

His Worship the Mayor Councillors CITY OF MARION

NOTICE OF GENERAL COUNCIL MEETING

Council Chamber, Council Administration Centre 245 Sturt Road, Sturt

Tuesday, 28 July 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 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)

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 23 June 2020

Originating Officer Governance Officer - Angela Porter

Corporate Manager Corporate Governance - Kate McKenzie

Report Reference: GC200728R01

RECOMMENDATION:

That the minutes of the General Council Meeting held on 23 June 2020 be taken as read and confirmed.

ATTACHMENTS:

#	Attachment	Туре
1	GC200623 - Final Minutes	PDF File



MINUTES OF THE GC200623 - GENERAL COUNCIL MEETING - 23 June 2020

Tuesday, 23 June 2020 at 06:30 PM

Virtual Meeting Room - Zoom



PRESENT (via electronic attendance):

Elected Members

Mayor - Kris Hanna

Councillor - Ian Crossland Councillor - Tim Gard Councillor - Jason Veliskou Councillor - Bruce Hull Councillor - Nathan Prior Councillor - Luke Hutchinson Councillor - Kendra Clancy Councillor - Matthew Shilling Councillor - Joseph Masika Councillor - Sasha Mason

(from 7.20pm)

DATE:

Tuesday, 23 June, 2020 I Time 6.30PM

In Attendance (via electronic attendance):

Chief Executive Officer - Adrian Skull General Manager City Services - Tony Lines General Manager City Development - Ilia Houridis Manager Corporate Governance - Kate McKenzie Governance Officer - Victoria Moritz

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 video of this General Council meeting will be live streamed on the City of Marion website. Following the meeting the recorded audio will be made available on the website.

ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

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

 Councillor Telfer declared a material conflict of interest in the item Westminster Reserve -GC200623F02.

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 9 June 2020

Report Reference: GC200623R01

Moved Councillor – Joseph Masika

Seconded Councillor – Ian Crossland

1. That the minutes of the General Council Meeting held on 9 June 2020 be taken as read and confirmed.

Carried Unanimously

COMMUNICATIONS

Mayoral Communication Report

Name of Elected Member Mayor - Kris Hanna Report Reference GC200623R02

Date	Event	Comments
20/05/2020	Meeting with Vietnam Veterans Federation and Marion RSL regarding works	
22/05/2020	Meeting with Jessica Musson, young citizen of the year	
26/05/2020	Zoom meeting with His Excellency the Governor to discuss Council response to COVID19	
27/05/2020	Zoom meeting with Amanda Rishworth and David Speirs	
28/05/2020	COASTFM radio segment	
06/06/2020	On-site meeting of 'Say no to the Servo' resident group	Attended, gave speech
10/06/2020	Meeting with Say No to the Servo leader	
15/06/2020	Glenelg Rebels Softball Club AMG	Attended via Zoom

Moved Councillor – Matthew Shilling Seconded Councillor – Raelene Telfer

1. That the Mayoral Communication report be received and noted.

CEO and Executive Communications Report

Date of Council Meeting 23 June 2020 Report Reference GC200623R03

Date	Activity	Attended By
25 May 2020	Meeting, KPMG, IT solutions/financial transformation	Sorana Dinmore
25 May 2020	Meeting Adrian Skull and Chris Menz, CEO Renewal SA	Adrian Skull
26 May 2020	Meeting, Harbour Software, IT solutions	Sorana Dinmore
26 May 2020	Meeting with His Excellency the Governor and Mayor Kris Hanna	Adrian Skull
28 May 2020	Seminar, Minter Ellison COVID19 – implications for public law	Sorana Dinmore
28 May 2020	Meeting SRWRA	Sorana Dinmore
28 May 2020	Meeting Adrian Skull and Jayne Stinson MP	Adrian Skull
28 May 2020	Meeting Update with DPTI Planning Reform Team	Ilia Houridis
29 May 2020	Meeting Adrian Skull and Mat Kesting re AFF in Marion	Adrian Skull
29 May 2020	Meeting Cities of Charles Sturt and Port Adelaide Enfield, ITT collaborations	Sorana Dinmore
1 June 2020	Meeting SRWRA Board	Sorana Dinmore
2 June 2020	Meeting Adelaide Benevolent Society	Ilia Houridis
2 June 2020	Meeting Adrian Skull, Tony Lines, Geoff Smith, Housing Renewal Australia and Matt Clemow re Oaklands Park	Adrian Skull Tony Lines
3 June 2020	Meeting Marion Historic Village Museum Volunteers	Tony Lines
4 June 2020	Seminar Public Sector Network, Digital Government	Sorana Dinmore
4 June 2020	Meeting Cross Council Initiatives CEO meeting with City of Marion, City of Port Adelaide Enfield and City of	Adrian Skull

	Charles Sturt	
4 June 2020	Webinar LGPA Planning for Economic Recovery	Ilia Houridis
5 June 2020	Meeting Adrian Skull & Lisa Teburea re CEO Advisory Group Workshop	Adrian Skull
5 June 2020	Western Adelaide Consultative Group (WACG)	Adrian Skull
11 June 2020	Meeting Update with DPTI Planning Reform Team	Ilia Houridis
11 June 2020	Meeting headspace Marion re Potential Sites in City of Marion	Ilia Houridis
12 June 2020	Meeting Adrian Skull and Tony Kernahan (The Cove Football Club)	Adrian Skull
12 June 2020	Workshop Greening Marion by Natural Resources Adelaide & Mt Lofty Ranges	Tony Lines
16 June 2020	Meeting Green Industries re Coastal Walkway	Ilia Houridis
17 June 2020	Meeting Marion Historic Village Museum Volunteers	Tony Lines
18 June 2020	Meeting Tonsley Project Control Group	Ilia Houridis Tony Lines
19 June 2020	Meeting Adrian Skull and Minister Corey Wingard	Adrian Skull
22 June 2020	Meeting RSPCA Paul Stevenson & Tim Charles	Adrian Skull Ilia Houridis

Moved Councillor – Matthew Shilling Seconded Councillor – Raelene Telfer

1. That the CEO and Executive Communications Report be received and noted.

Elected Member Communication Reports Councillor – Raelene Telfer

Date	Event	Comment
2 June 2020	Mitchell Pk Sports and Community Club	Management model discussions
2 June 2020	Infrastructure and Strategy	Committee
3 June 2020	Museum options meeting	Marion Museum volunteer input
3 June 2020	Council Assessment Panel	Attended
6 June 2020	Integrated service station application Sturt	Respondents and wider ratepayer rally
9 June 2020	Warriparinga Ward briefing	Via zoom
10 June 2020	Council Assessment Panel	Training
11 June 2020	RSL car park and drainage	Briefing plans with RSL and Vietnam Vets
12 June 2020	Greening Marion pilot	Vision by stakeholders via zoom
17 June 2020	Museum options meeting	Marion Museum volunteer input
17 June 2020	RSL car park and drainage	Briefing plans with RSL and Vietnam Vets

ELECTED MEMBER VERBAL COMMUNICATIONS

Council Members were provided the opportunity to give a verbal update during this period.

ADJOURNED ITEMS

Nil

DEPUTATIONS

Susan Craig gave a five minute deputation to Council regarding the Heron Way to Field River section of the Coastal Walkway.

PETITIONS

Nil

COMMITTEE RECOMMENDATIONS

Nil

CORPORATE REPORTS FOR DECISION

RSL Carpark and Drainage Upgrades – Amendment of Decision

Report Reference: GC200623R05

Moved Councillor – Raelene Telfer

Seconded Councillor – Luke Hutchinson

- 1. That Council amend the resolution made on 12 March 2019:
 - 1. Endorses that this upgrade comes into the City Property Strategic Asset Management Plan

to the following:

That Council:

- 1. Endorses the RSL Carpark and Drainage works (31-39 Norfolk Road, Marion) be undertaken in 2020/21.
- 2. Notes that the funding of \$700,000 for the Marion RSL Carpark and Drainage upgrade was endorsed as a 'new initiative' in the draft Annual Business Plan for 2020/21 at the 28 April 2020 General Council meeting (GC200428R11).

6.48pm Councillor Veliskou left the meeting6.50pm Councillor Veliskou re-entered the meeting

Carried

Annual Business Plan 2020-21 and Long Term Financial Plan

Report Reference: GC200623R06

Moved Councillor – Bruce Hull

Seconded Councillor - Raelene Telfer

That the following be adopted by council in the following order:

- 1. Financial Policies (Attachment 3)
 - a) Rating Policy
 - b) Treasury Management Policy
 - c) Fees and Charges Policy
 - d) Reserve Funds Policy
 - e) Asset Accounting Policy
 - f) Budget Policy
- 2. Pursuant to Section 123(6) of the *Local Government Act 1999* and regulation 6 of the *Local Government (Financial Management) Regulations 2011*, the Annual Business Plan 2020-21 (Attachment 1) subject to the following amendments:
 - Pg 35 "Edwardstown Employment Precinct" replace the whole paragraph with "Council is investing in Edwardstown business district to make the streets greener, cooler, and more attractive with a \$170,000 project funded equally between Council and State Government."
 - Pg 36 replace "a feasibility study undertaken during 2019/2020 has indicated a
 partnership would be necessary to funding an iconic playground that would attract people
 throughout the City of Marion. Council will seek potential partners."
 - To "A partnership between the State Government and the City of Marion will see a nature-focused adventure playground developed as an iconic destination within the new Glenthorne National Park. The Council has embraced the State Government's vision for the vibrant new national park by agreeing to contribute \$2 million towards a huge adventure playground which is expected to attract thousands of visitors to the park once it is opened in 2021."
 - Pg. 36 Replace whole paragraph under "Marion Outdoor Pool Upgrade" with "Council has invested over \$4.8 million (including \$150,000 of State Government funding) towards the multi- year upgrade at the Marion Outdoor Pool. The final stages are due to be completed by the start of the 2020 summer season.

The next stage of works will complete the three year project and include a splash pad, water play and picnic areas, shade and paths"

Pg. 46 - Financial Sustainability KPI – amend the Core and Stretch targets to read

Core Target: Council maintains, on average, a break-even or better funding (cash) position over the Long- Term Financial Plan.

Stretch Target: Council maintains a break-even or positive cash funding position in delivering its Annual Budget.

- Pg.52 Contractor Services In the last line of the paragraph add the words '(fully funded by DPTI)' after Hallett Cove R-12 Car Park
- Pg.54 Net Lending/(Borrowing) table replace 'Share of Equity Regional Subsidiaries' with 'Increase in Share of Equity – Regional Subsidiaries'
- Pg.57 Property and Building Works Program Marion RSL- under description -amend the wording to read 'Car park and Drainage upgrade'
- Pg.62 Irrigation and Wetlands Program Remove Mitchell Park Oval from the program of works in 2020-21
- 3. Pursuant to Section 123(7) of the *Local Government Act 1999*, and regulation 7 of the *Local Government (Financial Management) Regulations 2011*, the Annual Budget 2020-21 (Attachment 1)
- 4. Pursuant to Section 122(1a) of the *Local Government Act 1999*, and regulation 5 of the *Local Government (Financial Management) Regulations 2011*, the Long Term Financial Plan 2020-2030 (Attachment 2) subject to the following amendments:
 - Pages 85 to 89 Format the graphs on pages 85 to 89 to have a lighter background

Carried Unanimously

Valuation - Adoption for 2020-21 Financial Year

Report Reference: GC200623R07

7.20pm Councillor Sasha Mason joined the meeting

Moved Councillor - Joseph Masika

Seconded Councillor – Luke Hutchinson

That:

- 1. Pursuant to Section 167(2)(a) of the *Local Government Act 1999* Council adopts the capital valuations as supplied by the Office of the Valuer-General, (at Supplementary Week 52 dated 22 June 2020), as the Valuations that are to apply to land within its area for rating purposes for the 2020-21 financial year.
- 2. Council notes that, at the time of adoption, the Valuation totalled \$22,604,322,660 (including \$21,517,413,467 Rateable and \$1,086,909,193 Exempt).

Rates Declaration 2020-21

Report Reference: GC200623R08

Moved Councillor – Bruce Hull

Seconded Councillor - Matthew Shilling

- 1. That pursuant to Section 153(1)(b) and 156(1)(a) of the *Local Government Act 1999* the Council declares differential general rates according to land use based on Capital Value within the area for the 2020-21 financial year as follows:
 - 1.1 0.331063 cents in the dollar on rateable land of Categories 1 Residential, 7 Primary Production, 9 Other.
 - 1.2 0.612466 cents in the dollar on rateable land of Categories 2 Commercial Shop, 3 Commercial Office, 4 Commercial Other.
 - 1.3 0.562807 cents in the dollar on rateable land of Categories 5 Industry Light and 6 Industry Other.
 - 1.4 0.662126 cents in the dollar on rateable land of Category 8 Vacant Land
- 2. That pursuant to Section 158 (1)(a) of the *Local Government Act 1999*, fixes a minimum amount payable by way of General Rates in respect of rateable land within the area for the 2020-21 financial year of \$1,059.00.
- 3. That pursuant to Section 153(3) of the Local Government Act 1999 the Council has determined not to fix a maximum increase under this Section in the general rate to be charged on a principal place of residence of a principal ratepayer upon the basis that relief is otherwise provided under the 'Discretionary Rebate Residential Land Use (Rate Capping)' provision of its Rating Policy.
- 4. That, as required by the *Landscape South Australia Act 2019*, and pursuant to Section 69 of that Act and Section 154 (1) of the *Local Government Act 1999*, the Council declares a Separate Rate of 0.009520 cents in the dollar on all rateable land in the area covered by the Green Adelaide Board within this Council's area for the 2020-21 financial year.
- 5. That pursuant to Section 181 (1) of the *Local Government Act 1999*, rates are payable in four equal or approximately equal instalments, and Council resolves that pursuant to section 181(2) of the Act the due dates for those instalments shall be:
 - 1 September 2020
 - 1 December 2020
 - 1 March 2021
 - 1 June 2021
- 6. That pursuant to Section 44 of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the power at Section 181(4)(b) to alter the due date for payment of any rate or instalment payment of a ratepayer where circumstances warrant such action, and to make any arrangement for payment of an account (either including or excluding the imposition of fines thereon) over an extended period.

Rate Rebate 2020-21

Report Reference: GC200623R09

Moved Councillor – Jason Veliskou

Seconded Councillor – Bruce Hull

That:

- 1. The Schedule of Rate Rebates (refer Appendix 1) be noted.
- 2. Council resolves that a discretionary rate rebate of 25% be granted under Section 166(1)(j) of the *Local Government Act 1999* to Foodbank SA on the properties it occupies for the 2020-21 financial year.
- 3. Council resolves that a discretionary rebate of 25% be granted under Section 166(1)(d) of the *Local Government Act 1999* to Suneden School on the property it occupies and uses for educational purposes for the 2020-21 financial year.
- 4. Council resolves that a discretionary rate rebate of 100% be granted under Section 166(1)(j) of the *Local Government Act* 1999 to Scouts SA on the properties it occupies for the 2020-21 financial year.
- 5. Council resolves that a discretionary rate rebate of 50% be granted under Section 166(1)(j) of the *Local Government Act 1999* to the Abbeyfield Society (Marion) on the property it occupies at 5 Lawrence Ave, Edwardstown for the 2020-21 financial year.
- 6. Council resolves that a discretionary rate rebate of 50% be granted under Section 166(1)(j) of the *Local Government Act 1999* to the Plympton Glenelg RSL Sub Branch on the property it occupies at 464 Marion Rd, Plympton Park for the 2020-21 financial year.
- 7. Council resolves that a discretionary rate rebate of 75% be granted under Section 166(1)(j) of the *Local Government Act 1999* to Operation Flinders on the property it occupies at 3/938 and 4/938 South Road, Edwardstown for the 2020-21 financial year.
- 8. Council resolves that a discretionary rate rebate of 25% be granted under Section 166(1)(j) of the *Local Government Act 1999* to South Adelaide Squash Centre on the property it occupies at 2A Midera Avenue, Edwardstown for the 2020-21 financial year.

Shopping Trolley Amenity By-law 2020

Report Reference: GC200623R10

7.38pm Councillor Telfer left the meeting

7.39pm Councillor Telfer re-entered the meeting

7.40pm Councillor Mason left the meeting

7.40pm Councilor Clancy left the meeting

7.42pm Councillor Clancy re-entered the meeting

7.43pm Councillor Mason re-entered the meeting

Moved Councillor – Bruce Hull

Seconded Councillor - Tim Gard

That:

- 1. Pursuant to Section 246 of the Local Government Act 1999:
 - 1.1 there being at least two-thirds of the members of Council present; and
 - 1.2 having considered the:
 - Shopping Trolley Amenity By-law 2020; (the By-law)
 - (reproduced at Attachment 1 to report on the agenda for the meeting of Council held on 23 June 2020) in light of the National Competition Policy and the Report prepared on the National Competition Policy with respect to the By-law (reproduced at Attachment 1 to report on the agenda for the meeting of Council held on 23 June 2020); and
 - 1.3. having considered the public submissions made on the By-law, Council makes the By-law in exercise of the powers contained in the *Local Government Act 1999*.
- 2. The Chief Executive Officer be authorised to sign the By-law as made by Council.
- 3. The Chief Executive Officer be authorised to publish notice of the making of the By-law in The Advertiser newspaper.
- 4. The Chief Executive Officer be authorised to arrange for the By-law to be published in the Government Gazette.
- 5. The report to the Legislative Review Committee on the By-law (reproduced at Attachment 5 to the report on the agenda for the meeting of Council held on 23 June 2020), be adopted and be signed by the Chief Executive Officer on Council's behalf.
- 6. The Chief Executive Officer be authorised to arrange for the By-law and all other necessary documentation to be provided to the Legislative Review Committee.

- 7. Delegations under Shopping Trolley Amenity By-law 2020:
 - 1. In exercise of the power contained in Section 44 of the Local Government Act 1999 and Section 14C of the Acts Interpretation Act 1915, the powers and functions under the Shopping Trolley Amenity By-law 2020 specified in the proposed Instrument of Delegation for the By-law contained in Attachment 7 to this report are hereby delegated this 23 June 2020 to the person occupying the office of Chief Executive Officer, or any person acting in the position of Chief Executive Officer and effective on the date on which the By-law comes into operation, subject to the conditions and or limitations in the Schedule of Conditions provided in the proposed Instrument of Delegation for the By-law.
 - 2. The Chief Executive Officer is authorised to sub-delegate these powers to other employees of the Council as the Chief Executive Officer considers fit and in accordance with the relevant legislation unless otherwise indicated in the Schedule of Conditions contained in the proposed Instruments of Delegation for this By-law.
- 8. In accordance with Section 246(5) of the Local Government Act 1999 and Section 14C of the Acts Interpretation Act 1915, Council sets expiation fees for alleged offences against Paragraph 6.1 of Council's Permits and Penalties By-law 2014, committed by virtue of a breach, contravention or failure to comply with the below paragraphs of the Shopping Trolley Amenity By-law 2020, in accordance with the amounts specified in the below table, effective on the date on which the Shopping Trolley Amenity By-law 2020 comes into operation:
 - 1. Paragraph 4.1 requirement to keep trolley within shopping precinct \$187.50
 - 2. Paragraph 5.3 requirement to comply with removal notice \$187.50
 - 3. Paragraph 5.6 interference with removal notice \$187.50
 - 4. Paragraph 6.3 requirement to comply with on-the-spot direction \$187.50
 - 5. Paragraph 7 requirement to install removal notification signage \$187.50
 - 6. Paragraph 8 requirement to identify shopping trolley \$187.50
 - 7. Paragraph 9.3 supplying false or misleading information \$187.50
- 9. Council allocate up to \$5,000 in the 2020/21 budget for a Community Information Campaign.

