

His Worship the Mayor
Councillors
CITY OF MARION

NOTICE OF GENERAL COUNCIL MEETING

Council Chamber, Council Administration Centre
245 Sturt Road, Sturt

Tuesday, 23 March 2021 at 06:30 PM

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

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Council Chamber is via the main entrance to the Administration Centre on Sturt Road, Sturt.



Adrian Skull
Chief Executive Officer



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OPEN MEETING

KAURNA ACKNOWLEDGEMENT

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

DISCLOSURE

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

ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 9 March 2021

Originating Officer Governance Officer - Angela Porter

Corporate Manager Manager Corporate Governance - Kate McKenzie

Report Reference: GC210321R01

RECOMMENDATION:

That the minutes of the General Council Meeting held on 9 March 2021 be taken as read and confirmed.

ATTACHMENTS:

#	Attachment	Type
1	GC210309 - Minutes	PDF File

MINUTES OF THE GC210309 - GENERAL COUNCIL MEETING

Tuesday, 09 March 2021 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT

His Worship the Mayor Kris Hanna

Councillor - Ian Crossland

Councillor - Tim Gard

Councillor - Maggie Duncan

Councillor - Raelene Telfer

Councillor - Luke Hutchinson

Councillor - Bruce Hull

Councillor - Nathan Prior

Councillor - Kendra Clancy

Councillor - Jason Veliskou

Councillor - Joseph Masika

In Attendance

Chief Executive Officer - Adrian Skull

General Manager City Services - Tony Lines

General Manager City Development - Ilia Houridis

General Manager Corporate Services - Sorana Dinmore

Manager Corporate Governance - Kate McKenzie

Acting Unit Manager Governance and Council Support - Victoria Moritz

Governance Administration Officer - Angela Porter

OPEN MEETING

The Mayor opened the meeting at 06:31 PM

KAURNA ACKNOWLEDGEMENT

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

DISCLOSURE

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

ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

Councillor Telfer declared a perceived conflict of interest in the item *X Convenience Service Station Development Application (GC210309F01)*.

CONFIRMATION OF MINUTES

Confirmation of the minutes for the General Council Meeting held on 23 February 2021 and Special General Council Meeting held on 25 February 2021

Report Reference: GC210309R01

Moved Councillor – Tim Gard

Seconded Councillor – Joseph Masika

That the minutes of the General Council Meeting held on 23 February 2021 and the minutes of the Special General Council Meeting held on 25 February 2021 be taken as read and confirmed subject to the inclusion of an “actual” conflict of interest for Councillor Veliskou in the item *Artificial Turf within the City of Marion (GC210223R06)*.

Carried Unanimously

ORDER OF AGENDA

The Mayor sought and was granted leave of the meeting to vary the order of the agenda to consider the Motion with Notice – *BMX Facility (GC210309M02)* next on the agenda.

BMX Facility

Report Reference: GC210309M02

Moved Councillor – Ian Crossland

Seconded Councillor – Bruce Hull

That Council:

1. Acknowledges Councils contribution of \$58,000 (\$3000 to the Native Vegetation Council and \$55,000 to the Significant Environmental Benefits (SEB) Grants) which will fund the on-ground restoration of native vegetation in South Australia including Glenthorne National Park.
2. Acknowledges that Council will be planting an additional 230 native trees on the BMX site, and an additional 115 native trees on the Football (Soccer) site as well as significant revegetation within and around each site.
3. Acknowledges that DEW is providing the land to construct the BMX and the Football (soccer) facilities at no cost to the City of Marion.
4. Acknowledges that we will be contribute \$10,000 per annum (\$5,000 per site) to the Department of Environment and Water (DEW) Conservation Dividend fund which will assist in the revegetation of Glenthorne National Park Precinct and that this amount will increase annually by CPI (SA); noting that this amount will form part of the future lease/license negotiations with the Happy Valley and The Cove BMX clubs as well as The Cove FC (Soccer).

5. Notes the presence of a significant tree in the area identified to be used as car parking for the BMX facility and confirms that this tree will be retained, and the car park will be redesigned to ensure the ongoing health of the tree.
6. Notes the importance of a public toilet at the BMX/Pump Track facility and proposes that public toilet facilities within the BMX building will be available between the hours of 8am and 8pm daily (8am and 9pm during daylight savings) as a part of the lease agreement with DEW. This arrangement will continue until an alternative public toilet facility is constructed in the nearby vicinity.
7. Notes that the cost to maintain and clean the public accessible toilets within the BMX facility will form part of the future lease/license negotiations with both Happy Valley and The Cove BMX clubs.
8. Requests that Administration provide the final building designs to the Minister for Environment and Water for approval and notify the Minister and the Department for Environment and Water of Council's resolution.

Carried Unanimously

ADJOURNED ITEMS

BMX Facility Toilets for Public Use

Report Reference: GC210309R02

The motion (*BMX Facility*) considered before this item was Carried Unanimously and therefore the adjourned item was not considered.

DEPUTATIONS - Nil

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS - Nil

CONFIDENTIAL ITEMS

Cover Report - X Convenience Service Station Development Application

Report Reference: GC210309F01

Councillor Hull sought and was granted leave of the meeting to provide a personal explanation. Councillor Hull provided the following comments:

- He has no problem with discussing the item in public.

Moved Councillor – Jason Veliskou

Seconded Councillor – Ian Crossland

That pursuant to Section 90(2) and (3)(h) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager Development & Regulatory Services, Team Leader Planning, Unit Manager Communications, Acting Unit Manager Governance and Council Support, Governance Administration Officer, Peter Psaltis (Norman Waterhouse) be excluded from the meeting as the Council receives and considers information relating to the X Convenience Service Station Development Application is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to legal advice.

Carried

6.49pm the meeting went into confidence

Confidential - X Convenience Service Station Development Application

Report Reference: GC210309F01

Councillor Raelene Telfer declared a perceived conflict of interest in the item as she will be fulfilling her Council role under the *Local Government Act 1999* and its Code of Conduct. In her Council Assessment role, she did not and does not intend to be present at any future hearings of the 373 Diagonal Road application by Andrash Pty Ltd. Councillor Telfer will remain in the meeting for the item.

Moved Councillor – Joseph Masika

Seconded Councillor – Tim Gard

That Council:

1. Instruct Council's lawyers to send a response to the Minister for Planning in terms of the draft letter in Attachment 1 to this report to refute the submission to the Minister from the developer's lawyers for the planning decision to be made by the SCAP, with such grammatical or other alterations or additions as are considered appropriate.

Carried
Councillor Telfer voted in Favour

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

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that dot point 7 of the discussion, and the attachments, having been considered in confidence under Section 90 (2) and (3)(h) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

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

2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments, having been considered in confidence under Section 90 (2) and (3)(h) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

The Amendment to become the Motion was Tied

Cr Telfer voted Against the Amendment

The Mayor made a casting vote and voted Against

The original motion was Put

The original motion was Carried

Councillor Telfer voted in Favour

7.26pm the meeting came out of confidence

Cover Report - Urban Renewal Opportunities

Report Reference: GC210309F02

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

That pursuant to Section 90(2) 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: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager City Activation, Project Director Urban Renewal, Manager Finance, Unit Manager Communications, Unit Manager Governance and Council Support and Governance Administration Officer, be excluded from the meeting as the Council receives and considers information relating to Urban Renewal Opportunities, 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 confidential commercial information including preliminary concept plans and financial figures.

Carried Unanimously

7.27pm the meeting went into confidence

Confidential - Urban Renewal Opportunities

Report Reference: GC210309F02

Meeting Suspension

Moved Councillor – Ian Crossland

Seconded Councillor – Nathan Prior

That formal meeting procedures be suspended to enable discussion on the item.

Carried Unanimously

7.28pm formal meeting procedures suspended

8.20pm formal meeting procedures resumed

Moved Councillor – Ian Crossland

Seconded Councillor – Maggie Duncan

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, the attachments, and any minutes arising from this report having been considered in confidence under Section 90 (2) and (d)(i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried Unanimously

8.25pm the meeting came out of confidence

Cover Report - Field River Linear Park

Report Reference: GC210309F03

Moved Councillor – Jason Veliskou

Seconded Councillor – Ian Crossland

That pursuant to Section 90(2) and (3)(d)(i) and (ii) and (j)(i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Services, General Manager Corporate Services, General Manager City Development, Manager Corporate Governance, Unit Manager Governance and

Council Support, Unit Manager Communications, Project Director Urban Renewal and Governance Administration Officer be excluded from the meeting as the Council receives and considers information relating to the Field River Linear Park, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to commercial in confidence information provided by a Minister.

Carried Unanimously

8.26pm the meeting went into confidence

8.26pm Councillor Hutchinson left the meeting

8.29pm Councillor Hutchinson re-entered the meeting

Confidential - Field River Linear Park

Report Reference: GC210309F03

Moved Councillor – Ian Crossland

Seconded Councillor – Maggie Duncan

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, the attachments, and any minutes arising from this report having been considered in confidence under Section 90 (2) and (3) (d)(i) and (ii) and (j)(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 2021.

Carried Unanimously

8.35pm the meeting came out of confidence

CORPORATE REPORTS FOR DECISION

Revitalisation of the Edwardstown Employment Precinct - 2021/22 Action Plan

Report Reference: GC210309R03

8.36pm Councillor Prior left the meeting

Moved Councillor – Joseph Masika

Seconded Councillor – Jason Veliskou

That Council:

1. Endorse the 2021/22 FY Action Plan as the program of work (Attachment 1).
2. Endorse a budget of \$277,500 including the Project Coordinator (1.0 FTE) to be included as part of the 2021/22 budget process.
3. Note that administration will identify and progress any grant opportunities to deliver the program of works.

Carried Unanimously

Draft Transport Plan

Report Reference: GC210309R04

Moved Councillor – Raelene Telfer

Seconded Councillor – Jason Veliskou

8.38pm Councillor Prior re-entered the meeting

That Council:

1. Endorses the DRAFT Transport Plan (Attachment 1) for public consultation.
2. Notes a final Transport Plan and summary of public consultation findings will be brought to Council for consideration and endorsement in June 2021.

Carried Unanimously

Community Gardens Agreement - Updated

Report Reference: GC210309R05

Moved Councillor – Bruce Hull

Seconded Councillor – Maggie Duncan

That Council:

1. Endorses the proposed 'Community Gardens Agreement' template (Attachment 1).
2. Amends the 'Community Gardens Policy' (Attachment 2) by including references to Community Gardens Agreement template.

Carried Unanimously

ALGA 2021 National General Assembly of Local Government - Call for Notices of Motions

Report Reference: GC210309R06

Moved Councillor – Maggie Duncan

Seconded Councillor – Bruce Hull

That Council:

1. Notes the report '*ALGA 2021 National General Assembly of Local Government - call for Notices of Motions*'
2. Nominates Councillor Shilling as the City of Marion voting delegate for the Australian Local Government National General Assembly 2021.

Carried Unanimously

Draft City Limits and Publications Policies

Report Reference: GC210309R07

Moved Councillor – Tim Gard

That Council:

1. Adopts the City Limits Publications Policy subject to the following amendment:
 - Fifth dot point under "*articles that promote*" to read "Financial products or services that promote loans and investments".
2. Adopts the Publications Policy.

Moved Councillor – Joseph Masika

Seconded Councillor – Kendra Clancy

That the item be deferred to the General Council meeting to be held on 27 April 2021.

Carried

Cove Football Club - Stronger Communities Funding Submission

Report Reference: GC210309R08

Moved Councillor – Maggie Duncan

Seconded Councillor – Ian Crossland

That Council:

1. Notes the Cove Football Club have submitted an Expression of Interest to Amanda Rishworth MP for funding through the Federal Government Stronger Communities Program.
2. Grants Landlord Consent for the installation of a new electronic scoreboard at Cove Sports & Community Club Oval subject to:
 - Council receiving detail assessment and costs for all works to be undertaken.
 - All works being undertaken in a professional manner and to the satisfaction of the City of Marion.
 - The City of Marion being indemnified against all claims, suits, losses etc. that may result from carrying out this work.
 - The scoreboard becoming a Council asset once installed.
 - Development approval and building rules consent (if required).
3. Delegates to the Unit Manager Land and Property, approval to authorise any relevant documents necessary to facilitate the installation and management of the work.
4. Advises that the Cove Football Club will be responsible for any project related costs and will be responsible for all future maintenance and repairs of the scoreboard.

