review of Confidential Item - Local Government Association Insurance Schemes Review, GC140317F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (Local Government Association Insurance Schemes Review GC140317F03) to this report, having been considered in confidence under s 90(2) and (3)(b) and (d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information that could confer a commercial advantage to a third party and prejudice the commercial position of the Council, and the release would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **65. Review of Confidential Item - External Audit Tender, GC140317F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that



this report External Audit Tender, GC140317F04 and Appendix 1 to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order was made on the grounds that the report contains commercial information of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **66. Review of Confidential Item - Signatures Cafe, GC110417F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC110417F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

## **67. Review of Confidential Item - CEO Key Performance Indicators for Quarter 3 - 2016/17, RSC020517R8.1**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key Performance Indicators for Quarter 3 - 2016/17, RSC020517R8.1 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information

the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **68. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Confirmation of Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **69. Review of Confidential Item - CEO Key Performance Indicators for Quarter 3 2016/17, GC090517F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key Performance Indicators for Quarter 3 2016/17, GC090517F02 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

## **70. Review of Confidential Item - Commercial Proposal for a Recreational Facility Development, GC080817F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Commercial Proposal for a Recreational Facility Development, GC080817F01, Appendix 1 to this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

## **71. Review of Confidential Item - Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the basis that the matter relates to commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Council delegates to the Chief Executive Officer the power to revoke the confidentiality order.
3. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

## **72. Review of Confidential Item - Edwardstown Oval - Pre-tender estimate and approval to call the Stage 2 Construction Tender, SGC120917F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis that the information relates to the pre-tender estimate for the carrying out of works and disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Council delegates to the Chief Executive Officer the power to revoke the confidentiality order.
3. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **73. Review of Confidential Item - Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1 and minutes arising from this report to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90 (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**74. Review of Confidential Item - Section 48 Prudential Report - BMX, FAC101017R8.14**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Section 48 Prudential Report - BMX, FAC101017R8.14, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

**75. Review of Confidential Item - 73 Cove Road Marino, FAC101017R8.15**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report, 73 Cove Road Marino, FAC101017R8.15, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) and (i) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could involve the unreasonable disclosure of information concerning the person affairs of any person (living or dead); and information relating to actual litigation, or litigation that is believed on reasonable grounds will take place, involving the Council or an employee of the Council. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**76. Review of Confidential Item - Signatures Cafe, GC101017F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC101017F03 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

**77. Review of Confidential Item - Confirmation of the Confidential Minutes of the Finance and Audit Committee held 10 October 2017, GC241017F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01' be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (h) and (i) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**78. Review of Confidential Item - Signatures Cafe, GC241017F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that the report Signatures Cafe, GC241017F02 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2020.

**Carried Unanimously**

### **79. Review of Confidential Item - CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **80. Review of Confidential Item - CEO KPI's Annual Confidential Report 2016/17, RSC071117F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO KPI's Annual Confidential Report 2016/17, RSC071117F02 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **81. Review of Confidential Item - CEO KPI's Report Quarter One 2017/18, RSC071117F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO KPI's Report Quarter One 2017/18, RSC071117F03 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **82. Review of Confidential Item - CEO & Corporate KPI's 2017/18 Quarter 1, SGC271117F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO & Corporate KPI's 2017/18 Quarter 1, SGC271117F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**



### **83. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Confirmation of Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **84. Review of Confidential Item - CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**85. Review of Confidential Item - CEO KPI's Annual Confidential Report 16/17, GC281117F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO KPI's Annual Confidential Report 16/17, GC281117F03 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**86. Review of Confidential Item - Edwardstown Oval - Approval to Award Construction Tender, GC281117F05**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Edwardstown Oval - Approval to Award Construction Tender, GC281117F05, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(k) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the pre-tender estimate for the carrying out of works and disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Council delegates to the Chief Executive Officer the power to revoke the confidentiality order.
3. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **87. Review of Confidential Item - Morphettsville Park Sports and Community Club Redevelopment, GC281117F06**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (Morphettsville Park Sports and Community Club Redevelopment, GC281117F06) to this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **88. Review of Confidential Item - Interim Management for Edwardstown Soldiers Memorial Recreation Grounds Report, GC121217F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Interim Management for Edwardstown Soldiers Memorial Recreation Grounds, GC121217F01, and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(b) and (h) of the Act be kept confidential and not available for public inspection on the upon the basis that the matter relates to legal advice and commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**89. Review of Confidential Item - BMX Project - Update Report, FAC121217F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Update Report, FAC121217F02, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**90. Review of Confidential Item - BMX Project - Update Report, GC300118F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Update Report, GC300118F02, and Appendices 1 and 2 of report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

### **91. Review of Confidential Item - Review of Confidentiality Orders: Investigation, GC250815F05 and Investigation, GC080915F03, GC300118F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 of the report, 'Review of Confidentiality Orders: Investigation, GC250815F05 and Investigation, GC080915F03', GC300118F03 having been considered in confidence under Section 90(2) and (3)(g) and (h) 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 or until Council's duty of confidence is no longer in force.
2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

### **92. Review of Confidential Item - Selection of Candidates for Interview / Appointment for the Finance and Audit Committee, RSC300118F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Selection of Candidates for Interview / Appointment for the Finance and Audit Committee, RSC300118F01, appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

### **93. Review of Confidential Item - Insurance Market Testing, FAC270218F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Appendix to this report and minutes (Insurance Market Testing, FAC270218F01) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) and (d) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **94. Review of Confidential Item - Confirmation of the Confidential Minutes of the Review and Selection Committee meeting held 30 January 2018, GC130218F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confirmation of the Confidential Minutes of the Review and Selection Committee meeting held 30 January 2018, GC130218F01, appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **95. Review of Confidential Item - Urban Activation Project, GC270218F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Urban Activation Project, GC270218F02, and appendices having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial

information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

## **96. Review of Confidential Item - Kurna Native Title Claim, GC130318F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Kurna Native Title Claim, G30318F01, and minutes having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

## **97. Review of Confidential Item - Finance and Audit Committee Confidential Minutes, GC130318F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that the Appendix to this report (Finance and Audit Committee Confidential Minutes, GC130318F02) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest and to ensure that the council does not breach any law, order or direction or a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty (Section 90(3)(d) and (g) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **98. Review of Confidential Item - Insurance Market Testing, GC130318F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Appendix to this report and minutes (Insurance Market Testing, GC130318F03) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) and (d) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **99. Review of Confidential Item - Management Model for Regional Facilities, GC130318F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Management Model for Regional Facilities, GC130318F04, and minutes having been considered in confidence under Section 90(2) and (3)(a) and (d) of the Act be kept confidential and not available for public inspection on the basis that the information relates to personal affairs and commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**



**100. Review of Confidential Item - BMX Project - Progress Report, ISC060318F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Progress Report, ISC060318F01, appendices and minutes arising from the report, having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**101. Review of Confidential Item - Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held 6 March 2018, GC270318F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 6 March 2018, GC270318F01, and appendix arising from the report, having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**102. Review of Confidential Item - BMX Project, ISC010518F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project, ISC010518F01, appendices and minutes arising from the report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**103. Review of Confidential Item - Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held 1 May 2018, GC220518F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 1 May 2018, GC220518F01, and appendix arising from the report, having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

**104. Review of Confidential Item - Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held 3 July 2018, GC180724F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 3 July 2018, GC180724F01, and appendix arising from the report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

### **105. Review of Confidential Item - Confidential - Tonsley Water Agreement, GC180724F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential - Tonsley Water Agreement, GC180724F03, and minutes having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

### **106. Review of Confidential Item - BMX - Progress Report on Darlington Site Option, ISC180703F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX - Progress Report on Darlington Site Option, ISC180703F01, appendices and minutes arising from the report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to

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

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **107. Review of Confidential Item - Expression of Interest - 262 Sturt Road - Progress Report and Next Stage, GC180828F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Expression of Interest - 262 Sturt Road - Progress Report and Next Stage, GC180828F01, and Appendices to this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **108. Review of Confidential Item - Proposed Class Action, GC180814F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Proposed Class Action, GC180814F03, and appendices having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

**109. Review of Confidential Item - CEO Annual Performance Review 2017/18, RSC180828F01****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2017/18, RSC180828F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

**110. Review of Confidential Item - Proposed Class Action, GC180911F01****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Proposed Class Action, GC180911F01, and appendices having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

**111. Review of Confidential Item - Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park, GC180911F02****Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park, GC180911F02, and Appendices to this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **112. Review of Confidential Item - Expression of Interest - Community Wireless Internet Services, GC180911F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Expression of Interest - Community Wireless Internet Services, GC180911F03 and appendices having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

### **113. Review of Confidential Item - Coastal Walkway - Confidential Appendix, GC180911F04**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Coastal Walkway - Confidential Appendix, GC180911F04, and appendices having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains

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

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

#### **114. Review of Confidential Item - Review and Selection Committee Confidential Minutes from the meeting 28 August 2018, GC180911F05**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Review and Selection Committee Confidential Minutes from the meeting 28 August 2018, GC180911F05 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **115. Review of Confidential Item - CEO Annual Performance Review 2017/18, GC180911F06**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2017/18, GC180911F06 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90 (2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**116. Review of Confidential Item - Code of Conduct Complaint, GC181127F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Code of Conduct Complaint, GC181127F01, appendices and minutes arising from this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the Local Government Act 1999); This order is to remain in force for the current term of Council.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**117. Review of Confidential Item - Cove Sports and Community Club Licence, SGC190122F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports and Community Club Licence, SGC190122F01' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to breach a duty of confidence and the report contains legal advice and information of a commercial nature and would on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**118. Review of Confidential Item - BMX Project – Outcome of Darlington Investigations, GC190129F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:



1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'BMX Project – Outcome of Darlington Investigations, GC190129F02' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would breach a duty of confidence under the Aboriginal Heritage Act 1988 (Section 90(3)(g)) and the report contains legal advice (Section 90(3)(h)) and would on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **119. Review of Confidential Item - BMX Project – Financial Summary of Costs, GC190129F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'BMX Project – Financial Summary of Costs, GC190129F03' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999 This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **120. Review of Confidential Item - Oaklands Park Urban Renewal Proposal, GC190129F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Oaklands Park Urban Renewal Proposal, GC190129F04' together with all annexure, Presentation, Oaklands Park Urban Renewal Proposal and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the

public interest (Section 90(3)(d). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **121. Review of Confidential Item - S48 Prudential Management Review – Waste Services, FAC190226F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Finance and Audit Committee orders that this report, S48 Prudential Management Review – Waste Services, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the Finance and Audit Committee's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.
2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

### **122. Review of Confidential Item - Marion Outdoor Pool, GC190226F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Outdoor Pool, GC190226F01' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**123. Review of Confidential Item - Marion Golf Club, ISC190305F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Golf Club, ISC190305F01' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**124. Review of Confidential Item - Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting held on 26 February 2019, GC190312F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting held on 26 February 2019, GC190312F01, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the Council's resolution (s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.
2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

**125. Review of Confidential Item - S48 Prudential Management Review – S48 Prudential Management Review – Waste Services, GC190312F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that this report, S48 Prudential Management Review - Waste Services, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.

2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

### **126. Review of Confidential Item - Outcome of Business Case – 262 Sturt Road, Marion, GC190312F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices and the report except for the Executive Summary of the report (except for the last paragraph, which is to remain confidential) to the item "Outcome of the Business Case - 262 Sturt Road, Marion" GC120319 be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information 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 (Section 90(3)(b)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **127. Review of Confidential Item - Morphettville Park Sports Club Redevelopment – Approval to call Tenders for Construction, GC190312F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Morphettville Park Sports Club Redevelopment – Approval to call Tenders for Construction, GC190312F04' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local

Government Act 1999. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **128. Review of Confidential Item - Confirmation of the confidential minutes of the Information and Strategy Committee meeting held on 5 March 2019, GC190326F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Confirmation of the confidential minutes of the Information and Strategy Committee meeting held on 5 March 2019, GC190326F01' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

## **129. Review of Confidential Item - Cove Sports Settlement of licence, GC190326F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports Settlement of Licence, GC190326F02' and the dollar figure in point four of the minutes and any appendix arising from this report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **130. Review of Confidential Item - Coastal Walkway Progress Report – Confidential Appendix, GC190326F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Coastal Walkway Progress Report – Confidential Appendix, GC190326F03' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **131. Review of Confidential Item - Progress Report on the Southern Football Facility, Major Road, GC190423F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Progress Report on the Southern Football Facility, Major Road, GC190423F01' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **132. Review of Confidential Item - Council Owned Vineyards, GC190423F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that the report, 'Council Owned Vineyards, GC190423F03' together with all annexure, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **133. Review of Confidential Item - Selection of Candidates for interview /appointment to Council Assessment Panel, RSC190507F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Selection of Candidates for interview /appointment to Council Assessment Panel, RSC190507F01, appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

### **134. Review of Confidential Item - Westminster Reserve, GC190514F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Westminster Reserve Report Reference: GC190514F01' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at

which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **135. Review of Confidential Item - Internal Audit Tender Evaluation, FAC190528F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Internal Audit Tender Evaluation, FAC190528F01' any thing distributed at the meeting and minutes, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **136. Review of Confidential Item - Confirmation of the Confidential Minutes of the Review and Selection Committee Meeting held on 7 May 2019, GC190514F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confirmation of the Confidential Minutes of the Review and Selection Committee Meeting held on 7 May 2019, GC190514F02, the appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3) (a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**



**137. Review of Confidential Item - Westminster Reserve – Adjourned Report, GC190611F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Westminster Reserve – Adjourned Report, GC190611F01' appendices and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**138. Review of Confidential Item - Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting – 28 May 2019, GC190611F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting – 28 May 2019, GC190611F03' and appendices, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**139. Review of Confidential Item - Internal Audit Tender Outcomes, GC190611F05**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Internal Audit Tender Outcomes, GC190611F05' and appendices, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)) and information that relates to a tender for the provision of services (Section 90(3)(k)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**140. Review of Confidential Item - Potential Land Acquisition, GC190611F07**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Potential Land Acquisition, GC190611F07' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**141. Review of Confidential Item - Marion Outdoor Pool Upgrade – Stage 3 Works, GC190723F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Outdoor Pool Upgrade – Stage 3 Works, GC190723F01' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **142. Review of Confidential Item - Service Review – Corporate Information and Communication Technology – Report, FAC190820F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' Service Review – Corporate Information and Communication Technology – Report, FAC190820F01' appendices and minutes, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)) and information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons (Section 90(3)(a)) . This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **143. Review of Confidential Item - Finance and Audit Committee Independent Member, RSC190924F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Finance and Audit Committee Independent Member, RSC190924F01, the appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve

the unreasonable disclosure of information concerning the personal affairs of various persons. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

**Carried Unanimously**

#### **144. Review of Confidential Item - Council Solutions Kerbside Waste Tender Outcomes, GC190813F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Council Solutions Kerbside Waste Tender Outcomes, GC190813F03, appendices and minutes having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest.  
This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

#### **145. Review of Confidential Item - Cat Curfew By-law Update, GC190827F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cat Curfew By-law Update, GC190827F01' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **146. Review of Confidential Item - Cove Sports and Community Committee Investigation, SGC190902F02**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports and Community Committee Investigation, SGC190902F02' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **147. Review of Confidential Item - Cove Sports & Community Club Management, SGC190902F03**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports & Community Club Management, SGC190902F03' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **148. Review of Confidential Item - Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting – 20 August 2019, GC190924F01**

**Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that the report, 'Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting – 20 August 2019, GC190924F01' and appendices, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)) and information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons (Section 90(3)(a)) . This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **149. Review of Confidential Item - Marion Outdoor Pool Stage 3 - Progress Update, GC191022F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Outdoor Pool Stage 3 - Progress Update, GC191022F01' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

#### **150. Review of Confidential Item - CEO Annual Performance Review 2018/19, RSC191105F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2018/19, RSC191105F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local

Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **151. Review of Confidential Item - Outcome of Capella Investigations and Director for Southern Soccer, SGC191125F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Outcome of Capella Investigations and Director for Southern Soccer, SGC191125F01 and appendices having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

### **152. Review of Confidential Item - Future Land Strategy: City Services Surplus Land, SGC191125F02**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Future Land Strategy: City Services Surplus Land, SGC191125F02 and appendices having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

**Carried Unanimously**

**153. Review of Confidential Item - Cat Curfew By-Law Update, SGC191125F03**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cat Curfew By-law Update, GC190827F01' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**154. Review of Confidential Item - Section 270 Report Cove Football Club, SGC191125F04**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the un-redacted version of Appendix 1 of the report, 'Section 270 Report Cove Football Club, SGC191125F04' be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

**155. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 November 2019, GC191126F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 November 2019, GC191126F01 minutes arising from this



report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **156. Review of Confidential Item - CEO Annual Performance Review 2018/19, GC191126F01**

**Moved      Councillor - Joseph Masika      Seconded      Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2018/19, GC191126F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90 (2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.
2. This confidential order be reviewed at the December 2020 meeting of Council.

**Carried Unanimously**

### **16. Review of Confidential Item - Cove Investigation – Response to Findings of Fact, GC190924F02**

**Moved      Councillor – Ian Crossland      Seconded      Councillor – Jason Veliskou**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix 1 to the report, '*Cove Investigation – Response to Findings of Fact, GC190924F02*' be kept confidential and not available for public inspection on the basis that the report contains information relating to personal affairs (Section 90(3)(a)), This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
2. Delegate to the CEO the power to revoke the confidential order subject to the written approval of the Cove Football Club.

3. This confidential order be reviewed at the December 2020 meeting of Council unless revoked prior.

**Carried Unanimously**

**CORPORATE REPORTS FOR INFORMATION/NOTING - Nil**

**WORKSHOP / PRESENTATION ITEMS - Nil**

**MOTIONS WITH NOTICE**

**Rescission Motion - Hamilton Park Reserve Community Court**

**Report Reference:** GC191210M01

This item was not considered.

**QUESTIONS WITH NOTICE - Nil**

**MOTIONS WITHOUT NOTICE – Nil**

**QUESTIONS WITHOUT NOTICE - Nil**

**OTHER BUSINESS - Nil**

**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.

**MEETING CLOSURE** - Meeting Declared Closed at 9.40pm

**CONFIRMED THIS 28 DAY OF JANUARY 2020**

.....  
**CHAIRPERSON**

## APPENDIX 1

The Friends of Hallett Cove Conservation Park  
10 Taylors Lane  
BRIGHTON SA 5045

8 December 2019

Mr Glynn Ricketts  
Water Resources Coordinator  
The City of Marion  
PO Box 21  
OAKLANDS PARK SA 5046

Dear Glynn,

Re: Proposed works – Lucretia Way Detention Basin, Hallett Cove

Following the meeting between the Friends of Hallett Cove Conservation Park, Cr Ian Crossland and you, on Thursday, 5 December 2019, we wish to clarify our recommendations for the detention basin upgrade.

Since the early 2000s, there has been increasing erosion of Waterfall Creek, inside the conservation park, caused by stormwater catchment from the Hallett Cove Shopping Centre and residential housing. The stream dried out in the summer of 2008. Reeds and vegetation died and many following attempts by volunteers at revegetation failed. This culminated in the park's concrete bridge being undermined in March 2011, necessitating its removal, along with subsequent remedial works being undertaken. The following year further erosion, the entire length of the stream, carried vast amounts of soil into the ocean, exposing the 270 million year old Permian clay deposits along the creek. Revegetation in this clay is not possible.

It is vital that the proposed detention basin upgrade remedy this increasing and ongoing problem. Therefore, we recommend a compromise between Options 1 and 2, but only with the addition of energy control measures to slow the release of stormwater. The dam wall and a modified spillway must be retained so that, in the event of a significant rain storm, there will be enough capacity to hold most of the run-off, and slowly release it over several days, causing minimal further erosion.

If a wetland is created with some deep and some shallow pools, vegetated with riparian plants, it will be aesthetically pleasing, even at the end of summer when almost dried out. The occasional drying of this dam is most desirable to help eradicate the two species of feral fish that keep the water muddy. Those fish have eradicated most native life from the water, and are likely to move upstream and to other streams if not controlled. Our continued weed and fox control and better management of wetland vegetation will further improve this haven for water birds.

Once established, riparian plants withstand being submerged and recover once the water lowers after a few days. This allows sediment and pollutants to fall. The continuous outpouring of polluted sediment is stealthily and immeasurably destroying the coastal marine environment. Waterfall Creek sediment outfall has already damaged seagrasses and algae on the adjacent coast.

The most important feature of any wetland is to discharge water into the underlying aquifer. It is very fortunate that there seems to have been a recent opening of the rock strata just upstream of the dam, into which water is disappearing. It is possible that once this aquifer is replenished, springs associated with the Tjilbruke Dreaming, which have failed over the past 25 years, may flow again. The captured water, when filtered through the aquifer, will continue to find its way out to sea from the Field River spring near the Worthing Mine, and hopefully again at Waterfall Creek.

Members of the Friends of Hallett Cove Conservation park wish to join a committee of local residents and Council representatives to design a satisfactory resolution to the current Lucretia Way detention basin problems.

Yours faithfully,

Brenda Westlake

for P. J. Rendle  
Hon. Secretary

Cc: Cr Ian Crossland

## COMMUNICATIONS

### Emergency Management Response Staff

<b>Originating Officer</b>	Executive Assistant to CEO - Dana Bartlett
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	Chief Executive Officer - Adrian Skull
<b>Report Reference</b>	GC200128R02

### REPORT OBJECTIVE

To recognise the City of Marion staff who provided valued expertise and assistance during three Emergency Management responses in December 2019 and January 2020.

### EXECUTIVE SUMMARY

During recent months, the Local Government community has experienced a number of Emergency Management issues. The City of Marion is proud that we have been able to support our neighbours with various resources during their time of need.

On the 23 and 24 of December 2019 the City of Marion responded to the Local Government Association's (LGA) call for help with the Cuddlee Creek fire. City of Marion provided four (4) staff to assist. These staff have expertise and were utilised to assess the condition of trees that have been impacted by the fire. Subject to the assessment, the dangerous trees are removed to mitigate the risk and make access safe for emergency services and residents.

On 21 January 2020 the City of Marion responded to the LGA's call for help with the Kangaroo Island fire response. Four (4) staff were deployed to Kangaroo Island until Saturday 25 January. Their expertise were utilised to assess the condition of trees that have been impacted by the fire (in the same manner as the Cuddle Creek Fires)

We sincerely thank the staff mentioned above, many cancelling leave so they were able to assist. We would also like to acknowledge and thank the staff members who were on standby ready and willing to assist and all staff who worked behind the scenes to coordinated the City of Marion's response to the LGA and those who ensured the safety of our staff.

A neighbouring Council required support and expertise during the recovery phase of a recent cyber attack. Two (2) staff assisted in many ways including re-imaging computers and attending remote sites to carry out remediation works. This Council expressed that they certainly would not be in the advanced recovery position that they are without the City of Marion's support.

Our thoughts are with the communities that have been impacted by the fire and we are thankful for our staff's contribution and expertise.

### RECOMMENDATIONS

**That Council acknowledges the support provided to the Local Government sector during the recent emergency management events and thanks our staff for the support and assist during these times.**

## Mayoral Communication Report

**Date of Council Meeting** 28 January 2020

**Name of Elected Member** Mayor - Kris Hanna

**Report Reference** GC200128R03

### Details

Date	Event	Comments
27/11/19	5049 Community Public Forum re: Boundary Changes	Represented Marion
28/11/19	Southern Business Connections End of Year Celebration	Attended
29/11/19	Healthy South Summit	Attended
30/11/19	Glenelg Rebels Club Day and Breast Cancer Awareness round	Attended
2/12/19	Positive Ageing and Inclusion Volunteer Xmas Thankyou Event	Attended
2/12/19	Mayor's End of Year Business Event	Hosted
4/12/19	Meeting with Premier and Minister Speirs re: Coastal Walkway	Attended
4/12/19	Glandore Community Centre Carols in the Park	Attended
5/12/19	Meeting with Morphetville Park Football Club	Hosted
6/12/19	Meeting with Mayor of Onkaparinga	Attended
7/12/19	Welcome To Australia Event at SA Aquatic Centre	Attended
7/12/19	Southbank Tennis Club End of Year Celebration	Attended
9/12/19	GAROC workshop on Planning and Design Code/Climate Risk Management	Attended
10/12/19	Graffiti removal/Cooinda Volunteers Christmas Lunch	Attended
10/12/19	Marion Probus Club Christmas Lunch	Attended
11/12/19	Tonsley Connections event	Attended
11/12/19	Mayor's Multicultural Event at Marion Outdoor Pool	Hosted
12/12/19	Christmas Party for the Volunteers of Edwardstown Meals on Wheels	Attended
13/12/19	Australian Friends of Palestine end of year event	Attended

16/12/19	Shamrock Road Reserve opening	Attended
16/12/19	Community Grants Cheque Presentation Evening	Attended
17/12/19	Cr Sasha Mason swearing-in ceremony	Swore in new Woodlands Ward Councillor
17/12/19	Mayor's end of year Christmas Function	Hosted
19/12/19	Lord Mayor's Christmas Reception	Attended, took gift
20/12/19	Opening Day Exhibition- Greek Museum of Adelaide Inc	Attended
6/1/20	Meeting with BAE Systems	Hosted
18/1/20	Elected Member Planning Day	Attended

## CEO and Executive Communications Report

**Date of Council Meeting** 28 January 2020

**Report Reference** GC200128R04

### Details

Date	Activity	Attended By
27 November 2019	5049 Community Public Forum re: Boundary Changes	Adrian Skull Ilia Houridis Sorana Dinmore
27 November 2019	Searchlight Forum - information session	Sorana Dinmore
27 November 2019	Meeting   Cross Council Fleet Procurement Meeting. City of Marion, City of Port Adelaide Enfield and City of Charles Sturt	Tony Lines Sorana Dinmore Ilia Houridis
28 November 2019	Meeting   Adrian Skull (City of Marion), Simon Shepherd and Tania Sargent (Westminster)	Adrian Skull
28 November 2019	Meeting   Sorana Dinmore and Ben Cowling (Civica)	Sorana Dinmore
29 November 2019	ESRI cloud project City of Marion and City of Charles Sturt	Sorana Dinmore
2 December 2019	Meeting   Warriparinga Development Group	Tony Lines
2 December 2019	Meeting   Ilia Houridis and Sally Smith re Coastal Walkway	Ilia Houridis
4 December 2019	Meeting   City of Marion, City of Onkaparinga, SAEDB and Department of Employment, Skills, Small and Family Business	Adrian Skull Ilia Houridis
5 December 2019	LG Professionals, SA GM Network Forum: From Surviving to Thriving	Sorana Dinmore Ilia Houridis Tony Lines
6 December 2019	Meeting   Western Adelaide Consultative Group (WACG)	Adrian Skull
6 December 2019	Meeting   SAEDB	Adrian Skull Ilia Houridis
6 December 2019	2019 Emerging Leaders Program Presentation and Graduation	Ilia Houridis
11 December 2019	Meeting   Council Ready Governance Group	Tony Lines
12 December 2019	Meeting   Cross Council Initiatives – CEOs City of Port Adelaide Enfield, City of Charles Sturt and City of Marion Update with Erika Comrie	Adrian Skull

12 December 2019	Meeting   Cross Council Executives City of Port Adelaide Enfield, City of Charles Sturt and City of Marion	Adrian Skull Tony Lines Sorana Dinmore Ilia Houridis
16 December 2019	Shamrock Road Reserve Reopening	Adrian Skull Ilia Houridis
17 December 2019	Cross Council Collaboration Project Meeting with City of Marion, City of Port Adelaide Enfield and City of Charles Sturt & Erika Comrie	Sorana Dinmore
17 December 2019	Meeting with CoM & ESMRG	Ilia Houridis
18 December 2019	Presentation from SAJC   Morphettville Redevelopment	Adrian Skull Ilia Houridis
6 January 2020	Meeting   City of Marion and BAE Systems with Mayor Hanna	Adrian Skull
6 January 2020	Meeting   Adrian Skull and Steve Nolis (LGA)	Adrian Skull
16 January 2020	Tennis SA Local Council Forum	Adrian Skull Ilia Houridis
20 January 2020	Meeting   St Martin de Porres School relating to Spinnaker Reserve East	Tony Lines
21 January 2020	Cross Council ICT Program Board - City of Port Adelaide Enfield, City of Charles Sturt and City of Marion	Sorana Dinmore
22 January 2020	Meeting   City of Marion, Scentre Group and new Westfield Marion investors SPH REIT	Adrian Skull Ilia Houridis
22 January 2020	Meeting   Marion Hotel relating to Quick Road Streetscaping	Adrian Skull Tony Lines
23 January 2020	Meeting   Adrian Skull and Jayne Stinson MP	Adrian Skull
23 January 2020	Event   LG Professionals Informal Gathering of members to discuss gender equity	Sorana Dinmore
23 January 2020	LG Professionals GM Network - Working Group Meeting	Sorana Dinmore
23 January 2020	Meeting   Zone Emergency Management Committee (ZEMC)	Tony Lines
24 January 2020	Meeting   Adrian Skull and Ian Tanner (DEW)	Adrian Skull
24 January 2020	Meeting   Cross Council Initiatives – CEOs City of Port Adelaide Enfield, City of Charles Sturt and City of Marion Update with Erika Comrie	Adrian Skull
24 January 2020	Planning Reforms Discussion   DPTI & City of Marion	Ilia Houridis



26 January 2020	City of Marion Australia Day Awards and Citizenship Ceremony	Sorana Dinmore
28 January 2020	Meeting   City of Marion and KPMG re Smart Cities	Ilia Houridis

## ELECTED MEMBER VERBAL COMMUNICATIONS

In accordance with the *Code of Practice - Procedures at Council Meeting 2017/18* an Elected Member has the right to speak for up to two minutes in the second meeting of Council every second month from February (with the exception of caretaker period).

## ADJOURNED ITEMS - Nil

## DEPUTATIONS

**Deputation - Delaine Avenue Edwardstown (late item, distributed separately)**

**Deputation - Planning and Design Code (late item, distributed separately)**

## PETITIONS

### Carparking Issues - Wingate Street, Edwardstown

**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:** GC200128P01

### PETITION FROM:

The petition was organised by Andrew Bailey from 3 Wingate Street, Edwardstown

### NUMBER OF SIGNATORIES:

10 signatories

### DATE PETITION RECEIVED:

6 November 2019

### CORRESPONDENCE:

The petition (refer appendix 1) requests Council to install residential parking signage to both sides of Wingate Street and supply three parking permits per address to allow friends, family and residents to park.

### ORIGINATING OFFICER COMMENTS:

Wingate Street is classified as a Local Road extending for 128 metres between Railway Terrace and Robert Street, Edwardstown. The road width (kerb to kerb) is 8.2 m.

8 of the 13 households (comprising 10 signatures) signed the petition.

Wingate Street is located approximately 70 metres from Woodlands Park Railway Station. A number of car parks were removed on Railway Terrace to accommodate the recent streetscape upgrade and dedicated bike path for the Marino Rocks Greenway. There are no current parking controls on Wingate Street.

There are a number of competing needs regarding the available on-street parking in Wingate Street. Although the street is residential, it is not unexpected that commuters would park in the street to catch the train due to its close proximity to Woodlands Park Railway Station. It is evident that due to the amount of commuters parking in the street, there are no parking spaces available for the local residents which has caused a level of frustration.

Nearby streets to the north experience similar parking demands, on both Collins Avenue and HMS Buffalo Avenue. The situation is managed by providing a balance between commuter parking and parking for local residents. Collins Avenue has 1P parking on the northern side of the street and a combination of 1P and 2P parking controls on the southern side of the street. HMS Buffalo Avenue has 2P parking controls on the southern side of the street (refer Appendix 2 - Parking Controls in the direct vicinity).

Council's waste contractor, Solo waste has advised that they are not experiencing accessibility issues, however at a site meeting with Mr Bailey on Monday 16 December 2019 it was noted that bin collection was not easy and the residents work together to group bins for collection.

Residential parking permits are only available when the parking adjacent to the residents property is restricted by time limitations, for example where there is a 2P parking zone. A residential permit does not allow the holder of that permit to park where restrictions other than a time limit restriction applies, for example, it does not permit parking on a yellow line or in a 'No Stopping' or 'No Parking' designated area. Only one permit is issued per household through Council's Community Safety Inspectors with additional permits only being issued under extreme circumstances. The permit is transferable within the household and can be used on any chosen vehicle at one time. Holding a Parking Permit does not guarantee a parking space in the street for which it is issued, as the road is a public space and available to all residents and or road users.

Taking into consideration the competing needs of all roads users, it would be appropriate to install 2P parking controls (between 8am and 5pm Monday to Friday) on the southern side of the street to assist residential parking whilst also providing parking for commuters.

## **RECOMMENDATION:**

### **That Council:**

1. **Notes the report.**
2. **Supports the installation of 2P parking controls (between 8am and 5pm Monday to Friday) on the southern side of Wingate Street.**
3. **Authorises administration to advise the petition organiser of Council's decision.**

## **ATTACHMENTS:**

#	Attachment	Type
1	Appendix 1 - Petition - Carparking in Wingate Street, Edwardstown	PDF File
2	Appendix 2 - Existing Parking Controls	PDF File

ENTERED

06<sup>th</sup> NOV 2019

19284113

BY: Rebecca

Received by  
CITY OF MARION  
DATED 6/11/19.

Office Use Only:

Date Petition Received:

CITY OF MARION

## PETITION

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

Petition Contact Person: ANDREW BAILEY  
 Telephone Number: 8357 4557  
 Address: 3 WINGATE ST  
EDWARDSTOWN  
 Date Petition Initiated: .....

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

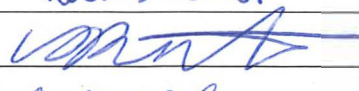
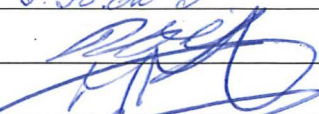
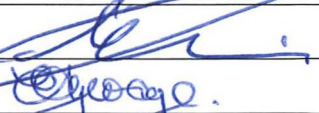

residents of WINGATE ST.

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

The construction of a bicycle track along Railway Terrace has removed over 120 car parks for the Woodlands Park railway station. This has turned Wingate St into a carpark for city commuters. This has affected safe access into our properties, bin collections and street sweeping.

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

Install Residential Parking only signage to both sides of our street. Supply three parking permits per address for our own parking, friends, family to park when visiting.

Name	Address	Signature
Anne Dambiszko	1/4 Wingate st	dambiszko.
Sarah Piercy	9 Wingate st	
Kath McGregor	7 Wingate st	G. H. M. G.
Andrew Bailey	3 Wingate st	
Mary Manias	5 Wingate st	
Glen Pikulis	3/4 Wingate	
Elizabeth George	3 Wingate st	George.

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

(Identify the details of the petition on each page)

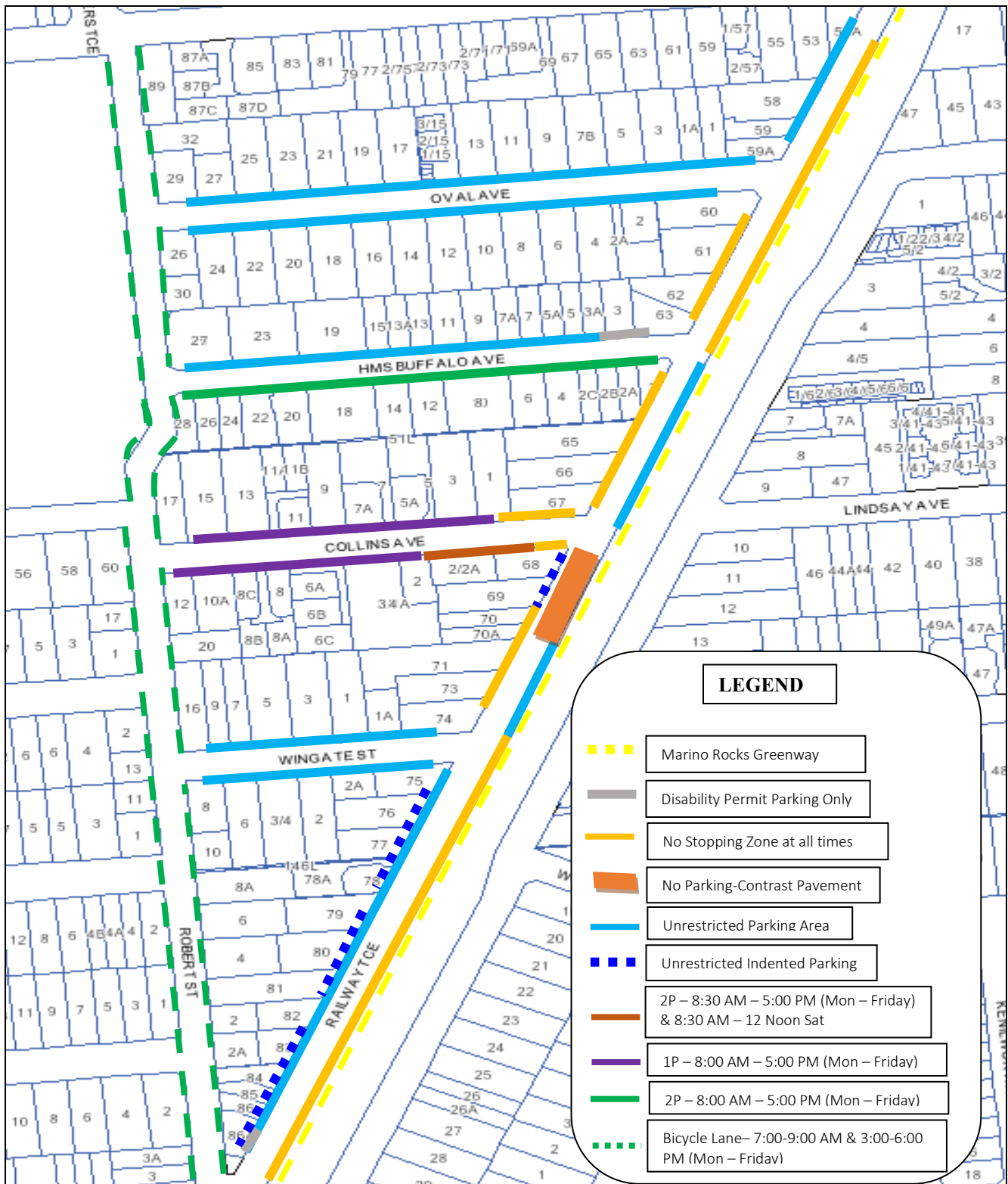
Name	Address	Signature
Brad Hendy	1 Wingate St	Brad Hendy
Kyle Haukeston	1 Wingate St	Kyle Haukeston
Stephen Gastl	2A Wingate St	Stephen Gastl
		Attach additional sheets if required

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

## Appendix 2 – Existing Parking Controls



Map Width: 1217 m  
Thursday, 02 January 2020



### About this Document

This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion. This information is provided for private use only.