Carried Unanimously

Prioritisation of Federal Government Stimulus Funding

Report Reference: GC200623R11

Moved Councillor – Ian Crossland Seconded Councillor – Nathan Prior

That Council:

- 1. Notes the report and requested information by Members around the Capella Skate Park and car park.
- 2. Notes an amendment to funding being sought for the Natural Landscapes and Road Reseal.
- 3. Endorses 'Suggested Option 1' to proceed as the list of projects for Administration to submit in order to receive funding under the Local Roads and Infrastructure Program.

Rescission Motion - Living Kaurna Cultural Centre Management Model - Status Update

Report Reference: GC200623R12

Moved Councillor – Raelene Telfer Seconded Councillor – Joseph Masika

That Council:

1. Rescinds the following decision from its meeting on 28 January 2020 (GC200128R07):

If no proposal is received by the due date Council will automatically commence an EOI. KYAC will be also be able to submit an expression of interest whether or not they make a submission to Council before the due date.

That Council:

- 1. Extends the due date for Kaurna's submission of a proposal for management of the Living Kaurna Cultural Centre (LKCC) by 3 months to 31 August 2020, as requested in KYAC's letter of 29 May 2020.
- 2. Suspends further development of a Kaurna management model, including Warriparinga Development Group meetings, until such a proposal is received.
- 3. If no proposal is received by 31 August 2020, Council will automatically commence an EOI. KYAC will be also be able to submit an expression of interest whether or not they make a submission to Council before 31 August 2020.
- 4. Notes that any successful EOI must include an ongoing partnership with the Kaurna people at the LKCC.

7.51pm Councillor Mason left the meeting7.53pm Councillor Mason re-entered the meeting

Carried

Councillor Hull called a Division:

Those For: Councillors Prior, Hutchinson, Veliskou, Telfer, Duncan, Gard, Shilling, Masika, Crossland, Mason and Clancy

Those Against: Councillor Hull

Carried

Smart Community Strategic Plan Report Reference: GC200623R13

7.58pm Councillor Veliskou left the meeting

8.01pm Councillor Veliskou re-entered the meeting

8.06pm Councillor Mason left the meeting

8.07pm Councillor Mason re-entered the meeting

8.10pm Councillor Gard left the meeting

8.11pm Councillor Gard re-entered the meeting

Moved Councillor - Jason Veliskou

Seconded Councillor - Bruce Hull

That Council:

- 1. Endorse the Draft Smart CoM Strategic Plan for community consultation.
- 2. Endorse the continuation of the Smart Cities Project Officer role 1FTE at Level 5 (\$89,596) to deliver the Smart CoM Strategic Plan and Action Plan for the next 12 months.
- 3. Note that business cases for specific funding requests aligned to Smart Goals and Foundational Principles where technology and data will help to address identified problems will be brought to the General Council meeting on 25 August 2020.
- 8.16pm Councillor Mason left the meeting
- 8.17pm Councillor Mason re-entered the meeting

Carried

Representation Review - Appointment of qualified person for Representation Review

Report Reference: GC200623R14

Moved Councillor – Nathan Prior

Seconded Councillor – Matthew Shilling

That Council:

- 1. Notes the City of Marion Representation Review will commence in July 2020.
- 2. Appoints Ms Kate McKenzie, Manager Corporate Governance, in accordance with section 12(5) of the Local Government Act 1999, to prepare the Representation Review Options Paper and the Representation Review Report on behalf of the City of Marion.

Draft City of Marion Fleet, Plant and Equipment Asset Management Plan 2020

Report Reference: GC200623R15

Moved Councillor – Raelene Telfer Seconded Councillor – Luke Hutchinson

That Council:

- 1. Notes the report.
- 2. Endorses the Draft City of Marion Fleet, Plant and Equipment Asset Management Plan 2020 for stakeholder and community engagement.
- 3. Notes a further report will be presented to Council on 11 August 2020 outlining the outcomes of the stakeholder and community engagement.
- 8.19pm Councillor Masika left the meeting

Carried Unanimously

Marion Cultural Centre Plaza Master Plan Review

Report Reference: GC200623R16

- 8.21pm Councillor Mason left the meeting
- 8.23pm Councillor Mason re-entered the meeting
- 8.23pm Councillor Clancy left the meeting
- 8.26pm Councillor Masika re-entered the meeting
- 8.26pm Councillor Clancy re-entered the meeting
- 8.29pm Councillor Veliskou left the meeting
- 8.29pm Councillor Veliskou re-entered the meeting
- 8.29pm Councillor Hutchinson left the meeting
- 8.42pm Councillor Hutchinson re-entered the meeting
- 8.45pm Councillor Veliskou left the meeting
- 8.48pm Councillor Veliskou re-entered

Moved Councillor - Bruce Hull

Seconded Councillor - Nathan Prior

- 1. Endorses the vision and objectives of the draft landscape master plan for consultation and coordination with key stakeholders to support the development of an integrated plan.
- 2. Endorse staff to seek grant funding for 50 percent (\$1.7 million) of the MCC Plaza project. Council funding allocation comprised of:
 - \$500,000 (Warracowie Way deferred GC181211R11) and
 - \$1.2 million (Asset Sustainability Reserve Funding).
- 3. Notes the draft master plan cost estimates for capital works and opportunity for grant funding.

- 4. Notes Office of Recreation, Sport and Racing (ORSR) in-principle support for the vision and objectives and time frames for site planning coordination late 2020 to early 2021.
- 5. Notes a future Council report will be presented early 2021, informing of key stakeholder design review, funding model(s) and implementation plan options.
- 6. Notes a broader community consultation plan will be developed based on stakeholder feedback for Council endorsement 2020/21.

Carried

102 -104 Sturt Road shops footpath upgrade

Report Reference: GC200623R17

8.50pm Councillor Veliskou left the meeting 8.52pm Councillor Duncan left the meeting

Moved Councillor - Bruce Hull

Seconded Councillor - Nathan Prior

That Council:

- 1. Notes this report.
- 2. Endorses the concept designs presented.
- 3. Endorses the allocation of \$108,000 from the Commonwealth Local Roads and Community Infrastructure Grant to undertake the works in 2020/2021.
- 8.53pm Councillor Duncan re-entered the meeting
- 8.54pm Veliskou re-entered the meeting

Carried Unanimously

Open Space Framework

Report Reference: GC200623R18

Moved Councillor – Raelene Telfer Seconded Councillor – Matthew Shilling

That Council:

- 1. Notes the consultation results and changes to the Open Space Framework
- 2. Endorse the Open Space Framework, which includes Open Space Methodology, Open Space Service Levels and the Open Space Plan.
- 3. Endorse funding of up to \$676,564 for the 2020/21 financial year from the Asset Sustainability Reserve to deliver the program consulted with Elected Members and the community.

- 4. Endorse funding of up to \$815,982 required to deliver the identified capital works to the 2027/28 financial year from the Asset Sustainability Reserve.
- 5. Notes the mid-life review of the Open Space Plan will be bought back to Council in 2024.
- 8.58pm Councillor Mason left the meeting
- 8.59pm Councillor Mason re-entered the meeting
- 9.00pm Councillor Veliskou left the meeting
- 9.01pm Councillor Veliskou re-entered the meeting

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION/NOTING

PROCEDURAL MOTION

Moved Councillor - Raelene Telfer

Seconded Councillor - Jason Veliskou

That the following Corporate Reports for Information / Noting be moved en bloc:

- Marion Historic Village Museum Progress Report
- Finance Report May 2020
- Work Health & Safety Monthly Performance Report May 2020
- Question Taken on Notice Register

Carried Unanimously

Marion Historic Village Museum - Progress Report

Report Reference: GC200623R19

Moved Councillor - Raelene Telfer

Seconded Councillor - Jason Veliskou

That Council:

1. Notes the report.

Finance Report - May 2020

Report Reference: GC200623R20

Moved Councillor - Raelene Telfer

Seconded Councillor – Jason Veliskou

That Council:

1. Receives the report "Finance Report – May 2020"

Carried Unanimously

Work Health & Safety - Monthly Performance Report - May 2020

Report Reference: GC200623R21

Moved Councillor - Raelene Telfer

Seconded Councillor – Jason Veliskou

That Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously

Questions Taken on Notice Register

Report Reference: GC200623R22

Moved Councillor - Raelene Telfer

Seconded Councillor - Jason Veliskou

That Council:

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

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS

Nil

MOTIONS WITH NOTICE

Nil

QUESTIONS WITH NOTICE

COVID-19 Support and Assistance Report Reference: GC200623Q01

Question: Councillor - Jason Veliskou

- 1. What measures are the other metropolitan councils doing or proposing to do, in order to assist with COVID19 recovery and hardship in their community (not including rate freezes or reduced rate rises)?
- 2. Which (Metro) councils have or proposing a COVID19 support fund or the like and what detail is available on the purpose of such funds?
- 3. What direct and targeted initiatives (e.g. waiving rents, grants, business vouchers) have metro councils taken to support individuals and businesses affected by the COVID19 situation?

Supporting Information:

Nil

Response Received From: Manager Finance - Ray Barnwell

What measures are the other metropolitan councils doing or proposing to do, in order to assist with COVID19 recovery and hardship in their community (not including rate freezes or reduced rate rises)?

Councils in metropolitan Adelaide have established a range of initiatives to assist with COVID-19 recovery and/or hardship. These include:

- An 'Outreach Program' to support residents who are self-isolating due to the COVID-19 pandemic and may not have local family or friends who can assist them.
- Sharing information about key services, provide support through wellbeing phone calls, offering practical assistance through Community Resilience Volunteers, collecting medicines and shopping for other essential items where necessary.
- Promotion of an existing business advisory and mentor services.
- Delivering of meals to vulnerable persons in the community (through a local café).
- Providing alternative transport for vulnerable city residents, including taxis.
- Offering call and collect options for council libraries.
- Debt collection/ legal action suspended until 31 August 2020.
- Deferral of rates payments some until October December 2020.
- Sale of land for non-payment under Section 184 of the Local Government Act postponed.

Which (Metro) councils have or proposing a COVID19 support fund or the like and what detail is available on the purpose of such funds?

Research across multiple councils has identified the following support funds labelled as COVID-19 specific.

- 1. The City of Charles Sturt COVID-19 Economic Development and Stimulus Program is promoting grants for eligible businesses, Arts and Culture groups and sporting clubs affected by COVID-19 events. The eligibility criteria are strict. Funding is limited to those applicants who have not received CCS funding before, have no CCS debt and can demonstrate they are adversely affected by COVID-19. Applicants must adhere to COVID-19 restrictions and can demonstrate the cost benefit such a grant may bring, must align with the funding streams purpose and priorities and must provide a suitable acquittal of the funding at completion.
 - i. Sporting Clubs (Funding to \$65k in 20/21)
 - up to \$500 per eligible club
 - ii. Arts and Culture (Funding to \$50k in 20/21)
 - 'Live and Local' up to \$2,000 per program
 - 'Creative Cities' up to \$5,000 per program
 - iii. Business Support Program (Funding to \$65k in 20/21)
 - Up to \$2,000 plus GST per business & up to \$1,000 plus GST for Sole Traders
 - Businesses working collaboratively may receive up to a value of \$5,000 plus GST
- 2. The City of Onkaparinga has established a \$50,000 Community Resilience and Wellbeing Grant Fund. The key features and criteria for applicants include:
 - Grants of \$500-\$2,000 are available per application.
 - Provision of a quote for any items over \$200 that applicants are seeking to fund.
 - Organisations can submit a maximum of two applications for the grant, (noting that a maximum of one application can be funded per round).
 - Eligibility includes:
 - a. Australian incorporated 'not for profit' groups, community groups or voluntary associations can apply.
 - b. Programs must be based within the City of Onkaparinga.
 - c. The application must demonstrate a need relating to the COVID-19 pandemic, and a clear plan for addressing the need.

Examples of eligible programs/activities include (but are not limited to):

- counselling services;
- health and wellbeing programs/activities;
- support for the socially isolated;
- financial planning advice and support;
- employment and training programs/activities;
- food programs/activities.

What direct and targeted initiatives (e.g. waiving rents, grants, business vouchers) have metro councils taken to support individuals and businesses affected by the COVID19 situation?

Metropolitan councils have created a range of targeted initiatives to assist those affected by the COVID-19 situation. A number of these are repeated across councils and appear to be extensions of existing provisions able to be exercised under various policies. There is a mix of initiatives that are applied across the board to the community and others that require direct application to vary an existing agreement. These include:

- 3-month rent free period for council owned premises provided to businesses forced to cease trading by SA Government Health directive.
- Sporting and community organisations can apply to have rental and licence fees waive for up to 5 months.
- Public Space Occupation fees will be waived for 6 months from July to December 2020.
- Outdoor dining fees waived for 12 months from July 2020 to June 2021.
- Waiving leases and licences for winter hires in 2020.
- Capped price parking at council owned parking facilities.
- Waiving of fines and interest until 31 August 2020.
- Debt collection/ legal action suspended until 31 August 2020.
- Deferral of rates payments some until October December 2020.
- Sale of land for non-payment under Section 184 of the Local Government Act 1999 postponed.
- Payment of creditor invoices within 14 days to assist council supplier cash flow.
- HACC service invoices deferred for a period of 3 months.

Proposed Changes to Bus Stops and Services

Report Reference: GC200623Q02

Question: Councillor - Jason Veliskou

- 1. What bus stops and services will be removed or reduced under the State Government's recent proposed changes? (within the city of Marion).
- 2. What bus stops and services will be enhanced or added under the State Government's recent proposed changes? (within the city of Marion).

Supporting Information:

Refer to https://dpti.sa.gov.au/new public transport network/home

Response Received From: Alex Cortes, Unit Manager Engineering

Background

The State Government has recently announced details to deliver a new bus network in Adelaide as part of its plan to deliver better, more customer-focused services and drive patronage on our bus, train and tram networks.

The State Government claims that the new network will deliver more higher-frequency services to more South Australians than ever before, making the best use of available resources to deliver better outcomes for customers.

The key benefits across the state includes:

- Almost 675,000 people living within 800 metres of a Go Zone, increasing frequency for almost a quarter of a million people (increase of 201,000 people or 42 per cent);
- 45 Go Zone corridors, an increase of 10 to deliver more frequent services;
- A further 20 of the 45 Go Zones have been extended increasing frequency for more people;
- · Faster journey times on various routes;
- Bus timetables designed to facilitate connections with train and tram networks;
- New metropolitan On-Demand services in Seacombe Gardens/Seaview Downs, Blackwood, Le Fevre Peninsula and upgraded in Gawler;
- 30 cross-suburban/feeder connector routes plus local routes; and
- Simplified route numbering.

The State Government welcomes community and Council feedback. Further information can be found at www.adelaidemetro.com.au

As part of this process, the South Australian Public Transport Authority (SAPTA) will meet with all Councils to discuss how the new network will benefit the community and the implications that it may have on bus stop infrastructure.

A wide range of marketing and communication activities will occur to raise awareness of the new Network changes.

What bus stops and services will be removed or reduced under the State Government's recent proposed changes? (within the city of Marion).

Under the State Government's proposal, City of Marion will have 41 bus stops decommissioned. Specific bus stops are listed as per Attachment 1 (to GC200623Q02). The removed stops are on:

- South Terrace
- Brooks Terrace
- Ferry Avenue
- Adelaide Terrace
- West Street
- Oaklands Road
- Bells Road
- Milham Street
- Dunrobin Road
- Lonsdale Road

Summary of route changes across City of Marion can be viewed as per Attachment 2 (to GC200623Q02).

What bus stops and services will be enhanced or added under the State Government's recent proposed changes? (within the city of Marion).

A summary of enhanced routes across City of Marion can be viewed as per Attachment 2 (to GC200623Q02).

City of Marion will have 55 existing bus stops changed to school or sub stops. Specific bus stops are listed as per Attachment 1 (to GC200623Q02). The changed stops are on:

- Adelaide Terrace
- Cross Road
- Daws Road
- Marion Road
- Seacombe Road
- Miller Street
- Newland Avenue
- Heysen Drive
- Lander Road
- Great Eastern Avenue

Under the State Government's proposal, City of Marion will have 5 new bus stops. Specific bus stops are listed as per Attachment 1 (to GC200623Q02). The additional stops are on:

- Berrima Road
- Edward Beck Drive
- Lander Road
- Hallett Cove Train Station Car Park

MOTIONS WITHOUT NOTICE

Nil

QUESTIONS WITHOUT NOTICE

Nil

CONFIDENTIAL ITEMS

9.11pm Councillor Hutchinson left the meeting and did not return

Mitchell Park Sports and Community Centre Redevelopment

Report Reference: GC200623F01

Moved Councillor – Matthew Shilling

Seconded Councillor - Joseph Masika

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, Greg Salmon, Birgit Stroeher, Craig Clarke Thuyen Vi-Alternetti and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the report Mitchell Park Sports and Community Centre Redevelopment, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential 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

Westminster Reserve

Report Reference: GC200623F02

Moved Councillor – Matthew Shilling

Seconded Councillor - Nathan Prior

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, Thuyen Vi-Alternetti, Craig Clarke and Victoria Moritz, be excluded from the meeting as the Council receives and considers information relating to the report Westminster Reserve, 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

9.12pm the meeting went into confidence

Mitchell Park Sports and Community Centre Redevelopment

Report Reference: GC200623F01

MEETING EXTENSION

Moved Councillor – Matthew Shilling

Seconded Councillor - Raelene Telfer

That the meeting be extended until the conclusion of the two confidential items *Mitchell Park Sports* and *Community Centre Redevelopment GC200623F01 and Westminster Reserve - GC200623F02.*

Carried

9.28pm Meeting Extended

Moved Councillor – Tim Gard

Seconded Councillor - Raelene Telfer

1. In accordance with Section 91 (7) and (9) of the Local Government Act 1999, orders that this report, the attachments and minutes arising from this report, having been considered in confidence under Section 90(2) 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

Westminster Reserve

Report Reference: GC200623F02

Councillor Telfer declared a material conflict of interest in the item *Westminster Reserve GC200623F02* as she lives in close proximity to the reserve and left the meeting.

9.42pm Councillor Telfer left the meeting and did not return.