Carried Unanimously

SWBMX - Funding Deed - Majors Road Access

Report Reference: GC210309R09

Moved Councillor – Maggie Duncan

Seconded Councillor – Tim Gard

That Council:

1. Notes that the Department for Infrastructure and Transport has allocated \$250,000 towards the construction of site access from Majors Road to the Sam Willoughby BMX Facility, increasing the project budget to \$6.05 million.
2. Pursuant to Section 37 of the Local Government Act 1999, authorises the Mayor and Chief Executive Officer to sign and affix the common seal to the documentation necessary to execute the Funding Deed for Site Access to the Sam Willoughby BMX Facility from Majors Road.

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION/NOTING - Nil

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE**Shopping Trolley By-law****Report Reference:** GC210309M01**Moved Councillor – Bruce Hull**

“That Council be provided with a draft Shopping Trolley By-law to consider for adoption that embodies the substance of the previously Council endorsed By-law (as rejected by State Parliament 17.2.21) with the deletion of any reference to penalties applicable to retailers being the owners of the shopping trolleys. That the new By-law focus be on the warnings, education and penalties for perpetrators who dump and litter our streets and reserves with shopping trolleys.”

The motion Lapsed for want of a Seconder**QUESTIONS WITH NOTICE - Nil****MOTIONS WITHOUT NOTICE****QUESTIONS WITHOUT NOTICE****OTHER BUSINESS****MEETING CLOSURE**

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

MEETING CLOSURE - Meeting Declared Closed at 09:06 PM**CONFIRMED THIS 23RD DAY OF MARCH 2021**

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CHAIRPERSON

COMMUNICATIONS

Mayoral Communication Report

Date of Council Meeting 23 March 2021

Name of Elected Member Mayor - Kris Hanna

Report Reference GC210323R02

Details

Date	Event	Comments
22/2/21	Marion Mallwalkers 20th Birthday Celebrations	
22/2/21	Meeting with YMCA	
23/2/21	Urgent citizenship ceremony	
26/2/21	Painting Auction for Kangaroo Island Bushfire relief	Acted as MC
27/2/21	Meeting with Telugu Association of SA President	
27/2/21	BMX/Soccer Project Ground-breaking	
3/3/21	Southern Business Connections Breakfast	
5/3/21	Meeting with Mayor of Mitcham	
6/3/21	Funeral service for Irene Whennan, former Councillor	
8/3/21	Adelaide Cup Day at Morphettville Race Course	
11/3/21	Club Marion Committee meeting	Council liaison
13/3/21	South Road Cricket club- Whites Night	

Deputy Mayor Communication Report

Date of Council Meeting 23 March 2021
Name of Elected Member Councillor - Nathan Prior
Report Reference GC210323R03

Details

Date	Event	Comments
30/1/21	EM Planning Day	
27/2/21	Launch of Sports in Reserves Program	
27/2/21	BMX/Soccer event	
8/3/21	Adelaide Cup Day at Morphettville Racecourse	

CEO and Executive Communications Report

Report Reference

GC210323R04

Details

Date	Activity	Attended By
24 February 2021	Zoom meeting Peter Auhl (EQI Consulting) Sorana Dinmore - CS Team Day presentation planning	Sorana Dinmore
25 February 2021	Event Local Transformation Amidst Global Uncertainty SA KPMG Adelaide	Sorana Dinmore
25 February 2021	Meeting Adam Thompson (Thompson Organisations) Sorana Dinmore - CS Team Day facilitation planning	Sorana Dinmore
27 February 2021	Event Sam Willoughby BMX and Southern Soccer Facility Sod turning	Adrian Skull Tony Lines Ilia Houridis
1 March 2021	Meeting Planning & Development Briefing - Mayors & CEOs	Ilia Houridis
1 March 2021	1st Coaching Session - Judith Sellick (Sellick Consulting) Sorana Dinmore	Sorana Dinmore
2 March 2021	CoM GigCity Briefing - DIS Sabrenet CoM	Sorana Dinmore
4 March 2021	Meeting Adrian Skull, Ray Barnwell, John Stewart, Davin Lambert and Natasha Grigg (LGFA)	Adrian Skull
4 March 2021	Meeting Adrian Skull, Ilia Houridis, Sascha Frost (City of Marion), Shaun Skipper and Eddie Chilcoy (Vicinity Centres)	Adrian Skull Ilia Houridis
4 March 2021	Meeting AWU Enterprise Agreement	Tony Lines
4 March 2021	Meeting Cross Council Collaboration - Asset Management with Cities of Marion, Charles Sturt and Pt Adelaide Enfield	Tony Lines
4 March 2021	Meeting Tonsley Project Steering Group	Tony Lines
4 March 2021	Meeting - CoM Satalyst	Sorana Dinmore
5 March 2021	Meeting Western Adelaide Consultative Group	Tony Lines

5 March 2021	Meeting Southern Cultural Immersion and PwC re LKCC	Tony Lines
5 March 2021	Meeting Adrian Skull and Mat Kesting (Adelaide Film Festival)	Adrian Skull
5 March 2021	Meeting Corey Wingard MP and Adrian Skull	Adrian Skull
5 March 2021	LG Professionals SA General Managers/Directors Network Forum - Fatigue: Managing ourselves and others	Sorana Dinmore
5 March 2021	Zoom meeting - UoA and City of Marion Internship Discussion	Sorana Dinmore
9 March 2021	Payroll & HRIS - Presentation by Aurion (Kick Off Slides) CoM Aurion (Duncan Cross	Sorana Dinmore
10 March 2021	Zoom event: Nathan Petrus of LGA about cyber security collaboration opportunities across the sector	Sorana Dinmore
10 March 2021	Enrite (Darren Russ) CoM Integration Meeting	Sorana Dinmore
11 March 2021	Meeting Lunch with Shadow Minister for Cities and Urban Infrastructure re urban development and City Deals in the leadup to the next federal election	Ilia Houridis
12 March 2021	Meeting Adrian Skull and Steve Murray MP	Adrian Skull
12 March 2021	Meeting Adrian Skull and Matt Pinnegar (LGA)	Adrian Skull
12 March 2021	Meeting Adrian Skull and Jayne Stinson MP	Adrian Skull
12 March 2021	Cross Council Collaborative ICT Program Board Meeting - City Of Marion City of Port Adelaide Enfield City of Charles Sturt	Sorana Dinmore
12 March 2021	Meeting Adam Thompson (Thompson Organisations) Sorana Dinmore - CS Team Day facilitation planning (final)	Sorana Dinmore
15 March 2021	Meeting Southern Cultural Immersion and PwC re LKCC	Tony Lines
15 March 2021	Meeting City of Salisbury & City of Marion re Animal Pound	Ilia Houridis
15 March 2021	SMRF JV Committee Meeting at SRWRA, Seaford Heights	Sorana Dinmore
16 March 2021	Corporate Services Team Day 2 x external guests (1 presenter Peter Auhl and 1 facilitator Adam Thompson)	Sorana Dinmore

17 March 2021	Meeting Housing Renewal Australia re Oaklands Green Recycle Water Delivery	Tony Lines
18 March 2021	Meeting AWU Enterprise Agreement	Tony Lines
18 March 2021	Meeting: Ryan McMahon (City of Tea Tree Gully) Sorana Dinmore (City of Marion)	Sorana Dinmore
22 March 2021	360 Debrief Session - Judith Sellick (Sellick Consulting) Sorana Dinmore	Sorana Dinmore



ADJOURNED ITEMS - Nil

DEPUTATIONS - Nil

PETITIONS - Nil

COMMITTEE RECOMMENDATIONS

Confirmation of the minutes for the Finance and Audit Committee Meeting held on 23 February 2021

Originating Officer	Governance Officer - Victoria Moritz
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210309R05

REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes from the Finance and Audit Committee Meeting held on 23 February 2021.

EXECUTIVE SUMMARY

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

Business Arising

- Business Arising Statement - February 2021

Confidential Items

- Service Review - Fleet Management and Maintenance - Report
- Internal Audit Contract

Reports for Discussion

- Elected Member Report
- Corporate Risk Quarterly Report
- Cybersecurity self assessment
- Internal Audit Program 2020/21 - COVID-19 BCP Response Report - Assurance Mapping Report
- Draft Annual Business Plan 2021-22 and Long Term Financial Plan
- External Audit Engagement for the Year Ending 30 June 2021

Reports for Noting

- Internal Audit Program - Implementation of Recommendations
- Service Review Program and Recommendations - Progress Update

RECOMMENDATION

That Council:

1. **Receives and notes the minutes of the Finance and Audit Committee meeting held on 23 February 2021.**
2. **Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.**

Attachment

#	Attachment	Type
1	FAC210223 - Minutes Final	PDF File

FAC210223 - FINANCE AND AUDIT COMMITTEE MEETING

Tuesday, 23 February 2021 at 02:00 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT

Emma Hinchey (Chair), David Papa (Via zoom), Nicolle Rantanen, Councillor Maggie Duncan

In attendance

Chief Executive Officer - Adrian Skull

General Manager Corporate Services - Sorana Dinmore

General Manager City Development - Ilia Houridis

General Manager City Services - Tony Lines

Manager Corporate Governance – Kate McKenzie

Acting Unit Manager Governance and Council Support – Victoria Moritz

Manager Finance – Ray Barnwell

Senior Procurement Specialist - Colin Heath

Manager Operations - Fiona Harvey

Unit Manager Risk – Sherie Walczak

Eric Beer - KPMG

Janet Burdon – KPMG

Heather Martens KPMG

Lee Girolamo - Deloitte

OPEN MEETING

The Chair opened the meeting at 02:01 PM

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 disclosed.

CONFIRMATION OF MINUTES

Confirmation of the minutes for the Finance and Audit Committee Meeting held on 8 December 2020
Report Reference: FAC210223R01

Moved Councillor Duncan, Seconded Ms Rantanen

That the minutes arising from the Finance and Audit Committee Meeting held on 8 December 2020 be taken as read and confirmed.

Carried Unanimously

BUSINESS ARISING

Business Arising Statement - February 2021

Report Reference: FAC210223R02

Moved Councillor Duncan, Seconded Ms Rantanen

That the Finance and Audit Committee notes the report and the business arising statement. No further action is required on any item.

Carried Unanimously

CONFIDENTIAL ITEMS

Cover Report - Service Review - Fleet Management and Maintenance - Report

Report Reference: FAC210223F01

Moved Councillor Duncan, Seconded Ms Rantanen

That pursuant to Section 90(2) and (3)(a) and (d) of the *Local Government Act 1999*, the Finance and Audit Committee orders that all persons present, with the exception of the following persons: Adrian Skull - Chief Executive Officer, Tony Lines - General Manager City Services, Sorana Dinmore - General Manager Corporate Services, Ilia Houridis - General Manager City Development, Ray Barnwell - Manager Finance, Colin Heath - Senior Procurement Specialist, Fiona Harvey - Manager Operations, , Kate McKenzie - Manager Corporate Governance, Victor Moritz – Acting Unit Manager Governance and Council Support be excluded from the meeting as the Committee receives and considers information relating to the *Service Review – Fleet Management and Maintenance – Report*, upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personnel matters and commercial information of a confidential nature.

Carried Unanimously

2.03 pm the meeting went into confidence.

Moved Ms Rantanen, Seconded Councillor Duncan

In accordance with Section 91(7) and (9) of the *Local Government Act 1999*, orders that this report, the attachments and any minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(a) 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 2021.

Carried Unanimously

2.22 pm the meeting came out of confidence

Cover Report - Internal Audit Contract

Report Reference: FAC210223F02

Moved Councillor Duncan, Seconded Ms Rantanen

That pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999, the Finance and Audit Committee orders that all persons present, with the exception of the following persons: Adrian Skull - Chief Executive Officer, Ilia Houridis - General Manager City Development, Sorana Dinmore - General Manager Corporate Services, Tony Lines - General Manager City Services, Kate McKenzie - Manager Corporate Governance, Victoria Moritz - Acting Unit Manager Governance and Council Support, be excluded from the meeting as the Committee receives and considers information relating to the Internal Audit Contract, upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to the management of the contract.

Carried Unanimously

2.22pm the meeting went into confidence

Moved Ms Rantanen, Seconded Councillor Duncan

In accordance with Section 91(7) and (9) of the Local Government Act 1999, the Finance and Audit Committee orders that this report, and any minutes arising from this report, having been considered in confidence under Section 90 (2) and (3)(b)(i)(ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting or until the new contract has been executed. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried Unanimously

2.26 pm the meeting came out of confidence

REPORTS FOR DISCUSSION

2.26 pm Elected Member Report

Report Reference: FAC210223R03

Councillor Duncan provided a brief summary of the report. The Committee noted the economic stimulus grants and that City of Marion has applied for approximately \$13m of Grant funding.