### Disclaimer

While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.



## Petition - Delaine Avenue, Edwardstown

**Originating Officer** Manager Engineering and Field Services - Mathew Allen

**Corporate Manager** N/A

**General Manager** General Manager City Services - Tony Lines

**Report Reference:** GC200128P02

### PETITION FROM:

Ben Jaeger - Resident

### NUMBER OF SIGNATORIES:

28 signatories

### DATE PETITION RECEIVED:

22 January 2020

### CORRESPONDENCE:

We, the undersigned residents, who do actually reside within 100 metres of the De Laine Avenue Chicane, petition the City of Marion, in accordance with Section 90(3)(a) of the Local Government Act and the City of Marion Petition Policy, to reconsider removal of said chicane until the following action is undertaken.

Accurate investigation of noise and traffic levels and their effect on residents.

Adequate consultation and assessment of residents concerns.

Investigation as to whether alternative actions would address these concerns.

Installation of further or alternative traffic calming devices.

### ORIGINATING OFFICER COMMENTS:

At the General Council meeting on 26 November 2019, Council resolved the following:

That:

1. The Driveway Link in Delaine Avenue, Edwardstown be removed as per the request of residents.
2. The work to be undertaken (as soon as possible) within the 2020/21 financial year as part of the Capital Works Program.
3. That \$47,000 be allocated with the 2020/21 Annual Business Plan (Transport).

Subsequently \$47,000 has been allocated in the draft Annual Business Plan 2020/21 to remove the driveway link.

Prior to the Council resolution on 26 November 2019, Council was provided with the following:

Date	Item	Reference	Outcome
22 October 2019	Petition requesting Council to remove the driveway link on Delaine Avenue	GC191022P01	Council noted the petition

22 October 2019	Motion with Notice requesting Council to engage an Acoustic Engineer and investigate alternative traffic control devices or modify the Driveway Line	GC191022M05	Item not considered at the 22 October 2019 meeting and subsequently withdrawn by Councillor Masika and replaced with the Motion on Notice provided at the 26 November 2019 meeting to remove the device (GC191126M03)
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After considering this petition, Council can either:

1. Uphold the original decision
2. Undertake further investigations and report back prior to any rescission or amendment to the decision of 26 November 2019 or
3. Rescind or amend the decision of 26 November 2019

If Council selects option 2, there is no current impact on the original motion as the works are not planned until 20/21. The report can include:

- Traffic noise and traffic data
- Feedback from affected residents
- Analyse alternative options
- Consider the installation of alternative traffic calming

The anticipated cost to undertake further investigations is \$7,000 and the estimated time frame to undertake this work is 2 months.

If Council selects option 3 and wishes to rescind the decision of 26 November 2019, to comply with the requirements of the Local Government (Procedures at Meetings) Regulations, a further Motion would be required to be presented at a General Council meeting. Regulation 21 states "The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council."

## RECOMMENDATION:

### OPTION 1

That Council:

1. Notes the petition.
2. Upholds its original decision, of 26 November 2019, namely that:

1. *The Driveway Link in Delaine Avenue, Edwardstown be removed as per the request of residents.*
2. *The work to be undertaken (as soon as possible) within the 2020/21 financial year as part of the Capital Works Program.*
3. *That \$47,000 be allocated with the 2020/21 Annual Business Plan (Transport).*

3. Authorises administration to advise the head petitioner of Council's decision.

### OPTION 2

That Council:

1. Notes the petition.
2. Prior to implementing the decision of 26 November 2019, namely that:





- 1. The Driveway Link in Delaine Avenue, Edwardstown be removed as per the request of residents.**
- 2. The work to be undertaken (as soon as possible) within the 2020/21 financial year as part of the Capital Works Program.**
- 3. That \$47,000 be allocated with the 2020/21 Annual Business Plan (Transport).**

undertakes further investigation work on the following:

- Traffic noise and traffic data
- Feedback from affected residents
- Analyse alternative options
- Consider the installation of alternative traffic calming

**3. Notes that a further report on the outcomes of the investigation will be presented to the 28 April 2020 Council meeting.**

**4. Authorises administration to advise the head petitioner of Council's decision.**

### **OPTION 3**

**That Council:**

- 1. Notes the petition.**
- 2. Requests the CEO to submit a report to the 11 February 2020 General Council Meeting under regulation 21(1) of the Local Government (Procedures at Meetings) Regulations to rescind the decision of 26 November 2019 that states:**

**That:**

- 1. The Driveway Link in Delaine Avenue, Edwardstown be removed as per the request of residents.**
- 2. The work to be undertaken (as soon as possible) within the 2020/21 financial year as part of the Capital Works Program.**
- 3. That \$47,000 be allocated with the 2020/21 Annual Business Plan (Transport).**

**and makes a recommendation to retain the Driveway Link in Delaine Avenue, Edwardstown and remove any budget allocation for 2020/21.**

- 3. Authorises administration to advise the head petitioner of Council's decision.**

### **ATTACHMENTS:**

#	Attachment	Type
1	Petition - De Laine Avenue	PDF File
2	Letter - De Laine Avenue	PDF File

RECEIVED  
CITY OF MARION

22 JAN 2020

RECORD NUMBER

**Petition to City of Marion****To his Worship the Mayor and councillors of the City of Marion****Petition Organiser – Ben Jaeger****Address – 19 De Laine Avenue Edwardstown SA****Contact Number – 0408 830 886****Date Initiated – 21<sup>st</sup> December 2019**

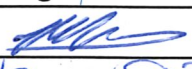
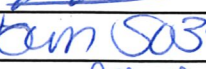
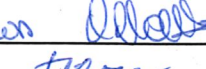
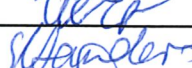


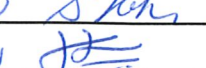


We, the undersigned residents, who do **actually reside within 100 metres** of the De Laine Avenue Chicane, petition the City of Marion, in accordance with Section 90(3)(a) of the Local Government Act and the City of Marion Petition Policy, to reconsider removal of the said chicane until the following is undertaken.

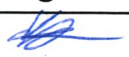
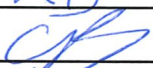





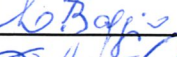



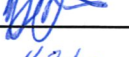






Accurate investigation of noise and traffic levels and their effect on residents.

Adequate consultation and assessment of residents concerns.

Investigation as to whether alternative actions would address these concerns.

Installation of further or alternative traffic calming devices.

No.	Name	Address	Signature
1.	BEN JAEGER	19 DE LAINE AVENUE	
2.	NICK JORG	19 DE LAINE AVE EDWARDSTOWN SA 5039	
3.	Charmaine Wether	21 De Laine Ave Edwardstown	
4.	Thomas Keizer	21 De Laine Ave Edwardstown	
5.	Emily Sanders	11 De Laine Ave, Edwardstown	
6.	Sanjeev Kumar	1/16 De Laine Ave, Edwardstown	
7.	DELENE TURNER	18A DE LAINE AVE EDWARDSTOWN	
8.	SUSAN TOMKINSON	18B DE LAINE AVE EDWARDSTOWN	
9.	Siju Jose	2/22 DE LAINE AVE, EDWARDSTOWN	

No.	Name	Address	Signature
10.	Hood	3/22 de laine avenue	
11.	Bancroft	4/22 Delaine Ave	KB
12.	Bancroft	4/22 Delaine Ave	
13.	Klepper	24 Delaine Ave	
14.	Gavin Bunk	28 A Delaine Ave	
15.	Harsha Reddy	28 D Delaine Ave	
16.	Nicole Wilkins	17 Delaine Ave, Edwardstown	
17.	Harinderpal Singh	15 Delaine Ave Edwardstown	
18.	L. BACCIO	20C DELAINE AVE EDWARDSTOWN	
19.	Evan. L	18C. De laine Ave Edwardstown	
20.	JOHN WILKINSON	17 DELAINE AVE EDWARDSTOWN	
21.	Lingyi Fang	26 A De Laine Ave, Edwardstown	
22.	RAHS GRANT	29 DELAINE AVE EDWARDSTOWN	
23.	Kartia Stephen	28b De laine Ave Edwardstown	
24.	Nick Ramsey	28b De laine Ave Edwardstown	
25.	S. LATHAN GAMES	35 DE LAINE AVE EDWARDSTOWN	
26.	Sherry Phillips	26E Delaine Ave Edwardstown	
27.	Heather McRae	26C De laine Ave Edwardstown	
28.	Michelle Grant	29 Delaine Ave Edwardstown	
29.			
30.			
31.			
32.			
33.			
34.			

**21/1/2020**

**To his Worship the Mayor and the Councillors of the city of Marion.**

**As a long term De Laine Avenue resident I have concerns relating to the letter received from Marion Council late last year stating the following.**

That the driveway link on De Laine Avenue be removed as per the request of residents.

That the work be undertaken as soon as possible, at a cost of \$47,000.

That this has arisen due to the lobbying of residents, primarily by means of petition.

**After reading the online minutes and agendas and listening to the audio transcript of the Council meeting where this was debated, I feel compelled to address the following.**

The original petition has been misrepresented to council - it lists 70 De Laine Avenue petitioners apparently living 100m either side of the driveway link.

This assertion is false.

Many of the signatories live outside this distance or don't even reside in De Laine Avenue.

In addition, residents, some even living 300+ meters from the driveway link, have signed a petition claiming "health issues including cardiovascular disease, diabetes and hearing loss".

Serious allegations, and apparently all as a result of the driveway link.

**Not enough due diligence has been undertaken by council to validate the claims presented in the petition.**

The location plan – included with the agenda for 22<sup>nd</sup> of October in GC191022PO1 shows approximately 65 properties on De Laine Avenue within 100m of the driveway link.

Both petitions presented to council concerning this issue contain approximately 30 valid signatories.

Even at 1 respondent per property this is still only a 50% response rate.

If more than 1 person per property has signed then this percentage is even lower.

**What are the views of the un-surveyed residents?**

The prior existence of the church in De Laine Avenue is irrelevant.

The driveway links were installed to reduce the speed and quantity of traffic in Angas Avenue, De Laine Avenue and Hyman Avenue, all of which were being used as thoroughfares to South Road.

While the statutory speed limit for the area may have reduced from 60 to 50 km/h over this time, the driveway link has reduced the average speed through this area to the mid 30's.

The statement in the petition that "the majority don't slow down" is also misleading.

**No traffic speeds have ever been measured within the driveway link.**

Any excessive speed through the driveway link is only possible a result of council's efforts to appease a vocal resident.

The ramp angles were significantly reduced shortly after installation – reducing vehicle impact noise but allowing increased speed.

Vegetation has never been adequately installed – the Code of Technical Requirements in effect at the time of construction states that landscaping "visually prevents approaching drivers a long distance view of the road beyond the treatment" and "should be visually and physically restrictive and uninviting to deter drivers who are not local residents from entering".

This has never been achieved over the 20 years the driveway link has been in place.

While there have in fact been numerous minor accidents involving the driveway link, my belief is that these are as a result of in-attention or excessive speed, neither of which can be blamed on the presence of the driveway link.

Agenda GC191022PO1 also referred to a meeting on-site on the 20<sup>th</sup> of February 2019 involving Mr and Mrs Dunlop, Councillor Masika, Adrian Skull and Mark Griffin.

In subsequent documents – GC191126MO3 this was referred to as a "meeting with residents" - falsely portraying that adequate consultation of residents had been undertaken.

My discussions with residents found many were unaware of the issues with the driveway link, had received little or no communication from council and were horrified to learn that existing traffic control devices could be removed and that no further alternatives would be forthcoming.

**Why hasn't council endeavored to ensure that all affected residents be adequately informed?**

It should also be noted that in the same agenda Council administration considered the driveway link to be "operating well with traffic volumes, speeds and behaviour being controlled" and that "to remove this device would be detrimental and contrary to road safety strategy" and included a recommendation that the driveway link be retained to ensure lower traffic speeds and maintain road safety".

**Why, if adequately informed, are Councillors disregarding the opinions of the experts that are employed to advise them?**

It is also noted that in report reference GC191022MO5 it was advised that Council "engage Acoustics Professionals to investigate the levels of noise caused by heavy traffic", "that alternative traffic control devices or modification be considered" and that removal of the device would require a Traffic Impact Statement.

This report also claims that "the volume of heavy vehicles passes (sic) through the avenue is huge compared with other surrounding streets within Edwardstown."

While electronic counts have been made, there is nothing to substantiate this claim without a count being undertaken using visual observers.

**Have any of these been undertaken and if not then why not?**

The wording of the original petition is ambiguous – there is a big difference between "no longer necessary" and "inadequate".

Many residents I spoke to said the original petition was signed because they felt the driveway link was ineffective and if removed, wished it to be replaced with alternative measures.

While many of the residents are elderly, the street is constantly changing with families and younger people moving into the area, many of which expressed concern about the safety of pets and children if the driveway link is removed.

**In summary, I and the accompanying petitioners hereby request the following from Marion Council:**

That accurate investigation of noise and traffic levels and their effect on residents be conducted.

That adequate consultation and assessment of residents concerns is undertaken.

Investigation as to whether alternative measures would address these concerns.

Installation of further or alternative traffic calming devices.

Thankyou in anticipation of your consideration.

Yours Sincerely

Ben Jaeger

19 De Laine Avenue

Edwardstown



## COMMITTEE RECOMMENDATIONS



## Confirmation of minutes of the Finance and Audit Committee Meeting held on 10 December 2019

<b>Originating Officer</b>	Governance Officer - Angela Porter
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128R05

### REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes from the Finance and Audit Committee Meeting held on 10 December 2019.

### EXECUTIVE SUMMARY

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

#### Confidential Items

- Southern Region Waste Resource Authority - Materials Recovery Facility (MRF)

#### Reports for Discussion

- Elected Member Report
- Cross Council Service Review - Report - Utilities Management
- Finance and Audit Committee Work Program and Meeting Schedule for 2020
- Risk Management Framework and Policy Review
- Framework and Key Assumptions for the preparation of the 2020/21 ABP and LTFP
- Service Review Program and Recommendations - Progress Update
- Internal Audit Program 2019/20 scoping documents

#### Reports for Noting

- Ombudsman Report 2018/19
- Climate Risk and Governance Assessment
- Internal Audit Program - Implementation of Recommendations

### RECOMMENDATION

**That Council:**

1. **Receives and notes the minutes of the Finance and Audit Committee meeting held on 10 December 2019.**
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	FAC191210 - Final Minutes	PDF File



**FAC191210 - FINANCE AND AUDIT COMMITTEE MEETING - 10 December 2019**

**Tuesday, 10 December 2019 at 09:30 AM**

**Council Administration Centre, 245 Sturt Road, Sturt**



## **IN ATTENDANCE**

**Mrs Emma Hinchey (Chair), Ms Natalie Johnston, Mr David Papa and Councillor Tim Gard**

### **In Attendance**

Mr Adrian Skull	Chief Executive Officer
Ms Sorana Dinmore	General Manager, Corporate Services
Mr Tony Lines	General Manager City Services
Ms Illa Houridis	General Manager City Development
Mr Ray Barnwell	Manager Finance
Ms Kate McKenzie	Manager Corporate Governance
Ms Cass Gannon	Innovation Leader
Ms Sherie Walczak	Unit Manager Risk
Mr Jamie Dunncliff	Strategic Procurement Lead
Mr Mark Booth	Southern Region Waste Resource Authority (SRWRA)
Mr Chris Adams	Southern Region Waste Resource Authority (SRWRA)

## **OPEN MEETING**

The Mayor opened the meeting at 09:30 AM

## **KAURNA ACKNOWLEDGEMENT**

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

## **ELECTED MEMBERS DECLARATION (if any)**

Nil

## **CONFIRMATION OF MINUTES**

**Confirmation of the minutes for the Finance and Audit Committee Meeting held on 8 October 2019**  
**Report Reference: FAC191210R01**

**Moved Ms Johnston, Seconded Councillor Gard**

That the minutes arising from the Finance and Audit Committee Meeting held on 8 October 2019 be taken as read and confirmed.

**Carried Unanimously**

## **BUSINESS ARISING**

### **9.34 am Business Arising Statement Report Reference: FAC191210R02**

The Committee noted the Business Arising Statement and the actions completed

## **CONFIDENTIAL ITEMS**

### **9.34 am Cover Report – Southern Region Waste Resource Authority (SRWRA) Materials Recovery Facility (MRF) Report Reference: FAC191210F01**

#### **Moved Councillor Gard, Seconded Ms Johnston**

That pursuant to Section 90(2) 3(d) (i) and (ii) of the *Local Government Act 1999*, the Committee orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Ilia Houridis, Sorana Dinmore, Kate McKenzie, Ray Barnwell, Mark Booth (SRWRA Chair) and Chris Adams (SRWRA CEO) be excluded from the meeting as the Committee receives and considers information relating to SRWRA Materials Recovery Facility (MRF), upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to commercial information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest.

**Carried Unanimously**

9.35 am the meeting went into confidence

Mr Chris Adams and Mr Mark Booth from Southern Region Waste Authority entered the meeting.

#### **Moved Mr Papa, Seconded Gard that the Finance and Audit Committee:**

- 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, attachments and minutes having been considered in confidence under Section 90 (2) and (3)(d) (i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2020.**

**Carried Unanimously**

10.40 am The meeting came out of confidence

#### **Adjournment**

**10.40 am - the meeting was adjourned**

**10.45 am – the meeting resumed**

## REPORTS FOR DISCUSSION

### Elected Member Report

#### Report Reference: FAC191210R01

The Committee noted the report. Councillor Gard indicated that the Cove Cobra Football Club (CCFC) matter had been challenging and required substantial organisational resources to manage. He also indicated that the matter had impacted the Council's reputation and trust with the community. This was evident through questions about the Soccer in the South Project at Majors Road at O'Halloran Hill.

The Committee noted that Council had funded the Soccer in the South project (predominately from cash reserves) and a Section 48 Prudential Report was scheduled for the Committee in February 2020. The Committee requested that the Prudential Report address the full financial impact to Council and how this will relate to the budget / Long Term Financial Plan (LTFP).

The Committee queried the financial implications of the Coastal Walkway noting that Council was seeking \$2.4m in grant funding for a 50/50 contribution. The Committee noted that \$1m has previously been included in the LTFP however Council had committed \$2.4m.

The Committee noted the impact of new projects from cash reserves and encouraged Council to ensure that these are reflected through budgets and resource impact as part of its planning process for 2020/21.

### 10.54 am Cross Council Service Review - Report - Utilities Management

#### Report Reference: FAC191210R03

The Strategic Procurement Lead (shared resource between Charles Sturt and Marion) provided an overview of the Utilities Optimisation Report and highlighted that this is a collaborative approach to managing utilities across three Councils (Marion, Charles Sturt and Port Adelaide Enfield). Two (2) new positions have been created to improve process, create efficiency and develop strategic initiatives across the three (3) Councils in managing utilities consumption.

It was noted that outsourcing these functions was considered and it was determined that an in-house option would be more cost effective. The Committee queried the governance arrangements for these positions noting that a Memorandum of Understanding (MOU) has been signed with Key Performance Indications and sub-documentation (ie project scope) on each defined project. The Committee queried who is liable for any industrial relations risks and was advised that the liability is shared across the Council's depending on the position.

The Committee was advised that the costs have been attributed proportionately (1/3 each), however the savings and efficiency may not be fair and equitable across the Councils as the saving may not be proportionate.

The Committee noted that the new roles will have a better understanding of the detail and what is being charged to ensure the accuracy of the billing.

**Action: The Committee requested that further information on the industrial relations risks for the shared employment resources will be provided at the next meeting via the business arising statement.**

### 11.11 am Finance and Audit Committee Work Program and Meeting Schedule for 2020

#### Report Reference: FAC191210R04

The Committee agreed to the meeting schedule and works program, however requested that the Risk Reporting be undertaken quarterly.

### **Moved Councillor Gard, Seconded Mr Papa.**

That the Finance and Audit Committee:

1. Notes the proposed work program for 2020 identified at Appendix 1 to the report and includes quarterly risk reporting as part of the work program.
2. Adopts the following schedule of meetings for 2020:
  - Tuesday 25 February 2020 (2 - 5 pm)
  - Tuesday, 19 May 2020 (2 - 5 pm)
  - Tuesday 18 August 2020 (4 pm to 6 pm plus followed by joint workshop with Council from 6.30 pm onwards)
  - Tuesday, 13 October 2020 (2 - 5 pm)
  - Tuesday, 8 December 2020 (2 - 5 pm)

**Carried Unanimously**

### **11.20 am Risk Management Framework and Policy Review**

#### **Report Reference: FAC191210R05**

The Unit Manager Risk entered the meeting and provided an overview of the report noting that a full review had been completed to incorporate the new changes from the ISO 31000 2018 Risk Management Standards. The main amendments included the new risk appetite statement (which had been developed in consultation with Elected Members) and opportunities management.

The Committee noted the work completed and made the following considerations:

- The Policy looks good and no recommended changes. This can be presented to Council for adoption.
- The Framework requires some refinement with the follow to be considered:
  - The extreme/high risks within the matrix requires better guidance regarding reporting and timelines
  - The process and wording around inherent risks requires clarity
  - Ensure that all actions have timelines assigned
  - The Risk Treatment doesn't reflect the Risk Appetite Statement and the wording needs amending
  - The Risk Evaluation requires rewording and may be in the wrong section of the framework
  - The Framework doesn't reflect changes in the severity of the consequence. Mitigation strategies will impact on the consequences ratings.
  - Diagram 6 is missing a word (level). Needs to be added in.
  - The severity of a risk should be reflected in the reporting requirements. For example, anything with an extreme risk rating should have specific reporting requirements.
  - All sections of the Framework are there but the document could flow better and should be benchmarked against similar Councils (example Port Phillip)

The Committee agreed to circulate the revised framework out of session and once finalised, the Committee agreed to forward to Council for adoption.

**Action: that the Risk Management Framework be refined and circulated to the Committee prior to being reported to Council.**

### **11.35am Framework and Key Assumptions for the preparation of the 2020/21 ABP and LTFP Report Reference: FAC191210R06**

The Manager Finance provided an overview of the report noting that staff are working on a high-level draft budget to be presented to Elected Members in January 2020. This draft budget will include high level assumptions as presented within the report.

The Committee noted the cash reserves built up over recent years. Approximately \$20m will be allocated to major projects in 20/21.

The Committee noted that the Asset Renewal Ratio and queried if Council had provided adequate contingencies for Asset Renewal. It was noted that the projected ratio will drop to 75% and the Committee suggested that this may need to be higher. Council should consider if they need to invest more for asset renewal.

Councillor Gard raised the issue of intergenerational expenditure and again raised the issue that he believes the Council is 'under borrowed'. Councillor Gard debated the pressure of rate rises on the community and highlighted section 8 of the Local Government Act which states the Council is required to ensure the sustainability of the council's long-term financial performance and position.

The Committee noted Council had undertaken preliminary discussions about rate rises indicating that Councils intention was to continue to decrease rates (were possible). Council was exploring the options of a 1.6% rate increase for 20/21 and this reducing down to 1% over the coming years. The Committee highlighted that the decrease in rates is a good strategy, however Council needs to ensure the financial sustainability over the long-term plan and ensure that the community doesn't experience peaks and troughs.

The Committee noted that further work is required on the ratios and there is no contingency for extra projects.

The Committee noted the environmental scan, in particular, the health issues facing the City of Marion community and suggested that this should be reviewed as part of the emerging risks. Council may wish to consider what mitigation strategies can be implemented and any budget implications.

### **11.55 am Service Review Program and Recommendations - Progress Update Report Reference: FAC191210R08**

The Committee noted the report and the progress made on implementation of recommendations.

### **11.56 am Internal Audit Program 2019/20 scoping documents Report Reference: FAC191210R09**

The Committee noted the scopes for Payroll and IT Governance indicating that they had no specific comments and were happy to endorse.

The Committee noted the following comments on the Metrics that Matter project:

- The 'Metrics that Matter' Project isn't up and running yet. There is some risk with an audit being undertaken on a project that isn't implemented yet. It was noted that stage 1 is complete and the purpose was to review any learning from stage 1 and apply to stage 2.
- The scope is very generic and feels that there would be value in amending the scope to be clear on objectives and output.
- The audit scope reflects an element of service review / consulting piece. The scope should reflect

what the review will deliver.

- The Council is keen to understand who is doing this well within the sector and from other sectors.
- Ensure that insights of Toni Jones is captured and reflected adequately within the report.
- Ensure that the approach to this review is agile and adding value.

The Committee agreed that the scope will be revised and circulated out of session.

**Action: revise the scope with KPMG and circulate to Committee members**

## **REPORTS FOR NOTING**

### **12.08 pm Ombudsman Report 2018/19**

**Report Reference: FAC191210R10**

The Committee noted the report and indicated that the results are similar to last year. It was noted that Marion is performing well against the industry benchmark.

### **12.15 pm Climate Risk and Governance Assessment**

**Report Reference: FAC191210R11**

The Environmental Sustainability Manager entered the meeting and provided an overview of the report. The Committee congratulated the organisation on an excellent result on the Climate Governance Assessment noting the City of Marion was recognized as leading the way.

It was noted that the risk disclosure (transparent reporting to Council) was seen as best practice.

It was noted that Council had considered the collective risks/gaps and was working with the sector as a whole.

The Committee supported the approach and the followings actions (subject to any required endorsement from Council):

- Inclusion of climate change risk in Asset Management Plans as they are reviewed and updated;
- Review of the Climate Change Policy to include consideration of an emissions reduction target for Council;
- Greater recognition of climate change in Council's emergency management planning documents, systems and processes;
- Advocacy to the South Australian Government for greater recognition of climate change in planning policy.

### **Internal Audit Program - Implementation of Recommendations**

**Report Reference: FAC191210R12**

The Committee noted the progress made on the implementation of recommendations. It was noted that some items had been closed out and included within the scope of the Digital Transformation Project. The Committee also recommended that the process improvement (PO) items be removed from the list if no action was required.

**WORKSHOP / PRESENTATION ITEMS - Nil**

**OTHER BUSINESS - Nil**

**MEETING CLOSURE**

**MEETING CLOSURE** - Meeting Declared Closed at 12:30 PM

**CONFIRMED THIS xx DAY OF xx**

.....

**CHAIRPERSON**



## Confirmation of minutes of the Special Urban Planning Committee Meeting held on 21 January 2020

<b>Originating Officer</b>	Governance Officer - Angela Porter
<b>Corporate Manager</b>	Manager Development and Regulatory Services - Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	GC200128R06

### REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes from the Special Urban Planning Committee meeting held on 21 January 2020.

### EXECUTIVE SUMMARY

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

#### Reports for Discussion

- Planning Reforms - Response to P&D Code Consultation
- Seacliff Park Residential and Centre Development Plan Amendment - Final Draft DPA

### RECOMMENDATION

**That Council:**

1. **Receives and notes the minutes of the Special Urban Planning Committee meeting held on 21 January 2020.**
2. **Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.**

### Attachment

#	Attachment	Type
1	SUPC200121 - Minutes	PDF File



## **MINUTES OF THE SUPC200121 - SPECIAL URBAN PLANNING COMMITTEE MEETING**

**Tuesday, 21 January 2020 at 05:30 PM**

**Council Administration Centre, 245 Sturt Road, Sturt**



## **ATTENDANCE**

### **Committee Members**

Councillor - Ian Crossland (Presiding Member)  
Mayor - Kris Hanna  
Councillor - Maggie Duncan  
Councillor - Joseph Masika  
Councillor - Nathan Prior

### **Other Elected Members**

Nil

### **Other Attendees**

Chief Executive Officer: Adrian Skull  
General Manager City Development: Ilia Houridis  
Manager Development and Regulatory Services: Warwick Deller-Coombs  
Team Leader - Planning: Alex Wright  
Senior Policy Planner: David Melhuish  
Development Officer - Planning: Kai Wardle

## **OPEN MEETING**

Councillor Crossland opened the meeting at 05:33 PM

## **KAURNA ACKNOWLEDGEMENT**

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

5:33 PM - Mayor Hanna entered the meeting.

## **ELECTED MEMBERS DECLARATION (if any)**

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.

## **CONFIRMATION OF MINUTES**

**Confirmation of the minutes for the Urban Planning Committee Meeting held on 1 October 2019**

**Report Reference:** SUPC200121R01

**Moved Councillor - Maggie Duncan, Seconded Councillor - Joseph Masika**

That the minutes of the Urban Planning Committee Meeting held on 1 October 2019 be taken as read and confirmed.

**Carried Unanimously**

## **BUSINESS ARISING - Nil**

## **CONFIDENTIAL ITEMS - Nil**

## **REPORTS FOR DISCUSSION**

### **Planning Reforms - Response to P&D Code Consultation**

**Report Reference:** SUPC200121R02

**Moved Mayor - Kris Hanna, Seconded Councillor - Nathan Prior**

That the Urban Planning Committee notes the Draft Marion Council Response to the Planning and Design Code as attached to this report, and suggests the following alterations:

- Emphasis placed on the community consultation already undertaken from previous DPAs;
- Clarity of Council's position on car parking;
- Editorial changes;
- Minor variations as requested from Elected Member feedback.

**Carried Unanimously**

### **Seacliff Park Residential and Centre Development Plan Amendment - Final Draft DPA**

**Report Reference:** SUPC200121R03

**Moved Mayor - Kris Hanna, Seconded Councillor - Maggie Duncan**

That the Urban Planning Committee:

1. Recommends to Council that the Draft Seacliff Park Residential and Centre Development Plan Amendment be endorsed as suitable for Ministerial Approval, subject to Council's approval of the Stormwater Deed.
2. Expresses concern about potential traffic impacts, but notes that there will be future opportunities to consider traffic impacts in greater detail following Ministerial Approval when development applications are made.
3. Notes that agreement has not yet been reached between adjoining landowners regarding the haulage road.

**Carried Unanimously**

## **REPORTS FOR NOTING - Nil**

## **WORKSHOP / PRESENTATION ITEMS - Nil**

## **OTHER BUSINESS - Nil**

## **MEETING CLOSURE**

Meeting Declared Closed at 06:24 PM

**CONFIRMED THIS 3RD DAY OF MARCH 2020**

.....

**CHAIRPERSON**

**CONFIDENTIAL ITEMS****Cover Report - Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting held on 10 December 2019**

<b>Originating Officer</b>	Governance Officer - Angela Porter
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128F01

**RECOMMENDATION**

That pursuant to Section 90(2) 3(d) (i) and (ii) of the Local Government Act 1999, Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Ilia Houridis, Sorana Dinmore, Kate McKenzie, Ray Barnwell and Victoria Moritz be excluded from the meeting as Council receives and considers information relating to Confirmation of Confidential Minutes of the Finance and Audit Committee meeting held on 10 December 2019, 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 reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest.

**Confirmation of Confidential Minutes of the Finance and Audit Committee meeting held on 10 December 2019****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.

## CORPORATE REPORTS FOR DECISION

### Living Kurna Cultural Centre Management Model - Status Update

<b>Originating Officer</b>	General Manager City Services - Tony Lines
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Services - Tony Lines
<b>Report Reference</b>	GC200128R07

### REPORT OBJECTIVE

This report provides Council with an update on progress towards Kurna management of the Warriparinga / LKCC (Living Kurna Cultural Centre) site, and recommendations for the way forward.

### EXECUTIVE SUMMARY

Further to a July 2019 Council resolution, the Warriparinga Development Group (WDG, comprising Council staff and Kurna representatives) has met six times to progress the development of a management model for the Warriparinga / LKCC site. Kurna representatives have discussed a number of management options, but to date have not agreed on a preferred model.

The WDG has agreed that once KYAC has completed its Strategic Plan, it can then formulate a preferred management model and submit this to Council. WDG has also agreed that meetings be suspended until such a proposal is received.

This report seeks Council's endorsement of the above approach.

### RECOMMENDATION

**That Council:**

- 1. Notes the report.**
- 2. Invites KYAC to provide Council with a proposal for its preferred management model for the Warriparinga / LKCC site, including structural, operational, and financial aspects, and that any proposal be submitted with the signed endorsement of all relevant Kurna bodies.**
- 3. Suspends further development of a Kurna management model, including Warriparinga Development Group meetings, until such a proposal is received.**
- 4. Continues to operate the Warriparinga / LKCC site until a KYAC proposal is received, developed and adopted.**

### BACKGROUND

A Service Review was conducted on the LKCC in 2016. Council resolved to transition management of the LKCC to a Kurna Community Governance Model (GC140616R16).

The City of Marion and the Kurna Nation Cultural Heritage Association (KNCHA) established the WDG to oversee and assist Council to manage the development of the Warriparinga / LKCC site over a five year period. Negotiations with KNCHA were later superseded by the Kurna Yerta Aboriginal Corporation (KYAC).



The WDG met regularly and sought to develop Warriparinga as a place where Kurna could practice their culture; where Kurna could practice their business; and where Kurna culture is recognised and respected by Aboriginal and non-Aboriginal people alike. An agreement was drafted and ready to go to Council in June 2018 but was then withdrawn by KYAC.

In June 2019 the Infrastructure and Strategy Committee reviewed WDG progress against the original recommendation, and proposed that Council explore an Expression of Interest (EOI) process to test the market on organisations that would be interested in managing all or part of the Warriparinga site.

This matter was considered at the 23 July 2019 General Council Meeting, along with a deputation from Kurna Elder Uncle Jeffrey Newchurch. At that meeting it was resolved that Council:

1. Endorses Model 2: continuing to work with KYAC to provide Kurna management of the site through a proposed 51% / 49% co-management model for Warriparinga.
2. A status report be presented to the January 2020 General Council meeting updating Council on the progress.

## DISCUSSION

The WDG has met four times (26 August, 4 November, 18 November, and 2 December) since the Council resolution on 23 July 2019. WDG representatives separately met with the Indigenous Land and Sea Corporation (ILSC) and Indigenous Business Australia (IBA) on 26 September and 15 October 2019. A total of eight Kurna representatives or advisors attended these meetings, although individual attendances were inconsistent. Councillors Bruce Hull and Raelene Telfer attended a number of meetings.

The WDG endeavoured to collaboratively establish a collective management model and goals between Council and KYAC. A number of varying management models were proposed by Kurna, including full Kurna management, outsourcing to third party, and clan management. No single view of Kurna's vision for the site has been presented to date, and as such a common understanding for future management of the site has not been reached.

WDG farewelled member Lew Owens who resigned in December 2019 advising that he was unable to continue to contribute until KYAC reached a united approach. Mr Owens had been a valued part of the WDG since March 2017.

KYAC agrees that it needs to progress a number of matters before further discussions of LKCC management models can take place. These include:

- Completion of the KYAC Strategic Plan
- Internal engagement on management models
- Development of a preferred management model, including structural, operational, and financial aspects.

The WDG therefore agreed that, until KYAC completes its Strategic Plan and a preferred governance model is determined, WDG suspends its monthly meetings and associated development of a future management model.

KYAC advises that it is developing a high-level proposal for the site, and that this proposal will be submitted to Council with the signed endorsement of all relevant Kurna bodies. Council staff are providing any required information to Kurna to assist in the development of this proposal.

WDG meetings raised the idea of developing cultural, spiritual and emotional healing programs at the Centre. This will be furthered by a small working party comprising Kurna representatives and Council staff and implemented into LKCC activities. It is anticipated that funding applications will be submitted to both Indigenous Advancement Strategy and Grants SA.



In the meantime it is recommended that Council continues to operate the Warriparinga / LKCC site until a KYAC proposal is presented, developed and adopted.

## Planning Reforms and Communications Update

<b>Originating Officer</b>	Manager Development and Regulatory Services - Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	GC200128R08

### REPORT OBJECTIVE

To inform Council on the Administration's progress with reviewing the Planning and Design Code and to seek support to inform the community of the State Government's proposed planning changes and their impacts.

### EXECUTIVE SUMMARY

Administration has reported progress of the review of the Planning and Design Code through the Urban Planning Committee (UPC) on Tuesday 21 January (SUPC200121R02) and is currently refining the consultation response to the State Government prior to submitting to General Council on 11 February 2020.

A summary of the review work to date is included in attachment 1.

Given the complexities of the review process and the recommendation from the UPC, Council may wish to seek input from the community prior to submitting the final response to the SA Planning Commission by 28 February 2020.

### RECOMMENDATION

**That Council:**

- 1. Notes the report 'Planning Reforms Update'.**
- 2. Notes that the review of the Planning and Design Code will be presented to the General Council meeting 11 February 2020.**
- 3. Approves funding of \$46,500 for communications about the potential impacts of the State Government's Planning and Design Code for South Australia. Funding will be from savings within existing budgets.**

### DISCUSSION

#### Planning and Design Code review update

Administration has been working since October 2019 to review the Planning and Design Code in full ahead of the final submission date of 28 February 2020.

The review has been a massive undertaking and the Development Services Team have all contributed to the process.

The impact of the reforms proposed by the State Government extend beyond Planning and as such, engagement has occurred with other relevant areas of Council, such as our Building inspectorate and Engineering functions.

A brief summary of the review process is shown graphically in attachment 1.



The full submission package will be brought to Council for approval at the 11 February 2020 General Council meeting.

## Communications

The State Government's Draft Planning and Design Code for South Australia could supersede some recently approved changes to the Marion Plains Policy Area in the City of Marion, Housing Diversity Development Plan Amendment.

Given these potential impacts, the administration is able to prepare communications that would include flyers, graphics and maps, to raise awareness of the potential impacts of the code and encourage residents to provide feedback. The intention is for this to be across the City of Marion and has an estimated cost of \$46,500 and can be funded within existing budgets.