Moved Councillor – Ian Crossland

Seconded Councillor - Nathan Prior

1. In accordance with Section 91 (7) and (9) of the Local Government Act 1999, orders that this report, the attachments and minutes arising from this report, having been considered in confidence under Section 90(2) 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

9.58pm the meeting came out of confidence

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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 9.58pm.
CONFIRMED THIS 28th DAY OFJULY 2020
CHAIRPERSON



Mayoral Communication Report

Date of Council Meeting 28 July 2020

Name of Elected Member Mayor - Kris Hanna

Report Reference GC200728R02

Details

Date	Event	Comments
23 June	Meeting with 5049 Coastal Community Group	
24 June	Morphettville Park Club Building Opening	
25 June	COASTFM Radio segment	
4 July	Citizenship Ceremony (x3)	
6 July	Marion Mallwalkers First day Back	
7 July	Oaklands Precinct Upgrade: soil- turning at Dwyer Road Reserve	
8 July	'South Aussie With Cosi' interview at Hallett Cove Shopping Centre	
9 July	Friends of Upper Field River Planting Day	
9 July	AGIG Hydrogen Park Electrolyser tour at Tonsley	
14 July	Meeting with Housing Renewal Australia re Oaklands Park development	
18 July	Ascot Park Bowling Club AGM	
19 July	Meeting with Marion Historic Village Museum	
19 July	Meeting with residents group regarding proposed petrol station at 373 Diagonal Road	



Deputy Mayor Communication Report

Date of Council Meeting 28 July 2020

Name of Elected Member Councillor - Matthew Shilling

Report Reference GC200728R03

Details

Date	Event	Comments
22 June 2020	Meeting with Tony Lines	
24 June 2020	CAP Training	Attended as required due to being Deputy Member
25 June 2020	YCC Interview Panel	Member of Panel with Jacqui Clark, Shannon Swart, Julie Higgins
29 June 2020	Meeting with Ilia Houridis	
29 June 2020	Meeting with CCFC	Met at City Services with Ilia Houridis and Thuyen Vi-Alternetti and CCFC President and Secretary
29 June 2020	YCC Interview Panel	Member of Panel with Jacqui Clark, Shannon Swart, Julie Higgins
9 July 2020	Zoom Meeting about Southern Hills concerns	Participated with Cr Duncan and Mayor Hanna
13 July 2020	Onsite meeting at Spinnaker Reserve East	Attended with Cr Duncan, Ilia Houridis and resident
13 July 2020	Coffee meeting with Crs Dunan and Gard	
14 July 2020	Southern Hills Ward Briefing	Attended in person
20 July 2020	Cove Community Centre Briefing	Attended with Crs Duncan, Gard and Crossland, Ilia Houridis, Andy Sakkas and two other staff
23 July 2020	Speaker at YCC Meeting	Asked by the group to speak as was on Interview Panel
27 July 2020	Meeting with Sorana Dinmore	



CEO and Executive Communications Report

Date of Council Meeting 28 July 2020

Report Reference GC200728R04

Details

Date	Activity	Attended By
24 June 2020	Meeting Adrian Skull, David Melhuish and Grant Mayer re Open Space	Adrian Skull
24 June 2020	Morphettville Park Sports Club Redevelopment Opening	Adrian Skull Tony Lines
25 June 2020	Meeting Adrian Skull and Jayne Stinson MP	Adrian Skull
25 June 2020	Round table with Minister Knoll to discuss planning post COVID-19 recovery	Adrian Skull Ilia Houridis
25 June 2020	Meeting with Gartner re IT solutions	Sorana Dinmore
25 June 2020	Meeting CEO's from Port Adelaide Enfield, City of Marion and City of Charles Sturt re Cross Council Initiatives	Adrian Skull
26 June 2020	LG Professionals Leadership Awards via Zoom	Tony Lines Adrian Skull
26 June 2020	Meeting CEO's from Holdfast Bay, City of Marion and City of Onkapragina	Adrian Skull
29 June 2020	Meeting Adrian Skull, Scott Ashby, Nikki Govan and Angela Leske SAEDB Final report and Handover	Adrian Skull
29 June 2020	Meeting CEO Council reference group	Adrian Skull
29 June 2020	Meeting Ilia Houridis, Thuyen Vi- Alternetti, Cr Shilling, Tony Kernahan	Ilia Houridis
1 July 2020	Meeting Events SA, City of Onkaparinga, City of Marion re Sam Willoughby International BMX Facility	Ilia Houridis
2 July 2020	Meeting Ilia Houridis and Paul Stevenson (RSPCA)	Ilia Houridis
3 July 2020	Meeting, GM Corporate Services City of Charles Sturt, Cross- council collaboration	Sorana Dinmore
4 July 2020	MC Three Citizenship Ceremonies	Tony Lines



6 July 2020	LGFSG Operational Briefing	Ilia Houridis
7 July 2020	Meeting KPMG COVID 19 - Risk Assessment and Business Continuity scoping	Adrian Skull Sorana Dinmore
7 July 2020	Meeting, Empired, IT solutions	Sorana Dinmore
7 July 2020	Ground Breaking Ceremony Oaklands Precinct Upgrade	Ilia Houridis Tony Lines Sorana Dinmore
8 July 2020	Meeting, GMs Corporate Services, City of Charles Sturt & Port Adelaide Enfield, Cross- council collaboration	Sorana Dinmore
8 July 2020	Meeting Council Ready Governance Group	Tony Lines
8 July 2020	Meeting Adrian Skull and John Schutz (DEW)	Adrian Skull
9 July 2020	Presented Flinders University Leadership Summit	Adrian Skull
9 July 2020	Meeting Jayne Stinson MP, City of Marion and Edwardstown Bowls and Football Clubs	Adrian Skull Ilia Houridis
9 July 2020	Meeting SAALC Governance Board	Ilia Houridis
9 July 2020	HyP SA Site Tour at Tonsely Hor Dan van Holst Pellekaan MP and AGIG	Tony Lines
13 July 2020	Meeting Adrian Skull and Fraser Bell re Waste	Adrian Skull
13 July 2020	Oaklands Park Renewal Ministerial DPA Reference Group	Ilia Houridis Tony Lines
13 July 2020	Meeting Marino Residents Association	Ilia Houridis
14 July 2020	Briefing Session Local Government Reform Bill	Tony Lines
14 July 2020	Meeting Mayor Hanna, Adrian Skull, Geoff Smith and Matt Clemow re Oaklands Park Development	Adrian Skull
15 July 2020	Webinar, Telstra, Managing Cyber Risk	Sorana Dinmore
15 July 2020	Meeting LGA CEO Advisory Group	Adrian Skull
16 July 2020	Meeting Peter Stretton re Marion Historic Village Museum	Tony Lines
17 July 2020	Meeting, GMs Corporate Services, City of Charles Sturt & Port Adelaide Enfield, Cross- council collaboration	Sorana Dinmore
22 July 2020	Meeting Green Adelaide Board	Adrian Skull
22 July 2020	Presentation, Bee Squared, ITT ProgramManagement	Sorana Dinmore



23 July 2020	Meeting Adrian Skull (City of Marion) and Adam Faulkner (NAWMA) re MRF	Adrian Skull
23 July 2020	Attended National Tree Day - Seaview Downs Planting Event	Adrian Skull
23 July 2020	Meeting Adrian Skull and Nicolle Rantanen (Public Trustee)	Adrian Skull
23 July 2020	Meeting SRWRA Board meeting	Adrian Skull Sorana Dinmore
23 July 2020	Meeting Ilia Houridis and Aaron Lake (DHW Collaborations)	Ilia Houridis
23 July 2020	Meeting Jayne Stinson MP, City of Marion and Edwardstown Bowls and Football Clubs	Ilia Houridis
24 July 2020	Meeting Adrian Skull, Mat Allen, Ann Gibbons, Allison Byrne, Minister David Speirs and Ken Ross re green waste/food waste	Adrian Skull
28 July 2020	Meeting KPMG re Assurance Mapping Internal Audit	Tony Lines



Final Privacy Policy - Adjourned Item

Originating Officer Governance Officer - Victoria Moritz

Corporate Manager Corporate Governance - Kate McKenzie

Manager Digital Transformation and Information Technology - Akos Szonyi

General Manager Corporate Services - Sorana Dinmore

Report Reference GC200728R05

REPORT OBJECTIVE

The item 'Final Privacy Policy', GC200609R05 (attached as attachment1) was adjourned at the 9 June 2020 General Council Meeting to enable the associated procedures to be presented to Council.

EXECUTIVE SUMMARY

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

The procedure 'Investigating and Reporting a Privacy Breach' (attachment 2) has been developed and approved by The Executive Leadership Team, supporting the Privacy Policy and providing the necessary steps to follow when an identified breach of privacy occurs.

The procedure has been developed based on the guide 'Data Breach Preparation and Response' from the Office of the Australian Information Commissioner. All privacy breaches will be investigated as individual cases in accordance with the defined roles and responsibilities of these procedures.

Some additional minor changes have been made to the Privacy Policy (attachment 3) to reflect feedback from internal consultation of the procedures.

The Procedure was endorsed by the Executive Leadership Team on 15 June 2020 and is provided to Council for noting.

RECOMMENDATION

That Council:

- 1. Notes the Procedure 'Investigating and Reporting a Privacy Breach' (Attachment 2)
- 2. Adopts the 'Final Privacy Policy' (Attachment 3)

Attachment

#	Attachment	Туре
1	Attachment 1 - GC200609R05 - Final Privacy Policy	PDF File
2	Attachment 2 - Procedure - Investigating and Reporting a Privacy Breach	PDF File
3	Attachment 3 - Final Privacy Policy	PDF File



Final Privacy Policy Attachment 1

Originating Officer Governance Officer - Victoria Moritz

Corporate Manager Corporate Governance - Kate McKenzie

Manager Digital Transformation and Information Technology - Akos

Syzoni

General Manager Corporate Services - Sorana Dinmore

Report Reference GC200609R05

REPORT OBJECTIVE

The purpose of this report is to provide Council with the public consultation feedback relating to the Draft Privacy Policy and present a final Privacy Policy for endorsement.

EXECUTIVE SUMMARY

A draft Privacy Policy was endorsed for public consultation at the 12 May 2020 General Council Meeting (GC200512R15).

A public consultation process was conducted via the Making Marion website from 13 May 2020 - 2 June 2020. The consultation was promoted via social media posts and the Messenger 'What's Happening' column.

During the consultation process, 24 people visited the Making Marion page and a Facebook post promoting the consultation reached 813 people. There were no responses to the quick poll, no formal submissions, nor feedback received.

The policy has been updated with some minor amendments (marked with tracked changes) (attachment 1) and is now presented for final endorsement.

RECOMMENDATION

That Council:

- 1. Notes the outcomes of the public consultation on the draft Privacy Policy
- 2. Adopts the final Privacy Policy (Attachment 1)

DISCUSSION

In line with recommendations from the Finance and Audit Committee a Privacy Policy has been developed and is attached as **Attachment 1** for Council's consideration.

The Policy takes into account the legislative requirements that Council has to adhere to, but also considers legislative instruments which do not apply, such as the *Commonwealth Privacy Act 1988*, or the South Australian Government's Department of Premier and Cabinet Information Privacy Principles.

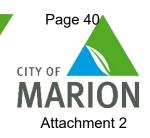
The policy states Council's commitment to ensuring openness and transparency of governance, while recognising that Personal Information is provided with the expectation that Council protect this information against loss, unauthorised access, modification, disclosure and all other misuse. It is proposed that the policy be reviewed every four (4) years in line with the Councils Policy Framework or sooner, if there are notable legislative or technological changes which would require it be reviewed.

Council endorsed the draft Privacy Policy for public consultation at the Council Meeting on 12 May 2020. The consultation period ran for 21 days. Although there was no active participation or formal feedback received, people were made aware of and provided the opportunity to indicate their level of support for the policy.

A procedure for *Investigating and Reporting a Privacy Breach* has been developed. The Procedure provides clarity regarding roles and responsibilities including identifying the steps/actions required to support policy implementation. The Procedure includes internal controls and steps required to meet Council's reporting obligations and to determine an outcome following an investigation. The Procedure will be reviewed in line with the Privacy Policy timeframes.

Attachment

#	Attachment	Туре
1	Privacy Policy	PDF File



1. RATIONALE

This procedure supports City of Marion's Privacy Policy of open and transparent governance to stakeholders while protecting the privacy of individuals. The purpose of the procedure is to provide the necessary steps when an identified eligible breach of the Privacy Policy occurs, either from becoming aware of a possible disclosure or a report/complaint from the public.

An eligible breach of the Privacy Policy occurs when personal information that Council holds of one or more individuals is used outside of the parameters of the Privacy Policy, is lost or subjected to unauthorised access / disclosure.

When a possible privacy breach is identified, it will be investigated and responded to in accordance with the procedure.

2. PROCEDURE SCOPE AND IMPLEMENTATION

This procedure applies to any identified or reported breach of personal information (also known also known as a privacy breach) held within any of Council's systems. All privacy breaches are to be investigated as individual cases in accordance with the defined roles and responsibilities of these procedures.

The Diagram below shows the steps Council will undertake if a breach or suspicion of a breach of privacy occurs. These steps are outlined in more detail under section 3 of this procedure.

1. Report

•Report actual or suspected breach to Manager ITT within 24 Hours of becoming aware of the incident

2. Contain (Manager ITT)

• Undertake immediate containment and recovery to minimise harm and exposure to data

3. Assess (Manager ITT and Unit Manager Risk)

- Assess risks associated with data breach to determine necessary steps for further containment and response management plan
- Assessment is to be made within 30 days of incident. If a final assessment cannot be concluded within 30 days, a preliminary assessment will be made

4. Notify (Manager ITT and Unit Manager Communications)

- Undertake one of the following notification options:
- 1. Notify all individuals
- 2. Notify only those individuals at risk of serious harm
- 3. Publish notification (in the event individuals cannot be contacted)
- 4. Notification not required
- •If required, notify relevant bodies under the Notifiable Data Breach Scheme (NDBS) including the Office of the Australian Information Commissioner (OAIC) and any other relevant agencies

5. Evaluate (All staff involved in investigation process)

- Review current practices to determine improvements to mitigate risk of future occurance
- Evaluate effectiveness of response

Category: Procedure
Owner: Manager ITT and
Manager Corporate Governance
Authorisation Date: 15 June 2020
Review Date: June 2024



3. PROCEDURE / STEPS

Privacy breaches can be caused or exacerbated by a variety of factors, involving different types of personal information, and give rise to a range of actual or potential harm to individuals and entities.

Each identified breach needs to be dealt with on a case-by-case basis, with an understanding of the risks posed by the breach and the remedial actions that would be most effective in reducing or removing these risks. There are five (5) actions that must be taken following the suspicion of or actual privacy breach:

3.1 Report the incident

All staff are responsible for reporting actual or suspected data breaches to the Manager Information Transformation and Technology (ITT) within 24 hours of being made aware of the incident.

3.2 Contain the breach to prevent any further compromise of personal information

Once a privacy breach is discovered or suspected, undertake immediate action to contain the breach and minimise harm and data exposure. Steps may include:

- Stop the unauthorised practice;
- Shut down the system that was breached (if it is not practicable to do so, or would result
 in loss of evidence, revoke or change computer access privileges or address
 weaknesses in physical or electronic security).

The following questions should be considered to identify strategies to contain the privacy breach:

- How did the privacy breach occur?
- Is the personal information still being shared, disclosed, or lost without authorisation?
- Who has access to the personal information?
- What can be done to secure the information, or stop the unauthorised access or disclosure, and reduce the risk of harm to affected individuals?

During this preliminary stage, consideration should be given to ensure data is not deleted and any information that may be valuable in identifying the cause of the breach, or that would enable Council to address all risks posed to these affected individuals is retained.

3.3 Assess the breach

The potential breach must be assessed with a final report provided within 30 days of the incident being reported to the Manager ITT. If it is not possible to conclude the assessment within 30 days, a preliminary assessment will be made. The assessment will include evaluating the risks, including whether individuals are at risk of harm and, where possible, taking action to remediate any risk of harm.

Serious harm to an individual may include serious physical, psychological, emotional, financial or reputational harm. Examples of scenarios that may result in serious harm and the likelihood of this scenario should be considered and include:

- Identity theft
- Significant financial loss by the individual
- Threats to an individual's physical safety
- Loss of business or employment opportunity
- Humiliation, damage to reputation or relationships
- Workplace or social bullying or marginalisation

City of Marion 245 Sturt Road, Sturt SA 5047 PO Box 21, Oaklands Park SA 5046 T 08 8375 6600 F 08 8375 6699 www.marion.sa.gov.au

Category: Procedure
Owner: Manager ITT and
Manager Corporate Governance
Authorisation Date: 15 June 2020

Review Date: June 2024



The assessment will identify the follow key points:

- The type or types of personal information involved in the privacy breach;
- The circumstances of the privacy breach, including its cause and extent;
- The nature of the harm to affected individuals, and if this harm can be removed through remedial action.

The assessment will determine the steps necessary for further containment and response including:

- Reporting the incident to the Executive Leadership Team (ELT) providing an interim assessment on the current risk exposure;
- Notify Council's Cyber Liability Insurer (Local Government Association Asset Mutual Fund);
- Engage an expert third party investigator if advised to do so by the Insurer;
- Notify Council Members with a report to the next scheduled General Council Meeting.

The Office of the Australian Information Commission (OAIC) has provided the following guide on "Identifying Eligible Data Breaches" to assist - https://www.oaic.gov.au/privacy/guidance-and-advice/data-breach-preparation-and-response/part-4-notifiable-data-breach-ndb-scheme/#identifying-eligible-data-breaches

3.4 Notify

The decision to notify or not must be dealt with on a case by case basis after the risk of harm to affected individuals has been determined. Following the assessment Council will undertake one of the notification options listed below:

3.4.1 Notify all Individuals

Where Council has formed the view that serious harm is likely for one or more of the individuals from an eligible data breach involving personal information, but are unable to asses which particular individuals are at risk of serious harm, Council will notify all individuals affected.

Notification has the practical benefit of providing individuals with the opportunity to take steps to protect their personal information following a privacy breach, such as by changing account passwords or being alert to possible scams resulting from the breach.

3.4.2 Notify only those individual at risk of serious harm

If it can be determined, Council will only notify those individuals who are at risk of serious harm from the eligible data being released.

If Council can identify that only a particular individual, or a specific subset of individuals, involved in an eligible data breach is at risk of serious harm, and can specifically identify those individuals, only those individuals need to be notified.

This targeted approach will avoid unnecessary distress to individuals who are not at risk.

Category: Procedure

Owner: Manager ITT and

Review Date: June 2024

Manager Corporate Governance

Authorisation Date: 15 June 2020



3.4.3 Publish notification

If neither 3.3.1 or 3.3.2 are practicable, for example, Council does not have up-to-date contact details for individuals, then Council will publish on the City of Marion website (www.marion.sa.gov.au) a statement outlining the breach, the risks to affected individuals and mitigation/remedial actions taken. It will also publicise the contents of the statement via its social media platforms.

The statement will remain on the website for six (6) months.

3.4.4 Notification not required

If the risk of harm is assessed as low, Council will not notify affected individuals.

Notifying individuals can cause unnecessary stress or harm in some instances. For example, notifying individuals about a privacy breach that poses very little or no risk of harm can cause unnecessary anxiety.

If the outcome is to notify, the notification (and any associated statement) will be prepared by the Unit Manager Communications with consideration of:

- Any obligations of Council under the Notifiable Data Breach Scheme (NDBS);
- Legal, regulatory or contractual notification requirements;
- How notification should occur, including what information is provided in the notification, how the notification will be provided to individuals, who is responsible for notifying individuals and who will create the notification.
- Who else other than affected individuals and the OAIC should be notified such as Law enforcement organisations (SA Police, Australian Securities and Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA), Australian Taxation Office (ATO), Australian Cyber Security Centre, etc.)

Where a privacy breach is identified to have the potential for serious harm to an individual, the breach must also be reported to the OAIC via the "OAIC report a breach" form located on their website - https://www.oaic.gov.au/privacy/notifiable-data-breaches/report-a-data-breach/. This will be reported by the Manager ITT who is also responsible for notifying any other Law enforcement organisations. This will be done in consultation with Unity Manager Risk and Unit Manager Communications.

3.5 Evaluate

At the conclusion of the incident and investigations, the Manager ITT will undertake a full review to determine improvements to mitigate risk of future occurrence and evaluate the effectiveness of the response. This will include:

- A root cause analysis of the privacy breach to ensure any identified internal controls have been actioned;
- The development of a prevention plan to prevent similar incidents in future;
- Programming of any further audits to test internal controls;
- Revision of the policies and procedures and implementation of any proposed changes;
- Changes to employee selection and training practices;
- A review of service delivery partners involved in the breach.

Review Date: June 2024



A privacy breach should be considered alongside any similar breaches that have occurred in the past, which could indicate a systemic issue with policies or procedures. If any updates are made following a privacy breach, staff should be trained in any changes to relevant policies and procedures to ensure a quick response.

It should also be considered whether relevant external organisations should be informed of the privacy breach to help prevent similar breaches occurring elsewhere. In reviewing the privacy breach, Council can refer to the OAIC's "Guide to Securing Personal Information" - https://www.oaic.gov.au/privacy/guidance-and-advice/guide-to-securing-personal-information/

4. ROLES AND RESPONSIBILITIES

Role	Responsibility	
	Council will be notified at the next available General Council	
Council	Meeting of any data breach that has been assessed as	
	having the potential for serious harm to an individual.	
	The Manager ITT will notifying the ELT of any potential	
Executive Leadership Team (ELT)	breach as soon as practical (and within 5 days). This will	
	include details of what has occurred, the current steps in	
	process, if a report has been made to Councils insurer and	
	an interim assessment on the current risk exposure.	
Manager Information Table along	Is responsible for the investigation of any potential data	
Manager Information Technology	breach in accordance with this policy.	
and Transformation (ITT)	Is responsible for reporting the breach to OAIC and any	
	other Law enforcement organisations if applicable.	
Hait Managan Communications	Is responsible for the preparation of any statement, letter or	
Unit Manager Communications	notification to affected individuals.	
	Is responsible for notifying Council's insurer and	
Unit Manger Risk	managing any claims on behalf of the Council.	
Offic Manger Kisk	managing any daims on benall of the Council.	
	Are responsible for complying with the requirements	
All staff	of the Privacy Policy and reporting any breaches to	
	the Manager ITT.	