The committee noted the report and made no further comments.

2.30 pm Corporate Risk Quarterly Report

Report Reference: FAC210223R04

The Unit Manager Risk advised the Committee that this report is the standard quarterly risks report. Risks are owned and updated by Management each quarter.

The Committee noted the report and made the following comments:

- The PESTLER environmental scan could be explained better.
- The LKCC risk be revisited to ensure the risk rating is adequate based on current circumstances.
- Risks IT004 and IT007 are different risks. IT004 relates to volume of work and current initiatives in the IT space, whilst IT007 relates to project management for the whole organisation and the implementation of a consistent project management methodology. The Committee noted that these risks may need rewording.
- Clarity was sought regarding when an observation in the environmental scan will be escalated to the risk registers. Management advised that this would occur through the Risk Working Group. The membership of this group is the Executive and Senior Managers who meet quarterly.
- Management should consider the escalating project / construction costs and availability of contractors to the risk register as there is evidence that this is increasing. There are examples where contractors aren't available, or prices have been more than anticipated.
- Risk MoP005 had increased due to increased reporting and an incident at the pool. The Committee noted that the pool has undergone upgrade and queried if this has caused the risk to the pool to increase. It was noted that the staff at the pool have undergone further training and staff numbers have increased to ensure Council is meeting the national guidelines and WHS requirements.
- IT008 is a new risk that has been added due to the Digital Transformation Project and the transition phase that the organisation is currently progressing through.
- Contractor Management (WHS) has been a high risk for some time. Resources have been allocated and recruitment is occurring.

The Committee indicated that there is not enough detail in the report which makes its difficult to understand why risks are being re-rated.

Action: the committee requested that the next quarterly report have more detail to assist with why the risk had been rerated. Can dates for treatments also be included.

The chair sought leave of the meeting to amend the order of the agenda and bring forward the External Audit Engagement Report. Leave of the meeting was granted.

2.52 pm External Audit Engagement for the Year Ending 30 June 2021

Report Reference: FAC210223R08

Lee Girolamo (Deloitte) entered the meeting and advised the Committee that the report sets out the Audit Plan for 2020/21. It was highlighted that the Plan is consistent with previous years and no significant new accounting standards needed to be applied. The focus will be on expenditure and internal controls. The impacts of COVID-19 will continue to be assessed. The final audit report will be reported back to the Committee in October 2021.

It was noted that there has been significant IT change and IT procurement. The Committee recommended that this be reviewed as part of the audit.

Moved Ms Rantanen, Seconded Mr Papa,

That the Finance and Audit Committee:

1. Considers the outline of Deloitte's Audit Plan for the financial year ending 30 June 2021.

2. Notes the scope of the audit to be carried out by Deloitte for the year ending 30 June 2021.
3. Notes that the Chief Executive Officer will execute the acknowledgement of engagement letters.

Carried Unanimously

3.02 pm Cybersecurity Self Assessment Report Reference: FAC210223R05

The General Manager Corporate Services provided an overview of the report. It was noted that the Chief Data Officer is commencing on the 9th March 2021 which is a collaboration position across the three partner councils. The tasks outlined within the Plan are allocated to current resources until the new resource starts.

The Committee provided general comments that this was a good piece of work to undertake and queried the following:

- How is the Cyber Security being rolled out and staff training undertaken? Management advised that the training isn't currently mandatory however it does form part of the induction for new staff. Consideration will be given to increasing the mandatory requirements
- Does the Plan have adequate resources to deliver between now and the end of June 2021? It was confirmed that the Plan currently had adequate resources however, the market for human resources in this space was very competitive meaning that this could change, and resourcing could become a risk.
- Action 10 – Network Security (pg 33 of agenda). This action indicated that a monthly check would occur. The Committee suggested that a monthly check may be too long and that a different process may be required with more regular checks.

The Committee also noted that the Business Continuity Plan and Recovery Strategies were being updated.

Moved Ms Rantanen, Seconded Councillor Duncan

That the Finance and Audit Committee:

1. **Note the cybersecurity self-assessment.**
2. **Note the first draft of the remediation action plan, to be further enhanced in collaboration with our partners at the Cities of Charles Sturt and Port Adelaide Enfield as well as through our partnership with the federal Australian Cyber Security Centre.**

Carried Unanimously

3.13 pm Internal Audit Program 2020/21

- COVID-19 BCP Response Report

- Assurance Mapping Report

Report Reference: FAC210223R06

Mr Eric Beer, Ms Janet Burdon and Ms Heather Martens from KPMG entered the meeting.

Business Continuity Plan and COVID-19 Response

Ms Burdon provided an overview of the report and acknowledged that the City of Marion managed the response well with early activation of the Incident Management Team (IMT). It was noted that the Business Impact Assessment was in the process of being updated and the work hadn't been completed when the pandemic hit meaning that the existing Plans weren't fully sufficient. However, the organisation managed the situation well on the existing Plans and the performance was good in comparison to some other KPMG clients.

The Committee noted the key findings related to working from home arrangement, IT procurement in an

emergency, the BCP Framework and Recovery Strategies.

The Committee queried if Management was satisfied that no fraud had occurred as a result of COVID arrangements. It was noted that an ITT Asset Register has now been established regarding the allocation on equipment.

The Committee noted the report, indicated this was a thorough piece of work with good recommendations.

Assurance Mapping

Ms Martens provided an overview of the report highlighting that this work is an important first step to integrate assurance into risk management. Ms Martens acknowledged staff that had been involved as the review went across the whole council and a number of staff were involved.

A total of 19 risk areas were aggregated from the corporate risk register which included (at the time) 104 risks. Following from this work, a strategic risk register is required to be developed.

The Assurance Map reviewed the 1st, 2nd and 3rd line of defense for each of the 19 risks. The review recommends that those risks without 3rd line assurance may be considered for further audit work.

The Committee noted that across the review, there was 39 improvement opportunities identified. Many of these related to items where 2nd and 3rd lines of assurance were low or absent.

The Committee suggested that it would be useful to have a matrix to understand how the risk ratings were applied. It was advised by KPMG that the ratings were a little subjective however, those marked red had limited or no assurance.

It was noted by the Committee that this work now needs to connect back to the risk register to ensure that assessment of the assurance is consistent across both.

The Committee made the following points:

- Risk 2 – Breach of core financial controls was solid however ensure that this risk is not over engineered with too many controls therefore making the processes inefficient.
- Risk 3 – failure to attract and retain existing and new businesses had no formal strategy in place however some work was occurring. There was also no 3rd line of assurance for this risk.
- Risk 5 - Contractor management required further work and should be considered as part of further audit work (particular for post contract awarding processes).
- Risk 8 – Failure to develop and maintain key relationship didn't have a 3rd line of assurance however the development of relationship maps is recommended.
- Risk 15 - The Digital Transformation Project was a large piece of work and no 3rd line of assurance has been undertaken. Due to the size, complexity and cost, this should be considered as part of future audit work.
- Risk 16 – Project management is connected to the discussions within the Risk Quarterly Report and this risk could be considered as part of future audit work.
- Risk 17 - Funding risks although reporting mechanisms are in place, the Committee suggested that a report to this Committee could be useful.

The Committee acknowledged the large body of work. It is a good working document for the risk team and management to be working with.

Action – The Committee acknowledged that this work has aggregated a number of risks together and requested that a further report be considered regarding if the risks are acceptable within our risk framework and what is outside of tolerance.

The Manager Finance provided an overview of the report noting that the parameters for the Annual Business Plan were presented to the Committee in December 2020. The Committee noted that the funding for the Asset Management Plans have now been incorporated into the Long Term Financial Plan (LTFP). Council has considered four rate models with rate increases from 0 – 1.5 %. These were discussed informally at the Elected Member Planning Day in January 2021. Although, Council has not made a decision, the draft plan is being prepared on the basis of a 1% rate increase (depending on the outcomes of the grant stimulus).

The Committee raised concerns regarding why the ABP and LTFP considers borrowings when the forecast indicates cash surpluses? Management advised that the objective is to use cash reserve first, in line with the City of Marion Treasury Management Policy. Borrowings for major projects is considered by Council particularly around intergenerational equity, however managements recommendation would be to utilise cash available first and borrow only where there is a requirement to do so.

The Committee indicated that it is difficult to justify any borrowings with large cash surplus and would not recommend that this is a sound approach for Council. It was noted that approximately \$20m of the surplus is retained for carryovers and this funding would reduce with the delivery of the capital works program. The Committee recommended that Council consider removing borrowings from its LTFP whilst the cash surplus is predicted to be high.

Moved Ms Rantanen, Seconded Councillor Duncan,

- 1. That the Committee noted the report and recommends to Council that consideration is given to removing borrowings from the Long Term Financial Plan, whilst there is large cash surplus forecast within the Plan.**

Carried Unanimously

REPORTS FOR NOTING

Internal Audit Program - Implementation of Recommendations

Report Reference: FAC210223R09

The Committee noted the report and requested that the risk rating be included. The Committee also queried if the recommendation for the Procure to Pay could be investigated as an add on to the existing software rather than waiting for a new system.

Action: That risk ratings of Internal Audit recommendations be added to the table.

Service Review Program and Recommendations - Progress Update

Report Reference: FAC210223R10

The Committee noted the report. It was highlighted that a concentrated effort from Management is being pursued to close out recommendations before the end of the financial year.

WORKSHOP / PRESENTATION ITEMS – Nil

OTHER BUSINESS

The Committee expressed its thanks and appreciation to Mr Skull for his contribution to the City of Marion. His leadership, responsiveness and feedback to the Committee has been greatly appreciated.

MEETING CLOSURE

Meeting Declared Closed at 04.21 PM

CONFIRMED THIS 18TH DAY OF MAY 2021

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CHAIRPERSON

Confirmation of the minutes for the Planning & Development Committee meeting held on 2 March 2021

Originating Officer	Executive Officer to General Manager City Development - Louise Herdegen
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Development - Ilia Houridis
Report Reference	GC210323R06

REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes of the Planning & Development Committee meeting held on 2 March 2021.

EXECUTIVE SUMMARY

A summary of the items considered by the Committee Members are noted below:

Workshop/Presentation Items

- Confidential - Seacliff Group Presentation

Reports for Discussion

- Commercial and Industrial Zoning
- Planning Reforms Update
- Forward Agenda

Reports for Noting

- Development Plan Amendments Update
- North-South Corridor Update

RECOMMENDATION

That Council:

1. **Receives and notes the minutes of the Planning & Development Committee meeting held on 2 March 2021.**
2. **Notes that separate reports will be brought to Council for consideration of any recommendations from the Planning & Development Committee.**

Attachment

#	Attachment	Type
1	PDC210302 - Final Minutes	PDF File

MINUTES OF THE PDC210302 - PLANNING AND DEVELOPMENT COMMITTEE MEETING

Tuesday, 02 March 2021 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt



PRESENT

His Worship the Mayor Kris Hanna

Councillor - Sasha Mason

Councillor - Luke Hutchinson

Councillor - Joseph Masika

Councillor - Kendra Clancy

Councillor - Raelene Telfer (from 6:34 pm)

Councillor - Jason Veliskou (from 6:49 pm)

In Attendance

Councillor - Ian Crossland

Councillor - Tim Gard

Councillor - Maggie Duncan

Councillor - Matthew Shilling

Councillor - Bruce Hull

Councillor - Nathan Prior

Acting Chief Executive Officer - Sorana Dinmore

General Manager City Development - Ilia Houridis

General Manager City Services - Tony Lines

Manager Development & Regulatory Services - Warwick Deller-Coombs

Team Leader – Planning - Alex Wright

Senior Policy Planner - David Melhuish

Project Director Urban Renewal - Sascha Frost

Executive Officer to the General Manager City Development – Louise Herdegen (Minutes)

Seacliff Group - Michael Visintin, Roger Mainwood, Andrew Brazzale & Frank Gasparin

OPEN MEETING

Councillor Mason opened the meeting at 06:32 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 (if any)

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

Nil interests were disclosed.

CONFIRMATION OF MINUTES - Nil

CONFIDENTIAL ITEMS

Cover Report - Confidential - Seacliff Group Presentation

Report Reference: PDC210302F01

Moved Councillor - Hutchinson

Seconded Councillor - Masika

That pursuant to Section 90(2) and (3)(d)(i) and (ii) of the Local Government Act 1999, the Committee orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager Development and Regulatory Services, Team Leader Planning, Senior Policy Planner and Executive Officer to General Manager City Development be excluded from the meeting as the Committee receives and considers information relating to Seacliff Group Presentation, upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to commercial in confidence information provided by a third party regarding future development of the site.