## Attachment

#	Attachment	Type
1	Attachment 1 - p and d code snapshot	PDF File

# PLANNING & DESIGN CODE REVIEW [ UPDATE ]

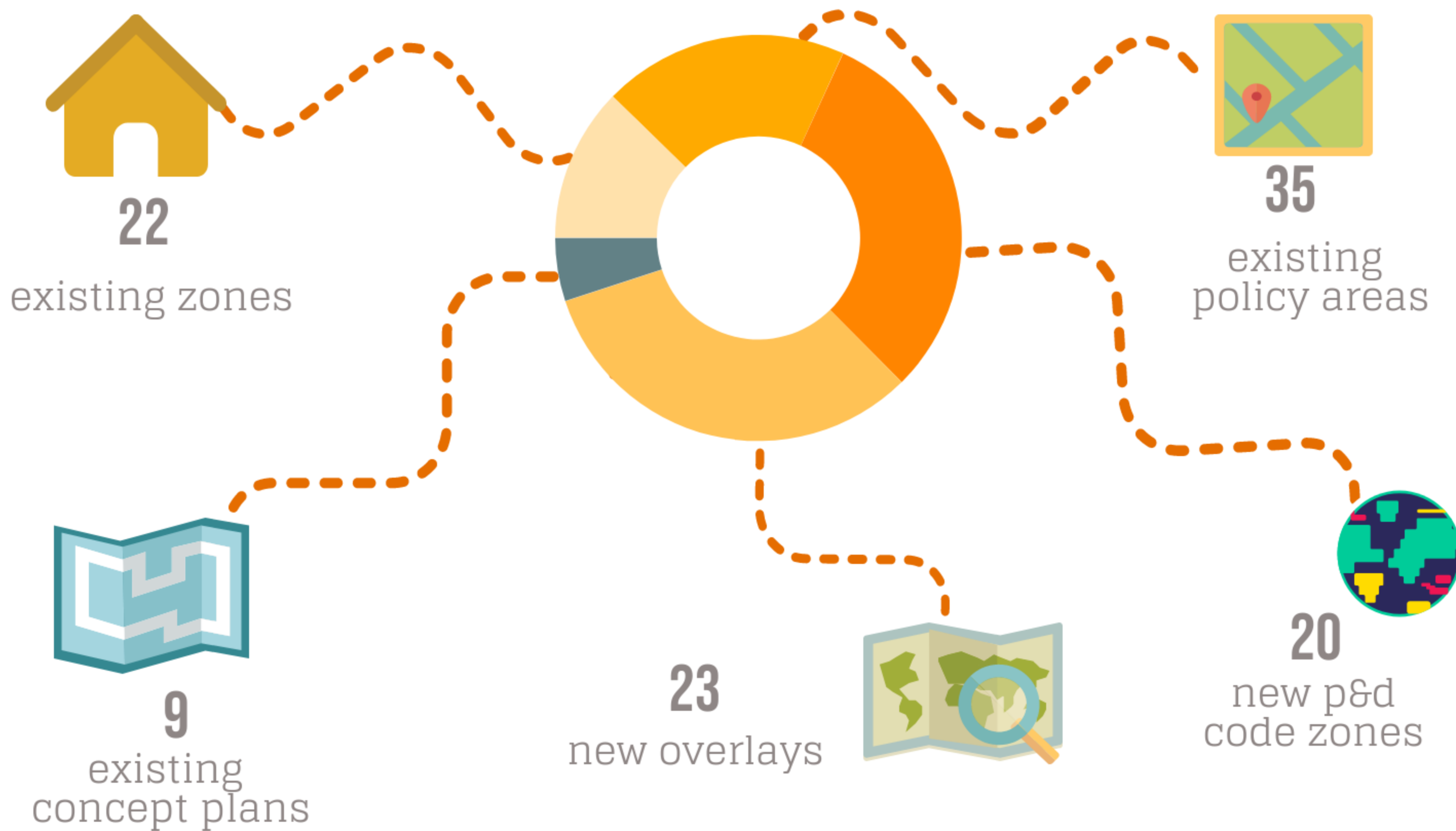


January 2020

Current Marion  
Development Plan =  
439 pages

Marion P&D Code  
extract =  
1127 pages

So far, we have reviewed:



## GENERAL COMMENTS STILL TO COME:



CAR PARKING



TREES



RAIN/STORMWATER



## SUBMISSION SNAPSHOT



1. General Neighbourhood Zone should be replaced by the Suburban Neighbourhood Zone

This would enable us to retain the 'wins' from the Housing Diversity DPA



2. Ensure greater design standards apply to developments <4 storeys

This would help guide more sensitive infill development



3. Apply changes to the Marion Urban Corridor Zoning through the transition process

This would help unlock appropriate development opportunities

## TECHNICAL REVIEW



Grammar / format issues

270

Pages of zone comparison



Multiple team inputs

## WHAT NEXT?

- Full consultation response to Council 11 Feb 2020
- Direct engagement with DPTI to seek response to proposed changes
- Planning Reforms system and process review (internal)
- Continue delivering business as usual service for development applicants
- Customer experience program still underway

## Local Government Movement and Transport Planning Network

<b>Originating Officer</b>	Strategy Leader - Elaine Delgado
<b>Corporate Manager</b>	Manager Innovation and Strategy - Fiona Harvey
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	GC200128R09

### REPORT OBJECTIVE

To seek an Elected Member Expression of Interest to represent the City of Marion on the Local Government Association (LGA) of South Australia's 'Local Government Movement and Transport Planning Network'.

### EXECUTIVE SUMMARY

The LGA is establishing a 'Local Government Movement and Transport Planning Network'. This Network will focus on transport and movement of people via cycling, walking and public transport.

### RECOMMENDATION

**That Council:**

- 1. Nominates Councillor ..... to be a representative on the Local Government Association of South Australia's (LGA) 'Local Government Movement and Transport Planning Network' through submission of an Expression of Interest to the LGA.**
- 2. Endorses the Manager Engineering and Field Services submitting an Expression of Interest to the LGA to be a Council Employee Representative on the LGA's 'Local Government Movement and Transport Planning Network'.**

#### **Connected:**

Goal - By 2029 it will be easier and safer to move around our city which will have accessible services and plenty of walking and cycling paths. New Technology and community facilities will better connect our community.

#### **Opportunities:**

Membership of the Network will support the development of the initiative in Council's 4-Year Business Plan 2019-23: 'Develop a City Transport Plan to enable ease of movement for people of all ages and abilities within and through the city.'

### DISCUSSION

At the LGA Ordinary General Meeting held on 12 April 2019, member councils carried a motion requesting the LGA establish a cross-council 'Local Government Movement and Transport Planning Network' (Network).

The purpose of this network is to:

- keep informed of current and emerging trends;
- identify priority projects;
- identify capital and operational funding opportunities;
- ensure alignment of strategies across Council areas;
- discuss ideas, partnerships and cross-promotion opportunities; and,
- canvass broader policy areas such as multiple modes of sustainable transport, climate change adaptation and green infrastructure.



As a Council with significant major arterial road networks, multiple modes of public transport and a number of connecting cycling and walking trails, the LGA four key focus areas (listed below) align strongly with topics that are regularly considered by Council.

- Public Transport;
- Cycling;
- Walking;
- Land Use.

Network membership is being sought from Elected Members and council employees. It is proposed that:

- the Network be chaired/co-chaired by the LGA;
- executive support provided by the LGA Secretariat;
- meet quarterly;
- potentially establish a smaller leadership group to focus on meeting preparation; and,
- Sub-committees may be formed to focus on specific work.

A draft Terms of Reference at Appendix 1 sets out the purpose, scope, key focus areas, and meeting arrangements.

A communication has been forwarded separately to Members seeking feedback on this draft document to provide to the LGA by 31 January 2020. This, together with staff feedback, will be forwarded to the LGA.

The LGA is also seeking Expressions of Interest (EOI) for voluntary membership of the Network by 31 January 2020.

Council may wish to put forward an EOI for an Elected Member to represent the City of Marion.

Council endorsement is also being sought for Mathew Allen, Manager Engineering and Field Services, to submit an EOI as a council employee representative on the Network.

## Attachment

#	Attachment	Type
1	GC200128 - Appendix 1	PDF File



# Local Government Movement and Transport Planning Network

***Draft Terms of Reference***

**December 2019**

Note: This is not an endorsed LGA Board of Directors document. It has been prepared by the LGA Secretariat for consideration by LGA member councils.

Draft

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# Draft

## Introduction

### The Local Government Association of South Australia (LGA)

The Local Government Association of South Australia (LGA) is the voice of local government in South Australia, representing all 68 individual councils across the state. The mission of the LGA is to provide leadership to councils for the benefit of the South Australian community.

The local government sector in South Australia takes a proactive approach to emerging issues and works co-operatively with other spheres of government and with stakeholders in responding to matters or initiating research, debate and discussion.

The value in LGA membership, for councils is threefold:

- **advocating** to achieve greater influence for local government in matters affecting councils and communities;
- **assisting** members to build capacity and increase sustainability through integrated and coordinated local government; and
- **advancing** local government through best practice and continuous improvement.

## Background

At the LGA Ordinary General Meeting (12 April 2019), member councils carried a motion requesting the LGA to establish a Local Government Movement and Transport Planning Network (the network).

In presenting the motion the City of Adelaide proposed that the group would consider current and emerging trends, identify availability of funding sources, seek out partnership opportunities, encourage cohesion and alignment of strategies across council areas, and look to canvass broader policy areas such as multiple modes of sustainable transport, climate change adaptation and green infrastructure.

Draft

# Local Government Movement and Transport Planning Network

## Purpose

The motion identified a broad intent for the network, as to:

- keep informed of current and future trends in movement and transport strategies, with relevance to metropolitan Adelaide and regions across the state;
- identify priority movement and transport projects, with a key focus on mobility sharing, cycling, walking and public transport;
- identify strategic, capital and operational funding opportunities at all levels of government as well as seek partnerships to deliver strategies and projects;
- ensure movement and transport strategies are aligned and cohesive across council areas; and
- discuss opportunities to partner on projects, cross-promote and share information, ideas, and learnings.

## Scope

The motion stated that the scope could include discussion of a metropolitan Adelaide without boundaries, and assisting councils and other key stakeholders (e.g. RAA, Bike SA, BISA, AILA, Engineers Australia, Property Council etc.) to create, influence and implement:

- Major projects
- Climate change adaptation
- Green infrastructure provision
- Customer centricity
- Business cases and the process for Infrastructure Australia (IA)
- Consistent approaches to design and infrastructure
- Consistent approaches to transport mode integration

# Draft

## Key focus areas

Key focus areas could include:

### Public Transport

- Mobility as a service
- Shared mobility services (bikes, e-scooters etc)
- Tram network
- Train network
- Bus network, bus lanes/priority measures
- Travel Behaviour Change initiatives
- Park and Ride facilities
- Bus, train and tram stations – design quality to improve customer experiences and improve patronage
- Integrating green infrastructure in all transport projects as a key outcome

### Cycling

- Delivery of continuous and safe bike routes across Council areas – partnership and funding opportunities
- Promotions and education initiatives to get more people on their bikes
- Public and private end-of-trip facilities
- Ensuring the experience of riding bikes is not only easy, but healthy and good for the economy, directly and indirectly

### Walking

- Ensuring streets are for people
- Delivery of continuous and safe walking
- Creating quality, green and shaded streets
- Increasing canopy cover of streets
- Integrating green infrastructure

### Land Use

- Key growth areas and opportunities to integrate the transport network

Draft

## Membership

The motion carried at the LGA OGM stated that membership could include all councils who elect to sign up to the group, the LGA, as well as representatives from the State Government (eg Department of Planning, Transport and Infrastructure (DPTI) and Office for Design and Architecture South Australia (ODASA)).

On 28 November 2019, the LGA released a Circular seeking voluntary participation from member councils in the network and seeking initial feedback on these draft Terms of Reference by 31 January 2020.

Membership is open to elected members and council employees.

While the proposed motion identifies a broad intent and scope for the network, this could be managed by establishing a smaller leadership group of the network to set a focused agenda, identify speakers and presentations, and share hosting/chairing responsibilities.

It is envisaged that the LGA Secretariat could provide in-kind support to host meetings at Local Government House, to utilise webinar facilities and to establish a landing page on the LGA members' website as an information hub. Providing support to this network would be a shared responsibility between the LGA and the participating councils.

The LGA will chair/co-chair the network.

Membership of the network is: (to be determined)

Organisation	Attendee	Title

If a member is unable to attend a meeting of the network, the member may appoint a proxy to attend on their behalf.

# Draft

## LGA Secretariat

Executive coordination and administrative support for the Steering Group is provided by the LGA Secretariat. Initial contact will be Lea Bacon, Director Policy.

## Agendas and Minutes

Any proposed agenda items must be provided to the LGA Secretariat two weeks prior to a meeting.

Agendas and Minutes will be prepared by the LGA Secretariat for meetings which are called by the LGA.

## Meetings

It is suggested that meetings will be held on quarterly basis and will be arranged by the LGA Secretariat.

Meetings will be held at LGA House, 148 Frome Street, Adelaide, unless otherwise determined by the network.

Webinar and other telecommunication services will be provided at all meetings to ensure regional members are not disadvantaged in attending meetings.

The LGA Secretariat or any member of the network may request a meeting of the network be called, if circumstances require.

## Quorum

A minimum of 50% plus one of the members is required for the meeting to be recognised as an authorised meeting for the recommendations or resolutions to be valid decisions of the network.

## Subcommittees

The network may form subcommittees to undertake specific work on its behalf as required.

## Communication

The LGA Secretariat will be responsible for communications with the network and with representatives in other member councils and external stakeholders, as required.

The network represents the local government sector as a whole and is mindful that decisions may be made on behalf of the sector and therefore should be made public wherever possible.

Minutes of the network will be distributed to members. Unless otherwise determined, decisions of the network are public knowledge.

# Draft

## Contact

Responsibility for endorsement, distribution and amendments to the Terms of Reference is with the LGA Secretariat:

Lea Bacon, Director Policy, LGA, tel. 8224 2025, [lea.bacon@lga.sa.gov.au](mailto:lea.bacon@lga.sa.gov.au)



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

## Appointment of Council representative to SRWRA Board

<b>Originating Officer</b>	Executive Assistant to CEO - Dana Bartlett
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	Chief Executive Officer - Adrian Skull
<b>Report Reference</b>	GC200128R10

### REPORT OBJECTIVE

To appoint a Council representative and deputy to the Board of the Southern Region Waste Resource Authority (SRWRA).

### EXECUTIVE SUMMARY

The SRWRA is a regional subsidiary jointly established in 1998 by the Cities of Onkaparinga, Holdfast Bay and Marion under Section 43 of the *Local Government Act 1999* (the Act). It provides and operates services for the management of waste by/on behalf of the constituent Councils and has the power to enter into contracts, purchase, lease or otherwise acquire equipment, land or interest in land in accordance with its Charter.

SRWRA is governed by a seven-member Board comprising two appointees from each of the constituent councils and an independent expert in business and/or waste management as chairperson. The SRWRA Board constitution provides for constituent councils to appoint a deputy and also a second deputy member who may attend board meetings and engage in discussion but can only vote on a motion if one or both members are absent.

### RECOMMENDATION

**That Council:**

- 1. Appoints the Chief Executive Officer, Mr Adrian Skull as Council's representative on the Board of the Southern Region Waste Authority, until the 30 June 2020.**
- 2. Appoints the General Manager Corporate Services, Ms Sorana Dinmore as Council's representative on the Board of the Southern Region Waste Authority from 1 July 2020.**
- 3. Appoints Mr Ray Barnwell, Manager Finance as Council's Second Deputy (to Cr Bruce Hull) to the Board of the Southern Region Waste Resource Authority.**

### DISCUSSION

#### Membership

With the resignation of the General Manager Corporate Services, a vacancy existed on the Board as of 24 May 2019. At the 14 May 2019 General Council Meeting Council resolved:

*That Council:*

- 1. Appoints Mr Adrian Skull as Council's representative on the Board of the Southern Region Waste Authority until 31 December 2019.*
- 2. Appoints Mr Ray Barnwell, Manager Finance as Council's Second Deputy (to Cr Bruce Hull) to the Board of the Southern Region Waste Resource Authority until 31 December 2019.*

As the above resolution was until 31 December 2019 it is now recommended that council extend the appointment of Mr Skull until the 30 June 2020 while the SRWRA Materials Recovery Facility (MRF) Project is in its planning and initial implementation phase. From 1 July 2020 it is recommended that Ms Sorana Dinmore, General Manager Corporate Services be appointed.

#### Resource Implications

The Board generally meets six times per year on the first Monday of the month. Meetings commence at or after 5.00pm and generally last for 2-3 hours. Additional meetings are also held on a occasional basis for planning purposes. In addition to time spent by Members attending Board meetings, approximately 4-6 hours per month are required for meeting preparation.

No fees are paid to Council representatives on the Board of the Authority. There are no financial implications associated with Council's appointment.

The Authority also has an Audit Committee in accordance with Schedule 2, clause 30 of the Act. Membership is determined and approved by the constituent Councils. In August 2019 it was resolved that Council:

1. Offer Mr Greg Connor continued appointment to the SRWRA Audit Committee up to the 2021 SRWRA Annual General Meeting.

The next meeting of the Board is scheduled to take place on 3 February 2020.

## Local Government Association General Meeting 2020

<b>Originating Officer</b>	Unit Manager Governance and Council Support - Jaimie Thwaites
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128R11

### REPORT OBJECTIVE

The purpose of this report is to consider Notice of Motions for forwarding to the Local Government Association (LGA) for consideration at the Local Government General Meeting (GM) 2020 and to nominate a Voting Delegate.

### EXECUTIVE SUMMARY

Member councils are invited to submit proposed items of business to be considered by SAROC, GAROC or the LGA Board of Directors for inclusion on the agenda of the General Meeting.

The LGA General Meeting will be held on Friday 3 April 2020 at the Adelaide Entertainment Centre.

In order for items of business to be considered for the General Meeting of 3 April 2020, proposals must be received no later than 5pm on **Friday 7 February 2020**.

Council's current voting delegate for the LGA GM is Mayor Hanna and Deputy Mayor Shilling (proxy). Any change to this will need to be advised.

### RECOMMENDATION

**That:**

1. **Council notes the report "Local Government Association General Meeting 2020"**
2. **The nominated Council Voting Delegate for this meeting is XXX and that the Proxy Delegate for this meeting is XXX**
3. **Council submits the following Notices of Motion to the Local Government Association by 7 February 2020 for consideration at the 2020 Local Government Association General Meeting:**
  - ***That the Ordinary General Meeting requests the LGA to lobby the State Planning Commission to extend the consultation and implementation periods for the Draft Planning and Design Code for South Australia to:***
    - ***31 April 2020 for consultation***
    - ***30 June 2020 for provision of updated code for review by councils***
    - ***1 September 2020 for implementation***
2. **On submitting Notices of Motion to the Local Government Association, the Chief Executive Officer be authorised to amend the wording (without changing the meaning or purpose of the motion) if required.**

### DISCUSSION



The LGA have released a call for Motions for the LGA General Meeting 2020. In preparation for the meeting, the LGA have advised Councils of the following information:

### Motions

The purpose of the AGM is to consider items of strategic importance to local government and the LGA, as recommended by South Australian Region Organisation of Councils (SAROC), Greater Adelaide Region Organisation of Councils (GAROC) or the Board of Directors.

Member councils may at any time throughout the year propose an item of business for a General Meeting. To submit a proposal Council needs to complete the LGA General Meeting - Proposed Item of Business form (Attached as Appendix 1). Proposals should be accompanied by sufficient supporting information to assist SAROC, GAROC and the Board of Directors to make informed decisions and recommendations. Councils are encouraged to discuss proposed items of business with the LGA Secretariat prior to being submitted.

It is at the discretion of Council whether to refer an item to GAROC or the Board of Directors. Guidelines on how proposed items of business will be considered is attached as Appendix 2.

### Proposed Motion and Supporting Information

Mayor Hanna has proposed the following motion to be put forward to the LGA

*That the Ordinary General Meeting requests the LGA to lobby the State Planning Commission to extend the consultation and implementation periods for the Draft Planning and Design Code for South Australia to:*

- 31 April 2020 for consultation
- 30 June 2020 for provision of updated code for review by councils
- 1 September 2020 for implementation

The Draft Planning and Design Code for South Australia will have significant impacts on most communities throughout the state.

Initial assessments of the likely outcomes of the code are:

- Increased urban infill across most metropolitan and regional Council areas
- Reduced opportunities for diverse housing characteristics in neighbourhoods
- Fails to take into consideration the diverse and specific requirements of different Council areas
- Reduced quality design standards

The code seeks to simplify the State Planning System and development assessment process by replacing individual Council Development Plans with one state-wide document.

If adopted as it stands, the code will make it easier for developers to build houses that are essentially the same in all Council areas.

The number of individual development zones could be reduced from 2,500 to 55.

Community consultation opened in October 2019. Councils and residents have until 28 February 2020 to provide feedback on the Draft Planning and Design Code which is the state's biggest planning reform in 20 years.

The code is not designed to be easily understood by the broad community.

The code began as a technical document of more than 3000 pages. The 2000 page amendment posted by the Commission has meant there has been more than 5000 pages of information for our communities to try and understand.

The draft code also contained a number of mistakes and omissions, and did not appear to be at a stage for consultation when it was released.

The code also applied the General Neighbourhood Zone to rural areas. This meant septic tanks were not considered. A new zone was then created – a Neighbourhood Zone – where Technical Numeric Variations would apply. General Neighbourhood Zones should not apply to rural areas.

Extending the length of community consultation and implementation will give opportunities for councils and the community to properly contribute to regulations that affect all South Australians.

In order for items of business to be considered for the General Meeting of 3 April 2020, proposals must be received no later than **5pm on Friday 7 February 2020**. All proposed items will then be considered by either SAROC, GAROC or the Board of Directors and must be approved by them for inclusion in the agenda for the General Meeting. The agenda will be provided to councils at least 30 days prior to the meeting.

It is suggested that upon resolving to submit Notices of Motion to the LGA, the Chief Executive Officer be authorised to amend the wording (without changing the meaning or purpose of the motion) if required.

#### Voting Delegate

At the City of Marion, historically the Mayor has been the Voting Delegate and the Deputy Mayor has been the proxy unless they have been unable to attend the meeting. Pursuant to Rule 36 of the LGA Constitution only persons who are Council Members are eligible to be a Voting Delegate, therefore all Elected Members are eligible to be the Voting Delegate or Proxy.

The current Voting Delegate is Mayor Hanna and the Proxy is Deputy Mayor Shilling. Unless contrary advice is provided to the LGA, the above-nominated remains the same. Councils may appoint new voting delegates by notifying the LGA.

#### In Summary

- Notices of Motion are due to the LGA by 5pm on Friday 7 February 2020
- Advise if a change in Voting Delegates is required.

#### **Attachment**

#	Attachment	Type
1	Appendix 1 - LGA General Meeting - Proposed Item of Business form-1	PDF File
2	Appendix 2 - Considering Proposed Items of Business for LGA General Meetings	PDF File

## LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

<b>Council Name</b>	
<b>The body the item is being referred to</b>  <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	Board of Directors <u>OR</u> SAROC <u>OR</u> GAROC (choose only one)
<b>Subject of the proposed item of business</b>	
<b>Proposed motion for the General Meeting</b>	That the Annual / Ordinary General Meeting requests the LGA to .....
<b>Supporting information</b>  <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	
<b>LGA Policy Manual</b>  <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	( <a href="#">please click here to view the LGA Policy Manual</a> )
<b>LGA Strategic Plan reference</b>	( <a href="#">please click here to view the plan and identify the Key Initiative and Strategy reference</a> )
<b>Council Contact Officer submitting form</b>	(insert name) (insert email address) (insert telephone number)
<b>Council Meeting minute reference and date of meeting</b>	
<b>Date submitted to LGA</b>	

Please return Word version of completed form to [lgasa@lga.sa.gov.au](mailto:lgasa@lga.sa.gov.au).  
Refer to LGA Circulars in respect to deadlines for upcoming General Meetings.

# Considering Proposed Items of Business for LGA General Meetings

## Guidelines

February 2019

Version 1



## Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA. Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

These guidelines have been prepared to assist the LGA Board of Directors (Board), South Australian Region Organisation of Councils (SAROC) and Greater Adelaide Region Organisation of Council (GAROC) to consider the items of business to be placed upon an agenda for an LGA Ordinary or Annual General Meeting. They also provide guidance to member councils to develop and prioritise proposals to submit for consideration.

The *Considering Proposed Items of Business for LGA General Meetings* Guidelines may be reviewed and amended by the LGA Board of Directors from time to time.

## LGA Constitution

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

### 16. Business of General Meetings

- 16.1 *The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.*
- 16.2 *Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.*
- 16.3 *No business shall be brought before a General Meeting of the LGA unless:*
  - 16.3.1 *it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or*
  - 16.3.2 *the business is as stated in the notice of a Special General Meeting, given in accordance with clause 10.*

In summary, the Constitution provides all member councils with the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of 'strategic importance' to local government and the LGA'.

## Relevant bodies

As outlined in the Constitution, a member council may propose an item of business to SAROC, GAROC or the Board of Directors. This opportunity is also enshrined within the LGA Membership Proposition, which outlines the rights of members to participate in the development of LGA policy and strategy.

While the Constitution refers to members being able to refer items directly to the Board, the Membership Proposition specifically provides for members referring matters relating to policy and strategy development to either SAROC or GAROC (as relevant).

To provide greater clarity to members about the best pathway for submitting an item of business, the following guidance is provided.

### ***LGA Board of Directors***

Items should be referred to the Board if related to:

- the LGA Constitution or Ancillary Documents
- a subsidiary of the LGA
- a commercial service provided (or proposed to be provided) by the LGA
- an activity requiring the allocation of significant resources by the LGA
- any LGA operational matter

### ***SAROC or GAROC***

Items should be referred to the relevant ROC if related to:

- the development of LGA policy and strategy
- LGA advocacy activities
- an amendment or addition to the LGA Policy Manual
- an operational matter related to SAROC or GAROC

The Board, SAROC and GAROC may choose to refer items submitted by member councils to each other for advice or consideration. Such referrals will be at the discretion of the Board, SAROC and GAROC.

## **Guiding principles**

The following guiding principles have been developed to provide clarity and consistency to the Board, SAROC, GAROC and member councils about the relevant matters that will be considered in determining whether an item of business will be placed on the agenda of a General Meeting.

### **1. Strategic importance**

The matters discussed at General Meetings should be of strategic importance to local government and the LGA. The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.

In determining whether a matter is of strategic importance to local government and the LGA, the Board, SAROC and GAROC will consider:

- whether the item has relevance to and will benefit a particular group (eg regional or metro councils) or the sector as a whole;
- alignment with the strategic plans and business plans of the LGA, SAROC and GAROC;
- the level of urgency required to deal with the issue;
- relevance to the role of local government and the potential positive and negative impacts of the issue on councils and communities;

- whether there are other bodies or industry groups that are better placed to address the issue or undertake the proposed activity; and
- the resources required to execute the policies or activities.

## 2. Supporting evidence

Good public policy positions need to be supported by solid evidence that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.

The Board, SAROC and GAROC will consider whether there is sufficient evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.

In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action. The Board, SAROC and GAROC may propose an alternative course of action, in consultation with the submitting council.

## 3. Alignment with LGA policy

The LGA Policy Manual is a compendium of principles and policies that have been developed and endorsed by a majority vote of member councils at previous General Meetings. There are a wide range of policies addressing a number of priority issues for the sector.

The policies act as a guide for advocacy and best practice in the sector. In most cases, the LGA Policy Manual can provide councils with a broad direction on how an issue can be resolved and whether further development of a policy position is required.

The Board, SAROC and GAROC will consider the LGA Policy Manual in determining whether a new or amended policy position is required to be endorsed by members to enable the LGA to take the requested action. If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.

## 4. Resourcing

In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue.

Before determining to place an item on the agenda of a General Meeting; the Board, SAROC and GAROC will consider:

- whether resources are available within the LGA to achieve the desired outcome;
- other resources that may be available;
- potential impacts on the LGA budget and business plan; and
- the level of input that will be required by councils or other stakeholders to progress the item.

The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

## Determinations by the Board, SAROC and GAROC

After considering a proposed item of business against these guiding principles and having regard to any other relevant factors, the Board, SAROC and GAROC may determine to:

- approve an item of business for inclusion on the agenda of a General Meeting;
- approve an amended item of business for inclusion on the agenda of a General Meeting (in consultation with the submitting councils);
- take no further action;
- request additional information from the submitting council;
- refer an item back to the submitting council or regional LGA for action if it relates to a local or regional issue;
- resolve that the matter be dealt with by the LGA, SAROC or GAROC without progressing to a General Meeting (such as matters requiring urgent attention or actions that can be progressed immediately due to alignment with existing policies and work plans); or
- defer the item to a future General Meeting

The submitting council will be advised in writing of the determination of their proposed item of business.

## Request for Review of Decision - Closure of Diagonal Way (Section 270 Report)

<b>Originating Officer</b>	Manager Corporate Governance - Kate McKenzie
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128R12

### REPORT OBJECTIVE

To seek Council direction regarding how Council would like to undertake the section 270 Internal Review for the Closure of Diagonal Way.

### EXECUTIVE SUMMARY

The City of Marion's Complaints and Grievance Policy provides a fair, consistent and structured process for stakeholders who are dissatisfied with an action, decision or service of the Council.

Section 4, part 3 of the Policy outlines that, when a complaint cannot be resolved, an internal review (pursuant to section 270 of the Local Government Act 1999) may be requested.

The City of Marion received a request from Mr Robertson for an internal review of the decision to close Diagonal Way. A copy of the request is attached in **Appendix 1**. Council members may recall that this request was considered at the 10 December 2019 (GC191210R13) however, Council did not make a decision on how to progress the matter. See resolutions below:

#### **Moved Councillor - Bruce Hull, Seconded Councillor - Raelene Telfer**

9.19 pm Councillor Duncan left the meeting That Council

1. Appoints an independent investigator to complete a Review of Decision regarding the decision of Council to close Diagonal Way.
2. Management advise Mr Steve Robertson of the appointment of an independent investigator to complete the review.

**Lost**

#### **Moved Councillor - Ian Crossland, Seconded Councillor - Matthew Shilling**

That Council

1. Endorses an internal review panel to complete a Review of Decision regarding the decision of Council to close Diagonal Way.
2. Management advise the Mr Steve Robertson that an internal review panel will complete the review.

**Lost**

For this matter to progress, Council must determine what method it would like to use to review this Grievance.

### RECOMMENDATION

**That:**

1. **Council appoints an independent investigator to undertake the Review of Decision regarding the decision of Council to close Diagonal Way.**



or

1. **Council endorses the Manager Corporate Governance to undertake the Review of Decision regarding the decision of Council to close Diagonal Way.**

**Legal / Legislative / Policy:** The Review will be completed in accordance with the City of Marion's Complaints a Grievance Policy

**Timeline** The Policy state that section 270 Reviews can take 6 -8 weeks depending on the complexity.

**Current Budget Allocation** This review will be absorbed within current budget.

### **Attachment**

#	Attachment	Type
1	request for review of decision - Appendix 1	PDF File

**Appendix 1 – Request for Section 270****From:** <[REDACTED]>**Date:** 27 November 2019 at 5:32:23 pm ACDT**To:** <[adrian.skull@marion.sa.gov.au](mailto:adrian.skull@marion.sa.gov.au)>**Subject:** Section 270 review

Dear Mr Skull

I respectfully request that council undertake a Section 270 review regarding the following:

- Report Ref: GC190625R20: Oaklands Community Connections Consultation (proposed Diagonal Way Closure and Dwyer Rd Reserve)
- Report Ref:GC191126P01: Diagonal Way Oaklands Park road closure Petition

I contend that the councils consultation process, results and outcomes are conflicting with the results of the aforementioned Petition. The council consultation process approached and contacted a large survey base, to its end the process only achieved support of 43 people for the overall concept plan and 32 people for the closure of Diagonal Way. All of these supporters were gained from online surveys with no clarification of how many people supported both proposals. Only 18.75% of residents in Diagonal Way supported the road closure, this result is included in council summary of local mapping responses

Such that comment recorded by the Originating Officer in the report regarding the petition are contradictory to the outcomes of councils own consultation process and may have unduly influenced the members opinion of the petitions legitimacy and level of support.

- “We note of the 237 signatures 73 are outside of the Oaklands Park / Marion area and that no residents of Diagonal Way have signed the petition”

Considering the area of council consultation, a large area outside of the aforementioned area including commuters, the number of supporters, without personal reference such as the petition contains, and the limited support from residents of Diagonal Way I suggest this Section 270 Review will identify anomalies in these processes.

Regards

Steve Robertson

## Edwardstown Revitalisation Project - options to deliver a creative design co-working space in Edwardstown

<b>Originating Officer</b>	Unit Manager Community Cultural Development - Marg Edgecombe
<b>Corporate Manager</b>	Manager City Activation - Greg Salmon
<b>General Manager</b>	General Manager City Development - Iliia Houridis
<b>Report Reference</b>	GC200128R13

### REPORT OBJECTIVE

This report provides options for the delivery of a creative design co-working space as part of the Edwardstown Revitalisation Project (Item 14 of the endorsed action plan).

### EXECUTIVE SUMMARY

At the General Council Meeting 23 July 2019 (GCM 190723R04) Council endorsed the action plan for the Edwardstown Revitalisation which included action 14 to “investigate models to deliver a creative design co-working space in Edwardstown”.

The following report covers five options for the delivery of this element of the Edwardstown Revitalisation project for consideration by Council (see appendix 1).

The establishment of a creative Hub in the Edwardstown business district will support the growth of the creative industries sector in the local economy and contribute to the State Government’s focus on the contribution of this sector to the State economy.

### RECOMMENDATION

**That Council:**

- 1. Endorse administration to undertake an Expression of Interest process seeking an operator to establish a creative design co-working space at Edwardstown with total funding of up to \$35,000 per annum for the first 3 years available. The Expressions of Interest will be brought back to Council for consideration before progressing to a select tender or direct selection.**
- 2. Reserve the right to end the Expression of Interest process at any time.**

### GENERAL ANALYSIS

The term creative industries includes a number of sectors including arts, publishing, design, radio broadcasting, and screen production (including TV, film, post production, digital and visual effects and game development).

The ‘Creative Industries’ discussion paper, released in December 2019 by the SA Department for Innovation and Skills, states that creative industries employment in SA is growing at an average rate of 1 per cent, stronger than the state average of 0.7 per cent and represents approximately 6% of total Australian employment. Creative Industries are identified as one of nine priority sectors to grow the South Australian economy.



The *Transformative Impacts of Culture and Creativity. A New Approach report* released in 2019 states that “Cultural and creative activities already make a significant contribution to Australia’s Gross Domestic Product (GDP) (6.4%) and Gross Value Added (5.6%). Given that creative services such as design and game development are in hot demand globally – and these are areas in which Australia excels – there are significant opportunities for growth.”

As a sector creative industries impact on the economic, cultural and social outcomes of the community, driving innovation, sustainability, technological advancement and prosperity. Engaging in creative skills and cultural activities build skills needed for the rapid changes facing our communities and economies. The establishment of a Creative Hub (co-working space) in Edwardstown will support innovation and cross-fertilisation of ideas and encourage innovative outcomes between the creative industries sector, other sole traders and allied manufacturing industries within Edwardstown. It will assist in driving employment and provide a vibrant destination, a tourism opportunity and improve the amenity of the area.

There are currently 135 businesses classified as creative industries registered in the Edwardstown area. Providing a creative design co-working hub in the Edwardstown business district will assist in attracting further creative industries and retaining talent in the City of Marion. Encouraging existing creative industries to remain within or close to their own community reduces environmental impact of travelling to other work places. Additionally, these workers, their customers and suppliers add to the local economy through spending in allied and supporting businesses within our region.

**Liveable:** L4 We will celebrate our rich cultural diversity and heritage through artistic, cultural and community activities and vibrant destinations

**Prosperous:** P3 We will encourage our residential and business communities to pursue education and training, innovation and local investment.

**Timeline** Commence process in 2020/ 2021 financial year

## DISCUSSION

The Edwardstown Revitalisation project action plan endorsed at GCM 23 July 2019 identified the exploration of models to deliver a creative design co-working space in Edwardstown (item 14).

Investigations into precedent models utilised in other local government areas, identify a variety of delivery models to support the development of creative hubs or maker spaces (Appendix 2). Support from Local Government enables operators to develop effective business models, fit out work spaces and attract other creatives as tenants/partners. This support has been provided in a variety of ways including ‘peppercorn’ rent of council owned facilities, financial support towards fit-out of spaces, assistance with planning development applications, financial support towards commercial rental costs or fully supporting the property, operations and staffing.

Many councils involved in these endeavours have undertaken an expression of interest process to find an interested operator who has developed a business case and proposal. In some instances, the potential operator has been required to identify a suitable property and for others the property has been identified by council, either through ownership and re-purposing or to add to tourism/retail opportunities in their area. The City of Marion does not currently own any suitable property in the Edwardstown business district.

Five options are outlined including their risks and benefits and are detailed in Appendix 1.

Option 3 is recommended, whereby Council conduct an EOI and select and subsidise an external party to establish and run the facility, committed to achieving KPIs set by Council. The estimated cost is \$30,000-\$35,000 per annum based on similar hubs investigated in Adelaide. This option will minimise the cost to Council and Council can still progress one of the other options if a suitable EOI is not received.