5. **DEFINITIONS**

The definitions are consistent with those set out in the Privacy Policy.

Key Term – Acronym	Definition
Collection	Gathering, acquiring or obtaining personal information from any source and by any means, including information that Council has come across by accident or has not requested.
Disclosure	The release of information to persons or organisations outside the Council. It does not include giving individuals information about themselves.



The unauthorised access, disclosure or loss of personal information (including TFN information) that is likely to result in serious harm to one or more individuals.		
Councils are subject to the NDB Scheme under the <i>Privacy Act 1988</i> (Cwth) to the extent that TFN information is involved in an eligible data breach.		
The Office of the Australian Information Commissioner		
Tax File Number – A personal reference number used in the Taxation and Superannuation systems.		
Information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about a natural living person whose identity is apparent, or can reasonably be ascertained, from the information or opinion, including a photograph or other pictorial representation of a person, but does not include information that is: • in generally available publications; • kept in public records and archives such as the Commonwealth or State archives; or • kept in a library, art gallery or museum for the purpose of reference, study or exhibition.		
The handling of personal information within a Council including the inclusion of information in a publication.		
Information or an opinion that may give rise to discriminatory practices based on an individual's:		

5. REVIEW AND EVALUATION

This procedure will be reviewed every four years in concurrence with the review of the Privacy Policy and in accordance with Council's Policy Framework.

Review Date: June 2024

Attachment 3

Privacy Policy



1. RATIONALE

The City of Marion (Council) is committed to ensuring openness and transparency of governance to stakeholders while protecting the privacy of individuals. This policy outlines how Council will approach the collection, storage, disclosure and use of personal and commercial information.

2. POLICY STATEMENT

The City of Marion recognises that personal and commercial information is provided with the expectation that Council protects this information against loss, unauthorised access, modification, disclosure and all other misuse. Personal information will only be collected for a lawful purpose that is directly related to the conduct of Council business and in the provision of Council services to its customers.

3. OBJECTIVES

The following principles apply when personal and commercial information is being considered and handled by Council:

- Only information reasonably required for the operation and effective delivery of Council
 programs and services is collected and maintained.
- Wherever possible the full purpose for information collection is disclosed at the time of
 collection. At times that purpose may be broad, for example to enable the effective
 communication with residents and stakeholders regarding policy, projects and programs
 occurring within the Council area.
- Council is a file number recipient for the purposes of the Commonwealth *Privacy Act 1988*.
 A file number recipient is any person who is in possession or control of a record that contains Tax File Number (TFN) information. Breaches are reported to the Office of the Australian Information Commissioner in compliance with the national Notifiable Data Breach scheme and as set out in Council's Procedures.
- Council is subject to the Freedom of Information Act 1991. The objects of the Freedom of Information Act 1991 are:
 - To promote openness in government and accountability; and
 - To facilitate more effective participation by members of the public in the processes involved in making and administration of laws and policies.

These objects are to be achieved as follows:

- Ensuring that information concerning the operations of Council is readily available to members of the public and to Members of Parliament;
- Promoting a legally enforceable right to be given access to documents held by government, subject to restrictions that are consistent with the public interest and the preservation of personal privacy; and
- Enabling each member of the public to apply for the amendment of such government records concerning his or her personal affairs as are incomplete, incorrect, out-of-date or misleading.

Review Date:



4. POLICY SCOPE AND IMPLEMENTATION

This policy and related procedures apply to all people with access to Council information, information systems and information stores (computer-based or otherwise), including:

- · Council employees;
- Council Members;
- Volunteers:
- · Work experience placements; graduates and trainees; and
- Independent contractors and consultants.

Relevant training will be provided by Council to ensure these people can reasonably meet the requirements of this policy.

4.1. Collection and Use of Personal Information

All personal information collected by the Council is used only for the purpose of conducting Council business and in the provision of Council services to its customers.

The type of personal information that may be collected and held by the Council includes, but is not limited to:

- Names and addresses (postal, residential and email addresses);
- Telephone numbers;
- Age and/or date of birth;
- Property ownership and/or occupier details;
- Dog ownership;
- Electoral Roll details;
- · Payment history;
- Financial, rental or income details;
- Pensioner/Concession information;
- Library membership details.
- Business data / Market intelligence

When collecting information, Council assumes that:

- Any personal information provided by residents and/or ratepayers is free from errors and omissions, is not misleading or deceptive and complies with all relevant laws; and
- Residents and/or ratepayers have the necessary authority to provide any personal information submitted to the Council.

All information is collected in a fair and lawful manner and as required/permitted by law. Council is committed to ensuring that residents and/or ratepayers are aware of the purpose of collection of their personal information and, where possible, will provide a privacy statement explaining the purpose. Council will take all reasonable steps to apply the objects and methods of the *Freedom of Information Act 1991* in such a way to favour the disclosure of information without infringing the right to privacy while meeting legal requirements.



4.2. Maintenance and Storage of Personal Information

Council will take reasonable steps and use appropriate security mechanisms to ensure that the personal information held by Council is protected from misuse and loss, and from unauthorised access, modification or disclosure.

In the event of a security breach, Council's procedures enable prompt action to be taken to investigate the incident and determine whether a Notifiable Data Breach of Personal Information has occurred. This will enable Council to take the necessary steps to complete the investigation and notify the relevant bodies.

Council will maintain its record keeping systems to ensure that all personal information collected is up to date and complete as is reasonably practical, in accordance with the *State Records Act* 1997 as applicable to local government bodies.

Any person who, on behalf of Council, uses or discloses personal information held by Council must have appropriate authorisation to do so. Failure to adhere to this requirement may result in disciplinary action.

4.3. Disclosure of Personal Information

Council will not provide personal information it holds on residents and/or ratepayers to third parties unless specifically required to by law and after following relevant consultation requirements, except:

- After Council first takes reasonable steps to obtain the consent of the person concerned to
 use his or her personal information for that other purpose;
- Where the provision of personal information is for the purpose of distributing materials for the sole purpose of and on behalf of the Council (e.g. for use to distribute Rates Notices);
- Where the third party has been contracted by Council to provide advice or services for the sole purpose of assisting the Council to provide benefits to residents and/or ratepayers;
- Where the Council is required by legislation to provide personal information to a third party (e.g. provision of personal information to the State Electoral Office) or to the public at large in accordance with legislation where the information is not otherwise exempt;
- Where the resident and/or ratepayer has been advised of Council's usual practice of disclosing personal information (through Council's Privacy Statements);
- As part of the public notification required and related to lodgment of a development application;
- If personal information is received as part of a Petition to Council, this will be dealt with in accordance with the Local Government Act 1999 and as set out in Council's Petition Policy.
- Council believes, on reasonable grounds, that use of the personal information is necessary
 to prevent or lessen a serious and imminent threat to the life or health of the subject or of
 some other person;
- The use of the personal information is required and authorised by law; or
- The use of the personal information for that other purpose is reasonably necessary for the enforcement of the criminal law or law imposing a pecuniary penalty.

Before Council will provide personal information to a third party service provider that is subject to the provisions of the *Privacy Act 1988*, that supplier will be required to provide a signed Privacy Undertaking to Council that it will comply with the *Privacy Act 1988* and the National Privacy Principles in respect to the collection, use and handling of personal information supplied by Council.

City of Marion 245 Sturt Road, Sturt SA 5047 PO Box 21, Oaklands Park SA 5046 T 08 8375 6600 www.marion.sa.gov.au Category: Public
Owner: Manager Information and Transformation /
Corporate Governance
Authorisation Date:

Review Date:

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Council may supply personal information about an individual to that individual as part of a standard communication or pursuant to a request made by the individual.

4.4. Access to, and Amendment of, Personal Information

Residents and/or ratepayers who wish to access the personal information that Council holds in relation to them can do so by contacting Customer service employees.

If a resident and/or ratepayer can show that the personal information held by Council is not accurate or complete, it will be amended by the Customer service employees.

Council acknowledges that it has certain personal information in its possession that it is legislatively required to make available for access by members of the public. There is also provision under the Freedom of Information Act 1991 for members of the public to apply for information from Council.

4.5. Privacy Statement

In addition to our privacy policy, we may need to explain specific privacy practices in more detail at other times. In such circumstances we will develop and provide separate privacy notices to describe how we will handle the personal information that we collect. This separate privacy notice where issued, will detail our personal information handling practices in relation to that particular service or function.

4.6. Suppression of Personal Information

A person's name and/or address may be suppressed from the Council's Assessment Record and Voters Roll where Council's Chief Executive Officer is satisfied that the inclusion of the name and/or address on the Assessment Record and/or Voters Roll would risk the personal safety of that person, a member of the person's family, or any other person.

Enquiries regarding the suppression of information should be directed to Customer Service employees.

4.7. Eligible Data breach

Any potential eligible data breach will be investigated, assessed and managed in accordance with the Procedure for Investigating and Reporting a Privacy Breach. All breaches will be investigated as individual cases in accordance with the defined roles and responsibilities of the Procedures and an assessment or preliminary assessment will be made within 30 days of the incident being reported.-

Complaints 4.7.4.8.

T 08 8375 6600

www.marion.sa.gov.au

Residents and/or ratepayers who have any concerns regarding how Council handles personal information or require further information should contact the Customer service employees in the first instance.

If Customer service employees cannot satisfy the residents and/or ratepayers concerns, the person may lodge a formal complaint. Complaints should be made in writing to:

City of Marion 245 Sturt Road, Sturt SA 5047 PO Box 21, Oaklands Park SA 5046

Category: Public Owner: Manager Information and Transformation / Corporate Governance Authorisation Date:

Review Date:

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Manager Information Technology and Transformation City of Marion PO Box 21 Oaklands Park SA 5046

5. **DEFINITIONS**

Key Term – Acronym	Definition	
Access	Providing to an individual, information about himself or herself that is held Council. This may include allowing that individual to inspect personal informat or to obtain a copy of the personal information.	
Collection	Gathering, acquiring or obtaining personal information from any source and by any means, including information that Council has come across by accident or has not asked for.	
Consent	Voluntary agreement to some act, practice or purpose.	
Disclosure	The release of information to persons or organisations outside the Council. It does not include giving individuals information about themselves.	
Eligible Data Breach	The unauthorised access, disclosure or loss of TFN information that is likely to result in serious harm to one or more individuals.	
Notifiable Data Breach (NDB) Scheme	Councils are subject to the NDB Scheme under the <i>Privacy Act 1988</i> (Cwth) to the extent that TFN information is involved in an eligible data breach.	
Information or an opinion (including information or an opinion forming part of database), whether true or not, and whether recorded in a material form or about a natural living person whose identity is apparent, or can reasonably ascertained, from the information or opinion, including a photograph or othe pictorial representation of a person, but does not include information that is in generally available publications; kept in public records and archives such as the Commonwealth or State archives; or kept in a library, art gallery or museum for the purpose of reference, study or exhibition.		
Number)	Information, whether recorded in a material form or not, that records the tax file number of a person in a manner connecting it with a person's identity (e.g. a person's name and date of birth). Council, as an employer, is in receipt of TFN information.	

City of Marion 245 Sturt Road, Sturt SA 5047 PO Box 21, Oaklands Park SA 5046 T 08 8375 6600 www.marion.sa.gov.au

Category: Public
Owner: Manager Information and Transformation / Corporate Governance Authorisation Date: Review Date:



Use	The handling of personal information within a Council including the inclusion of information in a publication.
Sensitive information	Information or an opinion that may give rise to discriminatory practices based on an individual's:

6. ROLES AND RESPONSIBITIES

The departments responsible for the security of Council-held information, accurate electronic recordkeeping and maintenance are Information Technology and Transformation and Corporate Governance.

7. REFERENCES

This Privacy Policy has adopted principles and approaches from:

- The Commonwealth Privacy Act 1988; (Australian Privacy Principal Guidelines)
- Previous Ombudsman's finding in relation to Freedom of Information Request reviews;
- The South Australian Department of the Premier and Cabinet's Information Privacy Principles Cabinet Administrative Instruction.

Although this legislation and administrative instructions do not directly apply to councils within South Australia, principles from within each have been adopted to ensure a suitable standard is applied.

In developing this policy, the additional following legislative instruments were considered:

- Local Government Act 1999
- Freedom of Information Act 1991
- State Records Act 1997
- Office of the Australian Information Commissioner Notifiable Data Breach Scheme

8. REVIEW AND EVALUATION

It is proposed that the policy be reviewed every four years in line with Council's Policy Framework, or earlier should legislative or technological changes require it.

Review Date:



DEPUTATIONS

Deputation Request - Dr Stephen Carthew (request denied)

Originating Officer Elected Member Support Officer - Tom Matthews

Corporate Manager Corporate Governance - Kate McKenzie

General Manager City Services - Tony Lines

Report Reference: GC200728D01

SPEAKER:

Nil

ORGANISATION:

Resident

COMMENTS:

Dr Stephen Carthew requested to make a deputation to Council in relation to the 5G roll out. The request was denied on the grounds that Council is not the decision-making body in relation to this issue.

The refusal of the deputation is reported to Council in accordance with the *Local Government* (*Procedures at Meetings*) Regulations 2013, Section 11 (5):

If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).



PETITIONS

Petition - Planning and Design Code

Originating Officer Team Leader - Planning - Alex Wright

Corporate Manager Manager Development and Regulatory Services - Warwick Deller-Coombs

General Manager City Development - Ilia Houridis

Report Reference: GC200728P01

PETITION FROM:

Andrew Jessup - Resident

NUMBER OF SIGNATORIES:

113 signatories - received 6 July 2020 additional 14 signatories received 10 July 2020 additional 14 signatories received 20 July 2020

Total of 141 signatories

DATE PETITION RECEIVED:

6 July 2020

CORRESPONDENCE:

The Petition of residents of the City of Marion is seeking to draw attention of Council to new planning laws the State Government is seeking to introduce.

In particular this petition is focussed on the impact of the proposed new laws on the reduction of block sizes and frontage widths for houses in Warradale. More than 20% of the house blocks in the area bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street are narrow and small, the result of past subdivision.

The petitioner's are concerned that the proposed changes will cause increased congestion in our streets and the loss of character within their neighbourhood and want their suburb to primarily comprise low scale, low to medium density housing, and to achieve this we want subdivision limited in this part of Warradale.

The petitioners therefore request that Council advocate on their behalf for Government to modify their proposed laws and make the area of Warradale bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street subject to minimum block size of 350 square metres and minimum frontage width of 10 metres.

ORIGINATING OFFICER COMMENTS:

The State Government released the draft Planning & Design Code for Metropolitan Adelaide in October 2019. The intention of this new Code is that each individual Council Development Plan will be replaced by a single, online 'Planning & Design Code'. The Code is a single document which provides all state wide policies, but will incorporate limited areas where a Council can introduce 'variations' for allotment dimensions to some suburbs.



The State Government provided the community (which included Councils and individual property owners) with an opportunity to comment on the proposed changes between October 2019 to until the end of February 2020.

Council's submission on the draft Planning and Design Code argued strongly that the current planning policy in the Marion Plains Policy Area (which includes the area bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street) should be translated across to the Planning and Design Code. Specifically, Council strongly advocated for the retention of 10 metre frontages and 350 square metre block sizes.

Council wrote to the Minister for Planning on 31 March 2020 seeking greater clarity on the progress and timeline of the implementation of the Planning and Design Code (including any changes in response to Council's submission).

To date, Council has not received a formal response to our submission, or from the Minister in relation to the progress and timeline of the Planning and Design Code implementation. There has been ongoing engagement during this time between the Administration and relevant State Government staff.

Should no change to the proposed Planning & Design Code occur, the minimum allotment sizes as identified by the State Government will be implemented when the code is introduced.

Council and administration staff continue to advocate on behalf of the whole community for the retention of this recently approved policy.

Subject to Section 73 (2)(b)(v, vii) of the Planning, Development and Infrastructure Act 2016 any persons interested in the land can initiate a Code amendment, and the residents may wish to investigate this option should changes occur as part of the Planning & Design Code.

Council has written previously to Mr Jessup in relation to this matter.

It is advised residents continue to raise and advocate their concerns directly with the State Government and the State Planning Commission (SPC).

RECOMMENDATION:

That Council:

1. Notes the petition and comments provided by Administration

ATTACHMENTS:

#	Attachment	Туре
1	GC200728 - Petition - Planning and Design Code 200706 - extract	PDF File
2	Petition - Planning and Design Code - additional signatories 200710 - extract	PDF File
3	GC200728 - Petition - Planning and Design Code - additional signatories 200720 - extract	PDF File

6 July 2020

Mr Andrew Jessup 23 spruce Avenue WARRADALE SA 5046

Mayor Kris Hanna Councillors City of Marion 245 Sturt Road, STURT SA 5047

Dear Mayor and Councillors

Accompanying this letter is a petition signed by 113 residents from a small pocket of Warradale, an area bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street.

We residents are concerned at the increasing congestion in our streets and loss of character, attractiveness and amenity, the result of past subdivision. We think the character of this pocket of Warradale is well worth preserving.

We would like our part of Warradale to primarily comprise low scale, low to medium density housing. To achieve this we want future subdivision limited. We think having minimum block size of $350m^2$ and minimum frontage width of 10m is a fair and reasonable limit for this area. There are still a number of original, larger size blocks in the area that could be subdivided, even with these minimums.

We hope the Government can be convinced to modify its draft Planning and Design Code to mandate these minimum block dimensions, at least for our part of Warradale.

The petition is provided for your consideration and appropriate action.

Yours Sincerely

Andrew Jessup

LET'S STOP OVERDEVELOPMENT IN OUR SUBURB

PETITION

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

Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

23 Spruce Avenue Warradale

Date Petition Initiated

15 June 2020

The petition of residents of the City of Marion draws attention of Council to new planning laws the State Government is seeking to introduce. The proposed new laws reduce block sizes and frontage widths for houses in Warradale. More than 20% of the house blocks in the area bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street are narrow and small - the result of past subdivision. This is causing increased congestion in our streets. Our neighbourhood is losing its character. We want our suburb to primarily comprise low scale, low to medium density housing, and to achieve this we want subdivision limited in this part of Warradale.

The petitioners therefore request that Council advocate on their behalf for Government to modify their proposed laws and make the area of Warradale bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street subject to minimum block size of 350m² and minimum frontage width of 10m.

NAME	ADDRESS	SIGNATURE
Leonie Forde	21 Spruce Are	50
Helen Schulz	21 Spruce Ave	Kelen Schulz
Anthony Forde	21 Spruce Ave	stuff Inde
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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.



LET'S STOP OVERDEVELOPMENT IN OUR SUBURB

Please read the petition overleaf, sign it and return to

A Jessup 23 Spruce Avenue WARRADALE 5046

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CITY OF MARION

PETITION

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

Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

23 Spruce Avenue Warradale

Date Petition Initiated

20 June 2020

The petition of residents of the City of Marion draws attention of Council to new planning laws the State Government is seeking to introduce. The proposed new laws reduce block sizes and frontage widths for houses in Warradale. Approximately 20% of the house blocks in the area bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street are narrow and small - the result of past subdivision. This is causing increased congestion in our streets. Our neighbourhood is losing its character. We want our suburb to primarily comprise low scale, low to medium density housing, and to achieve this we want subdivision limited in this part of Warradale.

The petitioners therefore request that Council advocate on their behalf for Government to modify their proposed laws and make the area of Warradale bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street subject to minimum block size of 350m² and minimum frontage width of 10m.