Carried unanimously

6:34 pm the meeting went into confidence

6:34 pm Councillor Telfer entered the meeting

6:49 pm Councillor Veliskou entered the meeting

Confidential - Seacliff Group Presentation

Report Reference: PDC210302F01

The Manager Development & Regulatory Services introduced the presenters, Michael Visintin (Design IQ) and Roger Mainwood (Total Projects Group), to provide an overview and vision of the draft master plan on behalf of the Seacliff Group.

The following discussion points were noted:

- Development to consist of a medical centre, child care centre, retail component (mixed use, specialty, supermarket), eat street to create community hub and open space areas.
- Site plans and video of the proposed site shared with the meeting.
- The Seacliff Group anticipate the proposal for the initial stages (Medical Centre and Childcare Centres) to come to Council by mid 2021.
- Carparking and allocations will be provided as per planning requirements.
- Overlay for lease that sits with Boral to City of Marion. Lease revoked to the boundary with no impact to operation of golf course.
- The site dissects the boundaries of the City of Marion and City of Holdfast Bay. Developers will continue to work with both councils.
- Stormwater flow from the clubhouse and ocean boulevard trisects site. Detention basins will minimise flooding. More wetland features may be added beyond the site to help the whole system work more efficiently.
- Soil conditions and profiles explained.
- Public realm to be handed over to Council includes open space, linear paths, wetland systems, street tree planting, public domain through southern and western boundary.
- As detailed plans become available, Open Space team will be included in the discussions.
- Site contamination issues discussed. The main affected areas will be beneath the carpark and extensive mapping has been undertaken to determine depth & breadth of affected areas. Significant testing has been done with management action plan with EPA. Explanation of carpark construction,

- approved by EPA, to ensure safety between people and contamination.
- Noise and dust mitigation strategies included in design considerations.

Moved Councillor - Hutchison

Seconded Councillor - Masika

That the Planning and Development Committee:

1. Note the presentation from the Seacliff Group.

Carried

7:33 pm the meeting came out of confidence

REPORTS FOR DISCUSSION

Commercial and Industrial Zoning Workshop Discussion

Report Reference: PDC210302R01

The Manager Development & Regulatory Services and Senior Policy Planner presented an update of work undertaken to date on the Commercial and Industrial Zoning Review.

Discussion points noted below:

- Zoning to allow some level of flexibility that offers a mixture of commercial/residential.
- Comparison between current and new zones with examples and scenarios discussed.
- Small businesses operating from shop premises however not operating/open as shops. COVID has led to a change of where/how people are operating their business ie smaller/more affordable premises and/or from home.

Moved Councillor - Masika

Seconded Councillor - Hutchison

That the Planning and Development Committee:

1. Notes this report.
2. Administration to provide a report to the Committee in May 2021 that outlines a comparison of what each zone offers to clearly understand the Code Amendments for future detailed analysis.
3. Recommend to Council that staff progress the Marion Road Corridor Zoning as part of a Code Amendment following the implementation of the Planning & Design Code.

Carried Unanimously

Planning Reforms Update

Report Reference: PDC210302R02

The General Manager City Development attended the Planning & Development Code Briefing for Mayors and CEO's (on behalf of the CEO) on 1 March 2021. Confirmation of timeframes and when Council will see the final version of the Code is still no clearer. The only clear outcome was the new Planning & Design Code will be active from 19 March 2021.

Moved Councillor - Masika

Seconded Councillor - Veliskou

That the Planning and Development Committee:

1. Notes this report.

Carried unanimously

Forward Agenda

Report Reference: PDC210302R03

The General Manager City Development introduced the item and welcomed discussion and suggestions for future topics that align with the Terms of Reference. The following suggestions were noted:

- Current standing items to remain as scheduled.
- Include some innovation ideas.
- Best practice development.
- Community issues that are outside of Council's power – for awareness.
- Urban renewal.
- Clarity on Council's role with new P&D Code.
- Public/private partnerships – activate/opportunities.
- Identify opportunities Council may be missing out on ie use Sturt Road shops as a case study and how can that be replicated.
- Development strategy/guidelines with groups like Master Builders.

Moved Councillor - Clancy

Seconded Councillor - Veliskou

That the Planning & Development Committee:

1. Notes the committed agenda items.
2. Provided suggestions for the proposed forward agenda for the 2021 program.

Carried Unanimously

REPORTS FOR NOTING

Development Plan Amendments Update

Report Reference: PDC210302R04

Councillor Veliskou declared an actual conflict of interest as a family member is directly affected by the Junction redevelopment proposal in Oaklands Park.

8:47 pm Councillor Veliskou left the meeting.

Key discussion points relating to the Seacliff Development noted below:

- The Seacliff Development will sit across two Council boundaries and the management of rates, where properties straddle the boundary may need further consideration.
- No trigger as yet for boundary realignment discussion between the Council's.
- Discussion required with Rates with examples of where this has happened before.

Moved Councillor - Clancy

Seconded Councillor – Masika

The Planning and Development Committee notes that:

1. Development Plan Amendments will be called Code Amendments once the new Planning and Design Code is active from 19 March 2021.
2. The Seacliff Park and Oaklands Park Development Plan Amendments are complete.
3. The development policy objectives sought by the Housing Diversity Development Plan Amendment Part 2 must now be progressed through a Code Amendment should Council choose to pursue these.

Carried

8:51 pm Councillor Veliskou re-entered the meeting.

North-South Corridor Update

Report Reference: PDC210302R05

Councillor Mason is the representative for the City of Marion on the Community Reference Group. First meeting scheduled for 3 March 2021.

Moved Councillor - Telfer

Seconded Councillor - Masika

That the Planning and Development Committee:

1. Notes the report and proposed progress reporting be brought to the Planning and Development committee.
2. Notes project related matters requiring discussion or decision will be presented to Elected Member Forums and General Council on an as needs basis.

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS

OTHER BUSINESS - NIL

MEETING CLOSURE - Meeting Declared Closed at 08:55 PM

CONFIRMED THIS 4TH DAY OF MAY 2021

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CHAIRPERSON

CONFIDENTIAL ITEMS**Cover Report - Confirmation of the confidential minutes for the Finance and Audit Committee meeting held on 23 February 2021**

Originating Officer	Governance Officer - Angela Porter
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323F01

RECOMMENDATION

That pursuant to Section 90(2) and (3)(a) and (d)(i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Services, General Manager Corporate Services, General Manager City Development, Manager Corporate Governance, Unit Manager Governance and Council Support, Unit Manager Communications and Governance Administration Officer be excluded from the meeting as the Council receives and considers information relating to the Confirmation of the confidential minutes of the Finance and Audit Committee meeting held on 23 February 2021, 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 personnel information and commercial information relating to the management of a contract.

Confidential - Confirmation of the confidential minutes for the Finance and Audit Committee meeting held on 23 February 2021

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(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 - Internal Audit Contract

Originating Officer	Manager Corporate Governance - Kate McKenzie
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323F02

RECOMMENDATION

That pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Acting Unit Manager Governance and Council Support, Unit Manager Communications, Governance Administration Officer, be excluded from the meeting as the Council receives and considers information relating to the Internal Audit Contract, 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 management of the contract.

Confidential - Internal Audit Contract

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 - Confidential Questions Taken on Notice Register

Originating Officer	Governance Officer - Angela Porter
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323F03

RECOMMENDATION

That pursuant to Section 90(2) and (3)(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: Chief Executive Officer, General Manager City Services, General Manager Corporate Services, General Manager City Development, Manager Corporate Governance, Unit Manager Governance and Council Support, Unit Manager Communications, Project Director Urban Renewal and Governance Administration Officer be excluded from the meeting as the Council receives and considers information relating to the Confidential Questions Taken on Notice Register, 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 agenda items held in confidence.

Confidential - Questions Taken on Notice Register

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(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 - Marion Cultural Centre Plaza

Originating Officer	City Activation Senior Advisor - Brett Grimm
Corporate Manager	Manager City Activation - Greg Salmon
General Manager	General Manager City Development - Iliia Houridis
Report Reference	GC210323F04

RECOMMENDATION

That pursuant to Section 90(2) 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: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager City Activation, City Activation Senior Advisor, Manager Finance, Unit Manager Communications, Unit Manager Governance and Council Support and Governance Administration Officer, be excluded from the meeting as the Council receives and considers information relating to Marion Cultural Centre Plaza, 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 confidential commercial information including information regarding professional services for design development and financial figures.

Confidential - Marion Cultural Centre Plaza**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 Soldiers Memorial Recreation Ground (ESMRG) 100 Percent Profit Share Model

Originating Officer	Unit Manager Sport and Recreational Community Facilities - Mark Hubbard
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis
Report Reference	GC210323F05

RECOMMENDATION

That pursuant to Section 90(2) and (3)(b)(i) and (ii) and (3)(g) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager City Property, Unit Manager Sport and Recreational Community Facilities, Unit Manager Land & Property, Unit Manager Communications, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Edwardstown Soldiers Memorial Recreation Ground 100% Profit Share Model, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to a profit share model and a current confidential order is in place over previous reports, attachments and minutes to which this report relates.

Edwardstown Soldiers Memorial Recreation Ground (ESMRG) 100 Percent Profit Share Model

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(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.

CORPORATE REPORTS FOR DECISION

Tree Management

Originating Officer	Unit Manager Open Space Operations - Brett Jaggard
Corporate Manager	Manager Operations - Fiona Harvey
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323R07

REPORT OBJECTIVE

The purpose of this report is to provide Council with an update on the current tree management program, the proposed future 7 year planting program and to seek additional resources to support the program.

EXECUTIVE SUMMARY

On 2 February 2021, a report was presented to the Asset and Sustainability Committee providing an update on the City of Marion's current Tree Management Framework (TMF) progress, achievements and challenges. This presentation included information on tree planting and watering programs, operational works, mapping, data analysis and proposed a 7 year planting program to plant the entire council area.

A number of challenges were identified including the current capacity to water and maintain the volume of trees Council is committed to planting as part of the TMF, the ongoing management of risks relating to the tree population, and the increasing challenges to green the City due to urban infill, government policies and climate change. This report provides solutions to address these issues, ensuring Council meets its goals and commitments to increase tree canopy in line with State Government targets and importantly to improve the City.

Several opportunities have been proposed:

- increasing the annual number of street trees planted from 3,000 to 3,500
- improving watering programs to ensure trees are watered for 3 years, weekly for the first 2 years
- the development of a Regulated and Significant Tree Incentive Fund
- the undertaking of a risk audit of reserve trees
- increasing the size of the 400 advanced trees in the Treescaping program
- developing a tree maintenance volunteer program
- investigating street scape designs to incorporate more efficient watering.

Progressing these opportunities will require increasing resources, including the recruitment of a second Arborist position, the purchase of two additional 9000L water tankers and funding for two water tanker operators, and additional funding for the purchase of more and larger trees.

The initial investment for the most cost effective options proposed will require approximately \$688k in 2021/2022 and approximately \$3.32m over 10 years. These are to be considered as part of the 2021/2022 Annual Business Planning process.

This investment program will support a step change in the greening of the City, resulting in increased tree canopy coverage, improved amenity, reduction in urban heat and many other broader benefits for the City.

RECOMMENDATION

That Council:

1. Considers, as part of the 2021/22 Annual Business Planning process, increasing the annual street tree planting program from 3,000 to 3,500 trees per annum with an associated increase in funding of \$176,500 (indexed) per annum.
2. Adopts the 7 year tree planting program, based on planting 3,500 trees per annum as detailed in Attachment 1.
3. Considers, as part of the 2021/22 Annual Business Planning process, funding of up to \$370,000 to purchase two additional 9,000 L water tankers, which will enable weekly watering to be implemented in years one and two of the three year watering program, instead of the current ten day watering program. This will significantly decrease tree mortality.
4. Considers, as part of the 2021/22 Annual Business Planning process, the funding and recruitment in 2021/22 of an additional ongoing 1FTE water tanker operator at a cost of \$76,281 per annum (including on costs); and a casual water tanker operator for the 30 week watering program at a cost of \$42,980 per annum.
5. Considers, as part of the 2021/22 Annual Business Planning process, the recruitment of a second qualified Arborist at a cost of \$103,000 per annum (including on costs) offset by annual consultant fee and casual labours savings (\$41,000 p.a.) and a once off reserve tree audit cost saving (\$41,000).
6. Considers, as part of the 2021/22 Annual Business Planning process, increasing the treescaping budget by \$45,000 per annum (indexed) to increase the size of 400 trees to be planted in this program from approximately 2m to 3m tall thus reducing the risk of vandalism and providing greater instant amenity value.
7. Considers, as part of the 2021/22 Annual Business Planning process, an allocation of \$20,000 to develop and pilot a regulated and significant tree incentive fund, with a report back to be provided to Council in May 2021 with specific details of the proposed fund.
8. Supports the development of a formalised tree maintenance volunteer program.
9. Notes Administration will investigate opportunities to develop a pilot streetscape watering program.