## Attachment

#	Attachment	Type
1	Appendix 1 Options for development of creative coworking space for Edwardstown Business district	PDF File
2	Appendix 2 Creative Coworking spaces supported by local government	MS Word File

## Appendix 1: Options for development of creative co-working space for Edwardstown business district

Options	Description	Estimated Cost	Resourcing	Advantage	Disadvantage	Risk
<b>Option1:</b> <b>Council purchase a property in Edwardstown to establish a creative design co-working space, funded, operated and resourced by Council.</b>	<ul style="list-style-type: none"> <li>Locate and purchase a suitable property that is:               <ul style="list-style-type: none"> <li>close to retail area or with community access</li> <li>has capacity to fit out with individual studio spaces, a retail space/ gallery</li> <li>internet access and wi-fi</li> <li>options for community workshop spaces</li> <li>options for outside place making opportunities</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Property prices range from \$760,000 to \$2,500,000.</li> <li>Cost to fit out building.</li> <li>Install wi-fi and other equipment needs.</li> </ul>	<ul style="list-style-type: none"> <li>1 FTE for Facility Manager to attract creative businesses, marketing, manage gallery/ retail space (either internal or outsourced).</li> <li>Staff resources to manage property investment, potential development approvals, facility set up, contracting etc.</li> </ul>	<ul style="list-style-type: none"> <li>Council manages facility and outcomes.</li> <li>Council adds to asset portfolio.</li> <li>Attraction of creative industries to Edwardstown.</li> </ul>	<ul style="list-style-type: none"> <li>High initial costs and on-going costs.</li> <li>Up-front costs required in one financial year.</li> </ul>	<ul style="list-style-type: none"> <li>Minimal revenue from rental from creative businesses to off-set initial set up.</li> <li>Significant investment if model is not successful.</li> </ul>
<b>Option 2:</b> <b>Council lease a property in Edwardstown to establish a creative design co-working space, funded, operated and resourced by Council</b>	<ul style="list-style-type: none"> <li>Locate and lease a suitable property that is:               <ul style="list-style-type: none"> <li>close to retail area or with community access</li> <li>has capacity to fit out with individual studio spaces, a retail space/ gallery</li> <li>internet access and wi-fi</li> <li>options for community workshop spaces</li> <li>options for outside place making opportunities</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Rental properties of suitable type range from \$25,000 - \$135,000 p.a. plus outgoings.</li> </ul>	<ul style="list-style-type: none"> <li>1 FTE for Facility Manager to attract creative businesses, marketing, manage gallery/ retail space (either internal or outsourced).</li> <li>Staff resources to manage property lease, potential development approvals, facility set up, contracting etc.</li> </ul>	<ul style="list-style-type: none"> <li>Council manages facility.</li> <li>Costs less to rent than purchase over the short-term. Rental required over three years (initially).</li> <li>Attraction of creative industries to Edwardstown.</li> <li>Lower upfront investment if model is unsuccessful, can shift to ownership model if successful.</li> </ul>	<ul style="list-style-type: none"> <li>Less control and certainty over asset.</li> <li>No capital gains.</li> </ul>	<ul style="list-style-type: none"> <li>Minimal revenue from rental from creative businesses to off-set initial set up.</li> <li>Lease insecurity.</li> </ul>
<b>Option 3:</b> <b>Council run an expressions of interest process to find an operator to establish a creative design co-working space and provide subsidy to support set up and operations over three years.</b>	<ul style="list-style-type: none"> <li>Through an EOI process, Council identify a suitable operator to develop a full business case, set up and manage the facility. The operator may also be required to locate suitable property. Successful operator will receive a subsidy from Council over three years to establish on-going business. Some KPIs set to ensure community and place making outcomes are achieved.</li> </ul>	<ul style="list-style-type: none"> <li>Depending on the process, and costs – an estimated subsidy of approximately \$30,000 per year for three years after which the business is fully established.</li> </ul>	<ul style="list-style-type: none"> <li>Staff to run the EOI process, contracting, potential development approvals etc.</li> </ul>	<ul style="list-style-type: none"> <li>Less investment from Council both in set up and on-going resourcing.</li> <li>Attraction of creative industries to Edwardstown</li> </ul>	<ul style="list-style-type: none"> <li>Council has less control over outcomes however this can be established through KPIs in lease arrangement.</li> </ul>	<ul style="list-style-type: none"> <li>A suitable operator is not found.</li> </ul>
<b>Option 4:</b> <b>Council collaborate with an existing business with surplus land to establish “pop-up” creative design co-working space.</b>	<ul style="list-style-type: none"> <li>Development of a “pop-up” co-working space, utilising second-hand portable buildings.</li> </ul>	<ul style="list-style-type: none"> <li>Portable buildings including toilets/ amenities facilities cost from \$8,000 to \$30,000 plus fit out and set up costs.</li> </ul>	<ul style="list-style-type: none"> <li>Staff to manage set up, lease or partnership arrangements. Could be resourced internally with a 1 FTE to manage the facility or through an EOI process as in Option 3.</li> </ul>	<ul style="list-style-type: none"> <li>Up front set up costs less than property purchase or lease arrangements.</li> <li>Temporary buildings can be sold at end of arrangement.</li> <li>Attraction of creative industries to Edwardstown</li> </ul>	<ul style="list-style-type: none"> <li>Temporary arrangement with limited security for businesses.</li> </ul>	<ul style="list-style-type: none"> <li>Property owner’s needs change and temporary arrangement ceases.</li> </ul>
<b>Option 5:</b> <b>Do not establish a creative design co-working space in Edwardstown.</b>	<ul style="list-style-type: none"> <li>Council decides not to progress with a creative co-design working space in Edwardstown.</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>No cost to Council</li> </ul>	<ul style="list-style-type: none"> <li>Loss opportunity to develop and support creative industries in Edwardstown and associated benefits.</li> </ul>	<ul style="list-style-type: none"> <li>Creative industries move out of or not attracted to Marion Council area</li> </ul>

## Appendix 2 Creative Co-working Spaces Supported by Local Government

Council	City of Port Adelaide Enfield	City of Port Adelaide Enfield	City of Norwood Payneham, St. Peters	City of Onkaparinga	Adelaide Hills Council
Creative Co-Hub	<b>Mixed Creative</b> 32 Nile Street, Port Adelaide	<b>Fontanelle Gallery and Studio</b> 175 St Vincent Street, Port Adelaide	<b>Bricks and Mortar</b> 49 George Street, Norwood	<b>Fleurieu Arthouse</b> 202 Main Rd, McLaren Vale Hardy's Tintara Winery	<b>Fabrik</b> Old Onkaparinga Woollen Mills in Lobethal
Details	<ul style="list-style-type: none"> <li>• Council owned building for which operators pay 'peppercorn' rent.</li> <li>• Call for Expressions of interest for operators.</li> <li>• 2-year lease with 1 year option to renew.</li> <li>• Receive rate rebate.</li> <li>• Council contribution to capital works.</li> <li>• Facilities include artist studios, exhibition space, workshop space, small performance space, licensed café and bar and an outdoors 'laneway' space for community events.</li> </ul>	<ul style="list-style-type: none"> <li>• Independent creative hub for contemporary visual arts culture.</li> <li>• Supported through Council on 'peppercorn' rent and \$30,000 'Fund my Neighbourhood idea' State Government grant.</li> <li>• Facilities include large gallery space, 14 artist studios, community workshop space, fabrication workshop area and multi-use event space/ laneway for performances and events.</li> <li>• Open 4 days per week to public</li> <li>• Manage 12 events per year for community engagement</li> <li>• Located on one of main thoroughfares of Port Adelaide</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-purpose space that combines a café, design store, co-working and event space.</li> <li>• Set up in underused council building with support of NPSP council with initial peppercorn rent.</li> <li>• Downstairs café and retail space.</li> <li>• Upstairs studios and workspaces for creative industry businesses and free hot desk space for casual co-workers.</li> <li>• Studios for hire daily/weekly or monthly rates.</li> <li>• Workshop space for rent (same as casual co-working space).</li> <li>• In heart of Norwood retail zone.</li> </ul>	<ul style="list-style-type: none"> <li>• Facility includes studios, gallery space(s) and workshop space</li> <li>• Near other retail and tourist outlets and public transport.</li> <li>• Council called for EOI to find operators.</li> <li>• Council support with financial subsidy over three years which assisted with set up costs.</li> <li>• Operator had to find space in which to operate.</li> <li>• Operators have built 10 studio spaces (15.75 m2) which are all occupied at a weekly rental that includes utilities, wi-fi, and discounted use of the workshop space.</li> </ul>	Being set up by Adelaide Hills Council with vision for Gallery, retail space, artist studios, workshops, artists in residence and heritage display.

## Travers Street Reserve - Revocation of Community Land Classification

<b>Originating Officer</b>	Land Asset Officer/Registered Conveyancer - Heather Carthew
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	GC200128R14

### REPORT OBJECTIVE

To provide Council with the outcomes from the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the potential disposal of approximately 679 square metres of land at Travers Street Reserve, Sturt (the Reserve).

The report also seeks approval to progress the revocation of the community land classification from the Minister for Planning.

### EXECUTIVE SUMMARY

Travers Street Reserve, Sturt (the Reserve) is classified as Community Land under the Local Government Act 1999.

The revocation of the community land classification will enable one residential allotment of 679 square metres to be created for disposal. The intention is for proceeds from the sale, be paid into the Open Space Reserve Fund for the development of open space as approved by Council.

Immediately upon the creation of the residential allotment, the balance of the reserve will be retained as open space of approximately 4,757 square metres and will automatically be reinstated as a reserve and community land.

Community consultation commenced on 20 November 2019 and concluded on 19 December 2019. 731 flyers were delivered, public notices were published through the Government Gazette, the Messenger and The Advertiser and a sign was placed at the reserve.

11 responses were received; 2 supported the proposal, 8 did not support and 1 was undecided.

Given the very low response rate and the significant existing reserve space that is retained, the Administration is recommending that the proposal to dispose of 679 square metres of Travers Street Reserve at Lot 482 in D95697, Certificate of Title Volume 6158 Folio 572 is submitted for approval to the Minister for Planning in accordance with Section 194 of the Local Government Act 1999.

### RECOMMENDATION

**That Council:**

- Notes the outcome of the community consultation process undertaken for the revocation of the community land classification for Travers Street Reserve, Sturt at Lot 482 in D95697, Certificate of Title Volume 6158 Folio 572 and for the potential disposal of 679 square metres of the Reserve (the Land).**
- Declares that the retention of the Land does not contribute to Council's strategic objectives and is surplus to Council's requirements.**



3. **Authorises the lodgement of the proposal to dispose of the Land to the Minister for Planning in accordance with Section 194 of the Local Government Act 1999;**
  - **with a report on all submissions made as part of the public consultation process;**
  - **a request to approve the revocation of the Community Land Classification on the basis that the Community Land Classification over the balance of the reserve being retained by Council will automatically be reinstated upon creation of the residential allotment of 679 square metres.**
2. **Notes a report will be presented to Council upon receipt of the determination from the Minister for Planning in relation to the Land. Subject to Ministerial approval, the proceeds from the sale will be paid into the Open Space Reserve Fund for the development of open space as approved by Council.**

**Engaged:** Community consultation for the Community Land Classification under Section 194(2)(b) of the Local Government Act 1999 concluded on 19 December 2019.

**Legal / Legislative / Policy:** The Community Land Classification must be revoked under the Local Government Act 1999 to enable the residential allotment to be created for disposal. This will satisfy the requirements of the Real Property Act 1886.

## DISCUSSION

### Background

On 27 August 2019 (GC190827R07) Council resolved:

1. *Notes that the land marked Lot 502 in D120077 was excluded from the community land classification by resolution made on 24 February 2015.*
2. *Authorises Administration to commence the revocation process including the preparation of a report under Section 194(2)(a) and undertake public consultation under Section 194(2)(b) of the Local Government Act 1999 for the whole of Travers Street reserve being Lot 482 in D95697 being the whole of the land comprised in Certificate of title Volume 6158 Folio 572.*
3. *Notes that the Community Land Classification will automatically be reinstated over the balance of Travers Street Reserve after creation of the residential allotment of approximately 680 square metres.*
4. *Authorises administration to bring a report to Council for consideration of the outcome of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the revocation of the community land classification for the whole of Travers Street Reserve at Lot 482 in D95697 being the whole of the land comprised in Certificate of Title Volume 6158 Folio 572.*

A summary of past Council resolutions relating to this matter is provided as Attachment 1.

### Consultation

Public consultation pursuant to Section 194(2)(b) for the revocation of the community land classification for Travers Street Reserve was undertaken in accordance with Council's Public Consultation Policy. Community consultation commenced on 20 November 2019 and concluded on 19 December 2019.

The minimum community consultation period for the revocation of the community land classification is 21 days. Given that the consultation occurred in the lead up to Christmas the consultation period was extended to 28 days.

Community engagement and consultation included:

- direct mail out to 731 residents within a 400m radius of the Reserve;
- contact of all key Service Authorities (utility providers);
- notices published in the Government Gazette, The Messenger and The Advertiser newspapers and a notice was on display on the Reserve;
- relevant information was on public display at Council's Administration Centre, City Services and Libraries; and,
- a website was set up to ensure the community could access information.

The consultation set out to determine the community's level of support of the proposal.

A total of 11 responses were received. The participation rate was very low at less than 2%. Of the responses received:

- 8 participants objected to the proposal (73%)
- 2 participant supported the proposal (18%)
- 1 participant was undecided (9%)

The method of receipt for the 11 responses received included:

- 6 written
- 4 online
- 1 other

A copy of the Community Engagement Report is attached (Attachment 2).

## **Environmental Implications**

### Contamination

At the time of transfer of the portion of the Reserve that fronts onto Travers Street from the SA Housing Trust, Council was advised that this portion of the Reserve appeared to have had no potentially contaminating activities (regulation 50) under the Environment Protection Regulation 2009.

### Tree

There is a regulated tree on the portion of the Reserve proposed for disposal.

Two Development Applications for the removal of the regulated tree have been refused under the Development Act 1993.

Under the current development legislation, the tree can be removed without Development Approval.

## **Community Impact**

The Reserve is a local level reserve of 5,437 square metres with a classification of linear / linkage. It provides a throughway for pedestrians accessing bus stops and shopping on Sturt Road. The proposal does not impact this access, which will remain with the open space that is retained.

Open Space mapping shows 3 other reserves within 500m of Travers Street Reserve. They are Hawkesbury Avenue, Rosefield Lane and Brolga Place Reserves.

The suburb of Sturt has the lowest square metre rate of open space in the Warriparinga Ward (8.18m<sup>2</sup> of open space per person). Marion, by contrast has 55.26m<sup>2</sup> of open space per person. Warradale has the lowest percentage of 7.34 m<sup>2</sup> in the City.

The 679 square metres of Reserve identified in this proposal is disconnected from the main body of the reserve and the access is maintained between Travers Street and Myer Road.



Larger areas of open space in the vicinity of the Reserve is low, with surrounding open space being underdeveloped.

Based on this, it is recommended that the remaining portion of Travers Street and Myer Road be developed to its potential for use by the community.

### **Community Land Classification Revocation Process**

Section 194 of the Local Government Act 1999 requires Council to prepare and make publicly available a report on the proposal (a Section 194 Report) and states the community land classification cannot be revoked unless the Minister approves the revocation of the classification.

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

Authorisation to undertake consultation under Section 194(s)(b) of the Local Government Act 1999	Completed - 190827R07 (Report 1)
Consideration of the submissions made in response to the public consultation and authorisation for Ministerial consideration of revocation	Current (for Council consideration) GC200128R0 (Report 2)
Revocation of Community Land classification on receipt of Ministerial approval (Final Report)	Yet to commence (Report 3)

A Section 194 has been prepared for the Reserve (Attachment 3).

On Council's direction, a request for the revocation of the community land classification will be lodged with the Minister for Planning for approval, based on the Section 194 Report with such amendments as required by Council as a result of any submissions.

The timeframe for consideration by the Minister for Planning is dependant on the complexity of the application.

Upon receipt of the determination of the Minister for Planning, a further report will be submitted to Council for the purpose of passing a resolution revoking the classification of the land as community land, if approved.

### **Disposal of Land and Assets Policy**

To consider the disposal of portion of the Reserve, Council needs to consider that the retention of 679 square metres of the Reserve does not contribute to Council's objectives and that the 679 square metres of the Reserve is surplus to Council's requirements. The criteria and other requirements for disposal of land is set out in Council's Disposal of Land and Assets Policy (Attachment 4).

### **Financial**

Subject to Ministerial approval, the net proceeds from the sale will be paid into the Open Space Reserve Fund for the development of open space as approved by Council. Alternatively, portion of the net proceeds can be used for the development of portion of the Reserve being retained by Council.



## Conclusion

Given the ability to improve maintenance in the long term, reinvest funds for the improvement of open space, the maintenance of access between Myers Road and Travers Street and the surrounding three reserves within 500 meters of this specific location, it is recommended to proceed with the disposal of the proposed portion of the reserve.

## Attachment

#	Attachment	Type
1	Attachment 1 - Council Resolutions	PDF File
2	Attachment 2 - Community Engagement Report	PDF File
3	Attachment 3 - Section 194 Report	PDF File
4	Attachment 4 - Extract from Disposal of Land and Assets Policy	PDF File

## SUMMARY OF COUNCIL RESOLUTIONS

<b><u>9 December 2014 (GC091214R04)</u></b>	
1.	Authorises the transfer of portion of the land owned by Housing SA at Travers Street, Sturt to Council and the transfer of portion of the land owned by Council to Housing SA for no monetary consideration, to effect the creation of one superlot of approximately 2650m <sup>2</sup> and one residential allotment fronting Travers Street of approximately 378m <sup>2</sup> in the name of Housing SA and the balance of the land to be in the name of The Corporation of the City of Marion as a reserve
2.	Authorises the creation of two residential allotments from the reserve land of approximately 340 m <sup>2</sup> each, by a land division, for disposal
3.	All costs associated with transfers of land, the relocation of the path and path lights and associated costs including the provision of a contamination report are to be funded from the Open Space Reserve Fund and the proceeds of the sales of the two residential allotments are to be subsequently contributed to the Open Space Reserve Fund
4.	Delegates to the Team Leader Land and Property the authority to negotiate the sale of the two residential allotments subject to the deposit of the plan of division in the Lands Titles Office
5.	Council pursuant to Section 37(b) of the Local Government Act 1999 authorises the Mayor and Chief Executive Officer to enter into and sign and seal all documentation necessary to facilitate the land divisions, land transfers and the Land Management Agreement

<b><u>24 February 2015 (GC240215R04)</u></b>	
1.	Pursuant to Section 193 (4) of the Local Government Act 1999 the portion of land at Travers Street Sturt, to be transferred to Council in accordance with Resolution 1 (GC091214R04), is to be excluded from the Community Land Classification.

<b><u>14 February 2017 (GC140217M02)</u></b>	
1.	Defers a decision on Travers Reserve sale until further information is gathered.
2.	As the owner of the land seek a report from a qualified Landscape Architect on the amenity value of the tree and thereafter lodge a new application with this report being furnished with the application.

<b><u>27 February 2018 (GC140218R03)</u></b>	
	<b>Amends</b> the resolution of 09 December 2014 (GC091417R04) that Council:
1.	Authorises the creation of two residential allotments from the reserve land of approximately 340 m <sup>2</sup> each, by a land division, for disposal
4.	Delegates to the Team Leader Land and Property the authority to negotiate the sale of the two residential allotments subject to the deposit of the plan of division in the Lands Titles Office.
5.	Council pursuant to Section 37(b) of the Local Government Act 1999 authorises the Mayor and Chief Executive Officer to enter into and sign and seal all documentation necessary to facilitate the land divisions, land transfers and the Land Management Agreement
	<b>To</b> the following new resolution:
1.	Endorses the creation and disposal of one residential allotment of 680 square metres (portion of land as identified in the report GC091214R04).
2.	Endorses the net proceeds from the sale to be paid into the Open Space Reserve Fund.
3.	Pursuant to Section 37(b) of the Local Government Act 1999, authorises the Chief Executive Officer to negotiate and enter into and sign all contracts and documentation necessary to effect a sale and settlement of portion of the Travers Street Reserve.

<b><u>27 August 2019 (GC190827R07)</u></b>	
1.	Notes that the land marked Lot 502 in D120077 was excluded from the community land classification by resolution made on 24 February 2015.
2.	Authorises Administration to commence the revocation process including the preparation of a report under Section 194(2)(a) and undertake public consultation under Section 194(2)(b) of the Local Government Act 1999 for the whole of Travers Street reserve being Lot 482 in D95697 being the whole of the land comprised in Certificate of title Volume 6158 Folio 572.
3.	Notes that the Community Land Classification will automatically be reinstated over the balance of Travers Street Reserve after creation of the residential allotment of approximately 680 square metres.
4.	Authorises administration to bring a report to Council for consideration of the outcome of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the revocation of the community land classification for the whole of Travers Street Reserve at Lot 482 in D95697 being the whole of the land comprised in Certificate of Title Volume 6158 Folio 572.

## Travers Street Reserve, Sturt Community Engagement Feedback December 2019



Community consultation was undertaken between 20 November 2019 and 19 December 2019 and has now concluded.

### WHAT IS BEING PROPOSED?

This community consultation was undertaken for the revocation of the community land classification for Travers Street Reserve, Sturt (the Reserve) under Section 194(2)(b) of the Local Government Act 1999 and for the potential disposal of a residential allotment of 679 square metres of the Reserve.

Upon creation of the residential allotment, the community land classification will automatically be reinstated over the balance of the Reserve to be retained by Council.

The disposal of any community land is subject to Ministerial approval.

All feedback as a result of the community consultation is considered by the Minister when making a decision about revoking the community land classification.

If sold the proceeds would be paid into the Open Space Reserve Fund for the development of open space as approved by Council. Alternatively, Council may resolve that the funds are to be used for the development of a particular reserve or reserves.

### WHAT THIS WOULD INVOLVE:

We provided details of the proposal to:

- Revoke the community land classification over the whole of the Reserve.
- Sale of 679 square metres of the Reserve.
- Reinstatement of the community land classification over the balance of the Reserve to be retained by Council.

Participants were asked for their level of support for the potential sale of a portion of the Reserve and invited further comment.

### HOW WE ENGAGED:

Feedback on Travers Street Reserve was sought via:

- A direct mail out to residents within a 400 metre radius of the reserve – 731 flyers were delivered.
- A site specific website was set up [www.makingmarion.com.au/travers-street-reserve-revocation](http://www.makingmarion.com.au/travers-street-reserve-revocation)
- Service authorities have been notified.
- Notices were published in The Government Gazette, The Advertiser and the Messenger
- Information was available at Council's Administration Centre, City Services, Cove Civic Centre Library, Marion Cultural Centre Library and Park Holme Library.
- Submissions were invited via Making Marion or in writing.

Examples of the website and flyer are on the following pages.

## Travers Street Reserve, Sturt Community Engagement Feedback December 2019



### Example of Website

## Travers Street Reserve - Land Revocation



Council is considering selling 679 square metres of the land at 37-41 Travers Street Sturt.

Proceeds from the sale will be used for the development of open space facilities as approved by Council.

Disposal of this land is subject to Ministerial approval.

A legislative process for the revocation of the community land classification is now being undertaken, which includes public consultation.



Here you can

- [View the map](#)
- [Download an information flyer](#)

More information is available at Council Offices and Libraries.

Any representations in relation to this matter must be lodged in writing to the City of Marion at PO Box 21 Oaklands Park SA 5047 or via the Online submission form below 21 days from the date of this notice.

Please contact the Land Asset Officer, Heather Carthew, on 7420 6584 or [heather.carthew@marion.sa.gov.au](mailto:heather.carthew@marion.sa.gov.au) if you require further information

TRAVERS STREET RESERVE LAND REVOCATION

The engagement asked people to indicate their level of support of the proposal and why via a survey tool.

Please take a few minutes to complete the survey. Your feedback will be collated and considered by Council and subject to Ministerial approval.

Overall, do you support Council's proposal to sell the land at Travers Street Reserve

- ☐ Strongly support
- ☐ Support
- ☐ Undecided
- ☐ Do not support
- ☐ Strongly do not support

Please tell us why



# Travers Street Reserve, Sturt Community Engagement Feedback December 2019



## Example of Flyer



### REVOCATION AND DISPOSAL OF 679 SQUARE METRES OF LAND.



Dear Resident,

#### REVOCATION AND DISPOSAL OF 679 SQUARE METRES OF LAND:

##### LOT 482 TRAVERS STREET RESERVE, STURT

Council is considering selling 679 square metres of land at Travers Street Reserve, Sturt.

The reserve was reconfigured in 2015 which involved an exchange of land with the South Australian Housing Trust (SAHT). This resulted in a second street frontage to increase access to the site from both Myer Road and Travers Street and provide greater visibility with improved passive surveillance from neighbouring properties.

The total area of the reserve is 5,437 square metres.

On 27 February 2018 Council resolved to create one residential allotment of 679 square metres for disposal. The report GC270218R03 can be viewed on the City of Marion website at: [www.marion.sa.gov.au/about-council/council-meetings/general-council](http://www.marion.sa.gov.au/about-council/council-meetings/general-council)

Under the Local Government Act 1999 the reserve is classified as Community Land.

Council is now seeking to sell the 679 square metre area for housing with proceeds from the sale to be reinvested in the development of open space facilities as approved by Council.

To create the 679 square metre allotment, the Community Land Classification must be revoked over the whole of the reserve. Once the Community Land classification has been revoked,

the plan of division can be finalised and the allotment for sale will be created. At this point in time the balance of the reserve being retained by Council as open space will automatically have its Community Land Classification reinstated.

Disposal of the land is subject to Ministerial approval.

A legislative process to revoke the Community Land classification has commenced and includes public consultation.

Any representations in relation to this matter must be lodged in writing to City of Marion by 19 December 2019 at:

PO Box 21, Oaklands Park SA 5047

or

Making Marion website: [www.makingmarion.com.au/travers-street-reserve-revocation](http://www.makingmarion.com.au/travers-street-reserve-revocation)

Please contact the Land Asset Officer, Heather Carthew, on 7420 6584 if you require any more information.

Yours faithfully,

Adrian Skull, Chief Executive Officer

## Travers Street Reserve, Sturt Community Engagement Feedback December 2019



### COMMUNITY FEEDBACK STATISTICS

- The consultation via Making Marion was viewed by 44 people.
  - A total of **44** unique participants visited the site.
  - 4** submissions were made online
- 2 written responses were received (one of these written responses represented 4 residents)
- 1 written response was received after the closure date (by arrangement)
- 1 email response was received

#### Visitors Summary



#### Highlights

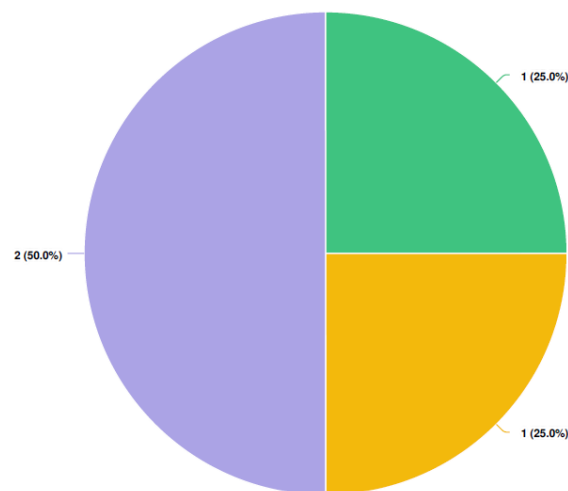
TOTAL VISITS	MAX VISITORS PER DAY	
44	7	
NEW REGISTRATIONS		
0		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
4	14	30

### COMMUNITY FEEDBACK

#### Making Marion Website

We asked people to indicate their level of support of the proposal.

Overall, do you support Council's proposal?



**Question options**  
 ● Undecided ● Do not support ● Strongly do not support  
 Optional question (4 responses, 0 skipped)

## Travers Street Reserve, Sturt Community Engagement Feedback December 2019



- 2 participants do not support the proposal
- 1 participant supports the proposal
- 1 participant is undecided

### **Letter and Email responses**

Six residents object to the proposal (one objection represented four residents)  
One resident supports the proposal

### **Service Authorities**

No responses have been received from Service Authorities

### **SUMMARY**

On the basis that the one letter signed by four residents is counted as four responses, a total 11 responses were received. The participation rate was low at less than 2% of the numbers of flyers delivered. Of the responses received:

- 73% (8) of participants do not support to the proposal
- 18% (2) of participants support the proposal
- 9% (1) of participants are undecided

Of the 11 responses received:

- 82% (9) participants live within a 400 metre radius of the reserve and
- 18% (2) live within the City of Marion, outside of the 400 metre radius

**A copy of all comments received is provided as an Appendix.**



**Heather Carthew**

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**From:** Marion Community Engagement <notifications@engagementhq.com>  
**Sent:** Sunday, 15 December 2019 10:42 PM  
**To:** Community Engagement; Heather Carthew  
**Subject:** Anonymous User completed Travers Street Reserve land revocation

Anonymous User just submitted the survey 'Travers Street Reserve land revocation' with the responses below.

**Overall, do you support Council's proposal to sell the land at Travers Street Reserve**

Strongly do not support

**Please tell us why**

As a Rate Payer and Property Owner in the City of Marion, I STRONGLY OPPOSE the "disposal" of 679 square metres of land: Lot 482 Travers Street Reserve, Sturt for the following reasons: 1. I purchased my home, [REDACTED] Travers Street, Sturt because of its location close to a LARGE reserve, Travers Street Reserve. This Reserve's proximity and LARGE SIZE was important to me being a dog owner and future parent. This "disposal" will obviously make it a smaller reserve! 2. It's "only 679 square metres" of reserve, which is 679 square metres of open space community reserve which will be lost forever to the Community of Sturt. The proceeds from this sale will not create any more open space for the Community of Sturt. Sturt has already lost open space to housing in recent years, that being "Maesbury Circuit", leaving only 3 small reserves for a suburb becoming densely housed and populated with young families. 3. Loss of habitat will result with the removal of a mature gum tree, which provides shade and much needed habitat for the declining native bird populations in Sturt. The 679 square metres of ground surface also provides habitat for birds, insects, reptiles and amphibians. 4. I believe it's purely a financial decision, benefiting a developer and Council. Sturt isn't in need of more houses! There are plenty of old freehold properties available for future developments to occur on without having to "dispose" of valuable, open space community reserve land for more houses! 5. Travers Street is becoming a dangerous, congested main thoroughfare. It's already over-developed with multiple dwellings per block built with little regard for sustainability and lack of accountability by developers for providing adequate off street parking space per dwelling. Consequently, this "disposal" could mean another 2-4 cars requiring street parking, somewhere! I have reached the conclusion that there is NO BENEFIT to the Community of Sturt for the "disposal" of this 679 square metres of land. This "disposal" of open space community reserve land for more housing is not "making Marion"! So, "Effect on the Community"? This "disposal" will have a NEGATIVE EFFECT on the general Community of Sturt: 1. Loss of OPEN SPACE COMMUNITY RESERVE LAND 2. Loss of HABITAT, primarily for native birds, but also insects, reptiles and amphibians 3. More ROAD CONGESTION on Travers Street. Therefore, I am requesting that MY Council, City of Marion, who makes decisions based on what is best for the Community of Sturt, consider the reasons for my opposition as outlined above and cease its intention to "dispose" of valuable, IRREPLACEABLE, OPEN SPACE COMMUNITY RESERVE LAND. Thankyou for considering my reasons.

**Please tell us your name**

[REDACTED]

**Please tell us your email**

[REDACTED]

**What street do you live on?**

■ Travers Street

**What suburb do you live in?**

STURT, SA

**How do you rate the way we have consulted with you about this?**

neutral

---

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For more information please visit <http://www.symanteccloud.com>

**Heather Carthew**

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**From:** Marion Community Engagement <notifications@engagementhq.com>  
**Sent:** Saturday, 30 November 2019 4:05 PM  
**To:** Community Engagement; Heather Carthew  
**Subject:** Anonymous User completed Travers Street Reserve land revocation

Anonymous User just submitted the survey 'Travers Street Reserve land revocation' with the responses below.

**Overall, do you support Council's proposal to sell the land at Travers Street Reserve**

Do not support

**Please tell us why**

I have been a resident in Duncan Street Sturt for over 40 years. In the late 1980's Council land was sold off in Duncan Street Sturt for residential purposes. The council promised at that time they would upgrade the Travers Street Reserve constructing a playground for children etc as a trade off for the sale of the land. A small amount was done in the Reserve but nothing really geared to making it an inviting place for children or the community. Then over the last couple of years land has been taken from the Reserve and sold for housing. Now the proposal of more land being sold off. Promises to the Community have not been fulfilled. Blocks of land are smaller and therefore the population is more dense. We need reserve areas and playgrounds for the community and our children especially. Please consider your promises to the people of Sturt.

**Please tell us your name**

[REDACTED]

**Please tell us your email**

[REDACTED]

**What street do you live on?**

Duncan Street

**What suburb do you live in?**

STURT, SA

**How do you rate the way we have consulted with you about this?**

unhappy

---

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**Heather Carthew**

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**From:** Marion Community Engagement <notifications@engagementhq.com>  
**Sent:** Saturday, 23 November 2019 10:55 AM  
**To:** Community Engagement; Heather Carthew  
**Subject:** Anonymous User completed Travers Street Reserve land revocation

Anonymous User just submitted the survey 'Travers Street Reserve land revocation' with the responses below.

**Overall, do you support Council's proposal to sell the land at Travers Street Reserve**

Undecided

**Please tell us why**

That large tree at the front of the subject allotment must be retained, and A significant portion (say 35%) of the monies received should be allocated solely to that reserve.

**Please tell us your name**

██████████

**Please tell us your email**

██

**What street do you live on?**

████ Brolga Place

**What suburb do you live in?**

STURT, SA

**How do you rate the way we have consulted with you about this?**

happy

---

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For more information please visit <http://www.symanteccloud.com>

**Heather Carthew**

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**From:** Marion Community Engagement <notifications@engagementhq.com>  
**Sent:** Thursday, 21 November 2019 12:58 PM  
**To:** Community Engagement; Heather Carthew  
**Subject:** Anonymous User completed Travers Street Reserve land revocation

Anonymous User just submitted the survey 'Travers Street Reserve land revocation' with the responses below.

**Overall, do you support Council's proposal to sell the land at Travers Street Reserve**

Strongly do not support

**Please tell us why**

We should not be selling off more public land to build shoebox houses packing people in like sardines. We are effectively losing a service whilst the council gains more rates.

**Please tell us your name**

██████████

**Please tell us your email**

██

**What street do you live on?**

Egan Crescent

**What suburb do you live in?**

MITCHELL PARK, SA

**How do you rate the way we have consulted with you about this?**

unhappy

---

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For more information please visit <http://www.symanteccloud.com>

RECEIVED CITY OF MARION INFORMATION MANAGEMENT	
28 NOV 2019	Original Fwd: <input type="checkbox"/>
File No:	ANNED
2 5 6 7 8 10 P	

■ Jay Street  
Start  
S.A. 5047  
24/8/19

City of Marion

Re. revocation and disposal of 679  
Square metres of Land.

At a time of extreme  
weather conditions, drought  
and Climate Change, it is  
imperative that Council retains  
all open space, however  
small it is, especially as it  
is community land.

I totally object to this  
land being disposed of for  
housing.

Also what guarantee

is there that the rest of the land will also be disposed of for housing in the future. As page 1 of the document shows "At this point in time the balance of the revenue be retained."

Also its ridiculous that money from the sale of its open space will go towards development of open space. Its classic Utopia in action.

yours faithfully

SCANNED

**Heather Carthew**

---

**From:** [REDACTED]  
**Sent:** Monday, 2 December 2019 12:27 PM  
**To:** Heather Carthew  
**Subject:** Travers Street Reserve Land Revocation

Hi Heather,

I recieved a flyer in the mail recently regarding the possibility of the council selling some land at Travers street. I was wondering if you could answer the following questions:

- 1) How much money is the council expecting to list the land for?
- 2) Will the land be suitable for subdivision?
- 3) How do I place an offer on the land if I wish to?

Kind regards,

[REDACTED]

---

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For more information please visit <http://www.symanteccloud.com>



SCANNED

RECEIVED  
CITY OF MARION

17 DEC 2019

RECORD NUMBER

N [REDACTED]  
36 Travers Street

STURT 5047

Dear Members of the Council,

I am writing in regards to the sale of land (lot 482 or 37-41 Travers Street). As the land was exchanged in an arrangement with the Housing Trust and three blocks of land on Travers Street put up for sale, with only one selling. Why do you need to do anything, but put the land up for sale again?

I do not approve of you revoking the whole of the reserve due to its title of Community land. The area you wish to sell has a large gum tree on it which could be deemed as a significant tree. This tree has been there for forty seven years. After all your approval of the infill of the area has seen the removal of many trees which is adding to global warming. I feel if you revoke the community Land Classification it will not be reverted back to a reserve as I do not believe you (the councillors), or trust you not to build another slum over there.

You say if the land is sold the monies will be able to develop open space facilities across the City. It would be great if you did something with the Travers Street Reserve as it just needs the water turned on, instead of the dust bowl the exists now.

Have you seen the ten houses you approved that is located on the land behind the area you wish to sell? Your incompetence in approving this build has created ten small uninhabitable homes which have taken nearly two years so far and still not completed, plus parking is minimal.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] TRAVERS STREET STURT

[REDACTED] TRAVERS ST STURT 5047

[REDACTED]  
[REDACTED] Travers St  
Sturt

Received 31 December 2019

## STATEMENT OF REPRESENTATION

**RE: LOT 482 TRAVERS STREET RESERVE, STURT, SA  
REVOCATION AND DISPOSAL OF 679 SQUARE METRES OF LAND**

**FROM:**

**[REDACTED]  
[REDACTED] Dunrobin Road,  
WARRADALE SA 5046  
Phone: 8296 4986**

(NOTE: The extension of time to submit this feedback to 31 Dec 2019 was granted by Heather Carthew, Land Asset Officer because of technical issues with my computer).

### TIMING OF REQUEST FOR FEEDBACK

At the outset I draw your attention to the timing of requests for feedback regarding disposal of land in the Travers Street Reserve. The closing date of 19 December 2019 - less than a week before Christmas, is an extremely hectic and stressful time of year. I suggest that this timing is not conducive to receiving maximum submissions from residents as their attention may have been focused elsewhere eg preparations for Christmas and thus their time limited.

### REGULATED TREE

I draw your attention to the fact that there is no mention in the document about the mature Eucalypt – a Regulated Tree with a circumference of 2.26 metres which is located in the proposed area for revocation and disposal (ie land to be sold off for housing) in Travers Street Reserve.