NAME	ADDRESS	SIGNATURE
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LET'S STOP OVERDEVELOPMENT IN OUR SUBURB

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A Jessup 23 Spruce Avenue WARRADALE 5046

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CITY OF MARION

PETITION

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

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NAME	ADDRESS	SIGNATURE
Jennie Ward	28 Buckingham Ave WARRADALE SA 5046	D. U. d.
John Ward	28 Buckingham Ave WARRADALE SA 5046	The said
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LET'S STOP OVERDEVELOPMENT IN OUR SUBURB

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A Jessup 23 Spruce Avenue WARRADALE 5046

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BRUSUS AND ALL TOTY OF MARION DRAW SUBURE

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

23 Spriits Avenue

WARRADALE SD46

Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

23 Spruce Avenue Warradale

Date Petition Initiated

20 June 2020

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NAME	ADDRESS	SIGNATURE
A Williams	4 Buckingham Ave Wairran	dale Applhams -
J Williams	4 Buckingham Ave Nevvadal	
K ANDERSON	2 Buckingham Ave Warrage	ale Taxe Inderson
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LET'S STOP OVERDEVELOPMENT IN OUR SUBURB

Please read the petition overleaf, sign it and return to

A Jessup 23 Spruce Avenue

WARRADALE 5046

23 Sprace Amouse Warradale

20 June 2020

0439 959 835

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PETITION

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

Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

23 Spruce Avenue Warradale

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NAME	ADDRESS	SIGNATURE
MICHAEL LEWN	374 MORPHETT ROAD WARRADALE 374 Morphett Rd Warradale	Chin
MICHAEL LEWN Delig Lewis	374 Morphett Rd Warradale	Affeire
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NAME	ADDRESS	SIGNATURE
G. M. EATTS	31 5455 54 57	ly n eras
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P. S BACK OF THIS LETTER WAS DAMAGED BY WATER IN MY LETTER MOY GEOFF.

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NAME	ADDRESS	SIGNATURE
SONDAD BROOKS	46 SPROCE AVE	
	VARRADALE SA 5046	ABooks.

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NAME	ADDRESS	SIGNATURE
A. WHYMENT	3124 MORPHETT RD WARRADALE	the ment
	WARRADALE	
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Alisan Jessup	23 Spruce Aue	Agressup
ANDREW JESSUP	23 Spruce Are Warmoble	Hemr
A CONTRACTOR OF THE CONTRACTOR		
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GSSMITH	52 HAMILTON AVE WAGE	Smit
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MARGARET FORSTER	I HAMILTON ALE	Gforder
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NAME	ADDRESS	SIGNATURE
A. VOIGT	17 Buckingham Ave	Shift
	Warradale	
R. VOIGT	11 11 11	All rees

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NAME	ADDRESS	SIGNATURE
Julie A Puigley	124 Diagonal Rd Warralale	J.A. Quigley
	5046	
Jane Osborne	120 Diagonal Rd (Warradale 5046	Judatre
	Warradale 5046	
	*	

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NAME	ADDRESS	SIGNATURE
T. Jal. M. HARRIS	25AKEYNER AVE	4. Jahan

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NAME	ADDRESS	SIGNATURE
J. McJOUGALC	6 EWELL AUG WARRASALE	Julien all
K. M. DOUGALL	6 EWELL AVE WARRADALE	

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Jul 8a Ev Warr Souti	ian MILES vell Avenue adale 5046 n Australia	
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NAME	ADDRESS	SIGNATURE
Carolyn Mogan	ZZ Cedar Ave Warradale SA 8046	
1 0	Warradale SA 8046	

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NAME	ADDRESS	SIGNATURE
Zane knotil	168 diagnal road	Jan ,
# karen krafil	168 diagonal road	Monde
Chad krown	168 d'agonal read	ellett =
Sar Krosul	168 diagonal road	Jolkosh)
Jed Evalu	168 diagonal road	Sellerati)
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NAME	ADDRESS	SIGNATURE
Tanja Swansav	25 Sprice Ave	(D)
	Warrodate	

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NAME	ADDRESS	SIGNATURE
Bruno Rebuli	58 Spruce Ave	Block !
Ali Rebuli	58 Spruce Ave Warrada	aghlbul
	Warrada	le

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NAME	ADDRESS	SIGNATURE
BARBARA SCANLAN	24 Kent Ave WARRADALE 50 46	B. Deanlan
	5046	

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NAME	ADDRESS	SIGNATURE
Annika Schipanski	21 ceda Are, Warradale	besili
Rick Strezovski	21 cedar Are, Warradale 21 cedar Ave, Warradale	RSTA-
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Peter Norman of Phillis Court wangle Down	2
Peter Norman 14 Phillis Count Warrange & Dom	

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PETITION

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

Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

23 Spruce Avenue Warradale

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MOOLFIELD'S.	23 PINE AVE.	Rt Moorfield
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NAME	ADDRESS	SIGNATURE
ANTHONY PISCOPO	28 Keynes AVE Warradale	Joseph Topo
ANNETTE PISCOPO	28 Keynes Ave Warradale 28 Keynes Ave Warradale	SKHiczo.
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NAME	ADDRESS	SIGNATURE
P. HERMANN	54 SPRUCE AUE	An Hun
L Craft	54 Sprie Ne	CO Coff
S. Craft	SA Spruce Ave	8005
T McNamara	54 Spruce Ave.	Teller

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NAME	ADDRESS	SIGNATURE
Denice Newley	326 Morphett Rd Warrac 326 Morphen M WANTA	ale DKiPewly
GREG NEW LEY	326 MORPHENM WANTA	DOLE faily
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NAME	ADDRESS	SIGNATURE
RAY CARIER	64 HAMILTON AVE, WARRADAG	e Doato
KARON CARTER	11 " " WARRADA	E Xkorow
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NAME	ADDRESS	SIGNATURE
REGGY SUE NICHOLLS	31 CEDAR AVE MARRADALE	POLICIO 6
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NAME	ADDRESS	SIGNATURE	
JULIE ARBON	2 PINE AVENUE WAR	RADALE OSBOR	7
Michael Arbor	2 PINE AVENUE WAR	ndele M	
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PATRICIA COGHLAN	IL GANGARA CRI WARRADALE 5046	P. Goghlan

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	NAME	ADDI	RESS	SIGNATURE
BRIAN	STOCKHAM	LO VERDIERHO U	5046 EURGADAUE	Club
PATRICIA	GAVANAGH	10 VERDELHO L	VAY WARRADALE	P.D. Care-gl

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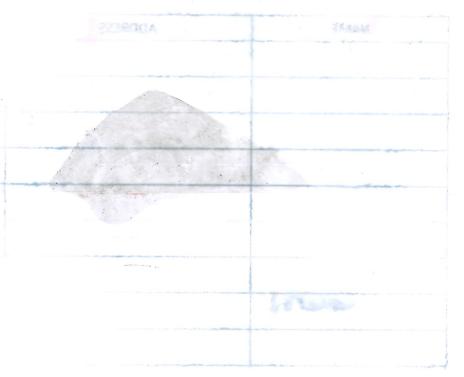
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Trong Baldson	rule kent Ave	2M Barbe
SVENUE CONTROL	Warradale	
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NAME	ADDRESS	SIGNATURE
Larisa Angione	8APINE AVENUE Warradale	Alyan:
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NAME	ADDRESS	SIGNATURE
	5- HAMILTON AVIS	grash
T. E. SMITH	1 M	J. E. Snitt
	WARRADALE.	
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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.

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WARRADALE 5046

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ADDRESS	SIGNATURE
153 Oaklands Rd Warradak	LECTOR
153 Daklands Rd Warradale	31/2
	/
	ADDRESS 153 Caklands Rd Warradak 153 Daklands Rd Warradale

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NAME	ADDRESS	SIGNATURE
NATALYA SAVELYEVA Elkhan Abasov	ZOEWEIL AVENUE Warradgie, SA 5046	(Van_
Elkhan Abusov	20 Ewell Avenue Warradale, SA 5046	Af

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NAME	ADDRESS	SIGNATURE
Willie Full	42 HAMILTON AVE	1
Ann Simmovec	10 ((De Se.
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NAME	ADDRESS	SIGNATURE
Lauren Gilder	42 Cedar Ne Warradale	(X)
11.1.011.	42 Cedar Are warradale	inage
Richard Gilder	42 Cedar Ave south	
Thomas Gilder	42 Cedar Ave 5046	Shif
(Mor Do		*
	Marie Control of the	

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NAME	ADDRESS	SIGNATURE
CORAL WESTLEY	4 CEDAR AUE WARRADAUE	6 West lay
TAVID WESTLEY,	4 COPAR AND WARRADALE	Sharter "
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NAME	ADDRESS	SIGNATURE
RALPH BROWN	8 PHILLIS COURT WARRADALE	
Jan BROWN	8 Phillis et Warrad	dele Braver

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NAME	ADDRESS	SIGNATURE
Courtney Park	103 Oakland Rd Warradak	CPnk
Browley Park	103 Oaklands Rd Warradale	B. Paul
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NAME	ADDRESS	SIGNATURE
B. N. HIERN	2A CODAR AVE.	
	WARRADALE 20 Cedar Ave	
Judee Hier n	20 Cedar Ave Warradale	Alten

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WORRADALE 5046

PETITION

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

Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

23 Spruce Avenue Warradale

Date Petition Initiated

20 June 2020

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The petitioners therefore request that Council advocate on their behalf for Government to modify their proposed laws and make the area of Warradale bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street subject to minimum block size of 350m² and minimum frontage width of 10m.

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Helen Royans	45 Spene Workedal	Municipal)
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Bronwn Hopkins	71 Hamilton Ave Warradale SA 508 6	Alber

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NAME	ADDRESS		SIGNATURE
Emily Ward	12 Sienna Ave	Wavyadale 5046	E. Ward
Emily Ward Sebastian Young	7.1		Syang
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NAME	ADDRESS	SIGNATURE
BERNARY STOTT	29 KEYNES AVE WARRADALE	BUSTAT
YVONNE STOTT	29 KEYNES ADE WORRES	ale lystold
		/

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NAME	ADDRESS	SIGNATURE
LINDA QUINN	28A CREAR AVR	LD Zuim
Vivian Dilernia		V. Di Lema
BELINDATURE	1288 Codo ALa	B

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NAME	ADDRESS	SIGNATURE
Barry John Hall	28 Ewell Ave Warradale	B Ball
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Agrico Company		
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JOHANNA E.MSAFFARI	19 HAMILTON AVE, WARRADALE	Johanne Em Soffan
ALEX SAFFARI	19 HAMILTON AVE, WARRAGE	E adass
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JOHN HENLEY	13 VERSENTO WAY	Hercon
V. RUTH HENLEY	13 VERSELIED WAY 13 VERDELHO WAY WARRADALE	Muly
	WARRADALE	17
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NAME	ADDRESS	SIGNATURE
ANTHONY LANGLEY	3 I PINE AVE. WARRADALE	Adage
,	3) Pine He Warredak	Dangley
FROMA LANGULOU	31 PINE AVE WARRADME	
ERICA LANGLEY	31 PINE AVE WARRADALE	Joshup

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NAME	ADDRESS	SIGNATURE
GREG SANDO	8 SPRUCE AVE, WARRADAKE	Gh.~
JEANETTE SANDO	8 SPRUCE AVE, WARRADALE	Ron
		•

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CHRIS	RYAN	27 a CEDAR AVE WARRADALE 5046.	lehyon
ANNE	RYAN RYAN	//	Pulp

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NAME	ADDRESS	SIGNATURE
Ross Martin	12 Kent Ave, Warradale 5046	Rebourfin
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IAN NUNTER	8 A CEDAR AVE WARRADAME SA SOUL	/ Lylls ,
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23 Spruta Avenue

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NAME	ADDRESS	SIGNATURE
	69 HAMILTON AVE	MMX
KAREN O'DEA	69 HAMILTON AVE WARRADAJE 69 HAMILTON AVE WARRADAJE	1 Cant
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	Please note this petition is a public document, by signing it I understand that my name
n.ac	ddress and signature will be made available in the public realm. The City of Marion will record
Di-	or the purpose of this petition only.

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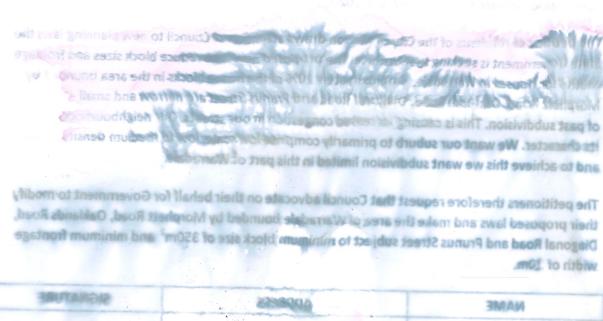
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SIGNATURE	8399000	NAME
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Jeannette	45 Pine Ave Warradale	GloBennett
Jeannette Bennett.	Warradale)
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Sharyn Checker	a.7 Spruce Ave Warrada	le SKChecker
Jordan Checher	27 Spruce Avenue Warrada 27 Spruce Avenue Waradak	Huerle
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Clare Pannell	43 Kent I've Warradal	Carlo Office of the carlo of th
Harry Pannell	43 Kent are Warradle	HQ MAN
Meredith Ryan	32 Kent Are Warada	le M. Ryan
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Nota Rawland.	35 Kent Ave WARRADALE	N. bRondand
Jenny Langsford	33 kg/ Ava Warralac	Hongles
Lour langsford	8 80ho Street war	adale K
Rolon	41 Kent	ku/
Scell Mates	39 kent Avenue	lesto
Jana Mates	39 Kent AVR	2
Ru Fabretto	a Vert Are	P
Brad Salisbury	37 Kent Aue	Ball
	34 Kent Ave	an

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Sonya Ash	372 Morphett Rd Warrada	le SAS
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NAME	ADDRESS	SIGNATURE
Carlene Vine	55 Hamilton Ave Warrabala	2 CBOmò
	3046	
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menedith core	19 hent Ave WARRAGE	are on in God		
L. F. COOPER	19 KENT AVE WARRAGE	& S. booper		
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LET'S STOP OVERDEVELOPMENT IN OUR SUBURB

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The petitioners therefore request that Council advocate on their behalf for Government to modify their proposed laws and make the area of Warradale bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street subject to minimum block size of 350m² and minimum frontage width of 10m.

ADDRESS	SIGNATURE
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SAUSUS AUG LA CITY OF MARION

PETITION

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

Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

23 Spruce Avenue Warradale

Date Petition Initiated

20 June 2020

The petition of residents of the City of Marion draws attention of Council to new planning laws the State Government is seeking to introduce. The proposed new laws reduce block sizes and frontage widths for houses in Warradale. Approximately 20% of the house blocks in the area bounded by Morphett Road, Oaklands Road, Diagonal Road and Prunus Street are narrow and small - the result of past subdivision. This is causing increased congestion in our streets. Our neighbourhood is losing its character. We want our suburb to primarily comprise low scale, low to medium density housing, and to achieve this we want subdivision limited in this part of Warradale.

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NAME	ADDRESS	SIGNATURE	
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Richard Tucker	36 Spruce Are, Warradde	~ Al	
Mitchell Tucker	36 Spruce Are, Warradale	mulas.	
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NAME	ADDRESS	SIGNATURE
M. Jankovic	2/3 Pine Ove	Ym
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NAME	ADDRESS	SIGNATURE	
JEFFrey RYAN	15 SPRUCE AVE	John	
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Petition contact person:

Andrew Jessup

Telephone:

0439 999 635

Address:

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Date Petition Initiated

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NOUR SUBURB

CITY OF MARION

PETITION

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

23 Spruce

WARRAD

Petition contact person:

Andrew Jessup

Telephone: 50 19/10

-10 HOT TOE

0439 999 635

Address nouses pr

23 Spruce Avenue Warradale

Date Petition Initiated

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Petition - No Stopping Zone - Franklin Court and Edison Court, Sheidow Park

Originating Officer Unit Manager Engineering Services - Mark Griffin

Corporate Manager Engineering, Assets and Environment - Mathew Allen

General Manager City Services - Tony Lines

Report Reference: GC200728P02

PETITION FROM:

Vasily Voronin - Resident

NUMBER OF SIGNATORIES:

24 signatories

DATE PETITION RECEIVED:

26 June 2020

CORRESPONDENCE:

Residents of Franklin Court and Edison Court draw the attention of the Council to the 'No Stopping Zone'. Parking doesn't allow residents to use the available parking space near their driveways on school days from 8-9 and 3-4. The petitioners therefore request that the Council puts 'Permit Zone' parking instead of 'No Stopping Zone' and give the residents permits to park near their driveway.

ORIGINATING OFFICER COMMENTS:

The City of Marion has been working with the Woodend Primary School since 2009 to address the traffic and parking concerns associated with the school. Since 2017, with the involvement of the Department of Planning, Transport and Infrastructure (DPTI), the following developments/actions have occurred.

For the layout of the area, including Franklin Court and Edison Court refer to Attachment 2.

For the History/Timeline of Franklin Court & Edison Court and Woodend Primary School refer to **Attachment 3**.

RECOMMENDATION:

The above information is provided to enable Elected Members to make an assessment in relation to the Petition.

Options include:

- Retain the No Stopping Zone as per resident survey preference
- 2. Replace the No Stopping Zone with a Permit Parking Zone (noting that residents will need to apply for a permit, with the current practice indicating 1 per household and residents being able to apply for an additional one if required a total of 2 permits)
- 3. Revert to no parking controls

ATTACHMENTS:



#	Attachment	Туре
1	Petition - Franklin Court and Edison Court No Stopping Zone	PDF File
2	Franklin Court - Location Plan	PDF File
3	History - Timeline - Franklin Court and Edison Court	PDF File

Page 193
Office Use Only:
Date Petition Received:

CITY OF MARION.