Liveable:	Street and reserve trees are critical to ensuring our city is liveable.
Valuing Nature:	Trees provide habitat for wildlife and insects and are the means for them to move through our city.
Innovation:	The implementation of GIS mapping systems is allowing us to focus resources and find service level efficiencies to improve the risk management of our trees.
Connected:	Our communities feel better connected to nature, and tree lined streets and reserves encourage people to visit and recreate in our area.
Risk Management:	We are committed to managing our trees in accordance with relevant risk management principles and council policies to preserve our tree assets while mitigating the risk of personal injury, private property damage, public liability and damage to infrastructure.

DISCUSSION

Council's current TMF was adopted in 2018 and has a vision of 'Our streets and parks are lined with mature, healthy trees that are a habitat for birds and other wildlife.' The community values and appreciates the city's trees for their shade, appearance and contribution they make to the environment.

Significant progress continues to achieve this vision through the following streams:

- Data management & operations
- Resident/customer engagement
- Planting
- Watering

On 2 February 2021, a report and presentation was presented to the Asset and Sustainability Committee on Greening the City (ASC210202R03). An outcome from this meeting was for a follow up report to be presented to Council to further explore the 7 year tree planting program and new initiatives relating to tree management across the city.

Tree Planting

The current annual tree planting program has a target of planting:

- 3,000 street trees
- 400 advanced trees (Treescaping program)
- 200 reserve trees

Recent data on tree canopy and urban heat across the City of Marion shows that the City is ranked 12th most vulnerable in Australia to heat stress as a result of canopy loss. Further data shows City of Marion's tree canopy coverage is 15.0% compared with the average for metropolitan Adelaide of 23.4% coverage. There are also continuing pressures on canopy coverage due to urban infill which means protecting existing trees and planting new trees now is more critical than ever.

To continue to make a step change in improving canopy coverage, amenity, urban heat impacts and flora and fauna biodiversity, it is proposed that the annual street tree planting program is increased from 3,000 to 3,500 trees. This will require additional funding of \$176,500 per annum (indexed) for the life of the proposed seven year program. Should this increase be supported, over the seven year term it is estimated approximately 24,500 new street trees will be planted. Taking into account some loss and some existing tree removal it is estimated that Council will have a total street tree population of approximately 69,300 in 2028, with every possible tree planting location filled.

Planning for the proposed seven year tree planting program was undertaken through the analysis of Forestree data using 3 key mapping datasets; Urban Tree Canopy, Urban Heat Island (surface temperature) and Vulnerable Communities (SEIFA index). Use of the SEIFA index reflects research which shows vulnerable communities are more susceptible to the effects of urban heat and that planting trees (increasing canopy cover) can provide significant benefits as they are more likely to use active modes of transport (walk, bike and public transport); less likely to use air conditioners due to high power costs; less likely to have houses constructed with good insulation; and less likely to have appropriate landscapes to assist with cooling. This data combined has presented the 24 suburbs across the City in a prioritised table with any suburb that rates high across all 3 criteria given priority for tree planting. Clovelly Park, Marion and Seacliff Park have been divided in half as these suburbs appear to have good canopy in one half and less canopy in the other. This list of suburbs has allowed for the development of a seven year planting program focusing on intensive tree planting by suburb.

Undertaking planting via this methodology provides service level efficiencies including:

- Route planning for watering becomes optimised and concentrated to a smaller area thus allowing more trees to be watered as travel time is reduced
- Streetscapes get renewed and become more uniform increasing property values over the long term
- Establishment of formative pruning and long term maintenance becomes more efficient and effective to undertake and complete.
- This is an opportunity to engage volunteer support at a neighbourhood or street level.



The 7 year tree planting program will focus the 2021 planting season in Oaklands Park, Edwardstown, Clovelly Park (North) and Ascot Park and is based on increased annual street tree planting from 3,000 to 3,500 trees. If the proposed increase in planting numbers is not supported, the tree planting program can be revised to reflect the current annual planting regime of 3,000 trees.

Tree Watering

Providing adequate water to newly planted trees is essential for good quality tree establishment and reduced mortality rates. Industry standard in South Australia is to provide 3 years of watering due to the drier climate and poor clay heavy soils. Weather and seasonal variations can impact watering programs which will require flexibility in how Council waters trees in the future.

With the ongoing effects of climate change impacting the City it is anticipated the need for supplementary watering during the winter season will increase. 2020 was the first year a water tanker kept watering throughout the winter season to water evergreen trees.

Council currently operates 2 x 9,000 L capacity water tankers which use recycled stormwater from the Oaklands Wetlands. Through the utilisation of Forestry data, analysis has been undertaken regarding internal watering capabilities. Currently two water tankers can water, on average, 4,500 trees per week. This analysis is based on a 5 day week, 5.4 hour watering regime. Note additional time during the working day is allocated to travel and refilling the tanker, and other non- watering related activities such as toolbox meetings and training. Our current watering capacity is not able to water all existing trees therefore 2,000 trees are being watered by a contractor in 2020/21 at a cost of \$2.84 per tree, equating to \$85,000 for a 15 week watering program.

The 7 year program will require watering, on average, 9,750 street trees and advanced treescaping trees per week. The two current water tankers are unable to meet this demand.

Three options have been analysed to develop a watering regime that waters all trees on a weekly basis in years one and two, and a fortnightly cycle in year three. Attachment 2 provides the financial analysis of the options.

Option 1: Purchase two additional water tankers, plus a 1 FTE City of Marion tanker operator, and a casual operator for the 30 week watering program

This option proposes the addition of two water tankers, increasing the water tanker fleet to four. It also includes funding for a 1FTE City of Marion tanker operator, and a casual labour hire tanker operator to cover the 30 week watering program.

This option would create capacity to water all trees on the watering program each week. The flexibility created by having four tankers would likely result in being able to minimise travel distances and optimise routes meaning all 9,750 trees would be able to be covered by these tankers. This would result in a saving on contract watering of \$85,000 per annum (indexed) based on the costs of contract watering in 2020/21. The net cost of this option over 10 years is \$973,640.

The additional benefit of creating an internal position will allow capacity in the winter months to continue some watering, and undertake essential maintenance works of newly planted trees. The works will include repairing of stakes, water bowls and formative pruning of the new trees which is essential to promote the trees growth and reduce maintenance as the tree matures. By undertaking this work we will improve the survival rate of planted trees, reduce customer events and the need to replace trees.

Option 2: Purchase one additional water tanker, plus a 1FTE City of Marion tanker operator

This option proposes the addition of one water tanker and operator, bringing the CoM water tanker fleet to three. Three tankers will support a watering capability of approximately 7,300 trees per week, leaving a shortfall of approximately 2,450 trees per week. Contracted services would be required to water these trees, estimated to cost an additional \$122,630 per annum (21/22). The net cost of this option over 10 years is \$2,477,292..

As with Option 1, the additional operator position will provide capacity to better manage trees and improve survival rates.

Option 3. Utilise existing two water tankers, and contract out all additional watering

This option continues with the two current water tankers and operators which will continue to water 4,500 trees. Contractors will be engaged to water 5,250 trees per week. This would cost in the order of \$14,910 per week equating to \$447,300 per year in 2021/22, increasing yearly, based on watering for 30 weeks of the year.

Attachment 2 provides the costs/savings associated with these options, based on a ten year watering program (seven year planting program, plus three years of watering beyond the final year of planting). This analysis also reflects that the useful life of the additional watering trucks is 10 years, and will be disposed after the 10 year program.

In summary, over ten years the total net increase to the budget for each option is:

Option 1: \$973,640

Option 2: \$2,477,292

Option 3: \$3,967,084

Based on this analysis, it is recommended that Option 1 is considered for funding as part of the 2021/22 Annual Business Planning process..

Arborist

At the start of the Open Space Operations service review in 2017 the recorded tree population was 32,000 trees. The review confirmed the resourcing for tree management at the time to be one qualified arborist and one supporting tree officer, whose role is to assess trees, coordinate the on ground scoping, data collection and roll out of the tree planting program.

This level of resourcing is no longer able to effectively support strategic and operational tree management. It is recommended that an additional 1 FTE Arborist is funded on an ongoing basis to support management of the variety of demands, issues and opportunities associated with tree management across the City.

Since 2017 the tree population has increased significantly as more trees have been planted and mapping capabilities to identify existing trees has improved. The tree population currently exceeds 42,000 trees and it is recognised there is very limited data on the reserve tree population. It is estimated a further 20,000 trees may exist in reserves, and combined with over 16,000 possible planting locations identified for future planting, the tree population will likely exceed 80,000 trees over the next 7 years.

There are several projects and complex tree management issues that present risks to Council which take considerable resource to adequately address. These include liaising with SA Power Networks in relation to planting trees under power lines; the advanced treescaping program on main arterial roads; the showcase sites of Tonsley and Edwardstown; granted funded projects such as the Lonsdale Highway treescaping project; managing changes to the Development Act and urban infill legislation; adapting to climate change; and higher community expectations in relation to tree management.

The recent fatalities and property damage in SA relating to tree and limb failure has resulted in an increase in customer events relating to tree management. During the period of 1/7/2019 – 3/3/2020 Council received a total of 2,164 tree related customer requests, over the same period this financial year 1/7/2020 – 3/3/2021 Council has received 2,484 tree related requests which equates to an increase of 14%. These request vary in their level of complexity where many require significant time and a high level of tree knowledge to work through.



The ongoing suburb renewal through infill development and housing construction is drawing significantly on the arboriculture skills and resources. The changes to the Development Act which go live on March 19 will likely heavily impact our ability to provide a timely response to development applications. The consultation process has been severely reduced and the turnaround time on providing feedback limited to 5 working days or 20 working days based on the new system. This creates a risk with current resources as there is potential that developments are approved and trees removed without having sufficient opportunity to influence the design. A consulting Arborist is currently engaged to review development applications and provide comment via reports on associated impacts. On average the consultant costs \$4,000 per month totalling \$48,000 per annum. Without additional in-house arboriculture resources it is likely the use of a consultant would significantly increase to achieve the service levels required.

Open space and streetscape renewal projects require careful advice and support to be successful and the 7 year tree planting program will be resource intensive to set up, engage with the community and deliver.

The proposed additional 1 FTE Arborist role would support the existing Arborist in the following key functions:

- Tree risk assessments/advice
- Planning and Development advice
- Tree relates Section 221 application reviews (mostly construction of driveway crossovers for new developments)
- Customer event assessments/engagement
- Tree condition and reserve tree monitoring program
- Veteran tree management
- Contract works supervision
- Tree warriors (volunteer coordination)
- Research and data analysis on the impacts of climate change
- Plant mortality reduction
- Species selection
- Grant funding proposals
- Stakeholder liaison
- Policy review.

In increasing our Arborist resources to 2 FTE, it is estimated that \$41,000 per annum could be saved through:

- Reduction in use of consulting Arborists by at least 75% equating to \$36,000 per annum.
- Eliminating the need to backfill the existing Arborist with a CoM Arboriculture team member, and further backfilling this role with a temporary labour hire operator whilst they are on leave; equating to approximately \$5,000 per annum.

Reserve Tree Audit

A significant gap in Council's tree management is the identification and risk management of trees in the regional and neighbourhood reserves. There is a risk to public safety and Council given the spaces are designed around playgrounds and facilities that public are actively invited to use daily. To mitigate this it is proposed to use the additional Arborist resource to collect data on all of the trees located in these reserves and undertake an internationally recognised Tree Risk Assessment Qualification (TRAQ) assessment to provide a risk rating on any tree within 25m radius of a playground, picnic facilities and seats. Once this audit is completed a plan can be developed and implemented to manage these trees and reduce associated risk. These trees will have an anniversary date established for ongoing inspection to ensure risks are well managed. It is estimated this allocation of resources will mitigate the future expenditure of a consulting Arborist to undertake the assessments to the value of \$50,000.