I believe its omission is a major oversight and that the councillors making decisions regarding the future of this land should be made aware of this. The tree's potential or indeed highly likely/ inevitable removal as a result of the land being sold for housing is highly upsetting to local residents and others who use the park. It will be nothing short of environmental vandalism if the tree is removed.

### OBJECTION TO PROPOSED DISPOSAL OF LAND AT TRAVERS STREET RESERVE

As a full rate paying resident of the City of Marion and user of the Travers Street Reserve, I strongly object to the proposed revocation and disposal of 679 square metres of land on this reserve and also as a consequence the potential/ inevitable removal of the healthy mature Eucalypt tree, a Regulated Tree, when the land is developed.

Removal of the tree does not fit with **Marion Council's statement: "Medium density development should NOT be achieved at the expense of mature vegetation"**. (Page 3, Residential Developments brochure, City of Marion, July 2014 )

Travers Street Reserve is a beautiful natural reserve – a precious resource and should remain unchanged, not sold for housing. Adelaide has the lowest proportion of tree canopy cover among Australia's capital cities with only 27%. The City of Marion has only just over 10% tree canopy cover (Reference: "Where Are All The Trees: an analysis of tree canopy cover in Australia", / Benchmarking the Australian Urban Canopy:

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an iTree Assessment, Final Report", 2014, by Institute for Sustainable Futures, University of Technology Sydney) and as such, Marion Council should be doing all it can to preserve all the established mature trees within its boundaries. Vegetation in our urban landscapes or "urban green space" is known to provide multiple benefits that encompass biophysical, economic, and social attributes.

The majestic Eucalypt tree is one of two which frame the front of the Travers Street Reserve. These are the two largest trees on the reserve with circumferences of 2.26 metres (this tree is on the land proposed for disposal) and 2.44 metres, and as such they are both deemed Regulated Trees. It would be inappropriate for the tree to be removed, and this would also go against Marion Council's "strong environmental focus". It has high amenity value and represents a significant asset – in every sense of the word – to our local environment. It is an asset which fixes carbon, provides shade, filters air, provides protection from wind, rain and glare, provides a wildlife corridor and an important habitat for local birdlife – just to mention a few of the obvious benefits. It helps to create a peaceful and enjoyable environment for neighbouring properties and to those who look onto the reserve from across the road. Its removal by a developer will be environmentally irresponsible and very shortsighted.

The significance and beauty of this tree comes not only from its large size but also from its long life span. It has taken many years to reach its current stage of maturity. The future of this Regulated Tree will be determined by developers who may have little or no interest in it, and who may not even reside in the Council area. They will not be concerned with how its impending destruction may impact the local residents, the natural environment or the birdlife, wildlife, bees and other insects which are dependent on it. They will not be affected by it. Indeed, they are driven by other imperatives. The preservation of our urban trees and landscapes is key to sustainability. Trees are the lungs of our cities – they are the world's single largest source of breathable oxygen.

Developing this open space with housing will result in extremely limited capacity for planting of replacement trees and for their maturing. It will be very restrictive once developed. Limited space in back and front yards for trees is a major contributing factor jeopardising Adelaide's bird populations. Birds, like other native wildlife, are facing increased pressure due to clearance and alteration of vegetation and higher density housing. Cordylines and upright ornamental trees which might be considered for the small yard spaces "just don't cut it" for our native birds! Ornamental trees are inappropriate, provide no perching or nesting for larger bird species (which currently reside in the Travers Street Reserve tree) and no food source.

It is ironic that, at a time when environment, climate change and global warming are matters of great public concern, even private open spaces are reducing and trees/vegetation cover is being depleted. It is time to address this issue before changes are made that degrade the landscape and local neighbourhoods, and which will take decades to remedy. This Regulated Tree is worth far more than any money which would be contributed to the Urban Tree Fund if it was removed. Trees are both our past inheritance and our future legacy, and, as such, it is the responsibility of everyone to ensure that our trees are protected. Open spaces to accommodate/preserve our established trees must be part of sustainable urban design and must be protected.

This tree and surrounding land make a significant contribution to the character and amenity of the local area – as well as contributing to a reduction in the urban heat bank. Open green spaces and mature trees such as this one have a big role to play in reducing the overall output of urban generated heat, eg. reducing energy use for artificial cooling of houses. Indeed, trees play an increasingly important role in urban environments, particularly given the predicted increase in temperatures as a consequence of climate change.

Trees create a peaceful, aesthetically pleasing, cool environment, increasing our quality of life by bringing natural elements and wildlife habitats to urban settings. We are all encouraged to plant trees to attract birdlife, etc. in our backyards, yet this majestic tree, which has long been a unique and important habitat

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providing nesting sites, perching, shelter, security, and a food source (nectar, insects, etc.) for numerous bird species in the neighbourhood may well be destroyed.

This tree supports a rich array of birdlife, eg. Magpies, Australian Ravens (Crows), Murray Magpies (Pee Wees), Willie Wagtails, Wattlebirds, Sulphur Crested Cockatoos, Galahs, Crested Pigeons, Doves, Lorikeets, Rosellas, Honeyeaters, Green Eyes, Noisy Miners, and also insects and bees.

This Regulated tree with a circumference of 2.26 metres and 4 to 5 storeys in height, has taken many years to reach its current state of maturity. It cannot be replaced in a short time. A tree planted now, won't even reach this stage of maturity in our lifetime, and payment of money into an Urban Tree Fund (in place of a Regulated of Significant tree) is cold comfort to those birds (and other fauna, etc.) who lose their home or food source. It takes 80-100 years a hollow to form in a tree as a home for birds and wildlife. Once a tree is cut down – be it significant or non-significant, it is too late.

This majestic tree:

- is a highly valued element of the neighbourhood – there are only a few tall trees left
- represents an extremely important habitat and perching for the birdlife in the local area – especially for the larger birds, eg. Magpies, Australian Ravens, Sulphur Crested Cockatoos, Galahs, etc.
- is important to the maintenance of biodiversity in the local area. Indeed, it is a biodiversity “hot spot” and contributes to the overall maintenance of a healthy ecosystem.
- forms a notable visual element to the landscape of the locality
- significantly contributes to the amenity of the local area
- provides an important aesthetic and environmental benefit.

I have lived in the City of Marion all my life and have had the joyful experience of witnessing many different birds, both in my own back yard and in parks. Doves, Ravens, Magpies, Wattlebirds, Pee Wees, Honeyeaters, etc. visit my backyard daily. For years I have watched as the Magpies have brought their young to visit me in my backyard and even at my back door! They are wonderful birds (life span 20 – 25 years) with inquisitive, cheeky and larrikin personalities. Listening to their caroling morning and night is such a joy and I look forward to their visits and watching them as they feed their young. I would like to think that future generations will also be able to share in this joy, experiencing the natural beauty of the area, getting to see and hear the many birds - but this will only happen if their habitat is not destroyed.

The potential felling of this tree and replacing the open space with houses is upsetting to residents in the local area, but the implications are worse still for the birds. Unless we take leadership in managing our natural resources wisely in our local area by conserving the taller trees we could soon be facing the “silent Spring” envisioned by Rachel Carson back in 1962 (Reference: Carson, R., (1962) “Silent Spring” (Houghton Mifflin)).

## DIMENSIONS OF LAND FOR DISPOSAL

I question the dimensions of the area proposed for disposal. The document states: the total area of the reserve is 5,437 square metres and the balance of the reserve to be retained as open space is 4,757 square metres. Thus, by my calculations **680 square metres** and **not 679** will be lost to housing, with minimal or no room for mature native trees. Every square metre of green space is precious and counts!

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## LIMITED USE AND FUNCTIONALITY

The document states that the "area of the reserve 679 square metres fronting Travers Street has limited usability and functionality". This begs the question "In whose eyes is it limited and what exactly does this mean?" I would suggest that use and functionality of that piece of land is only limited by one's imagination - which the author of that statement clearly lacks, along with being very myopic! Is it just a "flowery" meaningless statement to justify Council wanting this land to be sold? Is it just jargon - "Council speak"?

Why is more housing, more infill, more hard impermeable surfaces seen as the *only* answer to use of this land? Why not leave it as it is, to simply be enjoyed and left to carry out its role in biodiversity and Nature? Why not plant more shady trees, provide a habitat for wildlife (eg. big logs, possum and bird boxes), add a few park benches for people to sit on and enjoy the space? Not every reserve or park needs play equipment, nor does it need to be manicured within an inch of its life! There is beauty in simplicity. Sometimes less is more!

Another suggestion is that the land could be made into a Community Garden as part of the reserve. There are many, many blocks of two storey flats in this neighbourhood in close proximity to the reserve, where the residents do not have their own backyard or the opportunity to grow plants and vegetables. Outdoor recreational open green spaces are also essential to encourage our children to be active and away from their devices. Thus, this reduces the potential for developing obesity and other health related problems at a young age.

The space could even be used as a small dog park for the local residents to let their dogs run in a safe fenced area. There is a myriad of suggestions for the use of this land and I would argue that the area is not limited in usability or functionality at all! Why doesn't Council ask the community what they would like, instead of just selling off the precious green space?

I also ask why is there a need to sell the land to put proceeds from the sale into the Open Space Fund when this piece of open space is just fine as it is?

With urban infill the access to parks and trees are sometimes the only connection some people have with Nature. There is no point taking away green space from one community and denying them enjoyment, only to give a bigger green space to another community. It's just like robbing Peter to pay Paul! Not everyone is able to travel to the distances to so called "improved" parks, and moreover they shouldn't have to, especially when they are perfectly happy with the green space they already have in their local area!

## CLIMATE CHANGE & GLOBAL WARMING

With climate change and global warming upon us, we must focus our attention on increased efforts to *keep our already existing green spaces*. They cool our neighbourhoods and enhance biodiversity. Scientists have determined that one of the major causes of climate change is land use change. More buildings, more impermeable surfaces, more heat.

Now, more than ever before, we must recognize the importance of the role that green spaces/ trees play in creating a healthy future for us and for our environment - for all living creatures!

With the current catastrophic fires, sweeping across our state, and indeed across the whole nation, the scorched blackened earth tracks a path of destruction. Thousands and thousands of hectares of land have been ravaged, resulting in loss of life, property, and the destruction of thousands and thousands of trees, habitat and environment. With heatwaves, extreme temperatures and strong winds all predicted to increase and become more frequent, it is even more of an imperative that we do our utmost to protect the green spaces and trees that we have - including Travers Street.

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It may be a small contribution but every effort helps. Indeed, it may seem like “one drop in the ocean” - but *each* drop will swell the tide!” We need to transform the City of Marion into a world leading sustainable green and climate resilient city, protect our environment and support community resilience and well-being.

### EFFECT ON COMMUNITY

The document states that “It is deemed that the disposal of 679 square metres of land will not have any negative effect on the general community”.

I believe that *any* reduction in green space has a detrimental effect on community. The disposal of this land for housing will mean more infill. Reduction of green spaces and removal of trees contributes to a growing disconnect from Nature and from each other, resulting in declining health, well-being and social connections. Spending time in Nature and living close to parks and other green spaces provides benefits for physical, mental, social health and well-being.

Likewise, infill of reserves is catastrophic for native species and maintaining indigenous flora and fauna in our city. Birds and wildlife should also be considered as part of the community enjoyment. It causes habitat loss, introduction of exotic plant species, increased pollution, congestion in our streets, increased storm water runoff because of more impermeable hard surfaces, higher temperatures and these all result in increased urban heat islands.

### IRREGULAR SHAPE OF RESERVE

It does not matter in the slightest that the shape of the reserve is “irregular”. *ALL* green spaces are important to our environment, in preventing water runoff, and to the live-ability of our neighbourhoods, and in preserving our flora and fauna. Selling off the land for housing will not make the reserve into a “regular” shape anyway - simply because of the other existing homes surrounding it. Other councils are holding on to green spaces even if they are irregular or small. There are examples in the Unley Council area. Once green spaces are sold off, they are *LOST FOREVER!*

### DEVELOPMENT SITE ADJOINING PROPOSED LAND FOR DISPOSAL

I would suggest that Councillors take note that the development site of new dwellings at the Myer Road side (adjoining the *back* of the proposed land for disposal) at the opposite end of the Travers Street Reserve has had no activity for many months. Unfinished multiple dwellings consisting of 3 groups (2 x 2 single storey dwellings and 6 x double storey dwellings) are just sitting there deteriorating into an eyesore. The timbers in the double storey group have deteriorated to the extent that they have discoloured, split and warped. Surely Council should be concerned that this development is finished first and occupied, before even considering selling off more land at the site? The developers have been allowed to jam in as many dwellings as possible on to the site, they have little or almost no backyard, and no room for trees, and it is clear that there will also be parking issues in the future, especially if the owners have more than one car - let alone any visitors with cars! It will be an absolute irony if the eventual occupants of these new dwellings have the pleasure of a view looking onto the reserve, whereas the people who have been long term residents on Travers Street have to look onto more infill if the proposed land is disposed of for housing! At least two residents have lived opposite this reserve for 47 years!

### CONCLUSION

I am strongly opposed to the disposal of the land on Travers Street Reserve for housing and thus the impending destruction of the beautiful Regulated Eucalypt tree. The *whole* area of the reserve should be preserved as an integral feature of the neighbourhood/local area. It should be kept for the enjoyment of all who live in the neighbourhood as well as visitors.

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We should consider "*green* infrastructure" like any other piece of *essential* infrastructure. I believe that Councillors should visit the reserve and see the area for themselves, observe the tree's beauty and majesty, the shade it provides and witness the many bird species and life it sustains. We cannot continue to mow down vital habitat and greening, that trees and parks provide. If this continues then the Marion Council landscape will never be like the leafy suburbs in Burnside, Mitcham or Unley Councils with beautiful huge significant trees – because our trees are never permitted to live long enough. Likewise, inappropriate upright ornamental trees are planted en masse instead of trees with the potential to become regulated or significant.

At the rate that infill and land clearing is happening in our council area, and with more and more large mature trees being removed, the tree canopy coverage will never actually catch up to replace their loss, let alone *increase* it (despite incentive from State Minister for Environment David Spiers' offer of apportion of \$2 million to plant more trees).

Trees *always* seem to be in a developer's way and developers never seem to seek alternative design solutions to incorporate the trees to let them remain.

The land is classified as Community Land and should remain as such – for the enjoyment of the community, also birdlife and wildlife and to help to contribute to cooling the environment and filtering the air we breathe. We cannot afford to lose any green space from Travers Street Reserve. It is a precious gem in suburbia.

I urge all councilors to reconsider selling this land for housing, keep the reserve as it is for current and future generations to enjoy. We must act now to preserve what we have. The future is determined by the decisions we make now.

**LEAVE TRAVERS STREET RESERVE AS IT IS!**

Yours sincerely



30/12/2019

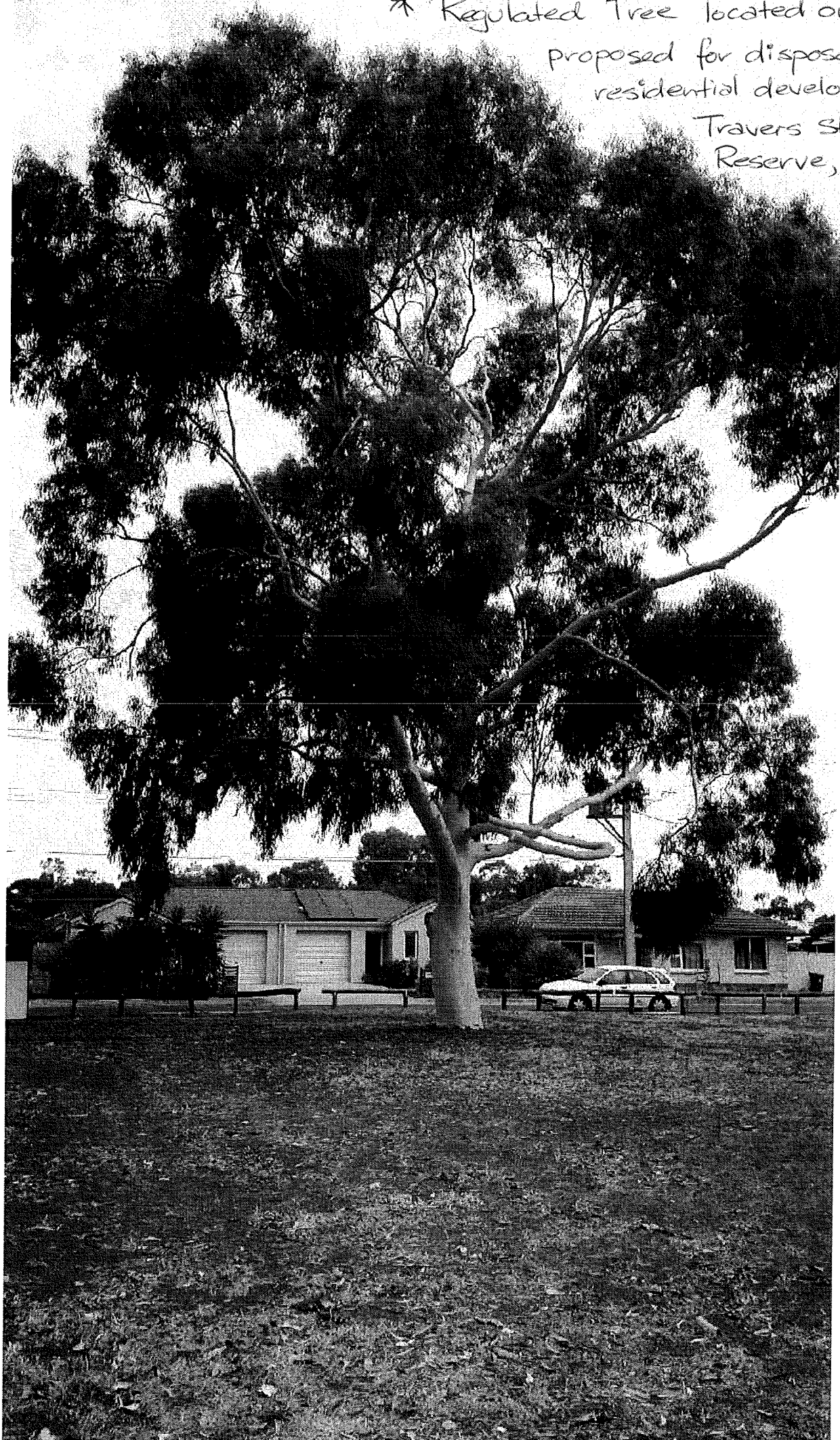
Resident and Rate Payer of the City of Marion

\* Attachment: photo of Regulated Tree located on land proposed for disposal for residential development. Travers Street Reserve, STURT, SA.



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\* Regulated Tree located on land  
proposed for disposal for  
residential development.  
Travers Street  
Reserve, STURT  
SA.





**REVOCATION OF COMMUNITY LAND  
THE WHOLE OF RESERVE LAND AT LOT 482 IN DEPOSITED PLAN 95697  
37-41 TRAVERS STREET STURT  
AND DISPOSAL OF PORTION OF THE RESERVE LAND AT LOT 482 IN DEPOSITED  
PLAN 95697  
37-41 TRAVERS STREET STURT  
Report required under Section 194(2)(a) of the Local Government Act 1999**

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**Description of the land:**

The land comprises a reserve at 37-41 Travers Street Sturt. The land is known as Allotment (Reserve) 482 in Deposited Plan 95697 and is comprised in Certificate of Title Volume 6158 Folio 572.

The land is an irregular shaped allotment and has an approximate frontage of 11.5 metres on Myer Road and 62.3 metres on Travers Street and a depth of approximately 93 metres in total. The total land area is approximately 5,437 square metres. A copy of the Certificate of Title is attached (Attachment 1).

**Reason for the proposal:**

Council owned a reserve at Myer Road Sturt which was adjacent undeveloped land owned by Housing SA on Travers Street Sturt. The Housing SA land provided a secondary access to the reserve.

Council and Housing SA entered into agreements for the exchange of land which resulted in the reserve having two street frontages on Myer Road and Travers Street and offered improved accessibility to the reserve from the north and the south.

The exchange of land resulted in an irregular shaped reserve with an area of the reserve of 679 square metres fronting Travers Street with limited usability and functionality.

The area of land transferred from Housing SA fronting Travers Street was excluded from the community land classification on 24 February 2015 (GC240215F04).

**Dedication, reservation or trust to which the land is subject:**

The land is not subject to a dedication, reservation or trust.

No Government financial assistance was provided to acquire the land.

The land was transferred to council pursuant to an agreement with Housing SA for the exchange of land.

**Intention of Council once revocation has occurred:**

The revocation of the community land classification will enable one residential allotment of 679 square metres to be created for disposal.

The proceeds from the sale are to be paid into the Open Space Reserve Fund for the development of open space facilities as approved by Council.

Immediately upon the creation of the residential allotment, the balance of the reserve to be retained as open space of approximately 4,757 square metres will automatically be reinstated as a reserve and community land.

**Effect on the Community:**

It is deemed that the disposal of 679 square metres of the land will not have any negative effect on the general community. The proceeds from the sale, subject to Ministerial approval, would enable Council to develop open space facilities across the City, as approved by Council.

The availability and use of 4,757 square metres of the reserve will remain unchanged.

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Registrar-General

## Certificate of Title - Volume 6158 Folio 572

**Parent Title(s)** CT 5576/122, CT 6158/334

**Dealing(s)  
Creating Title** RTC 12326725

**Title Issued** 23/06/2015

**Edition** 1

**Edition Issued** 23/06/2015

REAL PROPERTY ACT, 1886



South Australia

## Estate Type

FEE SIMPLE (RESERVE)

## Registered Proprietor

THE CORPORATION OF THE CITY OF MARION  
OF PO BOX 21 OAKLANDS PARK SA 5046

## Description of Land

ALLOTMENT (RESERVE) 482 DEPOSITED PLAN 95697  
IN THE AREA NAMED STURT  
HUNDRED OF NOARLUNGA

BEING A RESERVE

## Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A ON D95697 TO MINISTER FOR INFRASTRUCTURE (T 3063628)

## Schedule of Dealings

NIL

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL



Product	Register Search
Date/Time	10/10/2016 12:42PM
Customer Reference	3400
Order ID	20161010006106
Cost	\$27.75

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### Registrar-General's Notes

NIL

### Administrative Interests

NIL

Travers Street Reserve, Sturt

Scale 1:817.2  
Map Width 200 m  
Created by rates  
Wednesday, 28 August 2019



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

**EXTRACTS FROM THE DISPOSAL OF LAND AND ASSETS POLICY**

Any decision to dispose of land and assets will be made after considering (where applicable):

- the long term plans and strategic direction of the Council
- the remaining useful life and usefulness of the land or asset
- the current market value of the land or asset and annual cost of maintenance
- any alternative future use of the land or asset
- any duplication of the land or asset or the service provided by the land or asset
- any impact the disposal of the land or asset may have on the community
- any impact on Council infrastructure
- any cultural or historical significance of the land or asset
- the positive and negative impacts the disposal of the land or asset may have on the operations of the Council
- any restrictions on the land or asset
- the content of any Community Land Management Plan and other relevant policies of the Council
- the results of any community consultation process
- a benefit and risk analysis of the proposed disposal
- any environmental impacts

- 1.1.8 If Land is to be disposed of via a select tender or direct sale, then (unless the Council resolves otherwise) a minimum of two independent valuations must be obtained to ensure that an appropriate market value is obtained. The independent valuation must be made no more than 6 months prior to the proposed disposal.
- 1.1.9 The Council will seek to dispose of Land at or above current market valuation by whichever method is likely to provide the Council with a maximum return, unless there are reasons for the Council to accept a lesser return which is consistent with the Council's overall strategic direction. These reasons must be documented in writing.
- 1.1.10 If the disposal is not to be on the open market, the disposal should be at or above the current market valuation (with due regard to all associated costs to achieve the transaction or such other amount as the Council resolves).



## Grand Central Avenue Roundabout

<b>Originating Officer</b>	Manager Engineering and Field Services - Mathew Allen
<b>Corporate Manager</b>	Manager Engineering and Field Services - Mathew Allen
<b>General Manager</b>	General Manager City Services - Tony Lines
<b>Report Reference</b>	GC200128R15

### REPORT OBJECTIVE

The purpose of this report is to provide Council with a solution to resolve the non-conforming geometric layout of the roundabout at the junction of Grand Central Avenue and Shamrock Road, Hallett Cove.

### RECOMMENDATION

**That Council:**

1. **Notes the report.**
2. **Endorses the process to commence the permanent half road closure of Shamrock Road at the junction of Grand Central Avenue, Hallett Cove preventing motorists from entering the roundabout (south bound). The road closure process is to be in accordance with Section 32 of the Road Traffic Act 1961 which requires:**
  - a. **Proposal to be published in newspapers circulating in the state and local area of the Council**
  - b. **Undertaking of Public Consultation with residents immediately abutting the road**
3. **Notes a further report will be received to consider the outcome of the community consultation for the half road closure.**

### GENERAL ANALYSIS

The traffic conditions along the eastern section of Grand Central Avenue have been a concern to residents for some time. In 2017 a resident related the circumstances of an accident that occurred at the roundabout and stated that he believed the roundabout was an obstruction and not a safety solution. Refer to Appendix 1 for a location plan.

As a result, Council engaged a consultant to undertake an independent Road Safety Audit. This Audit revealed that the gradient approach from Shamrock Road is steeper than Design Codes allow, along with a steeper cross fall on the northern section of the circulating carriageway. Other minor defects were identified including vegetation and signage; these minor defects have been rectified.

### The Performance of the Roundabout

Traffic and turning counts have been undertaken to ascertain the vehicle movements of the roundabout. Generally the traffic volumes are considered to be low for a Collector Road (the classification for Grand Central Avenue within the City of Marion's Road Hierarchy Plan), at 1,863 vehicles per day (vpd). Traffic speeds are also relatively low with 85%tile speeds ranging from 35 km/h up to 51 km/h.

The largest turning movements were:

- Left turnout during the PM Peak = 45 vehicles in 3½ hours, or 13 vehicles per hour;
- Right turn in during the AM Peak = 30 vehicles in 3 hours or 10 vehicles per hour.

For details of the traffic and turning counts refer to Appendix 2.

## DISCUSSION

A number of options were developed in consultation with the Coastal Ward Elected Members to eliminate the non-conforming geometric layout, as summarized below.

Alternatives	Advantages	Disadvantages	Estimated Cost
1 Remove the roundabout and install a sheltered right turn lane into Shamrock Road (Option 1A in Community Consultation)	<p>Allows all turning movements at the junction</p> <p>Provides a sheltered area for right turn movements</p> <p>Maintains existing traffic patterns</p>	Traffic speeds anticipated to increase	\$268,000
2 Remove the roundabout, install a sheltered right turn lane into Shamrock Road, and install Speed Cushions along Grand Central Avenue at regular intervals (Option 1B in Community Consultation)	<p>Allows all turning movements at the junction</p> <p>Provides a sheltered area for right turn movements</p> <p>Maintains existing traffic patterns</p> <p>Traffic speeds along Grand Central Avenue may be reduced</p>	<p>Amenity for residents may be reduced</p> <p>Noise levels may increase through speed cushions</p>	\$284,000
3 Retain the roundabout and half close Shamrock Road at the roundabout (preventing traffic heading south from entering the roundabout) (Option 2A in Community Consultation) <b>(Preferred)</b>	<p>Traffic movements on Shamrock Road will be reduced</p> <p>Improve amenity within Shamrock Road</p> <p>Removes the need for motorists to stop and store on the steep Shamrock Road up grade when approaching the roundabout</p> <p>Improved pedestrian access across Shamrock Road</p>	<p>Would prevent the largest PM Peak movement</p> <p>Restrict access from the Hallett Cove South Primary School</p> <p>Possible transfer of traffic to other roads</p>	\$50,000

4 Retain the roundabout and fully close Shamrock Road at the roundabout (resulting in no entry or exit from Shamrock Road into Grand Central Avenue) (Option 2B in Community Consultation)	<p>Eliminates all through traffic on the southern section of Shamrock Road</p> <p>Improve amenity within Shamrock Road</p> <p>Removes the need for motorists to stop and store on the steep Shamrock Road up grade when approaching the roundabout</p>	<p>Would prevent the largest PM Peak movement</p> <p>Restrict access from the Hallett Cove South Primary School</p> <p>Possible transfer of traffic to other roads</p>	\$318,000
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A survey was undertaken of 253 residents in the area bounded by the Rail Corridor, Lonsdale Road, Gretel Crescent and Hallett Cove South Primary School (refer Appendix 3). While Option 1 with Sub Option B (remove the roundabout and install speed cushions) was marginally preferred, it is recommended that the non-conforming geometric layout can be addressed by retaining the roundabout and constructing a half road closure at Shamrock Road.

Should Council resolve to adopt the half road closure, Section 32 of the Road Traffic Act requires the road authority to undertake public newspaper notification and public consultation with residents immediately abutting the road. The existing capital works budget allocation is \$284,000; the estimated cost to undertake this work is \$50,000 providing a budget saving of \$234,000. The half road closure can be delivered before the end of June 2020.

## CONCLUSION:

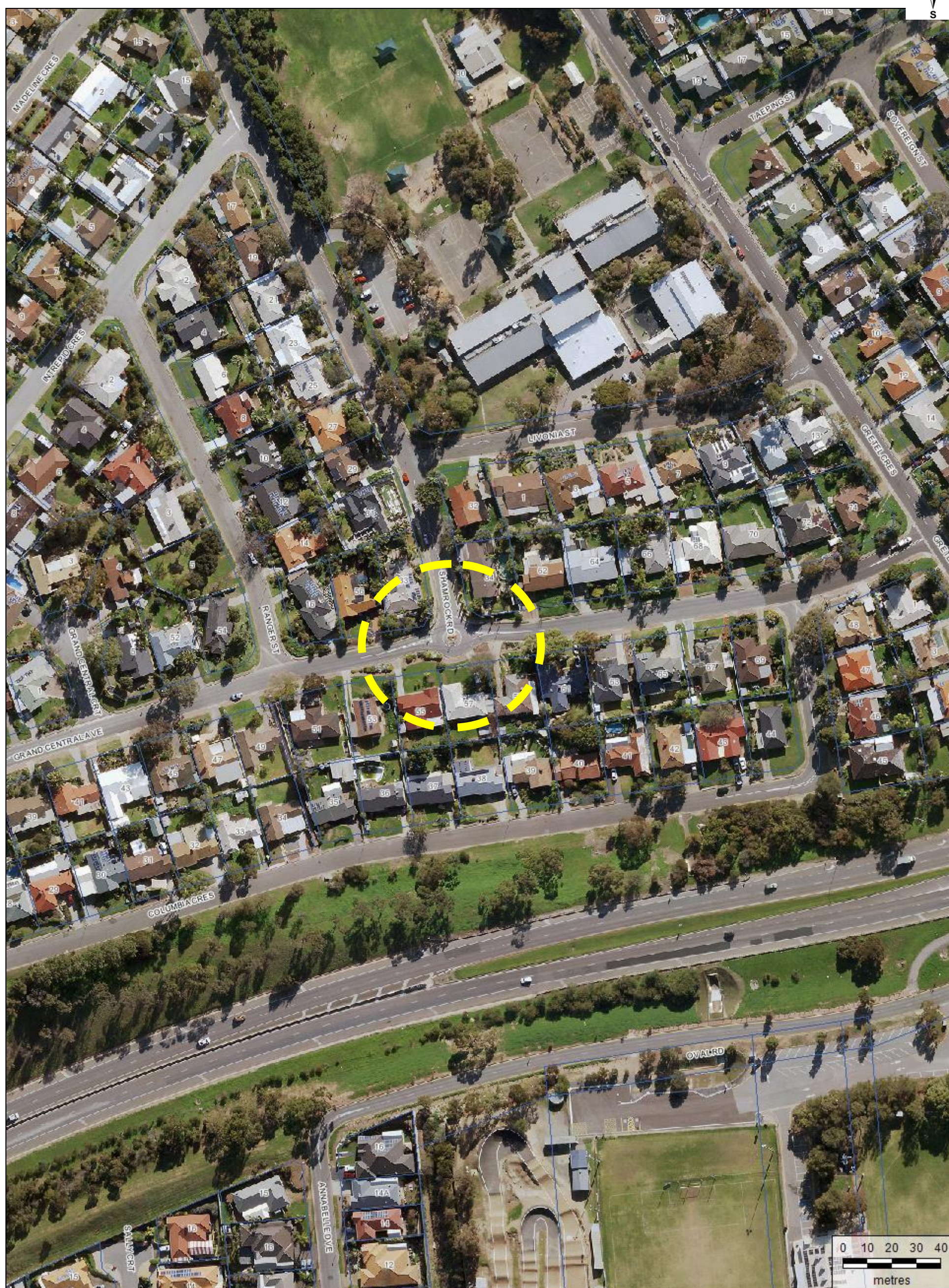
The roundabout at the junction of Grand Central Avenue and Shamrock Road, Hallett Cove does not meet standards for the geometric layout of a roundabout.

To resolve the issue, it is recommended to install a half road closure on Shamrock Road whereby the non-conforming geometric layout concerns will be eliminated.

## Attachment

#	Attachment	Type
1	Location Plan - Appendix 1	PDF File
2	Grand Central Avenue Roundabout - Traffic Data - Appendix 2	PDF File
3	Grand Central Avenue Roundabout - consultation - Appendix 3	PDF File







## Appendix 2

### Traffic Data

#### Roundabout - Grand Central Avenue and Shamrock Road

#### Traffic Counts

Traffic counts have been undertaken on each approach to the roundabout, as depicted below.

Details	Data		
	Grand Central Ave (Shamrock Rd & Ranger St)	Grand Central (Shamrock Rd & Columbia Cr)	Shamrock Road
<b>AADT</b>	1,389 vehicles per day	1,863 vehicles per day	172
<b>AM Peak (8-9 am)</b>	113 vehicles	123 vehicles	16
<b>PM Peak (6-7 pm)</b>	136 vehicles	146 vehicles	18
<b>85<sup>th</sup> %ile Speed</b>	35 km/h	37 km/h	31 km/h
<b>Average Speed</b>	29 km/h	32 km/h	37 km/h
<b>% Over Speed Limit</b>	0.04 %	0.06%	0%
<b>% of Heavy Vehicles</b>	4.7 %	4.7 %	4.1%

#### Turning Counts

Turning counts of traffic movements in and out of Shamrock Road have been undertaken, with the result being summarised below.

Time	Turns Into Shamrock Road		Turns Out of Shamrock Road	
	Right In	Left In	Left Out	Right Out
AM Peak <i>7 to 10 am</i>	30	8	8	3
Mid-day <i>12 to 1.00pm</i>	2	4	4	1
PM Peak <i>2.30 to 6pm</i>	25	3	45	7

## APPENDIX 3

### Grand Central Avenue

Options Survey – June 2019

#### **Option 1: Remove the roundabout on Grand Central Avenue at Shamrock Road**

If this is your preferred option please consider the sub-options A or B.

A. Leave the rest of the road as is (no other treatment necessary)

**OR**

B. Install speed cushions along Grand Central Avenue at regular intervals

**OR**

#### **Option 2: Retain the roundabout on Grand Central Avenue at Shamrock Road**

If this is your preferred option please consider the sub-options a) or b).

A. Half road close Shamrock Road at the roundabout (preventing traffic heading south from entering the roundabout)

**OR**

B. Fully road close Shamrock Road at the roundabout (resulting in no entry or exit from the Shamrock Road into Grand Central Avenue)

### **RESULTS**

A total of 74 surveys returned from 253 or 29%

		Sub-Option A	Sub-Option B
	Yes	Yes	Yes
<b>OPTION 1</b> Removal of roundabout	39 54%	18 24% - overall	22 28% - overall
	<b>No</b>  2 2.7%	<b>No</b>	<b>No</b>

		Sub-Option A	Sub-Option B
	Yes	Yes	Yes
<b>OPTION 2</b> Retain the roundabout	30 42%	18 24% - overall	15 20% - overall
	<b>No</b>  1 1.3%	<b>No</b>  2 2% - overall	<b>No</b>  2 2% - overall

## CORPORATE REPORTS FOR INFORMATION/NOTING

### Revitalisation of the Edwardstown Employment Precinct - Six Month Status Report

<b>Originating Officer</b>	Unit Manager Economic Development - Donna Griffiths
<b>Corporate Manager</b>	Manager City Activation - Greg Salmon
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	GC200128R16

### REPORT OBJECTIVE

To update Elected Members on the Revitalisation of the Edwardstown Employment Precinct project.

### EXECUTIVE SUMMARY

A 12 Month action plan to revitalise the Edwardstown Employment Precinct was endorsed on 23 July 2019. The plan indicated a status report to be supplied in January 2020 and June 2020. The action plan identified 24 action items and as at January 2020 an overview of the progress is:

- Complete - 3
- In progress - 19
- Yet to Commence - 2

### RECOMMENDATION

**That Council:**

1. **Note this report and that a final progress report will be made in June 2020 in relation to the Action Plan.**

### DISCUSSION

A summary of progress against the plan is contained in attachment one, current highlights include:

- Making Marion site established and engagement is occurring;
- Customer events raised and actioned for all items in the Edwardstown Precinct Analysis;
- Monthly business community meetings building collaboration, knowledge sharing and action;
- Holmes Dyer engaged to deliver the Urban Design Framework by 30 May 2020;
- Professor John Spoehr engaged to deliver the Economic Activation Plan by 30 May 2020;
- Southern Business Mentoring Program putting a focus on Edwardstown businesses; and,
- Received \$85,000 grant from Minister Speirs for the Greening of Edwardstown Project.

Next steps:

- Establish a 'Click and Collect' campaign for Edwardstown to report incidents;
- Raglan Avenue facade mesh and artwork to be installed;
- Environmental monitoring to be installed;
- Options for a Creative Space / Coworking space to be presented to Council;
- Networking and Workshop program to activate Edwardstown Club for the business community will be delivered by Southern Business Connections;
- Property owners will be invited to a property event in February 2020.



It is anticipated the draft Urban Design Framework and Economic Activation Plans will be presented by the consultants at an Elected Member Forum in April / May 2020.