PETITION

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

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Date Petition Init	iated: $\cancel{x}\cancel{y}$	the of	Sure-	Z020	
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use the	available	parking	Space Ne	ar their	drive
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Council shou/9 c	r sho[!ld no} take) r 1. i44	7 . w.	(.,;-f,	so stable
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M: COSFORD	12 FRANKLIU CT	Sile
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R. Kishton	10 FLANKUN CT	
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M. Howard	8 Franklin Hoge	410

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No stoppi, Residents	ng zone	during	school	hours,	and give
Residents	Permits	to park	Near	their	driveways

Name	Address	Signature
Paul Child	11 Franklin Ct	June Olive
Anna Child	11 Franklin Ct	Anne dela
SUSAN WILLSON	7 FRANKLING	Du
Linda Tedlicky	12 Franklin Cf	
Alicia Edwards	14 Frankin (+	C Samuel Company Commence Comm
Janot Kennett	9 Franklin CL	
Bedry Zhao	6 Franklin ct	1227
Oliver Thorn	3 Edison C+	AN.
E Wheaton	3 Edison Ct	OM
A Madegan	s Edison Court	
J. Marchegiano	8 Edison Court	Dlevelgian
T. WISZ	6 Edison (A)	Well.
J. PROSON CHOR	2 EDISON CT.	
L Sadler	4 Franklin Ct	(W)
M. Wilm	4 FRANKLIN CT	Milater
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		Attach additional sheets if required



Attachment 2

Scale 1:1,409 Map Width 344.9 m Created by eng Monday, 13 July 2020





Franklin Court & Edison Court / Woodend Primary School – History

2017 / 2018	 The following treatments were developed in conjunction with DPTI and the Woodend Primary School to improve accessibility and parking around the school: Expansion of the "Drop-off and Pick-up" indented bay on Edward Beck Drive adjacent to the school; and The provision of an access point onto Franklin Court and shared paths across various reserves to encourage children to walk and cycle to school. Note: These treatments have now been installed. As a proactive measure, to ensure that parents did not utilise Franklin Court as a drop-off and pick-up area, it was concluded that a parking restriction should be installed. 	
December 2018	No Stopping Zone and Access/Path Survey Residents were surveyed in regards to: • The provision of an access point at the southern end of Franklin Court and associated paths through the reserves; and • The installation of a No Stopping Zone (school days 8:00 - 9:00 am and 3:00 - 4:00 pm) in both Franklin Court and Edison Court.	
February 2019	Mr Vasily Voronin met with Council's Unit Manager Engineering (Mr Mark Griffin) to discuss the situation. At that time, Mr Voronin suggested that a Permit Zone would be more appropriate.	
March 2019	Permit Zone Survey To ascertain the views of residents a survey was undertaken in relation to the possible installation of a Permit Zone.	
April 2019	Survey Results The results of both surveys were summarised, as follows: Dec 2018 Survey • 78% supported the provision of the access point and the shared paths; • 81% supported the No Stopping Zone. March 2019 Survey • Only 3 residents supported the provision of a Permit Zone.	
April 2019	Residents were advised of the survey results, namely that support was obtained for the provision of access/paths and the No Stopping Zone.	
October 2019	Residents were advised that the No Stopping Zone would be installed as a trial.	
October 2019	The trial No Stopping Zone was installed.	
November 2019 to May 2020	 No Stopping Zone trial Throughout the trial, observations were undertaken, revealing the following: Generally, the road was clear of parked vehicles during school times. However, on a few occasions parents did park on the northern end of Franklin Court near Edward Beck Drive; Some residents of Franklin Court did park their vehicles on the road during the operating times of the parking restriction; and 	

ATTACHMENT 3

	 Many students and parents utilised the shared path and the access point to the school. 	
May 2020	 A review of the Customer Event System During the trial period two events were recorded, these were: Feb 2020 - A resident requested additional monitoring of the No Stopping Zone, as it was stated that a car was always parked in the Zone; May 2020 - Councillor Matthew Shilling related the concerns of two residents in regards to some parents using Franklin Court as a "kiss-n-go" zone. As a result, three expiation notices were issued. 	
May 2020	A request was received to install an additional parking sign (depicting the restriction) in the vicinity of the access point to the school.	
June 2020	A review of the No Stopping Zone trial From a review of the data, observations and the customer event system, it was concluded that the No Stopping Zone was operating satisfactorily and therefore the Zone should be retained.	
01 June 2020	Mr Vasily Voronin, emailed Council requesting the provision of a Permit Zone.	
11 June 2020	Council's Traffic Survey Officer (Mr Hamid Hashemi) met Mr Voronin on-site to discuss the situation and permit parking. Mr Voronin was advised that a Permit Zone was not supported by the majority of residents, as per the survey dated March 2019.	
12 June 2020	Residents were advised that the No Stopping Zone would be retained and that an additional parking sign had been installed near the access point to the school.	
03 July 2020	Mr Voronin met with Mayor Hanna and Mark Griffin to discuss his request and petition for the provision of a Permit Zone.	



COMMITTEE RECOMMENDATIONS

Confirmation of Minutes of the Urban Planning Committee meeting held on 14 July 2020

Originating Officer Development Officer - Planning - Kai Wardle

Corporate Manager Manager Development and Regulatory Services - Warwick Deller-Coombs

General Manager City Development - Ilia Houridis

Report Reference GC200728R06

REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes from the Urban Planning Committee meeting held on 14 July 2020.

EXECUTIVE SUMMARY

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

Confidential Items

Revitalisation of the Edwardstown Employment Precinct

Reports for Discussion

• Planning Reforms Update - July 2020

Reports for Noting

Development Plan Amendments Update

RECOMMENDATION

That Council:

- 1. Receives and notes the minutes of the Urban Planning Committee meeting held on 14 July 2020.
- 2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Urban Planning Committee.

Attachment

#	Attachment	Туре
1	UPC200714 - Final Minutes	PDF File



MINUTES OF THE UPC200714 - URBAN PLANNING COMMITTEE MEETING

Tuesday, 14 July 2020 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT

Committee Members

His Worship the Mayor Kris Hanna Councillor Ian Crossland (Chair) Councillor Nathan Prior Councillor Joseph Masika Councillor Maggie Duncan

In Attendance

Sasha Mason Councillor Raelene Telfer Councillor

Adrian Skull Chief Executive Officer

Ilia Houridis General Manager City Development

Greg Salmon Manager City Activation

Warwick Deller-Coombs Manager Development and Regulatory Services
Donna Griffiths Unit Manager Economic and Cultural Development
Jaimie Thwaites Unit Manager Governance & Council Support

Alex Wright Team Leader - Planning
David Melhuish Senior Policy Planner

Kai Wardle Development Officer - Planning

OPEN MEETING

The Chair opened the meeting at 06:34 PM

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

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 5 May 2020 Report Reference: UPC200714R01

Moved Councillor Duncan, Seconded Mayor Hanna

That the minutes of the Urban Planning Committee Meeting held on 5 May 2020 be taken as read and confirmed.

Carried Unanimously

BUSINESS ARISING - Nil

CONFIDENTIAL ITEMS

Cover Report - Revitalisation of the Edwardstown Employment Precinct

Report Reference: UPC200714F01

Moved Mayor Hanna, Seconded Councillor Duncan

1. That pursuant to Section 90(2) 3(b) (i) and (ii) and 3(d) (i) and (ii) of the Local Government Act 1999, the Urban Planning Committee orders that all persons present, with the exception of the following persons: Sasha Mason, Raelene Telfer, Adrian Skull, Ilia Houridis, Greg Salmon, Warwick Deller-Coombs, Donna Griffiths, Jaimie Thwaites, Alex Wright, David Melhuish and Kai Wardle, be excluded from the meeting as the Committee receives and considers information relating to the Revitalisation of the Edwardstown Employment Precinct, 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 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 to prejudice the commercial position of the council or to confer a commercial advantage on a third party.

Carried Unanimously

6:38pm the meeting went into confidence

Moved Mayor Hanna, Seconded Councillor Prior

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

Carried Unanimously

8:28pm the meeting came out of confidence

8:29pm the meeting was adjourned

8:31pm the meeting resumed

REPORTS FOR DISCUSSION

Planning Reforms Update - July 2020

Report Reference: UPC200714R02

Manager Development Regulatory Services, Team Leader - Planning and Senior Policy Planner provided an update on the planning reforms to the Committee and answered questions.

Moved Mayor Hanna, Seconded Councillor Prior

1. That the Urban Planning Committee note this report.

Carried Unanimously

REPORTS FOR NOTING

Development Plan Amendments Update

Report Reference: UPC200714R03

Manager Development Regulatory Services, Team Leader - Planning and Senior Policy Planner provided an update on Development Plan Amendments to the Committee and answered questions.

Moved Councillor Duncan, Seconded Councillor Prior

1. That the Urban Planning Committee notes this report.

Carried Unanimously

Action: Investigate the possibility of a Land Management Agreement (LMA) or encumbrance to control the type of desired development outcomes within the Oaklands Precinct, as a result of the Minister for Planning's decision to pursue a Ministerial Development Plan Amendment for this area.

WORKSHOP / PRESENTATION ITEMS - Nil

OTHER BUSINESS

Team Leader - Planning demonstrated the draft user interface of the Planning and Design Code to the Committee.

MEETING CLOSURE

Meeting Declared Closed at 09:30 PM

CONFIRMED THIS XX DAY OF XX		
CHAIRPERSON		



Confirmation of Minutes of the Special Finance and Audit Committee Meeting held on 10 July 2020

Originating Officer Unit Manager Governance and Council Support - Jaimie Thwaites

Corporate Manager Corporate Governance - Kate McKenzie

General Manager City Services - Tony Lines

Report Reference GC200728R07

REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes from the Special Finance and Audit Committee Meeting held on 10 July 2020.

EXECUTIVE SUMMARY

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

Reports for Discussion

- Internal Audit Program 2019/20 Metrics that Matter, Leasing and Licencing and IT Governance
- Draft Asset Management Plans for comment

RECOMMENDATION

That Council:

- 1. Receives and notes the minutes of the Special Finance and Audit Committee meeting held on 10 July 2020.
- 2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

Attachment

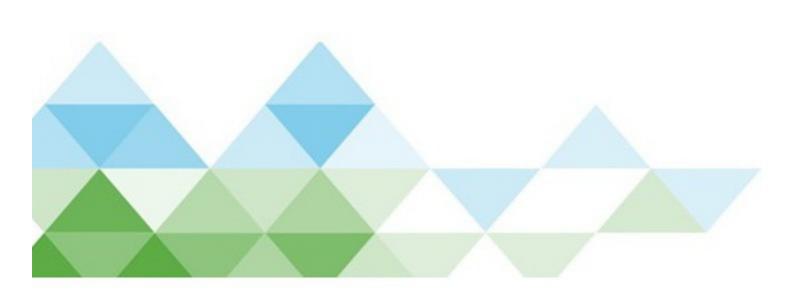
#	Attachment	Туре
1	FAC minutes 10 July 2020	PDF File



SFAC200710 - FINANCE AND AUDIT COMMITTEE MEETING

Friday, 10 July 2020 at 09:30 AM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT:

Ms Emma Hinchey (Chair), Ms Natalie Johnston, Councillor Gard (from 9.40 am) and Councillor Crossland

In Attendance

Mr Adrian Skull Chief Executive Officer

Mr Tony Lines General Manager City Services
Mr Ilia Houridis General Manager City Development
Ms Sorona Dinmore General Manager Corporate Services
Ms Kate McKenzie Manager Corporate Governance

Mr Ray Barnwell Manager Finance

Mr Mathew Allen Manager Engineering, Assets and Environment

Mr Greg Salmon Manager City Activation

Mr Akos Szonyi Manager Information Technology and Transformation

Ms Thuyen Vi-Alternetti Manager City Property

Mr Brendon Lyons Unit Manager Asset Solutions

Ms Cass Gannon Performance and Innovation Leader

Ms Renee Pitcher Unit Manager Open Space and Recreational Planning

Mr Carl Lundborg Project Engineer

Mr Glynn Rickets Water Resource Coordinator

Mr Eric Beere KPMG
Ms Heather Martens KPMG
KPMG

Ms Janet Burdon
Mr Andrew Gehling
Asset Management Consultant

OPEN MEETING

The Chair opened the meeting at 9.36 am.

KAURNA ACKNOWLEDGEMENT

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

COMMITTEE 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 interests were declared.

CONFIRMATION OF MINUTES

Confirmation of the minutes for the Finance and Audit Committee Meeting held on 19 May 2020

Report Reference: SFAC200710R01

Moved Ms Johnston, Seconded Ms Hinchey

That the minutes arising from the Finance and Audit Committee Meeting held on 19 May 2020 be taken as read and confirmed.

Carried

REPORTS FOR DISCUSSION

Internal Audit Program 2019/20 - Metrics that Matter, Leasing and Licensing and IT Governance

Report Reference FAC200710R02

9.40 am Councillor Tim Gard entered the meeting

Mr Beere (KPMG) introduced 3 Internal Audit Reports. It was noted that they were all final reports although they did indicate final draft. No further changes were made. Mr Beere noted that the collaborative Council leasing report had a slight change to one recommendation after it had been considered by the Charles Sturt Audit Committee. The Committee indicated that it would be good process to ensure that collaborative reports were consistent for both Audit Committees.

ITT Governance

Ms Burdon from KPMG provided an overview of the high recommendations within the report, noting that the ITT team displayed a positive level of engagement through the audit however, better alignment with the business is required to shift the team to a business enabler. The high-risk recommendations included:

- Improved ITT Governance and principles at a strategic level
- Policies and procedures to be aligned to best practice
- Management of privileged access. Certain areas were strong but no consistency across the business.
- No clear benefits realisation plan and how the benefits will be measured and monitored
- Lack of an Asset Information Technology register. The need for this was further enhanced with COVID.

The Committee noted this was a good report and provided comments on the following:

- There is an increased cyber risk and it was noted that the report only briefly touches on this. Assurance was provided that staff cannot download general applications and security has been increased with better controls in place.
- Council would benefit from a more rigorous vendor management program

- A full review of privileged access needs to be completed
- Finding 4 may need to be reworked as management agree that a benefit realisation needs to be completed
- Check if the COVID event is an insurable event under our business interruption insurance
- PO2 does mention there is a risk of security breaches and this could be considered as part of the internal audit plan for next year.
- Elected Members raised that the issue for them is being able to find information and better access to systems.

Leasing

Ms Martens (KPMG) was invited to introduce the report and provided the Committee with an overview of the report and noted that in recent times there has been increased focus on the challenges and risks associated with leasing of Council facilities. She highlighted that this review was a collaborative project with City of Charles Sturt which resulted in good knowledge sharing and efficiencies between the two Councils. She also highlighted that the use of spreadsheets and the lack of a system was creating challenges for robust process and some of the accuracy of data could be impacted.

The Committee:

- Suggested that the report was long given the level of the findings and could have benefited from being more summarised.
- Queried if the assessment of Finding Three (Monitoring and levels of cover required for public liability insurance) as, moderate was appropriate and whether it should have been assessed as a high risk. KPMG confirmed that the finding related to the value of insurance, not the lack of insurance and therefore felt the assessment of moderate was appropriate. It was suggested by the Committee that a set of criteria needs to be developed to assist Management to determine the appropriate level of insurance to be held under a lease and that this work could be informed by collaboration across other Councils with the assistance of the Local Government Association on behalf of the sector because this would not be a unique issue to the City of Marion. The Committee also advised that the insurance requirements should be fit for purpose, rather than adopting a "one size fits all" approach to levels of cover.
- Noted that page 35 of the report was useful but suggested should have showed the internal
 controls recorded in the risk register and the resulting current risk rating based on those
 controls. The Committee requested that that the internal audit function should be testing the
 internal controls recorded in the register and commenting on their effectiveness at reducing
 risk, and the appropriateness of the current risk rating based on reliance on those controls,
 given their assessed effectiveness.
- Queried the appropriateness of including the specific details of lessees in the report and suggested that findings be anonymized in future reports, unless there were specific reasons to share identities.

Metrics That Matter

Mr Beere provided an overview of the report noting it was a hybrid report to add value in assisting to set up the KPI framework.

The Committee expressed that it was difficult to comment on the report as they had not been provided with the detailed KPI report that is referred to in the internal audit report. Management noted that the Executive Team had received the KPI report as a separate confidential business advisory report.

The Committee suggested that in order for it to add value to this project, it would be useful for them to see the full list of KPIs suggested by KPMG. This would assist to provide Council with assurance that the KPIs that are selected do not eliminate critical items of interest to Council.

The Committee suggested that the upcoming joint Elected Member and Committee Forum in August would provide a good opportunity for joint discussion of the metrics that matter and for the Committee to work with Council to provide independent review of the metrics to be measured.

The CEO commented that is was a good report and will assist management establish better optics on the business.

Draft Asset Management Plans for comment

Report Reference: SFAC200710R03

Manager Engineering, Assets and Environment provided an overview of the report highlighting that Asset Management Plans (AMPs) are a legislative requirement of the Local Government Act 1999 and must be reviewed every four (4) years. During this review, the documents have been developed to ensure they provide value and will support effective programs for assets and services.

The Committee congratulated the team on the solid effort required to establish the AMPs. It was evident that the work was of a good standard however the Committee noted that the volume of papers was difficult to get through for one meeting and in future should be broken down into more manageable volumes for meetings.

The Committee suggested that there may be an opportunity to present the information in a more concise way and that this needs to be considered prior to public consultation. The Committee suggested a one-page summary to be attached to the front of each AMP.

The Committee suggested it would be useful to consider the presentation of information to the public and when seeking feedback, for the Council to be very clear about the items Council is seeking feedback on. The documents need a final check for typos, grammar and a few sections that have been cut and pasted incorrectly.

10.35 am Mr Adrian Skull left the meeting 10.37 am Mr Adrian Skull returned to the meeting.

The Committee provided the following feedback:

Transport

- During discussions it was felt that the term transport was a little confusing as it refers to the road
 infrastructure and not the provision of transport services. This should be made clear during public
 consultation in order to achieve useful feedback.
- Council should be focusing on the last kilometer from transport to dwelling.
- Ensure the AMP includes the frequency of the condition audits
- The section relating to bus shelters / street furniture refers to a guideline. Be clear on how these standards were set and investigate if it's possible to compare our chosen standards with those of other Councils.
- The reference to CPI Indexation was discussed and it was noted that this was recorded in error.

- Management agreed to remove the reference.
- Bridge maintenance in the AMP is was noted to be \$15k. It was also noted that historically, there has been a backlog for monitoring and maintenance of bridges. Management advised that the \$15k is deemed adequate until further information is available.

Stormwater

- The Committee noted that the budget is set at \$2.9m consistently over 10 years apart from year one. \$1m had been removed to fund a wetland.
- Page 190 of the agenda is difficult to read. This needs to be made bigger or removed.

Water treatment

- The Committee discussed the potential for cross referencing between the stormwater AMP and the Water Treatment AMP. Management advised that stormwater and water treatment assets both sit within engineering, however they are separate functions and the budgets are split for the purposes of asset management.

Buildings

- The Committee noted that the Council had a large catch up program however it is now getting back on track.
- Mr Andrew Gehling was engaged to assist Council develop multiple AMP's including this one.
- The Committee noted that the AMP can now be used to inform the figures in the Long Term Financial Plan.
- Frequency of condition audits should be based on risk/need as discussed in the internal audit report.
- Key parts of the AMP identify critical building assets as part of Councils Business Continuity Plan.
 Some further work is required to understand of the business impact risk association with critical buildings.
- The AMP needs to be clear on new infrastructure and the associated costs and/or if there is a cost sharing arrangement – for example – the new BMX track.

Open space

- Council is financially contributing to the Glenthorne Nature Playground. Council will contribute to the costs for the benefit of the community but will have no ongoing financial responsibility.
- The impacts of purchasing and whole of life costs need to be included within decision making.
- Considerations of urban infill is needed
- Scenario planning / model could be included within the AMP.
- The Committee noted the use of smarttech for getting better data and building a better case for decision making.
- The table on page 289 needs to be updated

Coastal walkway

- The AMP refers to the new structure and that it will eliminate of risk of any future erosion. The Committee suggested that the language needs to be clearer.
- CPI has been included but should be removed
- This project is a long-term collaboration with the state government. It may be difficult to address in the AMP, but there may be unfunded liabilities for the future upkeep of the coastal walkway funding.
- Council needs to ensure a strategic approach to seek funding for ongoing maintenance.

Artworks, culture and heritage

- Council should engage / consult with peak groups about what public art they decide to build.
- The AMP refers to this not being a core service of Council. The Committee suggested to delete this
- Council needs to review its art collection and determine what should be kept and was should be sold. Can an improvement plan be investigated? Management advised that a lot of public art is in storage. The Committee suggested that this should be considered.

The Committee congratulated the team for the work completed and suggested it was a professional foundation for the future.

REPORTS FOR NOTING - Nil
WORKSHOP / PRESENTATION ITEMS - Nil
OTHER BUSINESS - Nil
MEETING CLOSURE
MEETING CLOSURE - Meeting Declared Closed at 12.22pm
CONFIRMED THIS 18 TH DAY OF AUGUST 2020
CHAIRPERSON



CORPORATE REPORTS FOR DECISION

Cats (Confinement) Variation By-law Update

Originating Officer Team Leader Community Safety - Luke Manuel

Corporate Manager Manager Development and Regulatory Services - Warwick Deller-Coombs

General Manager City Development - Ilia Houridis

Report Reference GC200728R08

REPORT OBJECTIVE

To inform Council of Parliament's decision to disallow the Cats (Confinement) Variation By-law which was considered on 1 July 2020; and advise the Mayor has reiterated Council's support for a statewide solution for cat management to the Minister for Environment and Water.

EXECUTIVE SUMMARY

The City of Marion undertook an extensive process to enhance the existing Cat By-law and address local cat management issues that are not sufficiently dealt with under the Dog and Cat Management (DCM) Act 1995, by creating By-law No. 7 Cats (Confinement) Variation.

Community consultation indicated broad community support for the By-law.

Parliament's Legislative Review Committee ("the LRC") have considered the Cats (Confinement) Variation By-law and on 1 July 2020, the Parliament formally disallowed the By-law.