Advanced Planting Program



Council currently has a 10 year treescaping program that plants over 400 advanced street trees per annum. The majority of these plantings use 450 mm pots, and a tree size of approximately 2 metres, with a purchase cost of approximately \$70 per tree. It is proposed to increase the size of the pot to 100 L, and tree size of around 3 metres, with an approximate purchase cost of \$120 each. The purpose of this is to provide an improved immediate impact on amenity as the trees will be an extra 1 metre tall when planted at our high profile locations whilst reducing the risk of vandalism and theft. The increase in pot size requires a higher cost of planting due to the size of tree and rootball. The increased costs to achieve this is \$45,000 per annum for the life of the program which has 8 years remaining.

Regulated and Significant Tree Incentive Fund

Administration has begun to investigate the creation of a regulated and significant tree incentive fund however more investigation and development needs to be done. It is envisaged that the program will be similar to that of the current heritage fund where Council will co-contribute towards the maintenance of regulated and significant trees on private land upon receiving an approved tree management plan from a qualified Arborist. Should Council provide in-principle support for the establishment of a Regulated and Significant Tree Incentive Fund, it is proposed that \$20,000 is allocated in the 2021/22 draft budget.

A detailed report will be presented to Council in May 2021 with a proposal to progress the development of the Fund, incorporating feedback from other Councils who have launched similar initiatives.

Street Scape Tree Watering Pilot Program

Administration will review the current streetscape program to identify locations where it may be suitable to create infrastructure that will allow a single point of watering for the entire street. The streetscape program is considered most suitable for this type of watering approach as it is likely to require the installation of underground tanks, pipes and services so would have significant impact on existing infrastructure. The benefits of this pilot will mean all trees will be watered in the streetscape regardless of obstacles in the road and it is a far more efficient way to water. If successful this initiative could be incorporated into all appropriate streetscape upgrades in the future.

Volunteer Pilot Program

Administration is developing a tree maintenance volunteer program which will support Council with minor maintenance work and data collection. This program would be one of the responsibilities of a second Arborist to develop and grow the program across the city. If successful this program could be applied across other open space areas such as biodiversity. To date, one volunteer has been recruited as a trial and it is proposed this program be formally rolled out.

Attachment

#	Attachment	Type
1	Attachment 1 - Analysis by Suburb 7 Year planting plan	PDF File
2	Attachment 2 Watering Options	PDF File

Suburb	Ward	Indicative Planting Locations Available	Calendar Year to be planted	Urban Heat (5 points) (high land surface temperature)	Low Canopy (4 points) (low coverage of canopy >3m)	SEIFA (2points) (Contains areas with high levels of social and economic disadvantage)	Scoring	Comment
Oaklands Park	Warracowie	681	2021	yes	Yes (south)	yes	11	Mainly in southern part away from river
Edwardstown	Woodlands	936	2021	yes	yes	yes	11	Particularly western
Mitchell Park	Warriparinga	1,400	2021	yes	Yes	partial	10	Particularly northern and western
Clovelly Park (North)	Woodlands	842	2021	yes	yes		9	Particularly western
Ascot Park	Woodlands	620	2022	yes	Yes		9	
O'Halloran Hill	Southern Hills	170	2022	yes	yes		9	Housing in NE and SW sides
Glengowrie	Mullawirra	973	2022	yes	yes		9	Particularly through centre of suburb
Warradale	Warracowie	1003	2022	yes	yes		9	
Plympton Park	Mullawirra	964	2022	yes	yes		9	
Marion (south)	Warriparinga	463	2023	yes	yes		9	Particularly areas away from river
Tonsley	Warriparinga	174	2023	yes	yes		9	
Seacombe Heights	Warriparinga	662	2023	Yes	Yes		9	
Seaview Downs	Southern Hills	571	2023	Yes	Yes		9	
Morphettville	Mullawirra	645	2024	yes		yes	7	
Trott Park	Southern Hills	739	2024	yes			5	
Dover Gardens	Warracowie	258	2024	yes			5	
Park Holme	Mullawirra	211	2024	yes			5	
Seacombe Gardens	Warracowie	433	2025	yes			5	
South Plympton	Woodlands	345	2025	yes			5	
Glandore	Woodlands	131	2025	yes			5	
Clovelly Park (South)	Warriparinga	112	2025	yes			5	More development still to occur in this area
Marion (north)	Warracowie	578	2025	yes			5	
Hallett Cove	Coastal	1637	2026		Yes		4	
Sheidow Park	Southern Hills	769	2026		yes		4	
Marino	Coastal	615	2026		yes		4	
Sturt	Warriparinga	315	2026		yes		4	
Seacliff Park (South)	Coastal	268	2027		yes		4	
Seacliff Park (North)	Southern Hills	119	2027		Yes		4	
Darlington	Warriparinga	79	2027		yes		4	Near Seacombe Rd and southern expressway
Bedford Park	Warriparinga	3	2027		Yes		4	

Infill planting &
replacement of existing
trees removed

TBC

Final planting location numbers to be confirmed onsite

Attachment 2 - Watering Options											
Option 1 - Four Water Tankers (2 additional Tankers)	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	Total 10 year costs
Water Tanker Operator											
One additional CoM Operator -Wages including Oncosts (AWU L5/3, 2% CPI p/a)	76,281	77,807	79,363	80,950	82,569	84,220	85,905	87,623	89,375	91,163	
One Casual Operator for 30 weeks, 2%CPI	42,980	43,840	44,716	45,611	46,523	47,453	48,402	49,371	50,358	51,365	
Total Wages Costs	119,261	121,646	124,079	126,561	129,092	131,674	134,307	136,993	139,733	142,528	
Water Tanker/Truck											
Purchase of Two Water Tankers/Trucks	370,000										-100,000
Water Tankers operating costs (2% CPI/pa)	30,000	30,600	31,212	31,836	32,473	33,122	33,785	34,461	35,150	35,853	
Total Costs for 2 Water Tankers	400,000	30,600	31,212	31,836	32,473	33,122	33,785	34,461	35,150	- 64,147	
Less Currently Contracted Watering Costs	-85,000	-86,700	-88,434	-90,203	-92,007	-93,847	-95,724	-97,638	-99,591	-101,583	
Option 1 Net Increase to Budget	434,261	65,546	66,857	68,194	69,558	70,949	72,368	73,816	75,292	- 23,202	973,640
Option 2 - Three Water Tankers (1 additional Tanker)	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	
Water Tanker Operator											
One additional CoM Operator -Wages including Oncosts (AWU L5/3, 2% CPI p/a)	76,281	77,807	79,363	80,950	82,569	84,220	85,905	87,623	89,375	91,163	
Water Tanker/truck											
Purchase of one Water Tanker/Truck	185,000										-50,000
Water Tanker operating costs (2% CPI/pa)	15,000	15,300	15,606	15,918	16,236	16,561	16,892	17,230	17,575	17,926	
Total Water Tanker Costs	200,000	15,300	15,606	15,918	16,236	16,561	16,892	17,230	17,575	- 32,074	
Contracted Watering Costs											
Additional Cost to contract water 2437 trees @ \$2.84 per tree for 30 weeks	207,632	211,785	216,021	220,341	224,748	229,243	233,828	238,504	243,274	248,140	
Less Currently Contracted Watering Costs	-85,000	-86,700	-88,434	-90,203	-92,007	-93,847	-95,724	-97,638	-99,591	-101,583	
Option 2 Net Increase to Budget	398,913	218,192	222,556	227,007	231,547	236,178	240,901	245,719	250,634	205,646	2,477,292
Option 3 - Two Water Tankers and outsource all additional watering	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	
Contracted Watering Costs											
Water 5250 trees per week @ \$2.84 per tree for 30 weeks (2% CPI) p/a	447,300	456,246	465,371	474,678	484,172	493,855	503,732	513,807	524,083	534,565	
Less Currently Contracted Watering Costs	-85,000	-86,700	-88,434	-90,203	-92,007	-93,847	-95,724	-97,638	-99,591	-101,583	
Option 3 Net Increase to Budget	362,300	369,546	376,937	384,476	392,165	400,008	408,009	416,169	424,492	432,982	3,967,084

LGA Submission - Behavioural Management Framework

Originating Officer	Governance Officer - Victoria Moritz
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323R08

REPORT OBJECTIVE

The purpose of this report is for Council to consider a response to the discussion paper released by the Local Government Association (LGA) on the *Behavioural Management Framework*.

EXECUTIVE SUMMARY

The Statutes Amendment (Local Government Review) Bill 2020 is expected to pass Parliament in March - April 2021. In anticipation of this, the LGA has commenced work on implementation of the Bill's passage.

A significant part of the reform will be the development and implementation of the new behavioural management framework for council members. In light of this, the LGA is commencing consultation with member councils on the upcoming reforms to the council member behavioural management framework. The LGA has prepared a discussion paper (**Attachment 1**) that provides a high level overview of the upcoming changes to the framework.

A draft response to the Discussion Paper is included in **Attachment 2**. This has been prepared based on previous submissions on the draft bill and feedback recently sought from Council Members via a Survey Monkey.

Following a resolution of Council, the response, with any amendments will be forwarded to the LGA by the due date of 5.00pm Friday 9 April 2021.

RECOMMENDATION

That Council:

1. **Endorses the submission to the Local Government Association (LGA) provided in Attachment 2 regarding a response to the LGA Behavioural Management Framework, subject to any changes made by Council.**

Attachment

#	Attachment	Type
1	Attachment 1 LGA Discussion Paper - Behavioural Management Framework	PDF File
2	Attachment 2 CoM Response LGA Submission - Behavioural Management Framework (version 2)	PDF File

Behavioural management framework

Discussion Paper

February 2021

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1. Purpose

This paper has been prepared by the LGA Secretariat for the purpose of consultation with member councils on the upcoming reforms to the council member behavioural management framework. The LGA expects the Statutes Amendment (Local Government Review) Bill 2020 (**Bill**) to pass Parliament in March - April 2021 and has started work on implementation in anticipation of the Bill's passage.¹

This paper poses a series of questions for consideration by councils. Responses to these questions will assist LGA advocacy on regulations and Ministerial notices that meet the needs and expectations of the sector, and the preparation of model policies, guidance, and resources, to support councils in the implementation of the new behavioural management framework. This paper presents the first of many opportunities for councils to provide feedback on development of the behaviour management framework, and further rounds of sector consultation will be undertaken as development of the behaviour management framework progresses.

Feedback can be provided to Governance and Policy Officer, Nicole Bilac at nicole.bilac@lga.sa.gov.au

Please provide any feedback **before 5:00pm on Friday 9 April 2021**.

2. Background

The Bill introduces a new behavioural management framework for council members. While the behaviour of elected members in local government is – by and large – exemplary, there are occasional instances of behavioural issues that need to be appropriately addressed. The current conduct framework in the *Local Government Act 1999* (**LG Act**) has proven to be inadequate so it is being replaced with a behavioural management framework intended to improve council ability to take both proactive and reactive action in managing behavioural matters and to provide more effective enforcement pathways.

The Bill changes the focus of the LG Act from 'conduct' to two distinct categories of 'behavioural' and 'integrity' matters, to separate poor behaviour from matters that can affect the integrity of council decisions.

Councils will continue to have responsibility for managing behavioural matters in the first instance. Behavioural matters will be those that relate to the new Behavioural Standards made by the Minister and supporting Behavioural Support Policies made by councils. Councils will be required to manage an (alleged) breach of the Behavioural Standards or a council's Behavioural Support Policies in accordance with its Behavioural Management Policy. Serious or repeated misbehaviour can be referred to the new Behavioural Standards Panel.

Matters of integrity will include provisions relating to the general duties of council members, register of interests, gifts and benefits, and conflicts of interest and alleged breaches will continue to be referred to the SA Ombudsman and the Independent Commissioner Against Corruption (**ICAC**). The Bill makes changes to the current general duties of council members, gifts and benefits, and conflict of interest provisions.

The Bill also introduces new occasions for the suspension of council members, including the failure to submit a return for the Register of Interests, failure to meet mandatory training standards, where the council member is subject to an intervention order, or as the outcome of consideration by the

¹ A copy of the Bill is available on the South Australian Legislation website at: <https://www.legislation.sa.gov.au/>

Behavioural Standards Panel, SA Ombudsman, or South Australian Civil and Administrative Tribunal (**SACAT**).

To implement the new behaviour management framework the LGA, in consultation with the sector, will:

- Work with the Office of Local Government on development of Behavioural Standards and establishment of the Behavioural Standards Panel.
- Work with the Office of Local Government on drafting supporting regulations, including on integrity provisions, conflict of interest, and suspension of council members.
- Provide councils with a model Behavioural Management Policy and model Behavioural Support Policy.
- Provide council members and council employees with guidance materials and briefing sessions, and offer training.
- Review the Local Government Governance Panel arrangements and consider other value-add services in collaboration with LGASA Mutual and Norman Waterhouse Lawyers.