## Attachment

#	Attachment	Type
1	Short Term Action Plan 1 July 2019 to 30 June 2020 DG	PDF File

No.	Action Item	Due Date	Budget Approved	Lead Area	Status
<b>REVITALISATION OF THE EDWARDSTOWN EMPLOYMENT PRECINCT PROJECT</b>					
1	<p><b>Project Governance:</b></p> <p>Board Champion – Mayor / Councillor Joseph Masika.  Project Sponsor – Ilia Houridis, General Manager City Development  Senior Leader – Greg Salmon, Manager City Activation  Project Manager – Donna Griffiths, Unit Manager Economic Development.  Project Coordinator – Kate Silkstone, Edwardstown Project Coordinator (0.4 FTE)</p> <p><i>Internal Project Control Group</i> – meets monthly – Coordination and delivery of the project by establishing an internal working group of lead areas / subject matter experts to meet monthly.</p> <p><i>Project Steering Committee</i> (external) – meets bi-monthly – Edwardstown business community – stakeholder reference group. Purpose is to feed into the plan, provide feedback on actions, give a business lens / insight into the project. Members range from small business (sole operators) to large business (20 + employees).</p> <p>Agendas, Minutes and Action Registers are in place.</p>	30 June 2020	Existing resources and budget	Economic Development	Complete
2	<p>Establish a <b>Making Marion</b> site for the project to continue two-way communication. <a href="https://www.makingmarion.com.au/edwardstown-project">https://www.makingmarion.com.au/edwardstown-project</a></p>	30 June 2020	Existing resources and budget	Economic Development	On-going
3	Engage a <b>Project Officer</b> for two days per week to support the roll out of the Short Term Action Plan (0.4 FTE).	30 June 2020	Up to \$40,000	Economic Development	Complete
4	Report to Council on progress at six monthly intervals.	January 2020 and July 2020	Existing resources and budget	Economic Development	On-going

No.	Action Item	Due Date	Budget Approved	Lead Area	Status
	<b>Edwardstown Business Listing</b> - Consolidation of business listing with rates database, Industry Capability Network, REMPLAN and local knowledge.	30 June 2020	Existing resources and budget	Economic Development	On-going
<b>ACCESS – how we move in, out and around the Edwardstown Precinct?</b>					
5	<b>North South Consultative Group:</b> Establish a Consultative Committee to inform North South Road discussions with the Deputy Mayor as Chair. The Committee to include City of Mitcham, City of Marion, City of Unley and City of West Torrens. This committee will meet quarterly to advocate for business and connectivity for the region during the north-south corridor discussions.	30 June 2020	Existing resources and budget	Economic Development	Has met once
6	<b>Traffic Investigations:</b> Incorporate traffic management investigation into the <i>City Transport Plan</i> , with a focus on Raglan Avenue, Woodlands Terrace, Woodlands Park Station, Angas Avenue, Edwards Street, Dunorlan Road and Aclan Avenue. These streets were identified at the forum. To consider traffic counts, parking needs analysis, etc. Feed this into the Urban Design Framework.	30 June 2020	Up to \$20,000 TBC – Further investigation required	Engineering and Field Services	On-going
7	<b>Urban Design Framework:</b> Commission an Urban Design Framework and Implementation Plan. This will form a base to apply for future funding opportunities. Holmes Dyer engaged through open tender process.	30 June 2020 – see timeframes in brief	Up to \$50,000	Economic Development	On-going
<b>AMENITY – the look and feel of the precinct</b>					
8	8A. Raise customer events for items within the Edwardstown Precinct Analysis Document.	Next 12 months	Use existing maintenance budgets.	Engineering and Field Services.	8A. Complete

No.	Action Item	Due Date	Budget Approved	Lead Area	Status
	8B. Start a campaign to 'snap and connect' – If the business community sees a problem – report it to Council.			Economic Development	8B. Not Started
9	<b>Public Art:</b> Incorporate Public Art into the Raglan Avenue streetscape upgrade. Stobie Pole art along Raglan Avenue should Council approve the Stobie Pole initiative.	Next 12 months	Within existing budget	City Activation	Postponed to next FY
10	Investigate the incorporation of 'façade mesh' to old Hills Site / Raglan Avenue to provide an uplift on Raglan Avenue.	Next 12 months	Existing Resources and Budget	Community Wellbeing	On-going
11	<b>Greening of Edwardstown:</b> Investigate <i>Greening Adelaide Fund</i> and <i>Water Sensitive Urban Design Grant Funding Programs</i> for the Edwardstown Precinct. This fund requires a 50% council contribution. NB. Funding awarded. Project commenced November 2019. This project will cease on 30 April 2021. Design being complete by Aspect Studios.	Grant submitted 2 August 2019.	Up to \$75,000 Seek funding for \$75,000	Economic Development	On-going
12	<b>Environmental Monitoring:</b> Investigate environmental monitoring of the precinct – tree canopy cover, air pollution and heat. An open tender is currently out and will close 7 February 2020.	Next 12 months	Up to \$10,000	Environment	On-going
<b>ACTIVATION – how do we attract investment and grow business in the Edwardstown Employment Precinct?</b>					
13	<b>Economic Activation Plan</b> Commission an Economic Activation Plan that supports business growth, smart precinct development, international trade and investment attraction. This plan will establish metrics for success. This will form a base to apply for future funding opportunities. Professor John Spoehr is undertaking this work.	30 June 2020	Up to \$10,000.	Economic Development	On-going



No.	Action Item	Due Date	Budget Approved	Lead Area	Status
14	<b>Creative Hub / Makers Space:</b> Investigate models to deliver a <b>creative design co-working</b> space in Edwardstown.	30 June 2020	Existing Resources and Budget	City Activation	On-going
15	<b>Zoning:</b> Investigate re-zoning opportunities for Edwardstown through the code conversation process within the Urban Planning Committee.	Next 12 months	Existing resources and budget	Urban Planning Committee	On-going
16	<b>Business Advice:</b> Work with the Southern Adelaide Business Advisory Service to deliver advisory sessions in Edwardstown, identify high growth potential businesses and connect into the business support ecosystem.  <b>Southern Business Mentoring Program</b> promoted to Edwardstown business community.	30 June 2020	Existing resources and budget	Economic Development	On-going
17	<b>Networking Program:</b> Develop an Edwardstown focus for Southern Business Connections to operate out of Edwardstown Soldiers' Memorial Community Centre that celebrates the precinct. Support Southern Business Connections with expanding the admin service with this focus. The administrator could deliver four events over the next 12 months and promote Edwardstown businesses.  Workshop topics and dates agreed at the Edwardstown Club: <ul style="list-style-type: none"> <li>• Building your personal Brand – 18th February 2020</li> <li>• Building your Business – 17th March 2020</li> <li>• Building your Team – 21st April 2020</li> <li>• Building Visibility – 19th May 2020</li> </ul>	Next 12 months	Up to \$5,000	Southern Business Connections	On-going
18	Meet with Vicinity Centres bi-monthly to inform a revised development plan for the Hills Site. NB. Vicinity Centres are part of the Business Community Meetings.	Next 12 months	Existing resources and budget	Economic Development	On-going

## Short Term Action Plan (1 July 2019 to 30 June 2020)

No.	Action Item	Due Date	Budget Approved	Lead Area	Status
19	Work with property owners to identify different leasing options to activate vacant spaces. A Property Event will be held on 17 February 2020.	Next 12 months	Existing resources and budget	Economic Development	On-going
20	<b>Information:</b> Keep business up to date with activities through the Business Talk E-Newsletter and Making Marion site.	Next 12 months	Existing resources and budget	Economic Development	On-going
21	<b>Understanding Community Development Requirements:</b> Gather data plus evidence and develop a suitable plan for implementation if required.	Next 12 months	Existing budget	Community Wellbeing	On-going
22	Allocate one round of the Community Grants Program (\$50,000) into a community project for the Edwardstown Precinct.	Next 12 months	Existing budget	Community Wellbeing	On-going
23	Develop case studies of the five businesses in Woodlands Terrace that undertook the Energy Support Package to showcase to other businesses. Investigate continuing the energy support package to other areas within the precinct.	30 June 2020	Existing Budget	Economic Development	On-going
24	<b>Steering Committee:</b> Establish a precinct business focus group to meet bi-monthly. <ul style="list-style-type: none"> <li>Gaining feedback on direction – access, amenity and activation</li> <li>Engaging on the Urban Design Framework and Economic Activation Plan</li> </ul>	30 June 2020	Existing Budget	Economic Development	As per Governance
	<b>TOTAL for 1 July 2019 to 30 June 2020</b>		<b>Up to \$180,000 CoM</b>  <b>Grant = \$85,000</b>	<b>City Activation</b>	

## Tarnham Road Reserve

<b>Originating Officer</b>	Community Facilities Planner - Sean O'Brien
<b>Corporate Manager</b>	Acting Manager City Property - James O'Hanlon
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	GC200128R17

### REPORT OBJECTIVE

To update Council on progress regarding the resolution for Tarnham Road from the 10 December 2019 General Council meeting (GC191210R10).

### EXECUTIVE SUMMARY

At the 10 December 2019 General Council meeting, approval was given to progress redevelopment of the Tarnham Road Reserve, with four multipurpose courts and open space development on the eastern end.

Council requested:

- That the open space concept design and cost estimates be brought back to Council by November 2020.
- A further report will be presented to Council on reticulation of traffic and potential car parking in November 2020.
- Administration to write to Seaview High School advising them of Council's decision, and thanking them for their involvement and cooperation, in exploring the opportunity for developing shared school and community facilities.

Since the 10 December resolution a draft project brief has been prepared to engage a contractor to prepare the costed concept design to be completed by October 2020. The concept design will include a suggested construction program and include the four (4) outdoor courts to be developed.

Initial discussion of the report on reticulation of traffic and potential car parking to be presented in November 2020 will take place in early February 2020.

A letter has been sent to Seaview High School advising them of Council's decision, and thanking them for their involvement and cooperation, in exploring the opportunity for developing shared school and community facilities.

### RECOMMENDATION

**That Council:**

1. **Notes the report**

### DISCUSSION

Council's full resolution (GC191210R10) in relation to Seaview High School and Tarnham Road Reserve included:

*That Council:*

1. *Notes the report.*
2. *Approves the redevelopment of the Tarnham Rd Reserve, with four multipurpose courts and open space development on the eastern end.*
3. *Endorses the redevelopment of these four multipurpose courts, from the Asset Sustainability Reserve in 2020/21*
4. *Endorses that the open space concept design and cost estimates be brought back to Council by November 2020.*
5. *Notes the estimated budget of \$1,640,000 to develop the eastern end of Tarnham Road Reserve with four multipurpose courts and open space development.*
6. *A further report will be presented to Council on reticulation of traffic and potential car parking in November 2020.*
7. *Authorises administration to write to Seaview High School advising them of Council's decision, and thanking them for their involvement and cooperation, in exploring the opportunity for developing shared school and community facilities*

## **Project Scope**

A draft project scope has been developed to engage a suitably experienced consultant(s) to prepare an integrated concept design for Tarnham Road Reserve.

A key objective will be to identify the full cost of redeveloping the site and include the development schedule for Council's consideration. The concept will identify the portion of land at the western end of the site that could be considered for potential sale or other future developments.

The costed concept design will assess the surrounding area to ensure the new infrastructure will meet the needs of the local community.

The site concept will include:

- Four new outdoor courts;
- Public Toilet;
- Shelter linked to the courts;
- A new neighbourhood level play ground aligned to Council's Playground Framework and Open Space Policy;
- Retaining walls and landscaping that integrates the site into the surrounding area;
- Integration of elements to support local arts and culture;
- Car parking;
- Identify any areas and associated costs for demolition and removal of infrastructure and soils.

## **Project Schedule**

<b>Project Phase</b>	<b>Description</b>	<b>Timeframe</b>
Project Start	Prepare tender documents Site survey	January - February 2020
Tender	Open Tender Evaluation Appoint contractor(s)	March - April 2020
Concept Phase 1	Concept Development	May - June 2020
Concept Phase 2	Consultation/Engagement	July 2020
Concept Phase 3	Finalise Concept Design, costs and construction program	August - September 2020
Council Report on Final Concept Design	Prepare Reports	October 2020 General Council November 2020



## Corporate Risk Quarterly Report

<b>Originating Officer</b>	Risk Coordinator - Karen Peake
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128R18

### REPORT OBJECTIVE

The purpose of this report is to provide Council with assurance that the City of Marion is committed to managing its corporate risks and provide information on those risks currently rated outside Council's risk tolerance through the provision of the Corporate Risk Quarterly Report.

### EXECUTIVE SUMMARY

Council last considered the Corporate Risk Quarterly Report at its meeting on 26 November 2019 (GC191126R21).

The quarterly corporate risk review shows a continuing maturity of risk management across the organisation through a reduction in risks rated outside Council's risk tolerance. A summary of the outcomes of the quarterly Corporate Risk Register Reviews undertaken over the past twelve months is provided in **Appendix 1** and although it demonstrates no change in the number of risks currently rated high, there has been a reduction in the number of risks currently rated as medium.

### RECOMMENDATION

**That Council:**

- 1. Notes the report including the reduction of risk and the mitigation strategies of high rated risks.**

### DISCUSSION

During the October to December 2019 quarter, none of the 8 high rated risks were re-rated, however two medium rated risks were re-rated to low after a review of existing current controls. As a result, the breakdown of the current risk ratings for the 109 risks identified in the Corporate Risk Register, is as follows; 8 high, 79 medium and 22 low.

The 8 corporate risks rated as high are detailed in an extract from the Corporate Risk Register (**Appendix 2**) and relate to; asset management, WHS management, environmental management, governance, business continuity & community and ICT infrastructure/cyber security. These risks are managed on a day to day basis across the organisation at Senior Leadership level as the Risk Owners, with the Executive Leadership Team undertaking a review each quarter in line with the Risk Management Team monitoring and reporting to the Risk Working Group.

## CONCLUSION

The ongoing quarterly reporting provides Council with the assurance that the City of Marion is working to manage and mitigate its high rated risks. This will benefit the business and provide a greater level of assurance for Council and all key stakeholders.

## Attachment

#	Attachment	Type
1	Appendix 1 Corporate Risk Quarterly Summary Dec 2019	PDF File
2	Appendix 2 Corporate High Risk Dec 2019	PDF File

Table of Corporate Risk Register Review Quarterly Outcomes

APPENDIX 1

Period:	Qtr 3: Jan to Mar 2019			Qtr 4: Apr to Jun 2019			Qtr 1: Jul to Sept 2019			Qtr 2: Oct to Dec 2019			Current Risk Impact	<i>Risk Tolerance</i>
Corporate Risk	I	C	F	I	C	F	I	C	F	I	C	F		
Extreme	17	0	0	20	0	0	20	0	0	20	0	0	↔	
High	74	9	0	74	9	0	71	8	0	71	8	0	↔	
Medium	16	79	64	17	84	68	18	81	67	18	79	65	↓	
Low	0	19	43	0	18	43	0	20	42	0	22	44	↑	
Total	107	107	107	111	111	111	109	109	109	109	109	109		

Current High Risk %	8%	8%	7%	7%
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\* Key: I = Inherent, C = Current, F = Forecast



## Corporate Risk Register - extract showing current HIGH risks (Dec 2019)

ELT Risk Owner (ELT)	SLT Risk Owner (SLT)	Strategic Link	Ref	Risk Description	Risk Causes /Sources	Potential Consequences	INHERENT Level of Risk			Current Controls in Place	CURRENT Level of Risk			Further Action	Further Action Due Date	Action Owner	FORECAST Level of Risk		
							Likeli-hood	Conse-quence	Risk Rating		Likeli-hood	Conse-quence	Risk Rating				Likeli-hood	Conse-quence	Risk Rating
City Development	Innovation & Strategy	Liveable	ASY02	<b>Property &amp; Infrastructure</b> Failure to appropriately manage assets and associated funding, including planning, acquisition, renewal, maintenance, management and disposal.	<ul style="list-style-type: none"><li>- Lack of lifecycle and whole of life controls utilised in corporate decision making.</li><li>- Poor asset related data</li><li>- Ineffective asset management systems</li><li>- Ineffective asset management planning</li><li>- Lack of clarity regarding service standards/levels</li><li>- Change in strategic priorities</li><li>- Increased workload/ inadequate staffing/specialised skills</li><li>- Inadequate funds allocated for asset management</li><li>- Increased quality expectations from the community, Australian standards and legislation</li><li>- Climate change</li></ul>	<ol style="list-style-type: none"><li>1.Death or critical injury (contractor mgt)</li><li>2.Reputational damage</li><li>3.Asset deterioration/ failure</li><li>4.Financial burden - short &amp; long term</li><li>5.Poor staff morale</li><li>6.Non compliance with legislation, regulations and industry standards</li><li>7.Dissatisfied community</li><li>8.Service level cuts</li></ol>	Likely	Severe	EXTREME	<ol style="list-style-type: none"><li>1. Strategic Plan</li><li>2. Asset Management Plans (x5)</li><li>3. Long Term Financial Plan (LTFP)</li><li>4. Annual Budget Planning process</li><li>5. Valuation program</li><li>6. Asset Management Governance (Asset Steering Committee)</li><li>7. Annual Asset Management Maturity Assessments</li><li>8. Asset Inspection &amp; Audit Program</li><li>9. Asset Management Policies/Processes/Processes</li><li>10. Asset induction &amp; training program</li><li>11. Community Satisfaction Survey</li><li>12. Professional memberships</li><li>13. Annual Audit of Financial Statements</li><li>14. Annual Internal Control Audit</li><li>15. Monitoring of Complaints via CES</li><li>16. Asset Management Strategy</li></ol>	Unlikely	Severe	HIGH	<ol style="list-style-type: none"><li>1. Update Asset Management Plans (x 9) - will incorporate reference to Climate Change Adaptation &amp; SMART Cities</li><li>2. Review asset condition inspection regime</li><li>3. Finalise 'single point of truth' for all asset data</li><li>4. Finalise review and setting of asset service levels</li><li>5. Development of the City Property Strategic Asset Management Plan</li><li>6. Undertake activity level process mapping</li><li>7. Develop &amp; implement ICT Asset Management Information System (AMIS)</li><li>8. Implement Asset Mgt Improvement Program (AMIP 2.0)</li><li>9. Implement a Key Performance Indicator (KPI) program</li></ol>	<div>1.31/12/20</div> <div>2.30/06/20</div> <div>3.31/03/20</div> <div>4.31/12/20</div> <div>5.30/06/20</div> <div>6.30/06/20</div> <div>7.30/06/21</div> <div>8.30/06/21</div> <div>9. 30/06/21</div>	<div>1.UM AS</div> <div>2.UM AS</div> <div>3.UM AS</div> <div>4.UM AS</div> <div>5.Mgr CP</div> <div>6.UM AS</div> <div>7.Mgr ICT</div> <div>8.UM AS</div> <div>9.UM AS</div>	Rare	Severe	MEDIUM
Corporate Services	Finance & Contracts	Council of Excellence	CON03	<b>WHS Management</b> Failure to manage contractors appropriately to ensure that contractual obligations are met	<ul style="list-style-type: none"><li>- Inadequate awareness for the procurement and contracting process</li><li>- Inconsistent approach for the procure-to-pay process</li><li>- Lack of knowledge regarding corporate requirements for contract management</li><li>- Lack of training regarding contractor management</li></ul>	<ol style="list-style-type: none"><li>1.Death or critical injury to Workers, Contractors or member of Public</li><li>2. Weak internal controls and process assurance</li><li>3.Ineffective financial monitoring of contracts/budgets</li><li>4.Inappropriate contractor management</li><li>5.Inability to engage quality contractors</li><li>6.Non-performance of contractors</li><li>7.Ineffective use of staff resources</li><li>8.Lack of integrity in the process, frequent 'work arounds'</li><li>9.Disruption to works impacting CoM &amp; team</li><li>10.Disruption to works impacting local community</li><li>11.CoM exposure to liability</li><li>12.Reputation damaged through adverse media coverage</li></ol>	Likely	Severe	EXTREME	<ol style="list-style-type: none"><li>1. Procurement and Contractor Management policy &amp; procedures (reviewed 2016)</li><li>2. Staff training provided in procurement &amp; contractor management</li><li>3.Business Partnering approach</li><li>4.Internal customer satisfaction surveys (every project)</li><li>5.Annual procurement planning (aligned to projects etc)</li><li>6.Contracting centralised through the Contracts Team</li><li>7.Existing Procurement and Contractor Management Policies and Procedures (including tender evaluation, contractor induction, site inspections);Tender Board process for contracts greater than \$200,000</li><li>8.Recruitment of appropriately skilled staff within Contracts Team</li><li>9. Sharepoint used to manage records</li><li>10. Staff trained in Contract Management Oct/Nov 2016</li><li>11. Review of Contract Management activities by Internal Audit has been undertaken and considered by F&amp;AC</li><li>12. Contractor Audit program outlined in HSE Plan</li><li>13. Pilot contractor surveillance &amp; monitoring to SkyTrust</li></ol>	Unlikely	Severe	HIGH	<ol style="list-style-type: none"><li>1.Contract Management Internal Audit recommendations</li></ol>	<div>1.30/06/19</div>	<div>1. Strategic Procurement Lead</div>	Rare	Severe	MEDIUM
City Development	Innovation & Strategy	Valuing Nature	ESU03	<b>Environmental Management /Climate</b> Failure to understand, plan and act to respond to the projected impacts of climate change.	<ul style="list-style-type: none"><li>- Lack of climate change awareness / understanding</li><li>- Lack of recognition for climate risk mapping in urban planning (PDI Act)</li><li>- Planning application approvals in unsuitable areas</li><li>- Poor decision making</li><li>- Poor project management</li><li>- Inadequate communication</li><li>- Poor inter-departmental working</li></ul>	<ol style="list-style-type: none"><li>1.Catastrophic damage during extreme weather (e.g. flooding)</li><li>2.Cost of remedial works</li><li>3.Cost of mitigation works</li><li>4. Dissatisfied community</li><li>5. Damage to coastal zone from storm surge</li><li>6. Reduced rates revenue as property values go down</li><li>7. Increased difficulty in obtaining insurance cover</li><li>8. Increased difficulty in obtaining loans if financial institutions require evidence of responses to climate change impacts</li><li>9. Infrastructure damage</li></ol>	Likely	Severe	EXTREME	<ol style="list-style-type: none"><li>1. Valuing Nature CoM Community Vision</li><li>2. CoM Climate Change Policy</li><li>3. Resilient South regional Climate Change Adaptation Plan</li><li>4. Resilient South Local Government Regional Implementation plan</li><li>5. CoM Climate Risk &amp; Governance gap analysis</li><li>6. Coastal Climate Change Adaptation Plan being developed including baseline monitoring to detect early changes to risk.</li><li>7. Professionally qualified staff</li><li>8. Education via events, networking, workshops etc.</li><li>9. Building community resilience through partnership &amp; education</li><li>10.Evaluation of the Regional Implementation Plan undertaken with program partners</li></ol>	Possible	Severe	HIGH	<ol style="list-style-type: none"><li>1. Update Review-of-climate change projections/observations &amp; use of pathways approaches in adaptation planning as part of the Resilient South Regional Implementation Plan review.</li><li>2. Develop &amp; implement a Climate Risk Governance program</li><li>3. Implement findings of Coastal Climate Adaption Plan</li><li>4. Elected Member engagement &amp; education</li><li>5.Undertake a skills/capability audit &amp; document training gaps-in the TNA</li><li>Build organisational skills/capacity in responding to climate change impacts through appropriate training (eg: UMAS &amp; ME&amp;FS on IPWEA training Feb2020 )</li><li>6. Provide training &amp; capability building opportunities with identified staff</li></ol>	<div>1.34/12/19</div> <div>30/06/20</div> <div>2.30/06/20</div> <div>3.30/06/20</div> <div>4.30/06/20</div> <div>5.34/12/19</div> <div>30/06/20</div> <div>6.31/12/20</div>	<div>1.UM ES</div> <div>2.UM ES</div> <div>3.UM ES</div> <div>4.UM ES</div> <div>5.UM ES</div> <div>6.UM ES</div>	Rare	Severe	MEDIUM
Corporate Services	Corporate Governance	Council of Excellence	GOV02	<b>Governance Risk</b> Break down of Council Administration and Elected Members working relationship, impacting on sound and effective decision making process for the delivery of aligned and strategic business outcomes.	<ul style="list-style-type: none"><li>- Poor strategic level decision making</li><li>- Administration managing requests from Council without due consideration and adequate time</li><li>- Council and Administration failing to communicate with each other, resulting in unfunded, unplanned initiatives gaining Council endorsement</li><li>- New initiatives going straight to Council without following procedures through due diligence (eg Asset Management, Finance, Governance, Risk, Environmental Sustainability, Contracts, Strategic Management etc).</li><li>- Some Councillors have differing perspectives of their role on Council, decisions being made that are Ward based, rather than whole of - Council perspective</li><li>- State Government Elections- Local Government Elections</li></ul>	<ol style="list-style-type: none"><li>1. Unsustainable initiatives</li><li>2. Strategic plan misalignment</li><li>3. Process Errors</li><li>4. Lack of funding and negative financial implications</li><li>5. Lack of or misuse of resources</li><li>6. impact on the delivery of other project/initiatives</li><li>7. Staff stress</li><li>8. Low staff morale</li></ol>	Likely	Major	HIGH	<ol style="list-style-type: none"><li>1. Process of unfunded initiatives</li><li>2. Staff provide frank and fearless advice</li><li>3. Annual workshop for Council &amp; Finance &amp; Audit Committee</li><li>4. Council Meeting Procedures training during induction</li><li>5. Committee's bi-annual self evaluation effectiveness survey</li><li>6.GM's induction on governance processes</li><li>7. CEO and Mayor relationship</li><li>8. Due diligence and prudential report to Council.</li><li>9. Elected Member Code of Conduct (Mandatory) and Elected Member Code of Code Procedure for Investigating Complaints</li><li>10. Caretaker Policy reviewed and adopted by Council</li><li>11. Caretaker training delivered to EM's and Staff</li><li>12. Elected Member Planning Day (19/01/19)</li><li>13. CEO/Mayor weekly meetings</li><li>14. Manager CG &amp; Mayor fortnightly meetings</li><li>15. Good Governance training Program implemented (inc.'How to Work Effectively with Elected Members').</li><li>16. Post Election (Nov18) Policy review completed</li></ol>	Likely	Moderate	HIGH	<ol style="list-style-type: none"><li>1. Consider SLT joint forum /effectiveness survey</li></ol>	<div>30/06/2020</div>	<div>1.MCG</div>	Unlikely	Moderate	MEDIUM
Corporate Services	Corporate Governance	Council of Excellence	GOV06	<b>WHS Management</b> Failure of COMs officers to discharge Due Diligence obligations under the WHS Act	<ul style="list-style-type: none"><li>- Failure to advise and train staff of WHS obligations</li><li>- Officers' having low levels of WHS knowledge &amp; awareness</li><li>- Ineffective training</li><li>- Inadequate WHS Management System</li></ul>	<ol style="list-style-type: none"><li>1. Criminal Charges</li><li>2. Incarceration</li><li>3. Financial Penalty</li><li>4. Reputation Risk</li></ol>	Likely	Severe	EXTREME	<ol style="list-style-type: none"><li>1.Skilled and experienced WHS Staff</li><li>2.TSLW WHS Management system (SkyTrust)</li><li>3.Specialist WHS Coordinator</li><li>4.Due diligence training</li><li>5.Ongoing consultation, training and advice to staff across CoM</li><li>6.ELT Support and briefings on emerging risk issues</li><li>7.WHS induction new staff</li><li>8.Monthly reporting to Council, ELT and SLT regarding hazard and incident management</li><li>9.Annual WHS KPI Action Plans</li><li>10.Internal WHS Audits undertaken</li><li>11.Implementation of Work Area Inspections</li><li>12.WHS training with Elected Members</li><li>13.SWMs, SOPs &amp; related policies &amp; procedures</li></ol>	Unlikely	Severe	HIGH	<ol style="list-style-type: none"><li>1.Implementation of Contractor Mgt/ Skytrust S3 (Pilot undertaken/awaiting Contract team to identify system)</li><li>2.WHS KPI Action Plan 2020</li></ol>	<div>1.30/09/19</div> <div>2.31/10/20</div>	<div>1.Strategic Procurement Lead</div> <div>2.UM Risk</div>	Rare	Major	MEDIUM

## Corporate Risk Register - extract showing current HIGH risks (Dec 2019)

ELT Risk Owner (ELT)	SLT Risk Owner (SLT)	Strategic Link	Ref	Risk Description	Risk Causes /Sources	Potential Consequences	INHERENT Level of Risk			Current Controls in Place	CURRENT Level of Risk			Further Action	Further Action Due Date	Action Owner	FORECAST Level of Risk		
							Likeli-hood	Conse-quence	Risk Rating		Likeli-hood	Conse-quence	Risk Rating				Likeli-hood	Conse-quence	Risk Rating
Corporate Services	Corporate Governance	Council of Excellence	GOV10	<b>Business Continuity &amp; Community Safety</b> Failure in Council's ability to prevent, prepare, respond to and promote resilience in the community in the event of an emergency ie earthquake, flood, extreme heat, bushfire and terrorism	- Absent, outdated or inadequate Community Emergency Plan, - Failure to undertake risk assessment and undertake mitigation activities for known hazards	1. Death or critical injury to Workers, Contractors or member of Public 2. Disruption to works impacting CoM & team 3. Disruption to works impacting local community 4. CoM exposure to liability 5. Officers' exposure to criminal litigation 6. Reputation damaged through adverse media coverage	Possible	Severe	HIGH	1. Flood prevention activities 2. Fire prevention activities 3. Planning/Building Fire Committee 4. Community education / development 5. Community Emergency Management Plan 6. Workplace Emergency Management Plans 7. Business Continuity Plan & regular exercises for increased understanding of roles & responsibilities (every 6-12 months) 8. Training Needs Analysis and conduct of required training 9. Response personnel 10.Events Mgt (CSC) - implementation of Crowded Place Risk Assessment and Notification Processes issued by SAPOL 11.Monitoring and management of Emergency Management work program actions (via EPC/BCWG/ZEMC) 12.Generator installed and commissioned to provide ICT backup/select power for IMT/EOC activities at Admin Building 13.ZEMC Recovery Exercise - increased understanding of Council's roles & responsibilities (Exercise RUMBLE 4/9/18) 14.Key staff trained in iResponda and Swift Water rescue (as per TNA)	Unlikely	Severe	HIGH	1.Finalise/distribute Corporate Emergency Management Risk Assessment 2.LGFSG training of officers 3.Drafting LGA Council Ready Action Plan 4.Conduct formal induction/iResponda refresher session with IMT Ops 5.Upload iResponda documents to CoMBI	1.31/10/19 31/01/20 2.30/09/19 31/01/20 3.31/12/19 31/01/20 4.31/1/20 5.31/1/20	1.UM Risk 2.UM Risk 3.UM Risk 4. Risk Ctr 5. Risk Ctr	Rare	Severe	MEDIUM
Corporate Services	ICT	Council of Excellence	ICT02	<b>ICT Infrastructure/ Cybersecurity</b> Poor data quality and governance not supporting informed decision making	- Strategic awareness/oversight of corporate data and processes unknown - Lack of standardised Data Quality Assurance processes in place - Lack of awareness that there is a Data Governance Framework - Lack of organisational resource and capacity to oversee the Data Governance Framework and embed the principles - Poor capture of data due to inconsistent processes - Lack of specialised skills across work units to capture quality data - Reluctance to use Corporate System databases versus personal spreadsheets due to systems not supporting business needs - Inadequate funds allocated in internal budgets for system improvements and ICT computer skills development for staff - Lack of ICT training for staff (no corporate ICT Trainer role) - Lack of mobility tools for outdoor staff - Ineffective use of end user reporting and query tools	1.Non compliance with related regulations/ legislation 2.Poor decision making 3.Failure to deliver identified business outcomes 4.Failure to address business issues. 5.Inability to provide innovation and improve efficiencies 6. Lack of data integrity 7. Failure to measure data value	Likely	Severe	EXTREME	1. ICT Steering Committee meets quarterly to discuss major initiatives and priorities 2. ICT working in line with the Strategic Management Framework, ICT Strategic Themes and Work Area Plan 3. Core application systems user groups in place with ICT business unit account manager roles (engagement partners / project co-ordinators) 4. Vendor management Reviews of required software enhancements and faults 5.Clarified roles and responsibilities of software ownership (org wide versus departmental) 6.Regularly reviewed policies, procedures & processes 7.ICT Digital Transformation Plan 2017-2022 and ICT Roadmap embedded into annual business plan and budget process, and updates provided to Council ISC committee 8.Business Systems 'Fitness' Review completed & distributed to senior management with findings Dec 2018. 9. Development of the Information Technology Application Strategy 2019 10.Business intelligence /data analytics reporting toolset (Microsoft PowerBI) deployed. 11.Information Technology Application Strategy (ITAS) plan implemented.	Possible	Severe	HIGH	1. Implementation of the ICT Service Review recommendations 2. Embed the Data Governance Framework across the organisation 3. Seek endorsement of Data Governance/Database Administrator to implement and oversee the Data Governance Framework	1.30/06/20 2.30/06/20 3.30/06/20	1.Mgr ICT 2.Mgr ICT 3.Mgr ICT	Unlikely	Major	MEDIUM
Corporate Services	ICT	Council of Excellence	ICT04	<b>ICT Infrastructure/ Cybersecurity</b> Failure to deliver key corporate initiatives	- Lack of consistent organisation wide project management framework - Lack of appropriate business and ICT resource for project delivery - Too many projects - Strategic Plan and Annual Business Plan projects don't consider ICT resource implications - Business as usual work commitments under estimated resource-wise - System failure and data breaches - Lack of detailed project planning including project brief/scope, budget, resourcing, risks and quality assurance	1.Reputational risk of not delivery and utilising council funds effectively 2.Legislative requirements not being able to be met 3.Productivity loss due to system failures 4.Service Delivery impacts may lead to industrial action	Likely	Major	HIGH	1.Project Management Leader recruited 2.Use of ICT project management methodology and templates 3. Full scoping of project to create accurate/relevant project initiation document (PID) 4. Clearly identified roles & responsibilities within project team 5. Regular team/partnership meetings 6. Regular monitoring and review 7.Regularly reviewed ICT policies, procedures & processes 8.Regular project status reporting, monitoring and reviews (ELT Project Control Group and Project Steering Committees) 9.Part of the annual business planning process, ensure Work Area Plans are resourced and achievable 10.CoM Project Management Office (PMO) framework completed 11. Cyber Security Awareness Program in place 12. Corporate Cyber Security Audit and CQR Program in place	Possible	Major	HIGH	1.Implement the ICT Service Review outcomes	1.30/06/20	1.Mgr ICT	Rare	Major	MEDIUM

## Work Health & Safety - Monthly Performance Report - November / December 2019

<b>Originating Officer</b>	Unit Manager Risk - Sherie Walczak
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128R19

### 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 core target of a 10% 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**.

Council KPI is the achievement of a 10% reduction on last year's LTIFR of 11.0, to reach 9.9 or less in 2019/20.

The rolling LTIFR, based on internal incident reports, is 12.5 with 7 lost time injuries being recorded over the last twelve months.

The current LTIFR, based on LGAWCS (Schemes) claims data, is 0.0 with no lost time injury claims being accepted so far this financial year (as outlined in **Appendix 1**) however there are currently two awaiting determination which, if accepted would result in an LTIFR of 6.3. This is below the target of 9.9 but above the LTIFR of 3.1 at the same last year and the industry comparison LTIFR rate of 4.3.

Key initiatives implemented aimed at the reduction of the LTIFR include:

- Implementation of a four year HSE 2019-23 Strategic Plan
- Review of the monthly SLT report to align with the new HSE Plan
- Recognition of and rewarding our Safety Champions
- Delivering visible safety leadership initiatives
- Delivery of further training to front-line leaders via Lead in the Field
- Review of the light duties register



- Program of hazardous manual task training and risk assessments
- Comprehensive review of Safe Work guidance documents
- Comprehensive review of Confined Space, Plan and Chemical Risk Assessments
- Improvement of hazard identification and control through mentoring of workplace inspectors
- Enhanced focus from Executive whilst LTIFR is trending upwards
- Further maturing of SkyTrust WHS Management System.
- Promotion of the Safety Observation program where front-line staff are observed by people leaders.
- Implementation of the internal WHS Audit and Contractor Surveillance program.
- Positive fit-for-work and well-being programs

## CONCLUSION

The significant reduction in Lost Time Injuries of 62% from 28.8 in 2015-16 to 11.0 in 2018-19 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 2019-20 reporting period, we aim to further build on the good work already implemented in the aim to achieve Council's KPI of 10% or greater reduction in LTIFR compared to the end of 2018-19 reporting period.

## Attachment

#	Attachment	Type
1	GC200228R - WHS Monthly Performance Report – November_December 2019	PDF File

## APPENDIX 1 – WHS Monthly Performance Report – November / December 2020

City of Marion's HSE Vision is that **'We can all make a difference towards achieving zero harm, to people and the environment'**. We are specifically focused on further developing our leadership styles, organisational culture and systems committing to:

- 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) and Environmental Management System (EMS) to achieve best practice

### Hazard and Near Miss Reports (Internal WHS SkyTrust reporting data)

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 2019-20**

Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Total	Ave
14	13	10	9	10	9							65	10.8

**Table 2: Hazard and Near Miss Reports - Financial Year 2018-19**

Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Total	Ave
17	9	13	12	3	10	6	8	9	1	11	15	114	9.5

### Lost Time Injuries Reported (Internal WHS SkyTrust reporting data)

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 3 and can be compared against those reported last financial year which are outlined in Table 4.