It is important to note that there were 5 areas where there was agreement of Council's amendments by the LRC, with three key areas where there were differing views. These were where Council was seeking to:

- Ensure quality service to the community by giving appropriate powers to Council staff to manage any cats wandering at large, a challenge that the State is also seeking to address
- To aid this process, the ability to set times by which if Cats are found wandering at large (cat curfew) that they can be detained to then find owners
- Given the intention to manage cats across the community, the ability to enforce

Subsequently, Council's existing Cats By-law (By-law No. 6 of 2014) is still in effect. The existing By-law does not include powers for seizure, detention or euthanasia of identified cats and there is no confinement period ("curfew") for cats.

The Minister for Environment and Water has indicated the State Government will be looking to create a model Cat By-law for Councils to utilise. The Mayor has written to the Minister advising Council remains committed to improving cat management and offered Council's assistance to the State Government in drafting the model By-law.

However, it is unknown what the model By-law would contain and without changes to the DCM Act, it may not provide Council with the enforcement authority it is seeking. Therefore, Council may wish to wait for the Minister's response before considering what, if any further action to take with this matter.

RECOMMENDATION

That Council:



1. Request a further report be brought to General Council, once a response has been received from the Minister for Environment and Water in relation to the State Government's proposed 'model Cat By-law' with options for Council to consider further action.

Legal / Legislative / Policy: Under the Dog and Cat Management Act ,1995, Council may make Bylaws for the control or management of cats within the Council area.

DISCUSSION

The City of Marion has a Cat By-law to assist in the management and control of cats within our city limits: Cats By-law (By-law No. 6 of 2014).

The Variation By-law was intended to:

- remove duplication as a result of changes to the DCM Act,
- give council the flexibility to create a confinement period for cats, and
- practical enforcement powers relating to seizure, detention and euthanasia of cats.

While most of the By-law was generally supported by the Legislative Review Committee (LRC), the LRC's fundamental difference of opinion was the provisions regarding seizure, detention and euthanasia in Council's By-law, as being inconsistent with sections 63 (Power to destroy cats), 64 (Power to seize and detain cats) and 64A (Destruction or disposal of seized cat) of the Dog and Cat Management Act 1995.

Council's view was that the inclusion of such powers is entirely consistent with the legislative authority granted to the Council under both Section 90(1) and (2) of the DCM Act and Section 246(2) of the Local Government Act to make cat management by-laws.

Attachment 1 provides a comparison of the existing By-law, the changes proposed in the variation By-law and the comments by the LRC.

With the By-law now disallowed, Council is recommended to wait for a response from the Minister for Environment and Water before considering further action.

Should Council wish to consider other options sooner, it is recommended that a further report be brought to a General Council meeting, where options may be explored in more detail.

Factors that Council may wish to consider include:

- Current Cat By-law variation process has taken 22 months with the report to Council to commence originally in August 2018.
- The Dog and Cat Management Act 1995 is scheduled for review in 2022.
- There may further legislative avenues for Council to advocate for (such as changes to the Dog and Cat Management Regulations).

For Council's reference, the following attachments are provided:

Attachment 1: By-law comparison table

Attachment 2: Legislative Review Committee comments outlining concerns with the By-law

Attachment 3: Letter to Legislative Review Committee from Mr. Skull outlining Council's position

Attachment 4: Letter to Mr. Skull from Legislative Review Committee confirming their previous position



Attachment

#	Attachment	Туре
1	Attachment 1 - By-law comparison table	PDF File
2	Attachment 2 - LRC Comments outlining concerns with By-law variation	PDF File
3	Attachment 3 - Letter to Hon Nicola Centofanti MLC re Cats (Confinement) Variation By-law 2020 from CEO 16.6.2020	PDF File
4	Attachment 4 - Letter to Mr. Adrian Skull CEO City of Marion from LRC 1.7.2020	PDF File





Current By-law No. 6 provisions	Proposed Variation Bylaw	Legislative Review Committee Position	Comments
Cats to be Microchipped			Why the change?
This is consistent with the view of the RSCPA and Board etc that microchipping is key to Cat to Management.	Remove provision	Agreed	To ensure that all Cats can be identified. This is now contained in the DCM Act and gives this order state-wide effect. So this section of the By-law remaining is duplicitous (Act overrides the By-law).
Cats to be Desexed			Why the change?
This is consistent with the view of the RSCPA and Board etc that Desexing is key to Cat to Management.	Remove provision	Agreed	This is now contained in the DCM Act and gives this order state-wide effect. So this section of the By-law remaining is duplicitous (Act overrides the By-law).
Limit on Cat numbers			Why the change?
Council limits cat ownership to 2 cats. More available on application depending on certain criteria assessed by Community Safety Team.	No change	Agreed	No change, cat numbers are still limited by the By-law.
Definition of Control			Why the change?
The By-law currently defines control as: in relation to a cat, includes the person having ownership, possession or charge of, or authority over, the cat;	The definition of 'Effective control' was expanded by means of physical restraint to work in conjunction with the 'wandering at large' provision.	Delete or modify how drafted. LRC believe there is an issue with the definition of 'wander at large' and if this picks up the definition of 'effective control by means of physical restraint' because that term is not strictly used in the definition of wander at large.	Technical legal definition required to further define the control/possession of a cat to aid in cat management. Further information from LRC would be required to satisfy their concern with this section.

Version: 23/7/20 Page 1 of 3





Current By-law No. 6 provisions	Proposed Variation Bylaw	LRC Position	Comments
No wandering at large provision			Why the change?
The current By-law does not have these powers.	Wandering at large provision with designated span of confinement hours defined by resolution (the curfew).	Wandering at large provision appears to be generally supported but LRC wanted hours defined in By-law, not via resolution.	The primary reason for the By-law variation, to confine cats during designated hours. If confinement time is embedded in the By-law, Council will not easily be able to modify the span of hours. A new variation By-law would need to be created which offers Council
No identification of cats			limited flexibly.
No identification of cats			Why the change?
Microchipping is the only existing form of identification.	Identification of cats required in manner prescribed list in the By-law. e.g. Collar, tag etc.	Agreed	No issues raised. Compelling people to identify their cat(s) is seen as a good animal management tool.
No Seizure, detention and destruction power for identified cats.*			Why the change?
The current By-law does not have these powers.	Seizure, detention and destruction power for identified cats. In line with current and existing provisions for dogs in the Act. Allows enforcement of the curfew.	No Seizure, detention and destruction power for identified cats. LRC advice recommended this was against the power given to Council under the DCM Act and Local Government Act.	Without this provision Council cannot practically enforce a wandering at large provision (curfew) without being able to seize and detain identified cats. E.g. Currently members of the public are able to detain an unidentified cat and deal with it as prescribed in the DCM Act. If curfew hours were established and Council officers (or the public) trap a cat which may have a collar (an identified cat), the officers would have to immediately release the cat.

Version: 23/7/20 Page 2 of 3

Attachment 1: Cat By-law explained: current provisions, proposed changes and Legislative Review Committee position

Page 217						
CITY OF						
MARION						
MINITON						

Cat free areas			Why the change?
These are areas Council could designate as a cat free area. No areas are currently defined.	No change proposed.	Agreed.	No change. Council still has the ability to designate cat free areas.

^{*}Seizure, detention and destruction powers exist for <u>un-identified</u> cats in prescribed circumstances within the Dog and Cat Management Act 1995, meaning 'a person' already has this power but it is not specifically contained in the By-law.

Version: 23/7/20 Page 3 of 3

Legislative Review Committee comments – City of Marion By-law No. 7

Paragraph 3 (Interpretation)

The term 'effective control by means of physical restraint' is defined for the purposes of paragraph 3.10. However, the term is not used in paragraph 3.10, which reads '...effective control of the cat by means of physical restraint'.

The Committee's scrutiny principle (e) requires the Committee to consider whether proposed bylaws 'are unambiguous and drafted in a sufficiently clear and precise way'. General drafting practice is that a defined term be used in the text of an instrument as stated in the definition provision.

Paragraph 6 (Cats not to Wander at Large)

The hours during which cats are not to wander at large are not specified in paragraph 6 of the Bylaw but left to be determined by Council resolution. Under scrutiny principle (b), the Committee must consider whether by-laws 'unduly trespass on rights previously established by law or are inconsistent with the principles of natural justice ...' In the Committee's view, paragraph 6, as drafted, permits the City of Marion, by resolution, to adopt a span of hours that may amount to an unreasonable burden on cat owners in the City of Marion area. For this reason, it would be more appropriate for the City of Marion to specify a span of hours in the By-law and seek a further variation By-law if the span of hours set in the By-law does not prove appropriate.

Paragraph 11 (Seizure, Detention and Destruction of Cats)

Subparagraph 11.1

Subparagraph permits that a cat 'wandering at large', whose owner cannot 'immediately' be located, may be seized and detained. In the Committee's view, the use of the word 'immediately' may lead to actions by an authorised person without affording a cat owner, or person responsible for a cat, a reasonable opportunity to respond to the seizure or detention of the cat. In the Committee's view, subparagraph 11.1 may unduly trespass on the rights of cat owners (see scrutiny principle (b)).

Subparagraph 11.2

Subparagraph 11.2 permits the disposal, destruction or injury of an unidentified cat that has been seized under subparagraph 11.1. In the Committee's view, subparagraph 11.1 is inconsistent with sections 63 (Power to destroy cats), 64 (Power to seize and detain cats) and 64A (Destruction or disposal of seized cat) of the *Dog and Cat Management Act 1995*. Section 63(1)(d) of that Act deals specifically with the circumstances in which an unidentified cat may be destroyed.

In addition, the lack of preconditions attached to the exercise of powers by an authorised person may lead to actions inconsistent with natural justice, including the destruction of a cat without an opportunity for an owner to claim the cat (see scrutiny principle (b)). Of wider concern to the Committee is the potential for a cat from a neighbouring Council to be inadvertently seized and destroyed under the subparagraph without notice to the cat's owner. The Committee considers that, aside from the inconsistency with Part 5A of the *Dog and Cat Management Act 1995*, the cross-border issues that may arise in the administration of subparagraph 11.2 of the By-law make the content of subparagraph 11.2 of the By-law a matter more appropriately dealt with by either the *Dog and Cat Management Act 1995* or regulations made under that Act.

Subparagraph 11.3

Subparagraph 11.3 permits an identified cat to be destroyed by an authorised person if the cat is not claimed 'within 72 hours from when notice of its detention is given under this By-law'. In the Committee's view, the proposed timeframe may unduly trespass on a complying cat owner's rights (see scrutiny principle (b)). Further, subparagraph 11.3 does not appear to the Committee to allow for the rights of a person who is responsible for a cat in circumstances where the cat owner may justifiably be unable to respond with 72 hours.

Paragraph 11.4

In the Committee's view, the destruction of a seized cat is dealt with in section 64A of the *Dog and Cat Management Act 1995*. If Parliament had intended for a cat to be destroyed other than as stated in section 64A it would have done so. Subparagraph 11.4 of the By-law in purporting to treat a cat as a dog in order to pick up the circumstances listed in section 60 of the *Dog and Cat Management Act 1995* disregards Parliament's legislative intent to treat the destruction, seizure and detention of dogs and cats differently, as evidenced by Divisions 1 (Destruction, seizure and detention etc of dogs) and 2 (Destruction and seizure etc of cats) of Part 5A of the *Dog and Cat Management Act 1995*.

Committee's consideration of the underlying Law

Delegated legislation 'must not conflict with or override the provisions of their enabling Act, unless the enabling Act so provides.' *Plaintiff M47 / 2012 v Director-General of Security* [2012] HCA 46 [434] per Keifel J. '[T]he question is whether the '*regulation*' in question varies or departs from (in other words alters, impairs or detracts from) the provisions of the Act.' *Ibid* at [174] per Hayne J. In considering whether a by-law is consistent with the enabling legislation, it is important to consider the degree to which the Parliament has indicated its intention to deal with the subject matter. Where an Act deals specifically and in detail with a subject, it cannot be supposed that Parliament intended that delegated legislation should deal with the same matter in a different way. *Morton v Union Steamship Company of New Zealand* [1951] HCA 42; (1951) 83 CLR 402 at 410. See also *R v Commissioner of Patents; Ex parte Martin* [1953] HCA 67 at [12] per Fullagar J (with whom Kitto and Taylor JJ agreed).

The *Local Government Act 1999* states that by-laws must accord with the provisions and general intent of the enabling Act (see section 247(a) of the *Local Government Act 1999*). That Act also provides that 'a by-law made by a Council must not be inconsistent with this Act or another Act, or with the general law of the State' (see section 248(1)(b) of the *Local Government Act 1999*).

The Committee understands that the City of Marion considered whether paragraph 11 of the Bylaw was inconsistent with the *Dog and Cat Management Act 1995* but concluded, contrary to advice from the Crown Solicitor's Office, that it was not. For the reasons above, the Committee agrees with advice from the Crown Solicitor's Office insofar as that advice asserts that paragraph 11 of the By-law is inconsistent with Part 5A of the *Dog and Cat Management Act 1995*.

The Committee notes that Parliament in section 64(1)(b) of the *Dog and Cat Management Act 1995* has left open the possibility for additional circumstances, in which a person may seize and detain a cat, to be set out in regulations under that Act but, in the Committee's view, not a bylaw.

Committee's consideration of the City of Marion's report to the Committee about consultation

The Committee notes that the City of Marion's report to the Committee states, in part:

'482 unique participants made 513 survey submissions online.

- 74% of people who participated in the online survey indicated they either strongly support, or support the introduction of, a cat curfew at defined times under the Bylaw.
- 26% of people who participated either opposed or strongly opposed the proposed By-law.'

In the Committee's view, the above reporting, while it may be a product of the City of Marion's survey questions, does not give a proper account of the views received by the City of Marion about the By-law as a whole. To highlight that 74% of people support the introduction of a cat curfew does not give information about those people's views about other aspects of the By-law, including paragraph 11 of the By-law.

For the Committee, information about consultation on a By-law forms an essential part of the Committee's inquiry into and consideration of the By-law. In this instance, the Committee is concerned that too little attention was given, during the public consultation process, to the more controversial parts of the By-law. For example, no survey question sought feedback from the community of the City of Marion in relation to paragraph 11 of the By-law. That said, the Committee accepts that residents in the City of Marion were given a genuine opportunity to comment on the By-law and notes that residents of the City of Marion were offered an opportunity to give further comments in relation to the By-law as a whole.

16 June 2020



Hon Nicola Centofanti MLC Presiding Member Legislative Review Committee Parliament House North Terrace ADELAIDE SA 5000

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E council@marion.sa.gov.au

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Dear Hon Nicola Centofanti MLC

Cats (Confinement) Variation By-law 2020

I refer to your letter of 13 May 2020.

I write to inform you that at its meeting of 9 June 2020 the Council resolved to instruct me to write to you informing you that it is Council's position that the *Cats (Confinement) Variation By-law 2020* (the **By-law**) should be progressed in its current form.

Council does not propose to revoke the By-law.

For the reasons articulated below, it is Council's respectful position that the Committee ought not form the opinion that the By-law should be disallowed for the purposes of Section 10A of of the *Subordinate Legislation Act 1978* and that the By-law should not be disallowed.

On behalf of Council, I provide the following responses to the matters identified in your correspondence of 13 May 2020.

Paragraph 3.10 the By-law

I understand the Committee has concerns regarding the use of the term 'effective control by means of physical constraint' in paragraph 3.10 of the By-law.

The provision is identical to an equivalent provision found in the *Cats By-law 2018* made by the District Council of Yankalilla in February 2018.

The Council is unsure why the Committee has taken issue with this provision in the By-law made by Council, in circumstances where the Committee expressed no concern with the District Council of Yankalilla's by-law which was expressed in identical terms.

Paragraph 6 of the By-law

I understand the Committee is concerned about the provisions in paragraph 6 of the By-law which empowers Council to fix periods of time when cat wandering is permitted.

The City of Marion acknowledges it is part of Kaurna land and recognises the Kaurna people as the traditional and continuing custodians of the land.











Again, with respect to this provision, it is identical to an equivalent provision found in the *Cats By-law 2018* made by the District Council of Yankalilla in February 2018.

Further, it is Council's position that the requirement to give public notice in the manner outlined in Chapter 1, Section 4 (1aa) of the *Local Government Act 1999* (which includes various *Gazette*, website and newspaper notices) provides the Council's community with sufficiently clear indication as to the operation of the provision.

Paragraph 11 of the By-law

I understand the Committee has concerns about the ability of Council authorised persons to seize a cat in circumstances where its owner cannot immediately be located, as provided for in paragraph 11.1.2 of the By-law.

Council's view that it is appropriate to empower authorised persons to seize an unaccompanied cat found in a location in contravention of the By-law. The provision is equivalent to the power to seize a dog wandering at large (immediately upon detection) as provided for in the *Dog and Cat Management Act 1995* (the DCM Act). The provision would be enforced reasonably by authorised persons, and cats returned to owners promptly wherever possible.

I understand the Committee has indicated it is concerned with the manner in which paragraph 11.2 of the By-law (pertaining to the seizure and destruction of unidentified cats) may be administered.

Council's view is that the provision does no more than supplement the general power available to the Council's authorised persons under Sections 63(1)(d) and 63(2) of the DCM Act to seize and destroy unidentified cats. Given that the proposal does no more than supplement an existing statutory power, Council considers the proposal is reasonable.

I understand the Committee has expressed concerns regarding the 72 hour timeline for the destruction of identified cats provided for in paragraph 11.3 of the By-law. I understand the Committee is of the view that it unduly trespasses on cat owners' rights in circumstances where they may be justifiably unable to respond within that time.

Council modeled its approach on existing legislative powers with respect to dogs under Section 62 of the DCM Act and the provisions are ostensibly identical. Council considers the scheme currently works effectively in reuniting dog owners with their pets and that destruction of owned dogs is a last resort. Council sees no reason why the scheme would be any less effective with respect to cats.

I understand the Committee has expressed concerns regarding the scheme provided to destroy seized cats in paragraph 11.4 of the By-law and its potential to be inconsistent with the DCM Act.

Council respectfully disagrees with these conclusions and reiterates the matters stated in its report to the Committee regarding validity in this regard. Council further reiterates that the provisions of paragraph 11 are critically necessary provisions within the By-law. These provisions fill an enforcement void with respect to identified cats. Without these provisions, Council's powers to enforce the By-law with respect to identified cats will be dramatically curtailed.

The City of Marion acknowledges it is part of Kaurna land and recognises the Kaurna people as the traditional and continuing custodians of the land.

City of Marion











Public Consultation

I understand that Committee has expressed concerns with the consultation process adopted by the Council with respect to the By-law.

As indicated in the report to the Committee with respect to the By-law, Council's public consultation process was extensive and generated a high level of community engagement with respect to the Bylaw. The process adopted by Council exceeded its statutory obligations and revealed overwhelming community support for the By-law.

In this context, Council is disappointed in the criticisms levelled against it in this regard, which it respectfully suggests are unfounded.

The By-law was available for public comment as required by the LG Act and all feedback on the draft By-law was considered before the By-law was made. Members of the public were made aware of the seizure, detention and destruction powers and provided with a genuine opportunity to comment. Comments were received from community members on the proposed scheme and were included in the report to Council at its meetings of 27 August 2019 and 25 February 2020.

If you have any questions in relation to this matter, please contact Luke Manuel on telephone number 8375 6781 or email luke.manuel@marion.sa.gov.au

Yours sincerely

Adrian Skull

Chief Executive Officer





City of Marion

LEGISLATIVE REVIEW COMMITTEE PARLIAMENT OF SOUTH AUSTRALIA



PARLIAMENT HOUSE NORTH TERRACE ADELAIDE SA 5000

Mr Adrian Skull Chief Executive Officer City of Marion (by email)

1 July 2020

Dear Mr Skull,

City of Marion Cats (Confinement) Variation By-Law 2020 - By-law No. 7

I refer to your letter on behalf of the City of Marion of 16 June 2020. At its meeting today, the Legislative Review Committee ('the Committee') considered your letter to it but found no reason to depart from the concerns stated in the Committee's letter and attached document titled 'Legislative Review Committee comments — City of Marion By-law No. 7' provided to you on 13 May 2020.