3. Summary of Issues to Consider

Behavioural Standards and Behavioural Support Policies

- 1) What values and behaviours should a council member display?
 - a) What are the minimum core standards of behaviour expected of council members?
 - b) What would you consider additional behaviours that councils might include in Behavioural Support Policies?
- 2) What do you like and dislike about South Australia's current Code of Conduct for Council Members?
- 3) What level of prescription should be in the Standards of Behaviour? For example, should high-level statements be supported by descriptions and/or examples?
- 4) Is the level of consistency across the sector important versus the freedom for councils to choose the behaviours they expect from their council members?

Behavioural Management Policies

- 5) Should the Governance Panel continue providing their services under the new behavioural management framework?
- 6) What in the current Complaints Handling Procedure under the Council Members' Code of Conduct works well and what does not?
 - a) What additional provisions should be included?

Integrity Provisions

- 7) Do you agree with the integrity provisions the Office of Local Government is proposing to prescribe in regulations? Why or why not?
- 8) Should misuse of presiding member powers under section 86(6b) be considered as an integrity provision or as a behavioural matter?

- 9) What additional integrity provisions, if any, should be prescribed?

Suspension of Members

- 10) What is the appropriate length of suspension for:

- a) A failure to submit a primary or ordinary return;
- b) A failure to comply with mandatory training requirements under section 80A; and
- c) A relevant final intervention order where the person protected is a council member or council employee.

Conflict of Interest

- 11) Are the current exemptions to declaring a conflict of interest prescribed in the *Local Government (General) Regulations 2013* sufficient?
- 12) Are there any exemptions that should not be included in future regulations?
- 13) Are there any additional exemptions that should be prescribed?

4. Behavioural Standards and Behavioural Support Policies

Behavioural Standards made by the Minister, in consultation with the LGA, will specify standards of behaviour to be observed by all council members and may provide for any other matter relating to behaviour of council members.

The Behavioural Standards are expected to be relatively high-level standards that must be observed by all council members, which will be further supplemented by council Behavioural Support Policies. Behavioural Support Policies must be consistent with Behavioural Standards and may specify directions relating to behaviour that council members must observe, set out guidelines on compliance with the Behavioural Standards and Behavioural Support Policies, and any other matter relating to behaviour that the council considers appropriate. Council adoption of Behavioural Support Policies will be optional, but councils will be required to consider whether they should adopt a Behavioural Support Policy (or Policies) within six months of each periodic election. Councils will be required to undertake public consultation prior to adoption of Behavioural Support Policies.

A person may make a complaint to the council alleging that a council member has contravened or failed to comply with the Behavioural Standards and/or a council Behavioural Support Policy (and council must deal with a complaint in accordance with the council's Behavioural Management Policy, discussed in chapter 5).

The LGA is seeking feedback from councils on what standards of behaviour should reasonably be expected of all council members and thus should be prescribed in the Behavioural Standards. The standards will be behaviours and values that will be mandatory for all council members to uphold. The LGA is also seeking feedback on what level of detail should be included in the Behavioural Standards (that are mandatory state-wide) versus council Behavioural Support Policies (that are optional and can be tailored by each council). It is important to find a balance between consistency across the sector and flexibility for councils. This feedback will assist the LGA in working with the Office of Local Government on drafting the Behavioural Standards and the LGA preparing a model Behavioural Support Policy. Further consultation will be undertaken during drafting of these documents.


In contemplating what should be included in Behavioural Standards and Behavioural Support Policies, it may be useful for councils to consider what they like and dislike about Part 2² of the current Code of Conduct and what may be missing.

An example of something councils may dislike about the Code of Conduct is the lack of clarity regarding some behaviour descriptions, in particular the meaning of ‘bullying and harassment’.

An example, of something that may be missing from the Code of Conduct is specific mention of the use of social media by council members. Social media is performing an increasingly important role in the way that councils and council members share information and communicate with the community. It is important that council members understand the impact of what they share or say on social media.

It may also be useful to consider the standards of behaviour expected of council members by other jurisdictions.

To assist councils in considering the appropriate standards of behaviour for council members, the LGA has prepared an analysis of South Australia’s existing Code of Conduct for Council Members and a jurisdictional comparison of other local government conduct frameworks, at Appendix 1 and 2.

	<p>Issues to consider</p> <ol style="list-style-type: none"> 1) What values and behaviours should a council member display? <ol style="list-style-type: none"> a) What are the minimum core standards of behaviour expected of council members? b) What would you consider additional behaviours that councils might include in Behavioural Support Policies? 2) What do you like and dislike about South Australia’s current Code of Conduct for Council Members? 3) What level of prescription should be in the Standards of Behaviour? For example, should high-level statements be supported by descriptions and/or examples? 4) Is the level of consistency across the sector important versus the freedom for councils to choose the behaviours they expect from their council members?
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5. Behavioural Management Policy

Under new section 262B of the Act, councils will be required to adopt a Behavioural Management Policy that will provide for how they deal with complaints against council members alleging a failure to comply with the Behavioural Standards or the council’s Behavioural Support Policies. A Behavioural Management Policy will be similar in its intent to the current LGA model Complaints Handling Procedures under Council Members’ Code of Conduct and will set out the procedures for lodging, assessing, investigating, and dealing with complaints.

A Behavioural Management Policy will include provisions authorising council to deal with complaints as it considers appropriate, including by refusing to deal with a complaint, inquiring into a complaint,

² Part 3 of the Code of Conduct deals with matters that will become ‘integrity’ matters under the new framework.

determining to take no further action on a complaint (having already commenced dealing with the complaint), or arranging for mediation, conciliation, arbitration or utilising other dispute or conflict resolution methods.

The Act will include more detail to clarify the grounds on which a council can refuse to deal with a complaint or determine to take no further action on a complaint. This will include:

- the subject matter of the complaint is trivial;
- the complaint is frivolous, vexatious, or not made in good faith;
- the complainant or the person on whose behalf the complaint was made does not have sufficient personal interest in the matter;
- that it is unnecessary or unjustifiable for the council to deal with or continue to deal with the complaint;
- the subject matter of the complaint has been or is already being investigated; or
- the council has dealt with the complaint adequately.

A council's Behavioural Management Policy will include provisions authorising the council to inquire into a complaint however it considers appropriate and may include provisions relating to submissions provided by parties, the conduct of interviews, and whether investigations will be conducted informally or formally. A Behavioural Management Policy must also include provisions authorising the council to conduct an inquiry itself or delegate it to any person or body the council considers appropriate. The new section 262B contains examples of who the council can delegate to, including the principal member, the CEO, a delegate of the principal member or the CEO, a committee of the council, or a person who is not a member or employee of the council.


Councils may want to consider whether they would like the Local Government Governance Panel (**Governance Panel**) to continue providing its services under the new behavioural management framework. Councils can continue to utilise the Governance Panel to investigate alleged breaches of the Behavioural Standards or a council's Behavioural Support Policy if there is a consensus that it has been and will continue to be useful for the sector. Councils may want to consider whether an alternative body or service similar to the Governance Panel, may be more appropriate and what that may look like.³

Lastly, the Act will now provide a range of actions that councils can take after conducting an inquiry in accordance with their Behavioural Management Policy. The actions are outlined in the new section 262C of the Act and are similar to those provided for in the current Code of Conduct for Council Members, being:

- (a) pass a censure motion;
- (b) require member to issue a public apology;
- (c) require member to undertake specified training;
- (d) remove or suspend member from one or more offices held by the member.

³ More information about the Governance Panel can be found on the LGA website here: <https://www.lga.sa.gov.au/about-lga/overview-of-the-lga/related-organisations/governancepanel>

Overall, the Act will include more detail on what councils can include in their Behavioural Management Policy. The Act will also allow councils to include any other provisions, in addition to those above, relating to the processes and procedures for receiving and dealing with complaints that they consider appropriate. The LGA intends to provide the sector with a model Behavioural Management Policy that will be developed in consultation with councils and Office of Local Government. Before drafting commences, the LGA is seeking initial feedback from councils on what in their current complaints handling procedure under the Council Members' Code of Conduct works well and what does not, and if there any additional provisions that should be included.

	<p>Issues to consider</p> <ul style="list-style-type: none"> 5) Should the Governance Panel continue providing their services under the new behavioural management framework? 6) What in the current Complaints Handling Procedure under the Council Members' Code of Conduct works well and what does not? <ul style="list-style-type: none"> a) What additional provisions should be included?
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6. Behavioural Standards Panel

The Bill proposes to introduce the Behavioural Standards Panel to deal with repeated or serious misbehaviour by council members. The Behavioural Standards Panel will handle complaints alleging:

- A failure of a council member to comply with an action taken by a council against that council member for a breach of the Behavioural Standards or the council's Behavioural Support Policy, eg a failure to issue an apology.
- A failure of a council member to comply with a provision of, or requirement under, the council's Behavioural Management Policy, eg failing to undertake counselling.
- A failure by a council member to comply with an agreement reached following mediation, conciliation, arbitration, or other dispute or conflict resolution conducted to resolve a complaint made about member behaviour.
- A second or subsequent failure by a council member to comply with the Behavioural Standards or a council's Behavioural Support Policy.
- A failure by a council member to comply with the new section 75G that outlines a council members health and safety duties (to be defined in the Act as 'serious misbehaviour').

Complaints can be referred to the Behavioural Standards Panel by a resolution of council, the principal member, at least 3 council members, or a responsible person under section 75G (being, depending on the circumstance, the chief executive officer, principal member or deputy member, or another member chosen by council).

The Behavioural Standards Panel has been introduced to enable the more efficient resolution of repeated behavioural issues as it will have the ability to apply tougher sanctions than those issued by council. The expanded sanctions include the ability to require the council member to reimburse the council a specified amount, suspend the council member for a period not exceeding three months, and direct the council to lodge a complaint against the council member with SACAT.

The LGA will provide further guidance and information on the Behavioural Standards Panel to councils in due course.

7. Integrity provisions

The terminology of ‘member integrity’ will be inserted into the Act and will be those matters that relate to council member integrity, maladministration, misconduct, and corruption. Chapter 5, Part 4, Division 1 of the Act will set out the member integrity provisions and will include provisions relating to general duties of council members, register of interests, gifts and benefits, and conflicts of interest. The SA Ombudsman and the Independent Commissioner Against Corruption (**ICAC**) will continue their respective roles in the investigation of integrity provisions.

The Bill has amended section 263B of the Act to expand the SA Ombudsman’s powers to include the ability to require the council to suspend the member for a maximum of three months and the ability to apply their recommendations directly to a council member. More significant sanctions will remain with the **SACAT**, which will be able to impose suspensions for up to six months or disqualification from the office of council member.

The general duties set out in section 62 of the Act will undergo some minor amendments including the removal of maximum penalties and adding that a council member must not direct or seek to influence a council employee and must ensure that a request for information or performance of work is made in accordance with requirements of the Chief Executive Officer.

The new section 62(4e) allows additional integrity provisions to be prescribed by regulations. The Office of Local Government has provided the LGA with a list of additional provisions that they expect to prescribe in regulations as integrity provisions, and they include:

- the misuse of the new power of a presiding member to exclude a council member from the meeting room under section 86(6b) (see below for more discussion);
- the use by a council member of a facility or service provided to them by the council under section 78 for a purpose unrelated to the performance or discharge of their official functions or duties; and
- a provision similar to clause 3.4 in the current Code of Conduct for Council Members, that a council member must not exercise or perform, or purport to exercise or perform, a power, duty, or function that they are not authorised to exercise or perform.


Councils should consider if there are any additional integrity provisions that should be prescribed by regulations and whether they agree with the proposals from Office of Local Government above. The LGA currently has no recommendations on any additional integrity provisions.

a. Misuse of section 86(6b) power by presiding member

The Bill will give additional powers to the presiding member to control a council meeting, including the ability to direct a council member who is behaving improperly or causing interruption to be excluded from the meeting room (including any area set aside for the public) such that they cannot view or hear any discussion at the meeting for a period determined by the presiding member (not exceeding 15 minutes).

The Office of Local Government is proposing to include the misuse of this power by the presiding member as an integrity provision by prescribing it in regulations. The LGA asks councils to consider

whether misuse of this power should be considered as an integrity provision, and any complaints handled by the SA Ombudsman, or whether it should be handled as a behavioural matter and included as a Behavioural Standard (with complaints handled by councils in the first instance and the Behavioural Standards Panel for any repeated misuse).