**Table 3: Number of LTI's per month - Financial Year 2019-20**

Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Total
0	1	0	0	1	0							2

**Table 4: Number of LTIs per month - Financial Year 2018-19**

Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Total
1	0	0	0	0	0	0	1	1	0	3	1	7

**Table 5: Outline of LTIs reported - Financial Year 2019-20**

No.	Description of Incident	Mechanism of Injury	Injury Description
1	Slipped on wet floor of hard rubbish truck	Slip and fall on same level	Lower back strain
2	Slipped dismounting a line marking machine	Slip on same level	Right knee strain

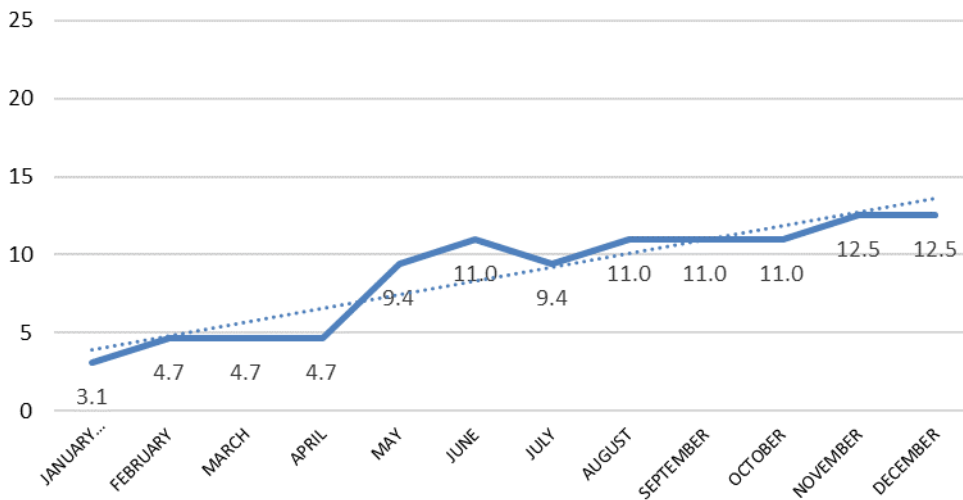
### Rolling Lost Time Injury Frequency Rate (Internal WHS SkyTrust reporting data)

Rolling injury frequency rate over a 12 month or greater period is a common monitoring for performance of WHS and Return to Work performance. It continues over financial and calendar years rather than starting from zero so that longer term trends can be observed and appropriate action taken to address upward trends and/or seasonal spikes in injuries..

The rolling LTIFR, outlined with a solid blue line in Figure 1 from internal incident report data, provides analysis of the average LTIFR over the last 12 months. The dotted blue 'median' line tracks the trend.

**Figure 1: Rolling LTIFR over 12 months**

The current rolling LTIFR for the City of Marion is **12.5**, which represents a **303%** increase.

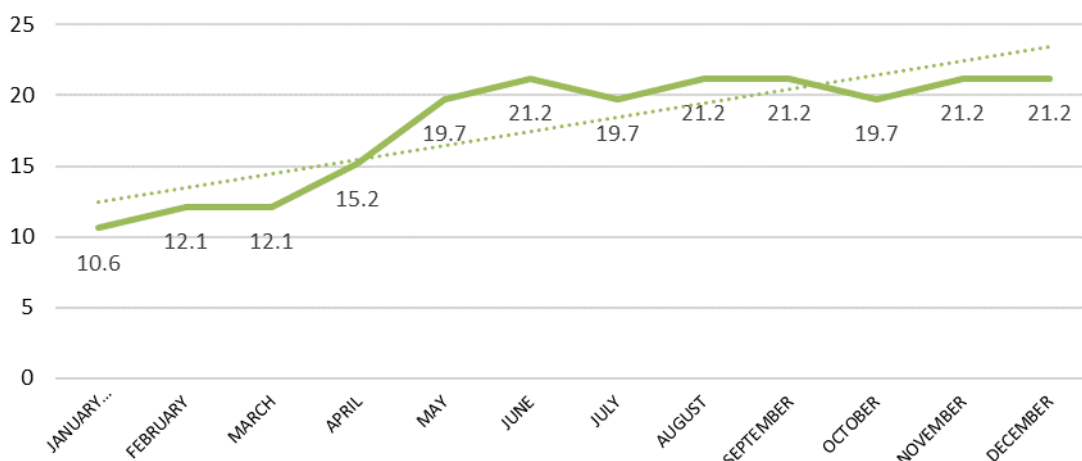


### Rolling Total Recordable Incident Frequency Rate (Internal WHS SkyTrust reporting data)

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 2 from internal incident report data, provides analysis of the average TRIFR over the last 12 months. The dotted green 'median' line tracks the trend.

**Figure 2: Rolling TRIFR over 12 months**

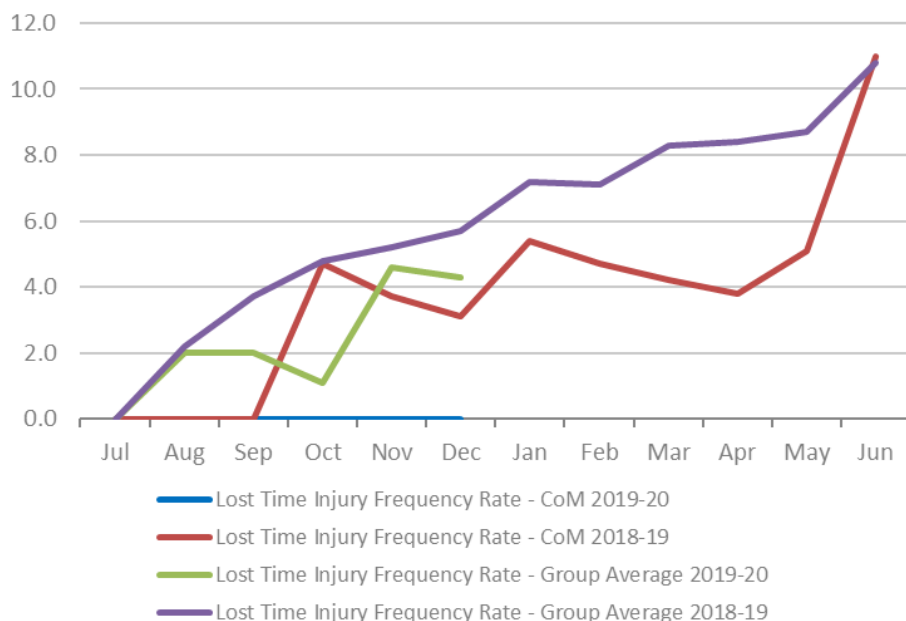
The current rolling TRIFR for the City of Marion is **21.2** which represents a **100%** increase.



### Lost Time Injury Frequency Rate (LGAWCS Claims Data)

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 3, 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 3: LTIFR compared against Group A Councils**

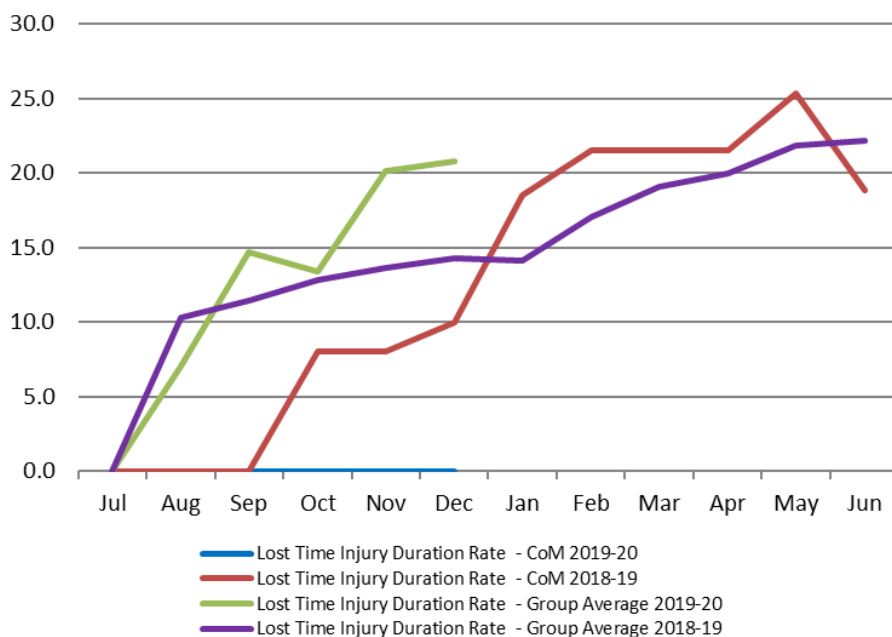


The current LTIFR for the City of Marion (represented in blue) is **0.0**, compared to GaCs recording **4.3**, with zero LTI claims being accepted. It should be noted there are two LTI claims yet to be determined.

### Lost Time Injury Duration Rate (LGAWCS Claims Data)

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 4, 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 4: LTIDR compared against Group A Councils**



The current LTIDR for the City of Marion (represented in blue) is **0.0**, compared to GaCs recording **20.8**, with zero LTI claims being accepted. It should be noted there are two LTI claims yet to be determined.

1 GaC are metropolitan councils with more than 300 staff (Marion, Adelaide, Charles Sturt, Onkaparinga, Playford, Port Adelaide Enfield, Salisbury and Tee Tree Gully).

## Questions Taken on Notice Register

<b>Originating Officer</b>	Governance Officer - Angela Porter
<b>Corporate Manager</b>	Manager Corporate Governance - Kate McKenzie
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128R20

### 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'.**

### GENERAL ANALYSIS

### DISCUSSION

### Attachment

#	Attachment	Type
1	GC200128 - QON Register	PDF File



# Questions Taken on Notice Register



Report Reference	Meeting Date	Councillor	Responsible Officer	Question taken on notice during the meeting	Response
Gaming Machine Bank Note Acceptors - GC191126M02	26 November 2019	Councillor Jason Veliskou	Tony Lines	What power do we have to enforce?	<p>We have contacted Consumer and Business Services relating to the "Reform to SA Gambling Laws" and whether Council would have any authority to intervene on note receptors being allowed in our City.</p> <p>We were advised that they are still refining the reforms to present to government, and once it has gone through State Government, they will publish the outcome on their website.</p> <p>They were unable to answer our query at this stage or whether this would be a consideration.</p> <p>The letter was posted to the Minister on 18 December 2019.</p>

## Finance Report - December 2019

<b>Originating Officer</b>	Assistant Financial Accountant - Melissa Virgin
<b>Corporate Manager</b>	Manager Finance - Ray Barnwell
<b>General Manager</b>	General Manager Corporate Services - Sorana Dinmore
<b>Report Reference</b>	GC200128R21

### REPORT OBJECTIVE

This report provides Council with information relating to the management of financial resources under its control as at December 2019. This report is one of a series of reports designed to assist Council in achieving and maintaining a financially sustainable position. Other reports assisting in this process include the Quarterly Budget Reviews and the LongTerm Financial Plan.

It is considered appropriate that financial information regarding Major Projects be presented on a monthly basis in this report. The principles used for assessment of reportable projects are according to the following criteria:

- Council has agreed to proceed with the project and approved a Section 48 Prudential Report.
- The Whole-of-Life Cost is greater than \$4 million dollars (including grant assisted projects).

### RECOMMENDATION

**That Council:**

1. **Receives the report “Finance Report – December 2019”**

### GENERAL ANALYSIS

#### BACKGROUND

This report is presented on a monthly basis to provide Elected Members with key financial information to assist in monitoring Council’s financial performance against budget.

#### APPENDICES

Appendix 1: Monthly Financial Reporting  
 Appendix 2: Capital Works Reporting including Major Projects  
 Appendix 3: Debtors Reports for Sundry Debtors & Rates Debtors

#### Attachment

#	Attachment	Type
1	Finance Report_December Appendix 1 Pts 1 2 3 4	PDF File
2	Finance Report_December Appendix 2 Pts 1 2	PDF File
3	Finance Report_December Appendix 3 pts 1 2	PDF File

## Funding Statement – Actual versus Budget

The Funding Statement provides a view of Council's financial performance against the approved budget and is consistent with the information provided at budget reviews. It provides a review against all of the elements contained within the Statement of Comprehensive Income and the Statement of Financial Position that are adopted as part of the Annual Budget Report. It details Council's:

### Statement of Comprehensive Income -

The operating result is recognised as one of Council's key financial indicators. The budget framework includes a commitment to its ongoing Financial Sustainability maintaining an Operating Surplus Ratio of between 0% and 10%, on average over each five-year period, which for 2019/20 means a targeted operating surplus of between \$0 and \$9.401m.

**Comment:** Council currently has a net operating surplus result of \$4.877m before capital revenues, against a year to date forecast budget of \$1.941m surplus. This position is detailed in the attached Funding Statement and variation notes.

### Capital Budget -

The Capital Budget is linked to Council's key financial indicator – "Asset Sustainability Ratio" and an actual to budget comparison reflects Council's progress in achieving its Capital program.

**Comment:** The actual to budget position reveals that 65.65% of the year to date Capital Renewal Budget has been spent.

### Loans -

The loans component of the Funding Statement identifies any new proposed loan receipts or principal payments. Council's borrowings are included in Council's key financial indicator – "Net Financial Liabilities" which reflects Council's total indebtedness.

**Comment:** No new borrowings are included in the 2019/20 budget and principal repayments of \$1.170m, mean that the overall loan liability balance is forecast to decrease by \$1.170m to \$5.635m at 30 June 2020.

### Reserves & Cash -

Various fund movements such as surplus budget review results, unspent grants and carryover projects at year end are reflected as transfers to reserves, whilst utilisation of reserve funds are recognised as transfers from reserves.

Cash may be utilised to fund expenditure within the context of Treasury Management to ensure loans are not drawn down where temporary cash holdings are available.

**Comment:** Council's Reserves are detailed in the below table. Transfer to Reserves of \$3.467m and Transfers from Reserves of \$21.908m are forecast to occur in 2019/20, and after accounting for amounts quarantined for specific projects or works, there is \$5.191m available.

Reserves (\$000s)	Asset Sustainability Reserve						Water Reserve - Oaklands Wetland	Open Space Reserve	Grants & Carryover Reserve	TOTAL ALL RESERVES
	Major Infrastructure Failure	General	Other	Major New Projects	CFPP	TOTAL ASR				
Opening Balance	2,000	8,118	600	1,525	6,015	18,258	531	2,187	17,436	38,412
Savings from 2018/19 audited accounts	0	2,926		0	0	2,926	344	0	0	3,270
Budgeted transfers to reserve	0	0	240	0	181	421	68	15	2,963	3,467
Budgeted transfers from reserve	0	(5,020)	0	(1,500)	(4,101)	(10,621)	0	0	(11,287)	(21,908)
Current Budgeted Closing Balance	2,000	6,024	840	25	2,095	10,984	943	2,202	9,112	23,241
Quarantined Funds	(2,000)	(4,797)	0	0	(1,976)	(8,773)	(165)	0	(9,112)	(18,050)
Projected Available Balance	0	1,227	840	25	119	2,211	778	2,202	0	5,191

The 2019/20 1<sup>st</sup> budget review forecasts a net cash surplus of \$0.027m.

\*CFPP: Community Facilities Partnership Program

\*Other includes Walking & Cycling and Energy Efficiency.

**Funding Statement**  
**as at 31 December 2019**

Original Adopted Budget \$'000	Carryovers \$'000	Budget Review Adjustments \$'000		YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000		Annual Budget \$'000	Note
<b>Operating Revenue</b>									
79,265	-	3	<b>Rates</b>	39,738	39,663	75	F	79,268	
2,203	-	13	<b>Statutory Charges</b>	1,188	1,262	(74)	U	2,216	
2,210	-	94	<b>User Charges</b>	1,253	1,061	192	F	2,304	<b>A</b>
7,180	(1,594)	485	<b>Operating Grants &amp; Subsidies</b>	3,407	2,755	652	F	6,071	<b>B</b>
708	-	105	<b>Investment Income</b>	392	393	(1)	U	813	
530	-	34	<b>Reimbursements</b>	372	298	74	F	564	
1,361	-	141	<b>Other Revenues</b>	377	280	97	F	1,502	
1,278	-	-	<b>Net gain - Equity Accounted Investments</b>	-	-	-	-	1,278	
<b>94,735</b>	<b>(1,594)</b>	<b>875</b>		<b>46,727</b>	<b>45,712</b>	<b>1,015</b>	<b>F</b>	<b>94,016</b>	
<b>Operating Expenses</b>									
35,905	-	-	<b>Employee Costs</b>	16,737	17,525	788	F	35,905	<b>C</b>
23,812	1,589	1,791	<b>Contractual Services</b>	10,862	11,923	1,061	F	27,192	<b>D</b>
5,021	42	94	<b>Materials</b>	2,443	2,577	134	F	5,157	<b>E</b>
397	-	-	<b>Finance Charges</b>	193	193	-	-	397	
15,056	-	452	<b>Depreciation</b>	7,738	7,754	16	F	15,508	
7,263	34	(16)	<b>Other Expenses</b>	3,877	3,799	(78)	U	7,281	
<b>87,454</b>	<b>1,665</b>	<b>2,322</b>		<b>41,850</b>	<b>43,771</b>	<b>1,921</b>	<b>F</b>	<b>91,440</b>	
<b>7,281</b>	<b>(3,259)</b>	<b>(1,447)</b>	<b>Operating Surplus/(Deficit) before Capital Revenues</b>	<b>4,877</b>	<b>1,941</b>	<b>2,936</b>	<b>F</b>	<b>2,576</b>	
<b>Capital Revenue</b>									
5,000	-	(4,509)	<b>Capital Grants &amp; Subsidies</b>	18	78	(60)	U	491	
-	-	-	<b>Contributed Assets</b>	-	-	-	-	-	
-	-	-	<b>Asset Disposal and Fair Value Adjustment</b>	(698)	-	(698)	F	-	
<b>5,000</b>	<b>-</b>	<b>(4,509)</b>		<b>(680)</b>	<b>78</b>	<b>(758)</b>	<b>U</b>	<b>491</b>	
<b>12,281</b>	<b>(3,259)</b>	<b>(5,956)</b>	<b>Net Surplus/(Deficit) resulting from operations</b>	<b>4,197</b>	<b>2,019</b>	<b>2,178</b>	<b>F</b>	<b>3,067</b>	
15,056	-	452	<b>add Depreciation</b>	7,738	7,754	(16)		15,508	
-	-	-	<b>add (Gain)/Loss on Asset Disposal</b>	698	-	698		-	
(1,278)	-	-	<b>less Share of Profit Equity Accounted Investments</b>	-	-	-		(1,278)	
<b>26,059</b>	<b>(3,259)</b>	<b>(5,504)</b>	<b>Funding available for Capital Investment</b>	<b>12,633</b>	<b>9,773</b>	<b>2,860</b>	<b>F</b>	<b>17,297</b>	
<b>Capital</b>									
12,063	1,614	(1,299)	<b>less Capital Expenditure - Renewal</b>	2,989	4,553	1,564	F	12,378	<b>F</b>
32,265	7,420	(17,523)	<b>less Capital Expenditure - New</b>	6,253	9,836	3,583	F	22,162	<b>G</b>
-	-	-	<b>less Capital - Contributed assets</b>	-	-	-	-	-	
-	-	-	<b>add Proceeds from Sale of Surplus Assets</b>	-	-	-	-	-	
<b>(18,269)</b>	<b>(12,293)</b>	<b>13,318</b>	<b>Net funding increase/(decrease)</b>	<b>3,391</b>	<b>(4,616)</b>	<b>8,007</b>	<b>F</b>	<b>(17,244)</b>	

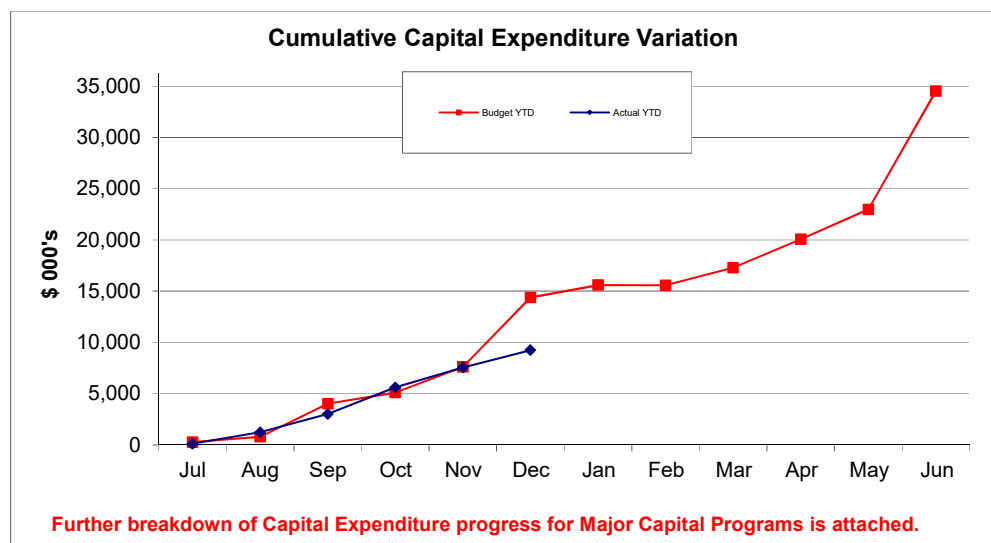
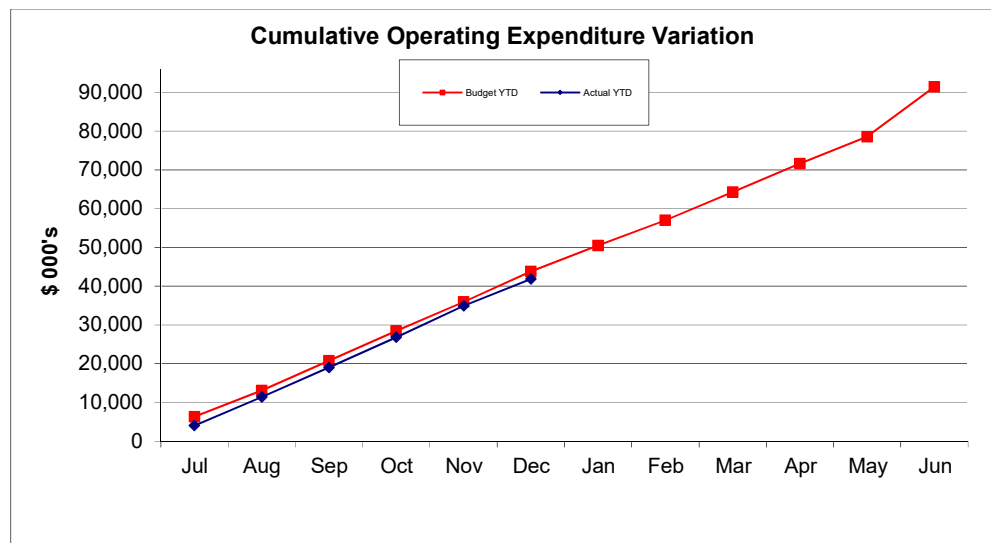
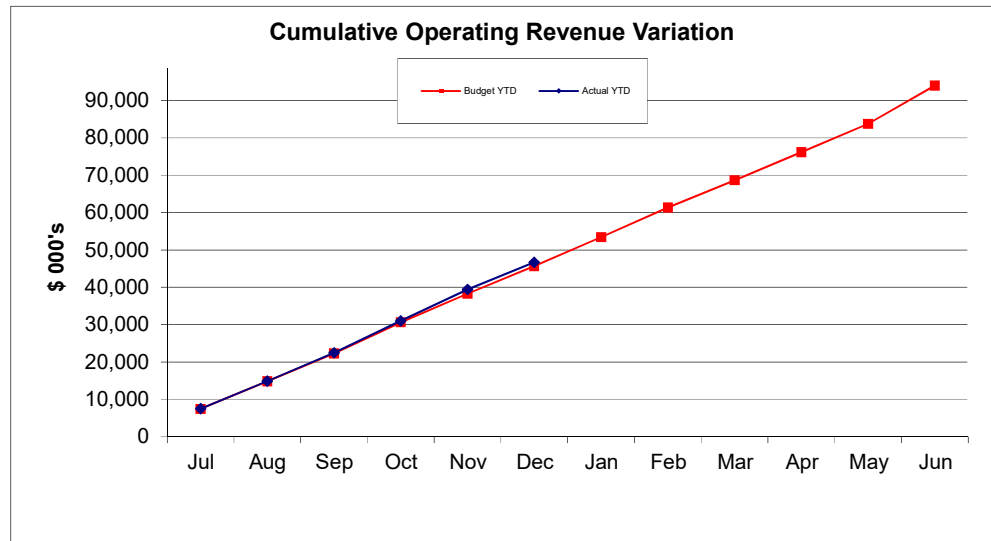
Original Adopted Budget	Carryovers	Budget Review Adjustments		YTD Actual	YTD Budget	YTD Variance	Annual Budget	Note
\$'000	\$'000	\$'000		\$'000	\$'000	\$'000	\$'000	
<b>Funded by</b>								
			<b>Loans</b>					
10,000	-	(10,000)	Loan Principal Receipts (Net)	-	-	-	-	
-	-	-	Loan Receipts/(Payments) from Sporting Clubs (Net)	-	-	-	-	
(1,170)	-	-	Loan Principal Repayments	576	576	-	(1,170)	
<b>8,830</b>	<b>-</b>	<b>(10,000)</b>	<b>Loan Funding (Net)</b>	<b>576</b>	<b>576</b>	<b>-</b>	<b>(1,170)</b>	
<b>Movement in level of cash, investments and accruals</b>								
-		27	Cash Surplus/(Deficit) funding requirements	22,408	14,401	8,007	27	
(9,440)	(12,293)	3,292	Reserves Net - Transfer to/(Transfer from)	(18,441)	(18,441)	-	(18,441)	
<b>(9,440)</b>	<b>(12,293)</b>	<b>3,319</b>	<b>Cash/Investments/Accruals Funding</b>	<b>3,967</b>	<b>(4,040)</b>	<b>8,007</b>	<b>(18,415)</b>	
<b>18,270</b>	<b>12,293</b>	<b>(13,320)</b>	Funding Transactions	<b>(3,391)</b>	<b>4,616</b>	<b>(8,007)</b>	<b>F 17,244</b>	<b>H</b>

**Variation Notes**

<b>A</b>	<b>User Charges</b>	<b>Favourable \$192k</b>	Reflects a budget-timing variance with regards to Marion Outdoor Pool kiosk and tuition income (\$63k), unbudgeted sales income from Adelaide Symphony Orchestra at Warriparinga (\$41k) and a number of other variances which are individually insignificant.
<b>B</b>	<b>Operating Grants &amp; Subsidies</b>	<b>Favourable \$652k</b>	Predominately reflects budget-timing variances with regards to receipt of Roads 2 Recovery funding (\$593k) and a number of other variances which are individually insignificant.
<b>C</b>	<b>Employee Costs</b>	<b>Favourable \$788k</b>	Predominantly reflects budget-timing variances in addition to savings from temporarily vacant positions.
<b>D</b>	<b>Contractors</b>	<b>Favourable \$1,061k</b>	Predominately reflects budget-timing variances with regards to Building Maintenance (\$175k), Surveyors and Valuers (\$102k), Building Maintenance Planning Software (\$91k), Cleaning (\$75k) and a number of other variances which are individually insignificant.
<b>E</b>	<b>Materials</b>	<b>Favourable \$134k</b>	Predominately reflects savings relating to LED Streetlights.
<b>F</b>	<b>Capital Expenditure (Renewal)</b>	<b>Favourable \$1,564k</b>	Predominately reflects budget-timing variances with regards to Road Reseals (\$442k), Vehicle Replacement (\$381k), Proactive footpath Repair Program (\$279k), Reserve development projects (\$209k) and a number of other variances which are individually insignificant.
<b>G</b>	<b>Capital Expenditure (New)</b>	<b>Favourable \$3,583k</b>	Predominately reflects budget-timing variances with regards to LED Lighting Transition – waiting on final invoice (\$1,203k), Morphettville Park Sports Club Redevelopment (\$621k), Alison Avenue Drain (\$506k), Footpath construction (\$312k), Marion Outdoor Pool stage 3 (\$231k) and a number of other variances which are individually insignificant.
<b>H</b>	<b>Funding Transactions</b>	<b>Favourable \$8,007k</b>	This variance is the sum total of all variances and reflects an increase against council's expected YTD cash position.

The above comments referring to budget timing variations are where some monthly budget estimates are not reflective of the actual expenditure patterns as at the reporting date.

## Funding Statement Cumulative Position - 2019/20



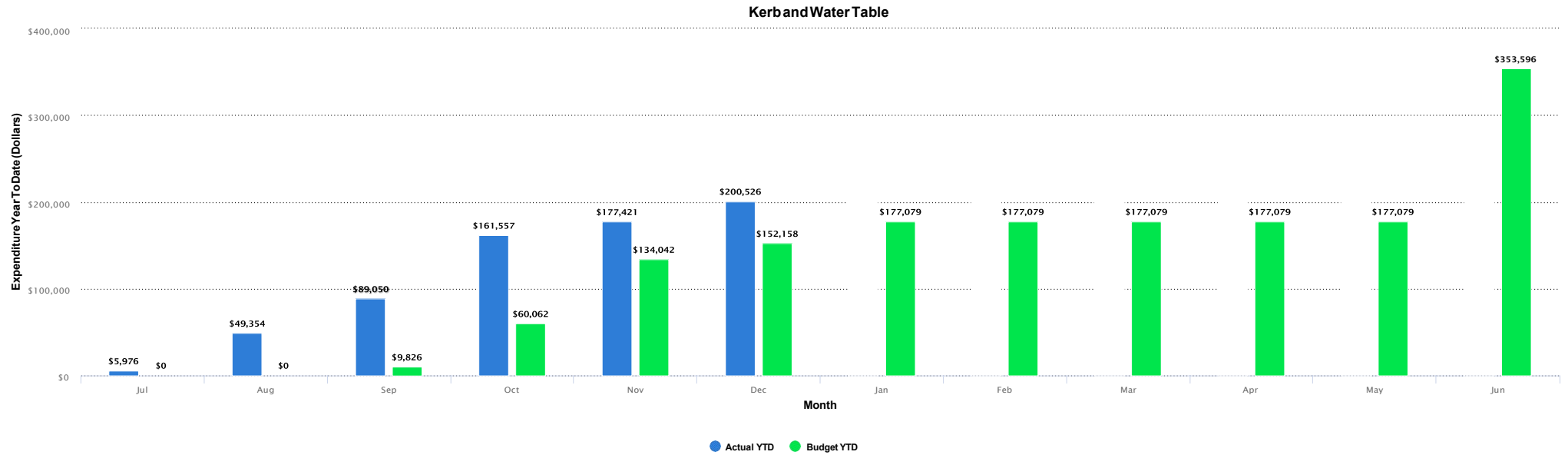
\* Major Projects timed for June include Sam Willoughby International BMX Facility (\$2.1m) and Southern Soccer Facility (\$2.5m).



#### 2019/20 Road Reseal Program – 59% complete

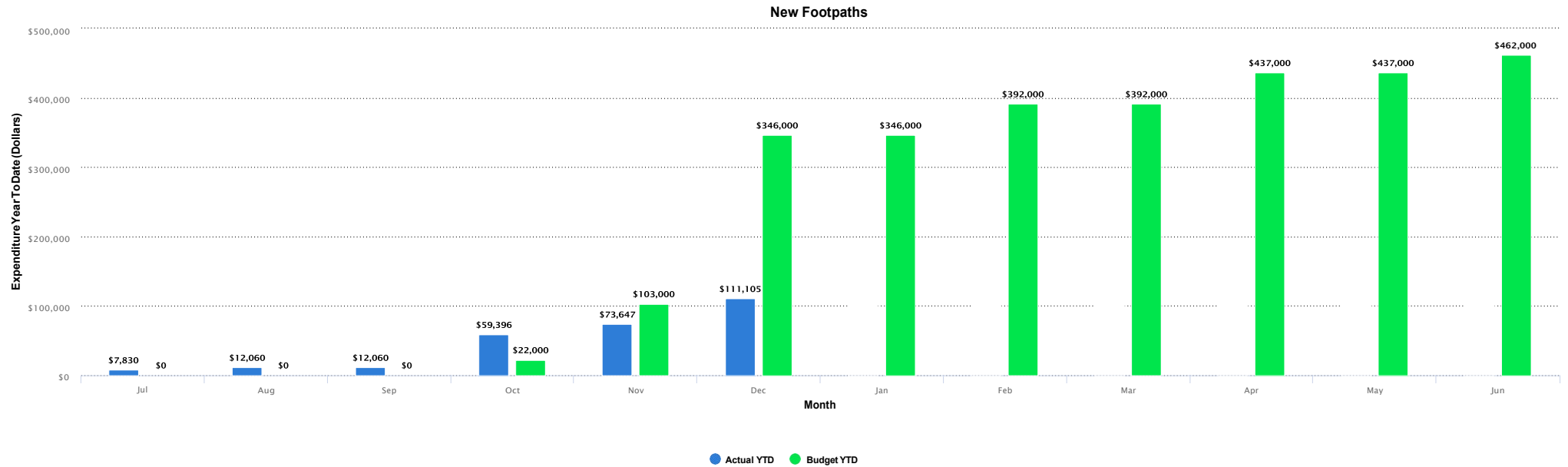
Program in progress, delivery of program to increase in January.





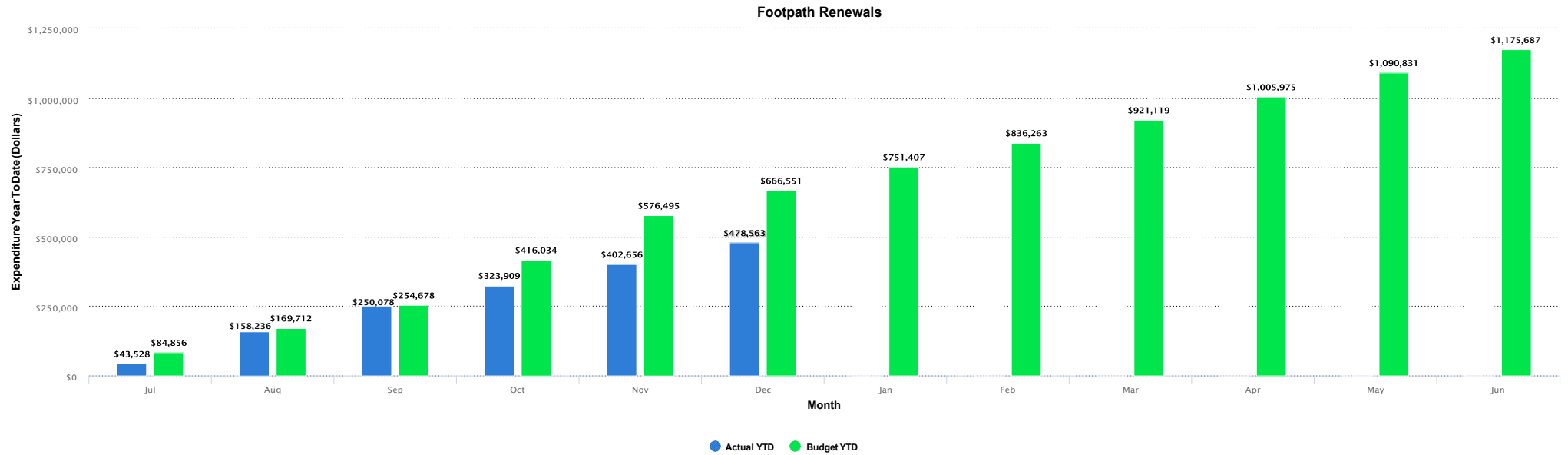
**2019/20 Kerb & Water Table – 65% complete**

Program in progress with 1160 linear meters (lm) complete, 121 lm in progress out of a 2000 Lm program. This program is anticipated to be completed by March 2020.



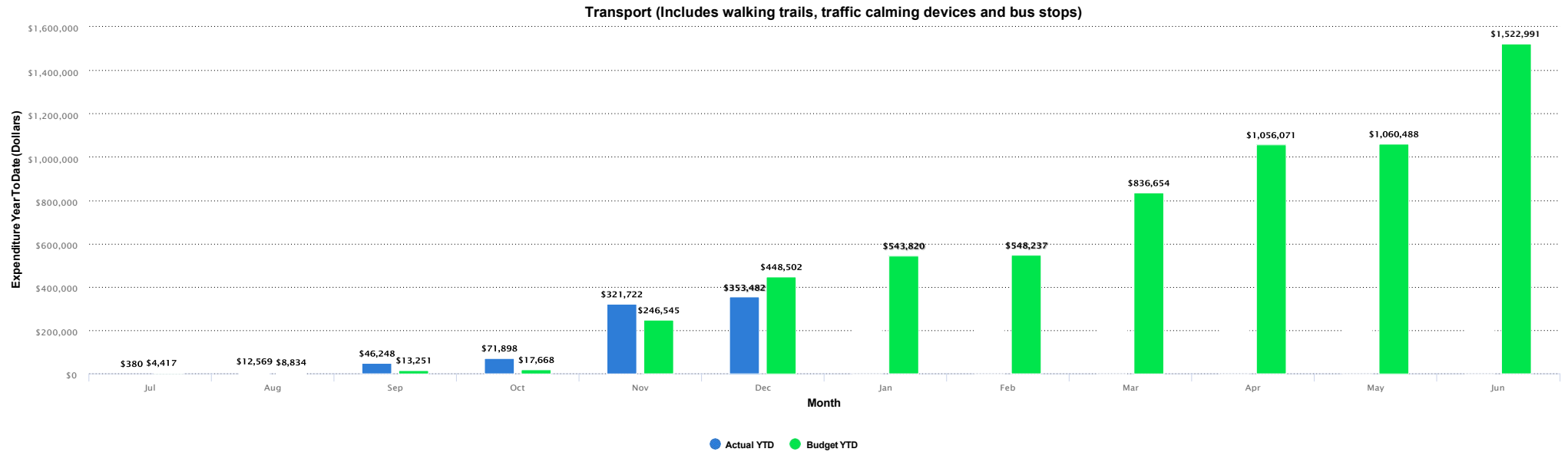
**2019/20 New Footpath Construction – 38% complete**

Program is on track to be completed by the end of financial year with the potential for Morphet Road to be carried over due to delays in the tender process.