Paragraph 3.10 of By-law

Reference to the same issue in another Council's By-law does not address the issue raised by the Committee with respect to the City of Marion By-law. Unfortunately, the Committee did not identify the issue in the District Council of Yankalilla's Cats By-law at the time it reviewed their Cats By-law. The Committee will write to the District Council of Yankalilla and note its concern in relation to the definition of 'wander at large' at paragraph 3.1.9 of their Cats By-law.

At issue for both Councils is whether the definition of 'wander at large' picks up the definition of 'effective control by means of physical restraint' because that term is not strictly used in the definition of 'wander at large'.

Paragraph 6 of By-law

Again, reference to the same issue in another Council's By-law does not address the issue raised by the Committee with respect to the City of Marion By-law. Similarly, the Committee did not identify the matter in the District Council of Yankalilla's Cats By-law. The Committee will write to the District Council of Yankalilla.

In section 246(2) of the Local Government Act 1999, Parliament has delegated to Councils a general power to make by-laws for the good rule and government of the area, and for the convenience, comfort and safety of its community. At issue in paragraph 6 of the By-law is a sub-delegation of legislative power to the Council. The sub-delegation of legislative power would permit the Council to determine the designated span of hours and the designated area, albeit with public notice of the Council's determination. Alternatively, if the designated span of hours and designated area is set in the text of the By-law, the Parliament retains oversight of the By-law and

the Council must comply with a range of other obligations in the Local Government Act 1999, including to inform the public of the content of the proposed By-law.

Paragraph 11 of By-law

The Committee acknowledges that the City of Marion has a different view to the Committee of paragraph 11 of the By-law.

Report to Committee about consultation

The Committee reiterates its concern about the consultation information included in the City of Marion's report to the Committee and accepts that the City of Marion have a different view about its consultation process for the By-law.

Yours sincerely,

Hon. Nicola Centofanti MLC PRESIDING MEMBER

Hon. David Speirs MP, Minister for Environment and Water cc Hon. Stephan Knoll MP, Minister for Transport, Infrastructure and Local Government

Ms. Allery, Manager, Dog and Cat Management Board



Revitalisation of the Edwardstown Employment Precinct

Originating Officer Unit Manager Economic Development - Donna Griffiths

Corporate Manager City Activation - Greg Salmon

General Manager City Development - Ilia Houridis

Report Reference GC200728R09

REPORT OBJECTIVE

The purpose of this report is for members to consider a 12 month action plan (Attachment 1), with resourcing and budget, to continue revitalisation activity in the Edwardstown Employment Precinct.

EXECUTIVE SUMMARY

The Edwardstown Employment Precinct is the economic engine room of the City of Marion economy. It is host to over 4,500 jobs, over 1,700 businesses and provides \$1bn into our economy.

In 2019, Council resolved to investigate the revitalisation of the Edwardstown Employment Precinct. As a result, a forum was held and a 12 month action plan was developed in collaboration with the business community.

As at 1 July 2020, the first 12 month action plan has been closed out. It is now proposed that another 12 month action plan be implemented to continue the momentum from the 2019/20 Action Plan.

RECOMMENDATION

It is recommended that Council:

- 1. Endorse the 12 Month Action Plan (Attachment 1).
- 2. Endorse the budget of up to \$145,000 to deliver to 2020/21 Action Plan.

GENERAL ANALYSIS

The current state of play:

- the 2019 / 20 Action Plan to Revitalise the Edwardstown Employment Precinct is now complete.
- the Urban Design Framework and Implementation Plan by Holmes Dyer is now complete
- the Economic Activation Plan by the Australian Industrial Transformation Institute is now complete
- funding deed administration and project management of the Greening of Edwardstown Part One is continuing until 30 April 2021
- the Project Coordinator has been extended until 30 October 2020
- · there is no further budget allocated to this project, and
- an application for the Greening of Edwardstown Part Two has been submitted to DEW.

DISCUSSION

The 'Activate Edwardstown and Melrose Park Employment Precinct' project is listed as a major project within Council's 2019/20 and 2020/21 Business Plan.



This project supports the delivery of the community vision - Prosperous – By 2040, our city will be a diverse and clean economy that attracts investment and jobs, and creates exports in sustainable business precincts whilst providing access to education and Skills Development.

In 2019/2020 Council commenced the Revitalisation of Edwardstown Employment Precinct with a multifaceted action plan that achieved most notably:

- · Successful engagement with local business and property owners
- The first stage of a greening street tree planting initiative with environmental monitoring
- Development of an Urban Design Framework and Economic Activation plan for the precinct.

Continuing this project will derive the following benefits:

- Enhance vibrancy and liveability of the area for local people
- Foster local commercial activity and business prosperity
- Raise the profile of the City as a business and visitor destination
- Improve visual and aesthetic appeal of the built environment
- Present increasing employment opportunities for all local residents
- Promote environmental responsibility through low-carbon initiatives and sustainable business practices
- Promote environmental and social benefits through encouraging local jobs for local people and minimising impact on transport infrastructure
- Generate financial benefit and reinvestment by the City for community projects and enhancement of services
- Support economic recovery
- Improve access to competitively priced goods and services

It is proposed that Council continue the momentum already achieved on the project by implementing the attached (Attachment 1) action plan during the 2020/2021 financial year. This work can largely be achieved through maintaining the existing Project Coordinator role with some additional funding proposed for specific initiatives.

Attachment

#	Attachment	Туре
1	Attachment 1 - 202021 Action Plan for the Revitalisation of the Edwardstown Employment Precinct Final	PDF File

	12 Month A	action Plan - Revitalisation of the Edwardstown Employment F	Precinct						
				\$s			Council's Role		
#	Outcome	Action Item	Benefit/Outcome	Required Budget (Up to \$)	Advocacy	Leadership	Coordination	Investment	Partnering
1	Governance	Project Governance 1.Board Champion – Mayor/Cr Joseph Masika/ Cr Sasha Mason 2.Project Sponsor – Ilia Houridis, General Manager City Development 3.Senior Leader – Greg Salmon, Manager City Activation 4.Project Manager – Donna Griffiths, Unit Manager Economic and Cultural Development. 5.Project Coordinator – Kate Silkstone, Project Coordinator 6.Monthly Business community meetings at the Edwardstown Club held the first Monday of each month. 7.Internal Project Control Group – Coordination and delivery of the project by establishing an internal working group of lead areas / subject matter experts to meet monthly. 8. Incorporate the independent member from the Infrastructure and Strategy Committee.	•Organisational excellence •A framework for responsibility and accountability •Clear deliverables and project management •The business community is involved in the project •Activation of the Edwardstown Club as a place for networking for the business community	\$ -	X	X	X	X	X
2		Use the Making Marion sites to continue engagement and two-way communication. • tittps://www.makingmarion.com.au/edwardstown-project • tittps://www.makingmarion.com.au/greening-edwardstown	Increase participation in the project; increase engagement.	\$ -			х		х
3	Project Management	Identify partnerships and funding opportunities to support the delivery of the Edwardstown Revitalisation Plan.	•Community ownership of the revitalisation •⊑everage greater value for the project by working with others.	\$ -			х		х
4	1 7	Monitor and maintain the Edwardstown Business and Property Database to ensure that it is kept up to date.	•A consolidated up to date listing of business and property owners.	-			X	Х	
5	Project	Define the scope clearly and succinctly for EMs. The urban renewal project is within the eastern portion of the railway and bordered by South Road, Daws Road and Cross Road.	A clear project plan.	\$ -		Х	х		
6	Research	Understand the role of Tonsley as an incubator for entrepreneurs, then Edwardtown as a landing pad for warehousing, storage and manufacture. Understand the capability available at Tonsley and promote this to Edwardstown businesss community. When businesses are turned away at Tonsley where do they go? why not Edwardstown?	Understand the Tonsley and Edwardstown complementary value propsitions.	\$ -			х		
7	Research	Research supply chains into industry sectors better and build on the existing strengths of Edwardstown.	Understand the strengths and supply chains already adopted and attract like-minded industry sectors.	\$ -			х		
8	Research	What is missing? Undertake a Place Audit.	Understand the gaps and potential for business attraction.	\$ -			х		
9		City of Marion suppliers - why are they not in Edwardstown?		\$ -			Х		
	Research	Hub and spoke capability model. How can this apply to Edwardstown - how does it become a node?		\$ -			x		
		Working across City of Marion and externally to identify opportunities to leverage internal funds to delivery actions.	Use of existing resources and budgets to support the delivery of this project and look for potential savings.	\$ -			х		х
12	Activation	Mayor/Project Champion to advocate for project funding from the State / Federal Government to support this initiative.	•⊑everage Council funds. •Generator of employment and business growth •⊑ong term vision	\$ -	х	х		Х	х

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	Activation	Retain the Edwardstown Business Community monthly meetings •Monitor a shift in the base line mapping due to intervention. •Review and monitor activities. •Share ideas. •Discuss feasibility of the product opportunities identified.	Market Intelligence Outcomes are directly related to the needs of the business community Business and industry voice in everything that is done	\$	-		х	х		х
	Activation	Ongoing provision of networking and peer to peer support by Southern Business Connections (our local business association). Workshop topics to include: Building your Team Building Visibility - Measurement	•Workshops and networking tailored to the needs of the Edwardstown business community provided by peers •Share knowledge and experience •Establish mutually beneficial business relationships •Activation and recognition of the Edwardstown Club as the local hub for business gatherings	\$	-			х		х
15	Activation	Council to continue to liaise with DPTI to ensure the zoning proposed by the Code reflects specific directions currently sought by the Development Plan (Castle Plaza and the transition precinct) and to ascertain the opportunity for a Code Amendment to be undertaken, when and if required, once a final Edwardstown Precinct Plan has been created.	•Zoning supports the needs of the industry	\$	-	x	x			
16	Activation	Create a brand for the Edwardstown Industrial Precinct that: •Œelebrates the history of Edwardstown (using the information from the Marion Heritage Research Centre) •Œuilds on its diversity and comparative advantages •attracts more manufacturers and creatives •increase recognition of local Edwardstown businesses Design concepts to be presented to Council.NB. "Edwardstown Funk " concept.	•Attract investment in manufacturing, high tech and creative industries •Destination focus •Recognition and recall of Edwardstown as an industrial precinct •Strengthen local business focus •Attract new industry sector to add vibrancy to the precinct •Cocal businesses to self-promote as an Edwardstown business	\$	20,000.00			x	x	X
17	Activation	Circular Economy / Waste Minimisation: Establish a small group of businesses in a trial to look at ways to Reuse, Recycle or Reduce industrial waste within the precinct. •A specialist facilitator may be required to gain the most out of this. Investigate Green Industries SA business grant opportunities for: •Resource Efficiency and Productivity •Valuing Business Waste •Industry & Business Groups	Minimise waste Innovation in the circular economy space Reduce dependence on importation of raw materials Reduce environmental impact of economic activity Create new job opportunities	\$	10,000.00		х	х	x	
18	Activation	Celebrate businesses in Edwardstown greater than 25 Years with a plaque from the Mayor and site tour for promotion. One per month for eight months.	•Recognise commitment to Edwardstown – retention of local businesses •Celebrate business success •Ongoing support for local jobs	\$	5,000.00		х	х		
19	Activation	Encourage businesses to take up the Commonwealth Government Energy Advisory services to support the reduction of energy costs on their business. Advocate for an advisor to be located in South Australia.	•Reduce energy costs	\$	-			х		х
20	Activation	Campaign to encourage businesses to take up the Southern Business Mentoring Program service in disciplines such as retail, wellbeing, strategic marketing, general business, HR and digital marketing.	Business growth via mentoring in particular disciplines Retention and growth of business community	\$	-			х		
21	Activation	Establish a Creative Industries Co-working Hub.	Support local artists and the development of creative industries Community meeting space and access for workshops/events Botential for retail, gallery space and café Opportunity to utilise and recycle what is considered to be industrial waste	\$	-		х	х	х	
22	Activation	Create a prospective business register to identify new businesses needing premises	•Attraction of new businesses •Retain and grow existing businesses •Employment growth	\$	-			х		

23	Access	Road discussions with Cr Sasha Mason as chair. The Committee to include	•Monitor •Advocate for tunnelling South Road as this has the potential to improve access conditions for Edwardstown. •Advocate for direct access/exit points at Daws Road and Cross Roads as this will have the impact of enhancing Edwardstown's connectivity to broader markets and suppliers. •Advocate for creation of South Road Boulevard at surface level	\$ -	х	x			
24	Access	Undertake community consultation on South Road. Should South Road be a tunnel? Where should the drop points be?	Provide council with a clear preference on the treatement for South Road.	\$ -			х		
25	Access	Detailed study into local area traffic management including potential traffic calming devices. Obtain data to validate the one way road treatments and include some design treatments.		25,000.00			х	х	
26	Amenity	Greening of Edwardstown: In partnership with the Greening Adelaide Fund and Water Sensitive Urban Design Grant Funding Program plant 100 advanced trees, provide 75 tree inlets and position 8 educational totems in Furness Avenue, Woodlands Terrace, Dunorlan Road, Deloraine Road and surrounding streets. This project is due to complete on 30 April 2021.	•Improve public realm •Create green character amenity including green spaces to help people meet •Reduce urban heat •Reduce air pollution and energy use Project outcomes: •166 advanced trees •75 tree inlets •8 educational totems •Environmental monitoring •Community engagement	\$ -			x	х	x
27	Amenity	Greening of Edwardstown Stage Two Investigate Greening Adelaide Fund and Water Sensitive Urban Design Grant Funding Programs as an opportunity to extend the Greening of Edwardstown to include another four streets. This fund requires a 50% council contribution.	•Improve public realm •©reate green character amenity including green spaces to help people meet •Reduce urban heat •Reduce air pollution and energy use	\$ 60,000.00			х	х	х
28	Amenity	Three Year Planting Program in the Edwardstown Employment Precinct to increase canopy and reduce the heat island impact.	Reduce the heat island impact.	\$ -			х	Х	
	Amenity	Stobie Pole Art: Incorporate Public Art into the Raglan Avenue streetscape upgrade via Stobie Pole Art.	Reinforce the character and underlying cultural diversity within Edwardstown Create environments that have high levels of amenity and cultural identify	\$ -			х	х	
30	Amenity	Create an industrial historical trail through Edwardstown via murals. Install one piece of art.	Celebrate the industrial history of the precinct Create a point of difference Improve the amenity of the precinct	\$ 25,000.00			х	х	
31	Amenity	Thermal Comfort Modelling monitoring, aligned with Greening program. Using the recent urban heat island exercise undertaken by the southern region councils as a bench mark, Council can undertake thermal comfort modelling at the conclusion of this framework. Monitor.	Monitor change before, during and after interventions.	\$ -			х		

\$ 145,000.00



Cover Report - Confirmation of Confidential Minutes of the Urban Planning Committee meeting held on 14 July 2020

Originating Officer Development Officer - Planning - Kai Wardle

Corporate Manager Manager Development and Regulatory Services - Warwick Deller-Coombs

General Manager City Development - Ilia Houridis

Report Reference GC200728F01

RECOMMENDATION

That pursuant to Section 90(2) 3(b) (i) and (ii) and 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, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Greg Salmon, Donna Griffiths, Warwick Deller-Coombs, Jaimie Thwaites, Victoria Moritz and Craig Clarke be excluded from the meeting as the Council receives and considers information relating to the Confirmation of Confidential Minutes of the Urban Planning Committee Meeting held on 14 July 2020, 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 to prejudice the commercial position of the council or to confer a commercial advantage on a third party.



Confirmation of Confidential Minutes of the Urban Planning Committee meeting held on 14 July 2020

CONFIDENTIAL

Reason For Passing This Resolution:

Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii): commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

Local Government Act (SA) 1999 S 90 (2) 3(b) (i) and (ii): information the disclosure of which (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.



Cover Report - Cove Cobras Football Club Tenancy

Originating Officer Recreation Development Officer - Kane Harrison

Corporate Manager Manager City Property - Thuyen Vi-Alternetti

General Manager City Development - Ilia Houridis

Report Reference GC200728F02

RECOMMENDATION

That pursuant to Section 90(2) and (3)(a), (b)(i) and (ii), d(i) and (ii) and (g) 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, Jaimie Thwaites, Thuyen Vi-Alternetti, Kane Harrison, Victoria Moritz and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the Cove Cobras Football Club Tenancy, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to the personal affairs of any person (living or dead), and 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 to prejudice the commercial position of the council or to confer a commercial advantage on a third party, and is a matter currently under a confidential order.



Cove Cobras Football Club Tenancy

CONFIDENTIAL

Reason For Passing This Resolution:

Local Government Act (SA) 1999 S 90 (2) 3(g): matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii): commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

Local Government Act (SA) 1999 S 90 (2) 3(b) (i) and (ii): information the disclosure of which (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.

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



Cover Report - Marion Sports and Community Club - Landlord Consent

Originating Officer Property Leasing Officer - Chloe McDonald

Corporate Manager Manager City Property - Thuyen Vi-Alternetti

General Manager City Development - Ilia Houridis

Report Reference GC200728F03

RECOMMENDATION

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, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Thuyen Vi-Alternetti, Jaimie Thwaites, Victoria Moritz and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the Marion Sports and Community Club - Landlord Consent, 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.



Marion Sports and Community Club - Landlord Consent

CONFIDENTIAL

Reason For Passing This Resolution:

Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii): commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.



Cover Report - Edwardstown Creative Industries Co-working Hub Tender report

Originating Officer Unit Manager Community Cultural Development - Marg Edgecombe

Corporate Manager City Activation - Greg Salmon

General Manager City Development - Ilia Houridis

Report Reference GC200728F04

RECOMMENDATION

That pursuant to Section 90(2) and (3)(k) 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, Jaimie Thwaites, Marg Edgecombe, Greg Salmon, Victoria Moritz and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the Edwardstown Creative Industries Coworking Hub Tender report, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to tenders for the supply of goods, the provision of services or the carrying out of works.



Edwardstown Creative Industries Co-working Hub Tender report

CONFIDENTIAL

Reason For Passing This Resolution:

Local Government Act (SA) 1999 S 90 (2) 3(k): tenders for the supply of goods, the provision of services or the carrying out of works.



Cover Report - Revitalisation of the Edwardstown Employment Precinct

Originating Officer Unit Manager Economic Development - Donna Griffiths

Corporate Manager City Activation - Greg Salmon

General Manager City Development - Ilia Houridis

Report Reference GC200728F05

RECOMMENDATION

That pursuant to Section 90(2) 3(b) (i) and (ii) and 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, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Greg Salmon, Donna Griffiths, Warwick Deller-Coombs, Jaimie Thwaites, Victoria Moritz and Craig Clarke be excluded from the meeting as the Council receives and considers information relating to the Revitalisation of the Edwardstown Employment Precinct, 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 to prejudice the commercial position of the council or to confer a commercial advantage on a third party.



Confidential - Revitalisation of the Edwardstown Employment Precinct

CONFIDENTIAL

Reason For Passing This Resolution:

Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii): commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

Local Government Act (SA) 1999 S 90 (2) 3(b) (i) and (ii): information the disclosure of which (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.



Deputation Request - Andrew Jessup

Originating Officer Elected Member Support Officer - Tom Matthews

Corporate Manager Corporate Governance - Kate McKenzie

General Manager City Services - Tony Lines

Report Reference: GC200728D02

SPEAKER:

Andrew Jessup

ORGANISATION:

Resident

COMMENTS:

Mr Andrew Jessup requested to make a deputation to Council regarding minimum block sizes in Warradale and the proposed Planning and Design code changes.



CORPORATE REPORTS FOR INFORMATION/NOTING - NII

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE - NII

QUESTIONS WITH NOTICE - NII

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.