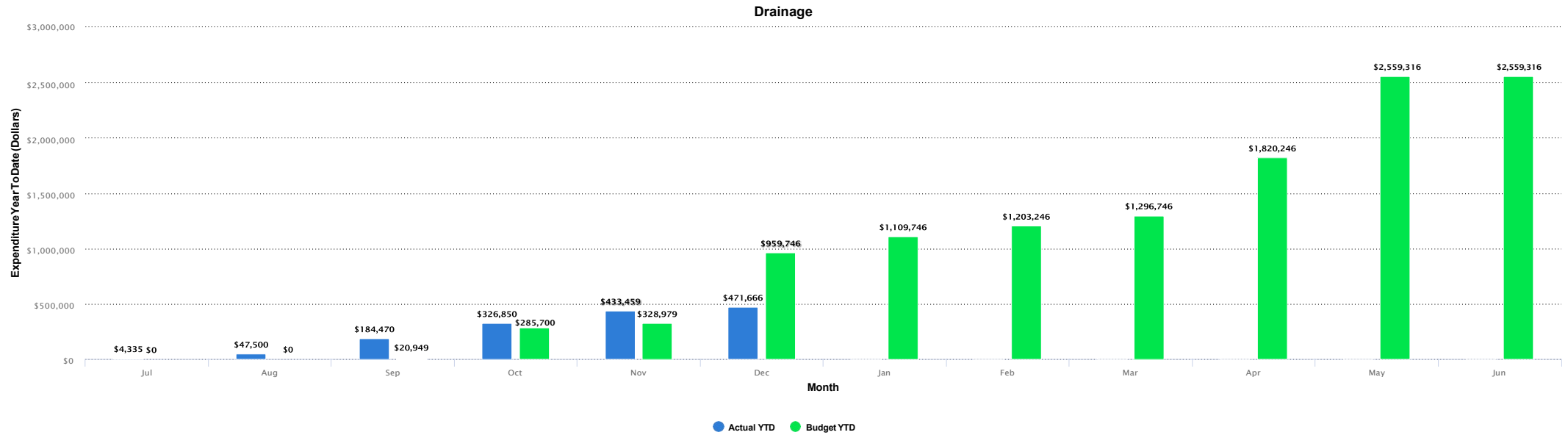
**2019/20 Proactive Footpath Construction – 45% complete**

Program in progress with 1587 linear meters (lm) completed out of a 3500 lm program. This program is tracking behind schedule, contractors will be engaged to increase delivery if required.



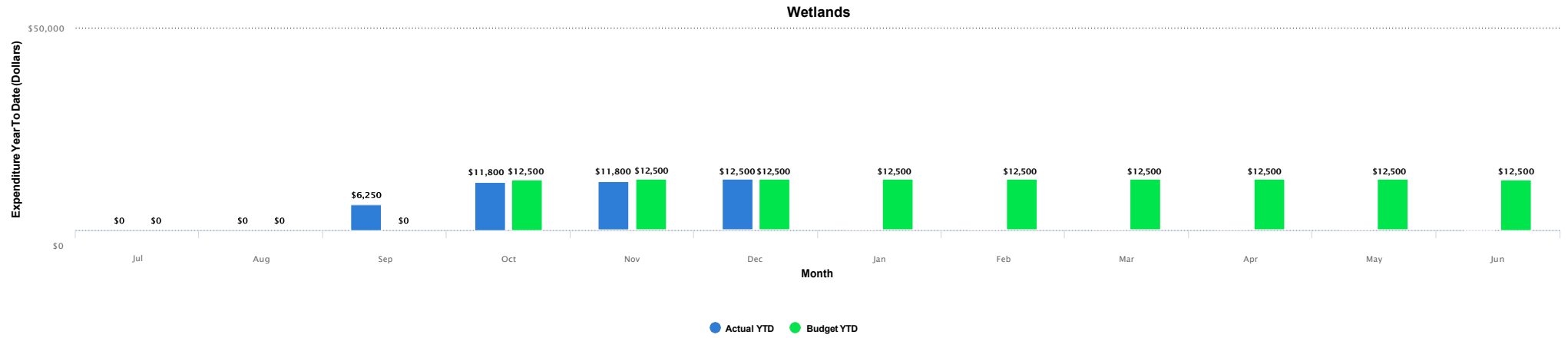
#### 2019/20 Transport Construction

Program in progress with Franklin/Berrima Shared path, Edward Beck and Adams Road Kiss and Go zones and parking complete. Designs for Duncan Avenue, Western Avenue and Addison Road are complete and will be going out to community consultation. Addison Road will go out to tender in January. A report will be presented to council in January regarding Grand Central Shamrock Hallett Cove.



#### 2019/20 Drainage

Program in progress with Alison Avenue complete. Designs for Coolah Terrace and Shetland Avenue are complete and due to go out to tender in January 2020. Construction for Mercedes Avenue and Warriparinga Wetlands are anticipated to commence early 2020. Community design workshops are scheduled to be in February for Lucretia Way. Construction has commenced on Shaftesbury Terrace. This program is on track to be completed by end of financial year.



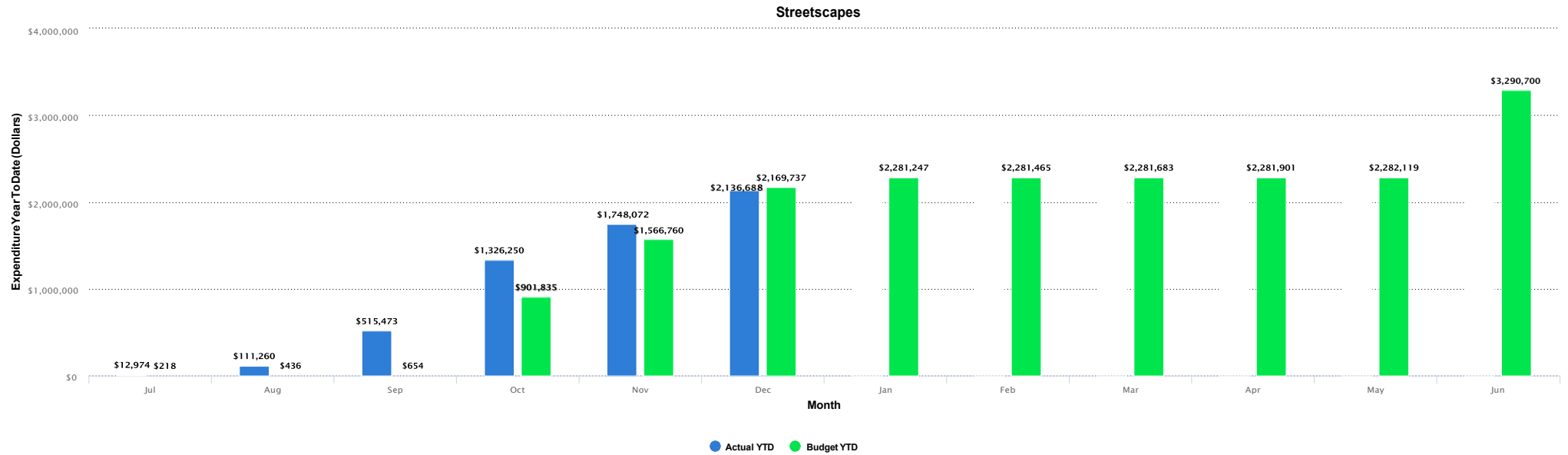
**Oakland's Wetlands Balancing Tank & Filtering System**

The tender for this project has been awarded. Additional budget for this project will be included in the second budget review.



#### 2019/20 Treescaping and Street Tree Planting

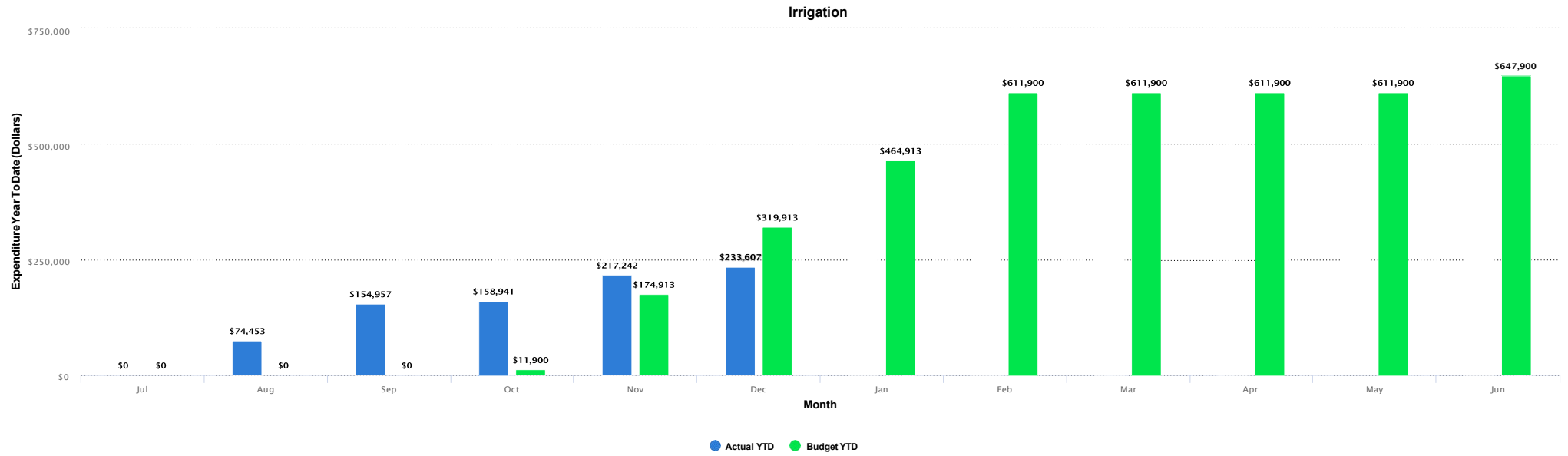
Program in progress with 2,280 street trees planted against a target of 3,400. Planting has ceased for the summer, preparation works have occurred for planting to recommence in April/May. This program is on-track to be completed by end of financial year.



#### **2019/20 Streetscape Program**

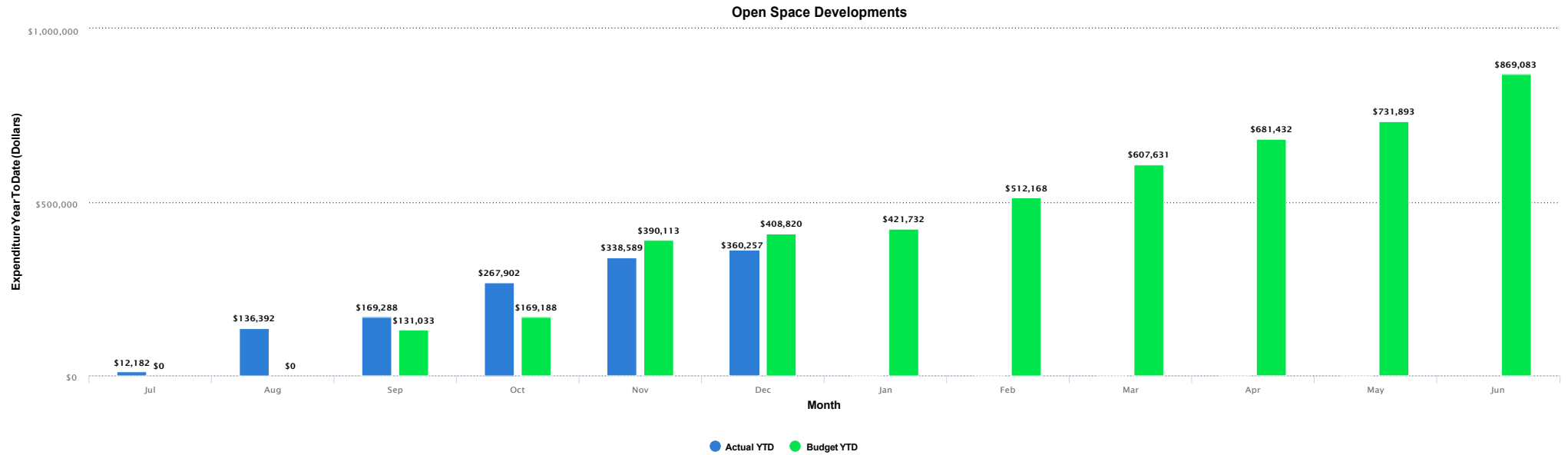
Designs for Quick Road are out for community consultation, tender to commence in February. The majority of Railway Terrace is complete with minor landscaping scheduled for May. Bray Street is 98% complete with defects and minor works still to be completed. Community consultation for Sturt Road will commence in January, with a potential for delays on this project due to DPTI completing works in the same area.





#### 2019/20 Irrigation Delivery

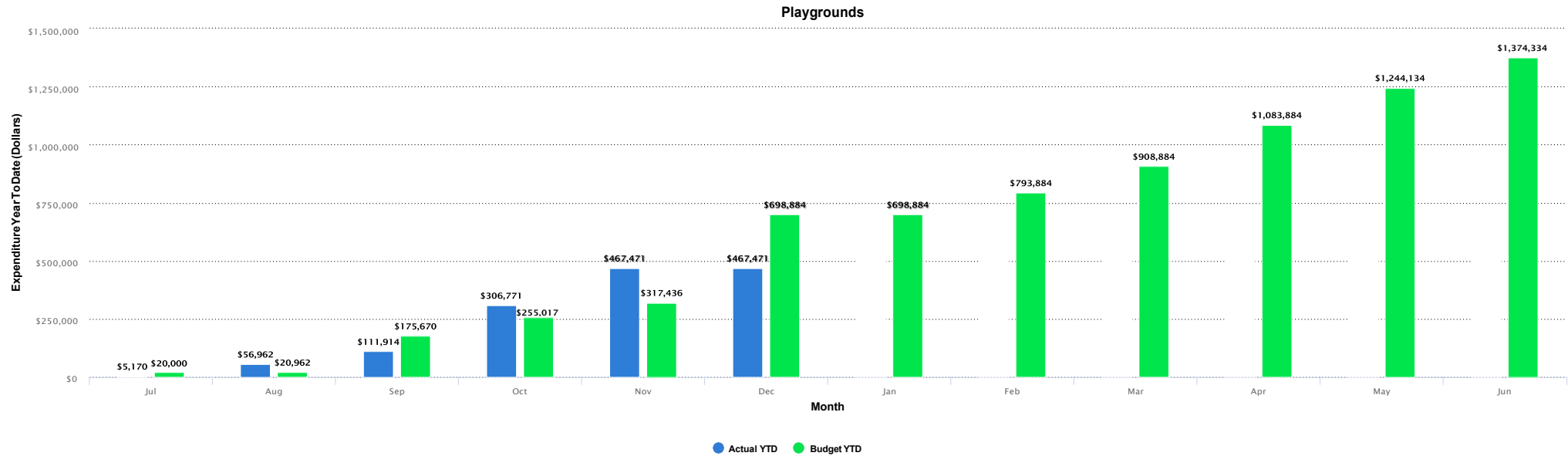
Program in progress.



#### 2019/20 Open Space Developments

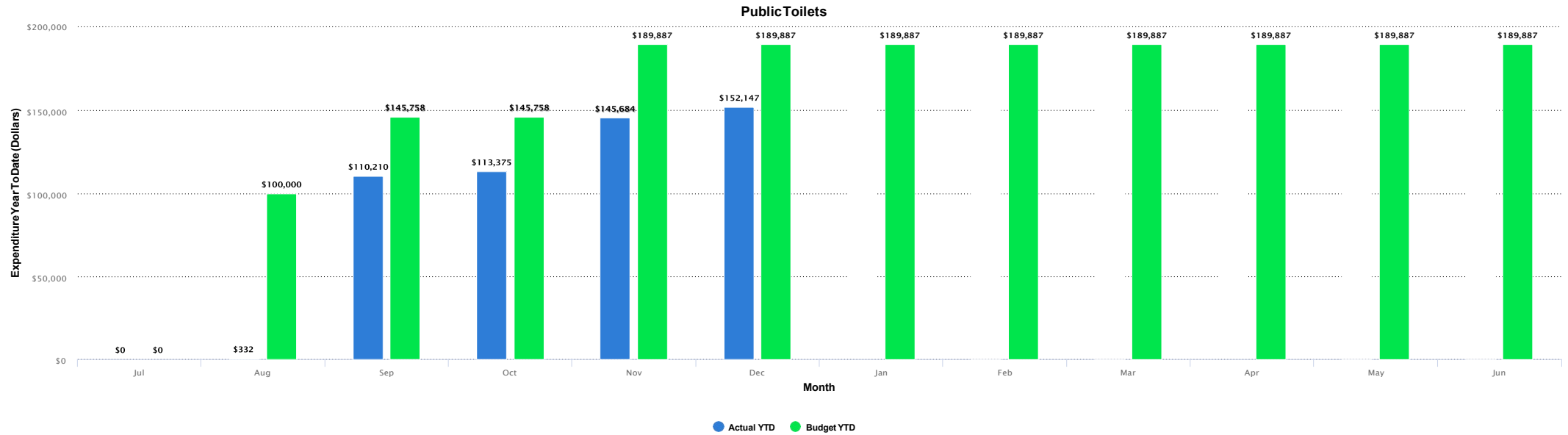
Program in progress with Bandon Terrace, Crown Reserve Basketball Court and Dumbarton Road Dog Park complete. Hazelmere Dog Park is nearing completion with signage still to be installed.

Shade structures are being planned. Designs for stage 6 of Heron Way are complete and awaiting development approval. Design consultancy for stage 1 of Capella and Nannigai Drive Reserve has been awarded for the final detailed design.



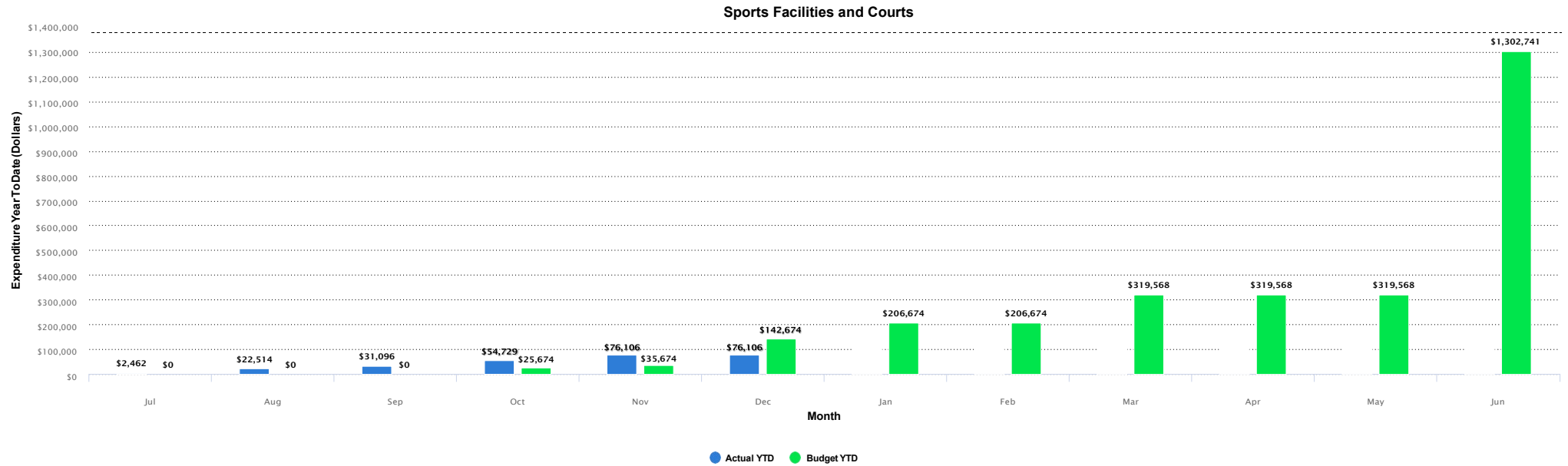
#### 2019/20 Playground delivery

Program in progress with First Avenue Reserve Shamrock Road and Mitchell Park Sports and Community Facility playgrounds complete. Tenders for Christopher Grove Reserve, The Crescent Reserve and Skipper Close Reserve have closed and are being evaluated. Equipment for two of these sites was ordered in December, payment is expected to be made in March. The design for Alpine Road Reserve is being finalised and the concept plan for Central Avenue Reserve is being revised due to a service level change.



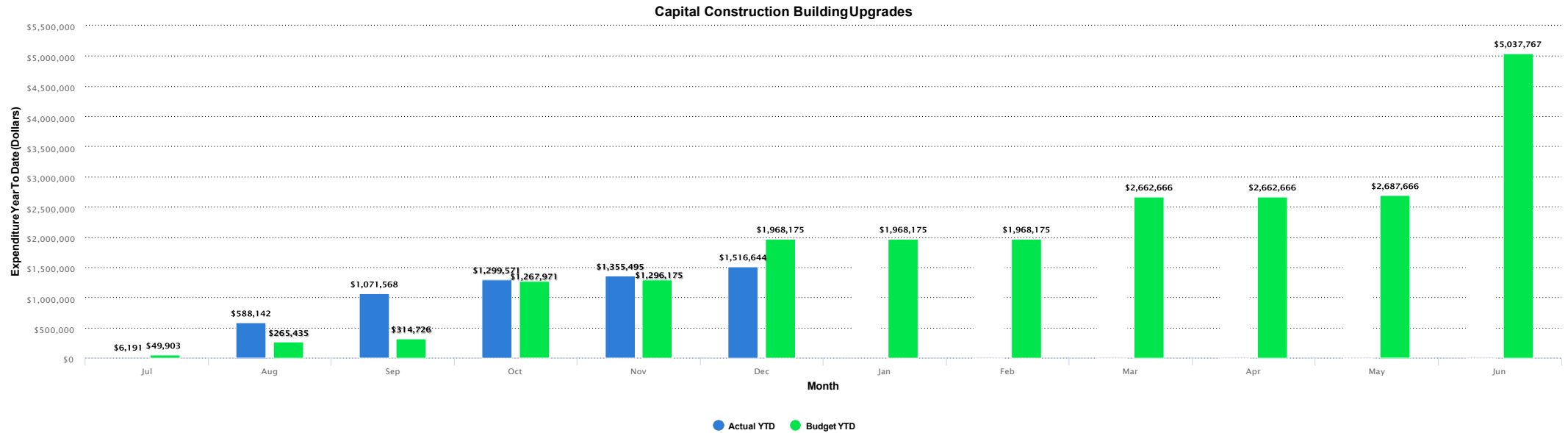
**2019/20 Public Toilets – 100% complete**

Hamilton Road Reserve and Hamilton Park Reserve toilets are complete and open to the public.



#### **2019/20 Sports Facilities and Courts**

Program in progress and on track for completion by end of financial year with the exception of the Marion Tennis Club Lights. This project will require further direction from Council. The Marion Golf Club expression of interest has now closed and is being evaluated, works for this project are likely to commence in 2020/21. Tenders have closed for Cove Netball Courts, Sports Change rooms and Cricket Nets, these projects will be delivered in the second half of the financial year.



#### 2019/20 Building Upgrades

Marion Outdoor Pool stage 3 is out for tender, these works cannot commence until pool season is complete and as such will be carried over to 2020/21. The Coach House proposed works are dependent on State Heritage Department approval being granted. Works on Edwardstown Soldiers Memorial Recreation Grounds Perimeter fence cannot commence until the bowls season has closed. The car park renewal program is awaiting the outcome of the condition audit. This budget contains \$784k for projects that will be identified in councils building condition audit which is nearing completion, after which, a complete program of works will be finalised.

## Major Projects

### Mitchell Park Sports and Community Club Development

	2019/20 Actual YTD 31/12/2019	2019/20 Budget	Project Cost At Completion
<b>Income</b>			
Federal Grant Contribution	-	395,000	5,000,000
<b>Total Income</b>	<b>-</b>	<b>395,000</b>	<b>5,000,000</b>
<b>Expenditure</b>			
Operating	-	-	-
Capital Construction	-	(395,000)	(15,000,000)
<b>Total Expenditure</b>	<b>-</b>	<b>(395,000)</b>	<b>(15,000,000)</b>
<b>Project Result Surplus/(Deficit)</b>	<b>-</b>	<b>-</b>	<b>(10,000,000)</b>

The net deficit forecast will be funded in the following manner:

**Funded By :  
(Over Project Life)**

\$

Proposed Borrowings

10,000,000

**10,000,000**

The Mitchell Park Sports and Community Club Development is subject to the approval of a prudential section 48 report.

### Sam Willoughby International BMX Facility

	2019/20 Actual YTD 31/12/2019	2019/20 Budget	Project Cost At Completion
<b>Income</b>			
City of Onkaparinga Contribution	-	750,000	750,000
State Budget Grant Contribution		-	3,300,000
<b>Total Income</b>	<b>-</b>	<b>750,000</b>	<b>4,050,000</b>
<b>Expenditure</b>			
<b>Operating</b>	-	-	-
<b>Capital Construction</b>	(24)	(3,050,000)	(5,800,000)
<b>Total Expenditure</b>	<b>(24)</b>	<b>(3,050,000)</b>	<b>(5,800,000)</b>
<b>Project Result Surplus/(Deficit)</b>	<b>(24)</b>	<b>(2,300,000)</b>	<b>(1,750,000)</b>

The net deficit forecast will be funded in the following manner:

**Funded By :  
(Over Project Life)**

\$

Reserve Transfer  
- Asset Sustainability Reserve

1,750,000

**1,750,000**

The Sam Willoughby International BMX Facility is subject to the approval of a prudential section 48 report and the State Government funding the traffic management solution for Majors Road.

Council have received the State Governments \$3.3m contribution to this project. This money is currently quarantined in council's reserves.



Sundry Debtors Report - Aging report as at 31 December 2019

Debtor	Total Balance	Current	30 Days	60 Days	90 Days	90+ Days	Percentage of total 90+ day balance	Comments for 90+ Day balances
General Total	31,146.81	12,372.13	8,052.65	8,989.53	.00	1,732.50	2%	Made up of 1 out of 8 debtors. Previous queries with this debtor have now been resolved, this account will be paid in the near future.
Neighbourhood Centres Total	10,147.50	5,556.25	900.00	1,001.25	660.00	2,030.00	3%	Made up of 1 out of 13 debtors. This debtor is on a payment plan through the debt collector, payments of \$35.00 have subsequently been received.
Regulatory Services Land Clearing Total	19,349.64	.00	15,758.22	.00	.00	3,591.42	5%	Made up of 4 out of 5 debtors, with one account totalling \$1,725.35. One account totalling \$867.15 has subsequently been settled.
City Property Facilities Total	90,358.04	39,564.74	24,618.28	3,741.20	365.32	22,068.50	28%	Made up of 6 out of 21 debtors. One account totalling \$6,693.33 is on a payment plan, payments of \$750.00 have subsequently been received. One other account totalling \$11,000 relates to a SA Heritage Restoration grant for the Coach House, Payment of this invoice will occur following the assessment of the claim, which is in progress.
Civil Services Private Works Total	61,009.00	7,990.00	11,040.00	11,380.00	2,090.00	28,509.00	36%	Made up of 18 out of 30 debtors in this category, with eight of these totalling \$11,084.00 relating to works not commenced, awaiting payment, one of the remaining accounts totals \$3,190.00. Five accounts totalling \$9,675.00 are on payment plans, payments of \$30.00 have subsequently been received in December. Of the other accounts, three totalling \$3,670.00 have subsequently been settled in January.
Swim Centre Debtors Total	72,268.84	70,180.84	2,088.00	.00	.00	.00	0%	
Environmental Health Inspections Total	15,540.75	6,977.50	1,331.00	481.75	302.00	6,448.50	8%	Made up of 38 out of 91 debtors, with none individually significant. Two accounts totalling \$239.00 have subsequently been settled in January.
Regulatory Services Other Total	23,141.50	4,493.50	1,650.00	.00	2,310.00	14,688.00	19%	Made up of 67 out of 102 debtors in this category, with none individually significant. One account totalling \$25.00 has subsequently been settled with payments of \$60.00 received on another account.
Supplier Refund Totals	319.44	.00	319.44	.00	.00	.00	0%	
Living Kaurna Cultural Centre Total	1,068.70	708.10	.00	.00	360.60	.00	0%	
Economic Development Total	1,650.00	.00	1,650.00	.00	.00	.00	0%	
Marion Cultural Centre Total	2,343.00	1,143.50	150.00	1,049.50	.00	.00	0%	
Total	328,343.22	148,986.56	67,557.59	26,643.23	6,087.92	79,067.92		
Total Aging Profile		45%	21%	8%	2%	24%		

Category	Description
Employees	Anything that relates to CoM employees.
General	Anything that does not fit into one of the below categories.
Neighbourhood Centres	For hire of rooms in Neighbourhood Centres, etc. - usually charged out at an hourly rate. Also includes cultural workshops and tours.
Regulatory Services Land Clearing	When council has had to clear land due to non-compliance of owner.
Sporting Clubs & Other Leases	Rent, electricity, water, maintenance, etc. charged out to lessees.
Civil Services Private Works	Repairs or modifications to infrastructure (footpaths, kerbs, driveway inverts). Can be at resident request.
Swim Centre Debtors	Outdoor Swimming Centre - used for lane hire, school visits, etc.
Grants & Subsidies	Government grants and subsidies.
Environmental Health Inspections	Food inspection fees.
Regulatory Services Other	Vehicle Impoundment fees and other regulatory services.
Supplier Refunds	Where a supplier owes the City of Marion funds. This category is used to keep track to ensure we have received payment for credits.
Development Services	Includes contribution from residents and/or developers for the removal and/or replacement of Council Street Trees and significant trees.
Living Kaurna Cultural Centre	Relates to programs run through the LKCC.
Environmental Health Testing	Environmental testing fees.
Local Government	Transactions with other Local Government corporations.
Communications	Anything related to communications.
Economic Development	Events, etc. relating to economic development within the City of Marion.
Marion Cultural Centre	Hiring of the Marion Cultural Centre.

\*any category that does not have any outstanding invoices will not be displayed.

## **Rates Report - Collection of Rates to 31 December 2019**

### **ANALYSIS OF OUTSTANDING RATES AS AT 31 DECEMBER 2019**

	<u>Note</u>		<b>% of Total Annual Rates</b>
CURRENT	1	\$ 33,848,193	<b>42.7%</b>
OVERDUE	2	\$ 1,467,852	<b>1.9%</b>
ARREARS	3	\$ 1,558,868	<b>2.0%</b>
INTEREST	4	\$ 81,932	<b>0.1%</b>
POSTPONED	5	\$ 205,696	<b>0.3%</b>
LEGALS	6	\$ 25,501	<b>0.0%</b>
		<b>\$ 37,188,042</b>	<b>46.9%</b>
<b>TOTAL ANNUAL RATES FOR 2019/20</b>		<b>\$ 79,264,817</b>	

#### **Note 1: Current**

Current rates represent the total amount of rates levied in the current financial year that are not yet due for payment. For example at 1st January this represents Quarter 3 & Quarter 4 rates unpaid.

#### **Note 2: Overdue**

Overdue rates represent rates levied in the current financial year that remain unpaid past their due payment date. For example on 1st January, this represents rates from Quarter 1 and Quarter 2 that remain unpaid.

#### **Note 3: Arrears**

Rates in arrears represent rates and charges levied in previous financial years that remain unpaid .

#### **Note 4: Interest**

Interest represent the fines and interest applied to overdue rates and rates in arrears.

#### **Note 5: Postponed**

Postponed rates represent any rates amount due by seniors that have been granted a deferral, until the eventual sale of their property, as allowable under the Local Government Act. Interest is charged on these deferred rates and is recoverable when the property is sold.

#### **Note 6: Legals**

Legals represent any legal fees, court costs that have been incurred by Council in the collection of rates in the current financial year. These amounts represent costs that have been on-charged to the defaulting ratepayers and are currently outstanding.

## WORKSHOP / PRESENTATION ITEMS - Nil

### MOTIONS WITH NOTICE

#### Rescission Motion - Hamilton Park Reserve Community Court

**Elected Member** Mayor Kris Hanna

**Report Reference:** GC200128M01

#### **Motion:**

#### **That Council:**

1. **Rescinds the following part of the resolution from the 26th November 2019 General Council meeting regarding the community tennis court at Hamilton Park Reserve:**

#### **That Council:**

1. ...
2. **Fund \$150,000 for an acrylic community court at Hamilton Park Reserve through the unfunded initiatives program with a operating, maintenance and renewal cost of \$15,500 per annum.**

2. **To be replaced with the following motion:**

#### **That Council:**

1. **Fund \$150,000 for an acrylic community court at Hamilton Park Reserve from the Asset Sustainability Reserve with an operating, maintenance and renewal cost of \$15,500 per annum.**

#### **Supporting Information:**

For some time Council has not been following the practice of periodically assessing unfunded projects. That practice was most useful when various Councillors were bringing numerous new projects to advance the interests of their ward, and Council had to prioritise the projects for funding.

The Hamilton Reserve court proposal arises out of unusual circumstances -

It is consistent with the Tennis and Netball Review in that it represents a reduction of courts on the site and in the ward.

Prior to the 2018 State election the local MP promised funds for installation of a new toilet. This understandably led to community consultation about improvements in the reserve which would complement the toilet facility (which has now been established).

Community consultation finished almost exactly one year ago and residents would reasonably have expected that Council could make a decision on facilities at the reserve within 12 months. Meanwhile the former site of tennis courts is a bare patch of dirt.

Under these circumstances we should get on with it rather than referring the expenditure proposal to an indefinite process. This is not like an entirely new proposal which needs to be assessed in the context of competing new projects.

We recently allocated several million dollars in savings to the Asset Sustainability Reserve.

**Response Received From:** Renee Pitcher - Acting Unit Manager Open Space and Recreation Planning

**Corporate Manager** Manager City Activation - Greg Salmon  
Acting Manager City Activation - Brett Grimm

**General Manager** General Manager City Development - Ilia Houridis

**Staff Comments:**

Hamilton Reserve court was initially referred to the unfunded initiatives list as funding for this facility had not previously been confirmed within the long term financial plan. The unfunded initiatives list was the recommended procedure for funding, which was to be brought back to Council for consideration in the new year.

Sufficient funds are available within the Asset Sustainability Reserve so that the Hamilton Reserve community court project can commence immediately. Should this be endorsed, the community can be informed and procurement commence early 2020 with delivery by June 2020.

## Engineering Solutions for Footpath in front of 102-104 Sturt Road Warradale

**Elected Member** Councillor Bruce Hull

**Report Reference:** GC200128M02

### Motion:

That Council instigate an assessment of engineering solutions for the footpath in front of shops housing Pebble & Palm through to Hair Inn 102-104 Sturt Road Warradale as to resolve trip hazards and to create activation opportunities in consultation with businesses, that the 30 minute car parking restriction also be reviewed in consultation with DPTI.

**Response Received From:** Greg Salmon

**Corporate Manager** Manager City Activation - Greg Salmon

**General Manager** General Manager City Development - Ilia Houridis

### Staff Comments:

Sturt Road is classified as an Arterial Road, however the footpath is located within Council's area of responsibility. The existing footpath has been constructed to accommodate the difference in height between the edge of the road and finished floor levels of shops. There is an opportunity to work with the tenants and shop owner within the relevant standards to assess if a better outcome can be achieved that enhances amenity, functionality and safety.

The 30 minute parking limit can be reviewed with stakeholders and DPTI.

## Amendment to the Disposal of Land and Assets Policy

**Elected Member** Councillor Ian Crossland

**Report Reference:** GC200128M03

### Motion:

That Council:

1. Amends the Disposal of Land and Assets Policy by replacing the following:

*If land is to be auctioned or placed on the open market or disposed of by an expression of interest then (unless the Council resolves otherwise) at least one independent valuation must be obtained to establish the reserve price for the land. The independent valuation must be made no more than 12 months prior to the proposed disposal and must take into account current and future land zoning.*

*If land is to be disposed of via a select tender or direct sale, then (unless the Council resolves otherwise) a minimum of two independent valuations must be obtained to ensure that an appropriate market value is obtained. The independent valuation must be made no more than 12 months prior to the proposed disposal.*

*The Council will seek to dispose of land at or above current market valuation by whichever method is likely to provide the Council with a maximum return, unless there are reasons for the Council to accept a lesser return which is consistent with the Council's overall strategic direction. These reasons must be documented in writing.*

*If the disposal is not to be on the open market, the disposal should be at or above the current market valuation (with due regard to all associated costs to achieve the transaction or such other amount as the Council resolves).*

With:

*If land is to be auctioned or placed on the open market or disposed of by an expression of interest then (unless the Council resolves otherwise) at least one independent valuation must be obtained to establish the reserve price for the land. The independent valuation must be made no more than 12 months prior to the proposed disposal and must take into account current and **potential** future land zoning.*

*If land is to be disposed of via a select tender or direct sale, then (unless the Council resolves otherwise) a minimum of two independent valuations must be obtained to ensure that an appropriate market value is obtained. The independent valuation must be made no more than 12 months prior to the proposed disposal **and must take into account current and potential future land zoning.***

*The Council will seek to dispose of land at or above current market valuation by whichever method is likely to provide the Council with a maximum return, unless there are reasons for the Council to accept a lesser return which is consistent with the Council's overall strategic direction. These reasons must be documented in writing.*

*If the disposal is not to be on the open market, the disposal should be at or above the current market valuation **and should aim to provide the Council with a maximum return** (with due regard to all associated costs to achieve the transaction or such other amount as the Council resolves).*

**Supporting Information:**

During a recent Council meeting there was a debate amongst staff and Elected Members around the terminology currently contained with the current Disposal of Land and Asset Policy. This amendment aims to remove any ambiguity and will ensure that as a Council our aim is to achieve the best possible outcome for our residents.

**Response Received From:** Land Asset Officer/Registered Conveyancer - Heather Carthew

**Corporate Manager** Acting Manager City Property - James O'Hanlon

**General Manager** General Manager City Development - Ilia Houridis

**Staff Comments:**

In determining the value of land (inclusive of buildings and other improvements), it is standard practice for a qualified Valuer to take into account the current known zoning and any potential changes to zoning that may arise from a Development Plan Amendment or an amendment made by the State Government under their legislative powers at that point in time.

Standard industry wide methodology is adopted when estimating the value of land which takes into account any current and potential future zoning of the land.

The proposed amendment to the policy further formalises current practice and removes any ambiguity with relation to assessing the land for its attainable highest and best use for the purposes of valuation.



**QUESTIONS WITH NOTICE - Nil**

**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.