	<p>Issues to consider</p> <ul style="list-style-type: none"> 7) Do you agree with the integrity provisions the Office of Local Government is proposing to prescribe in regulations? Why or why not? 8) Should misuse of presiding member powers under section 86(6b) be considered as an integrity provision or as a behavioural matter? 9) What additional integrity provisions, if any, should be prescribed?
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8. Suspension of members

The Bill will insert additional reasons a council member can be suspended from council. Some of those suspension periods have been prescribed in the Act, however, there are others that will need to be prescribed separately by regulations. New Schedule 9 outlines the conditions that apply to a council member while suspended including:

- the suspension extends to all offices held in the member's capacity as a member of council.
- the member must not use or retain a facility or service provided by the council.
- the member must not carry out any function or duty of a council member.
- the member must not be given access by council to information, documents, or materials. related to the performance or discharge of the functions or duties of members of the council.

The LGA is seeking feedback from councils on the appropriate length of suspension for each relevant section of the Act that will require a period to be prescribed by regulations.

Suspension period set in Act:

Section 262W - Behavioural Standards Panel

The Behavioural Standard Panel, after inquiring into a complaint, may determine to suspend a council member from the office of member of the council for a period not exceeding three months. The Panel may determine that the suspension is served with or without the council member allowance.

Section 263B – Ombudsman

The Ombudsman, after completing an investigation of a complaint, may make a recommendation to council to suspend the council member for a period not exceeding three months. The Ombudsman may determine that the suspension is served with or without the council member allowance.

Section 267 – SACAT

After hearing a complaint, SACAT, if satisfied a ground on which the complaint was lodged exists and that there is proper cause for taking action against the council member to whom the complaint relates, may suspend the council member for a period not exceeding six months.

Suspension period to be prescribed by regulations:

Part 4, Division 1, Subdivision 2 – Register of Interests

A council member who has failed to submit their primary or ordinary return to the CEO, before the expiration of one month from the end of the period allowed, will be suspended from council. This suspension provision replaces the current process where a failure to submit triggers a casual vacancy. The Act will specify that the council member will not be entitled to a council member allowance during the period of suspension. The suspension will be revoked when the council member submits the return to the CEO. If a council member remains suspended for longer than the prescribed period (ie does not submit the return within the suspension period), the council must apply to SACAT for an order disqualifying the member from office.

The period of suspension will need to be prescribed by regulations.

Section 80A – Training and development

The Act will require councils to adopt a training and development policy for its members which must incorporate the prescribed mandatory requirements set out in regulations.⁴ If a council member fails to comply with the mandatory requirements, the council must suspend the council member (unless they are satisfied that there was good reason for the failure). The Act will specify that the council member will not be entitled to a council member allowance during the period of suspension. The suspension will be revoked when the council member complies with the mandatory training requirements. If a council member remains suspended for longer than the prescribed period (ie does not comply with the mandatory training requirements within the suspension period), the council must apply to SACAT for an order disqualifying the member from office.

A period of suspension will need to be prescribed in regulations.


Section 80B – Suspension – member of council subject to intervention order

Section 80B provides that if a council member is subject to a relevant ***interim intervention order*** where the person protected by the order is another council member, a council may suspend that council member from office if they consider it appropriate to do so. If the person protected by the interim intervention order is an employee of the council, the CEO may suspend the council member if they consider it appropriate to do so. The Act will specify that a council member suspended in relation to an interim intervention order is entitled to a council member allowance during the period of suspension. The suspension will be revoked if the relevant interim intervention order is revoked, or the council or CEO (as applicable) considers it appropriate to do so.

Section 80B provides that if a council member is subject to a relevant ***final intervention order***, where the person protected by the order is a member or employee of the council, the member is suspended from office of the council. The Act will specify that a council member suspended in relation to a final intervention order is not entitled to a council member allowance during the period of suspension. The

⁴ Note, the LGA will provide the sector with further information and guidance on the implementation of the training and development reform in due course.

suspension will be revoked if the relevant final intervention order is revoked. If a council member suspended in relation to a relevant final intervention order, remains suspended for longer than the prescribed period, the council must apply to SACAT for an order disqualifying the member from office. The length of suspension in relation to a final intervention order will need to be prescribed in regulations. If a council member remains suspended for longer than the prescribed period (ie the final intervention order is not revoked), the council must apply to SACAT for an order disqualifying the member from office.

	<p>Issues to consider</p> <p>10) What is the appropriate length of suspension for:</p> <ul style="list-style-type: none"> a) A failure to submit a primary or ordinary return; b) A failure to comply with mandatory training requirements under section 80A; and c) A relevant final intervention order where the person protected is a council member of council employee.
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9. Conflict of interest


The Bill introduces a revised set of conflict of interest rules for council members. The categorisation of more significant matters for which council members are required to not participate in discussion or voting, and less significant matters for which members can decide themselves on how to best deal with the interest, remains the same in the new conflict of interest rules. However, the current three different categories—material, actual, and perceived—have been reduced to two—material and general. The conflict of interest rules apply also to committees and members of committees, and subsidiaries and board members of subsidiaries.

A council member will be said to have a general conflict of interest in a matter to be discussed by council if an impartial, fair-minded person might consider that the council member's private interests might result in them acting in a manner that is contrary to their public duty. The meaning of a material conflict of interest remains as it is currently, that a council member has a material conflict of interest in a matter to be discussed at a council meeting if any of the persons listed in section 75 of the Act would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

The amended Act will consolidate all exemptions into one new section 75A. Similar to currently, section 75A allows interests that arise in relation to prescribed matters or in prescribed circumstances to be exempt and will not be regarded as having a conflict of interest in those matters. The OLG is proposing to prescribe in regulations the same exemptions as currently prescribed in regulation 8AAA and 8AAB of the *Local Government (General) Regulations 2013*⁵ - an extract of 8AAA and 8AAB is at Appendix 3.

The LGA seeks feedback from councils on whether there is anything that should be added or removed from the current exemptions prescribed in the regulations.

⁵ [https://www.legislation.sa.gov.au/LZ/C/R/Local%20Government%20\(General\)%20Regulations%202013.aspx](https://www.legislation.sa.gov.au/LZ/C/R/Local%20Government%20(General)%20Regulations%202013.aspx)

	<p>Issues to consider</p> <ul style="list-style-type: none"> 11) Are the current exemptions to declaring a conflict of interest prescribed in the <i>Local Government (General) Regulations 2013</i> sufficient? 12) Are there any exemptions that should not be included in future regulations? 13) Are there any additional exemptions that should be prescribed?
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10. Conclusion

This paper represents preliminary consultation on the many matters to be covered in the regulations, Ministerial notices, model policies, and resources that councils will need to implement the new council member behaviour management framework. Feedback on this discussion paper will assist the LGA in progressing work toward implementation and will also form the basis for further consultation.

Appendix 1: Current South Australian conduct framework - Part 2 Member Behaviour

Council members in South Australia are currently required to comply with the Code of Conduct for Council Members as gazetted 29 August 2013 (**Code of Conduct**).

Part 2 of the Code of Conduct sets out the Behavioural Code that outlines the behaviour considered essential for council members to uphold, being:

Council members must:

General behaviour

- Show commitment and discharge duties conscientiously.
- Act in a way that generates community trust and confidence in the council.
- Act in a reasonable, just, respectful, and non-discriminatory way when dealing with people.
- Show respect for others if making comments publicly.
- Ensure that personal comments to the media or other public comments, on council decisions and other matters, clearly indicate that it is a private view, and not that of the council.

Responsibilities as a member of council

- Comply with all council policies, codes, and resolutions.
- Deal with information received in their capacity as council members in a responsible manner.
- Endeavour to provide accurate information to the council and to the public at all times.

Relationship with fellow council members

- Endeavour to establish and maintain a respectful relationship with all council members, regardless of differences of views and opinions.
- Not bully or harass other council members.

Relationship with council staff

- Not bully or harass council staff.
- Direct all requests for information from the council administration to the council's Chief Executive Officer (**CEO**) or nominated delegate/s.
- Direct all requests for work or actions by council staff to the council's CEO or nominated delegate/s.
- Refrain from directing or influencing council staff with respect to the way in which these employees perform their duties.

Appendix 2: Jurisdictional comparison of local government conduct frameworks

i. Victoria

Victorian councils are required to develop a Councillor Code of Conduct that must include the standards of conduct prescribed in the *Local Government (Governance and Integrity) Regulations 2020*.

The standards of conduct include the expectation that council members treat others with dignity, fairness, objectivity, courtesy and respect. It goes on to detail more specific behaviours that relate to the treatment of others, including:

- supporting council in fulfilling its obligation to achieve and promote gender equality;
- not engaging in abusive, or obscene or threatening behaviour; and
- in considering the diversity of interests and needs of the community, treats all persons with respect and has due regard for their opinions, beliefs, rights, and responsibilities.

The standards of conduct also include expectations for council members to perform their role effectively and responsibly, including by:

- undertaking training;
- ensuring they are informed of matters which are subject to council decisions; and
- representing the interests of the community by considering the diversity of interests and needs of the community as a whole.

Council members are required, under the standards of conduct, to ensure good governance of the council, comply with all council policies, practices, and protocols, and not discredit or mislead the council or the public.

Lastly, the standards of conduct state that they are not intended to limit, restrict, or detract from robust public debate in democracy.

The complete list of Victorian Standards of Conduct can be found in Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020* (Vic) here:

<https://content.legislation.vic.gov.au/sites/default/files/2020-10/20-116sra%20authorised.pdf>

ii. Queensland

In Queensland the Minister for Local Government must make a code of conduct that sets out the standards of behaviour for council members in performing their official functions. The Code of Conduct for Councillors in Queensland (**Qld Code of Conduct**) is separated into two parts, the first being the behaviours that must be observed by council members that are based on the five local government principles and secondly, standards of behaviour that council members must comply with.

The five local government principles are listed below:

1. Transparent and effective processes, and decision-making in the public interest.
2. Sustainable development and management of assets and infrastructure, and delivery of effective services.
3. Democratic representation, social inclusion, and meaningful community engagement.

4. Good governance of, and by, local government.
5. Ethical and legal behaviour of council members and local government employees.

The Qld Code of Conduct expands on these principles by describing the types of conduct council members should demonstrate to ensure their compliance with the principles. For example:

1. In making decisions in the public interest, council members will:
 - make decisions in open council meetings;
 - properly inform relevant personnel of all relevant information;
 - make decisions in accordance with law and policy; and
 - commit to exercising proper diligence, care, and attention.

The standards of behaviour in the Qld Code of Conduct are summarised as the three Rs, being responsibilities, respect, and reputation. Each standard of behaviour includes several examples to guide council members in compliance. For example:

1. Treat people in a reasonable, just, respectful, and non-discriminatory way.
 - 1.1. Treat fellow council members, council employees and members of the public with courtesy, honesty, and fairness.
 - 1.2. Not use abusive, obscene, or threatening language (either oral or written) or behaviour towards other council members, council employees or members of the public.
 - 1.3. Have proper regard for other people's rights, obligations, cultural differences, safety, health and welfare.

The principles and standards of behaviour in the Qld Code of Conduct are of equal importance and relevance to council members.

The complete Code of Conduct for Councillors in Queensland can be found here:

https://www.dlgrma.qld.gov.au/_data/assets/pdf_file/0017/45170/code-of-conduct-for-queensland-councillors.pdf

iii. New South Wales

New South Wales has a Model Code of Conduct (**NSW Code of Conduct**) that sets out the minimum standards of conduct for council officials. Councils are required to adopt a code of conduct that incorporates the provisions of the NSW Code of Conduct. The NSW Code of Conduct differs to most other states as it applies to council members, council staff and delegates of councils.

The NSW Code of Conduct includes general conduct obligations that relate to harassment and discrimination, fairness and equity, bullying, and work health and safety (among others). The NSW Code of Conduct defines bullying as behaviour in which a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and the behaviour creates a risk to health and safety. It goes on to list examples of bullying behaviour, which include:

- aggressive, threatening, or intimidating conduct;
- belittling or humiliating comments;
- spreading malicious rumours;
- teasing, practical jokes or 'initiation ceremonies';
- exclusion from work-related events;

- unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level;
- displaying offensive material; and
- pressure to behave in an inappropriate manner.

The NSW Code of Conduct also includes the requirement to not harass or unlawfully discriminate against others or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national, or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status, or political, religious or other affiliation. It defines harassment as any form of behaviour towards a person that is not wanted by the person, offends, humiliates, or intimidates the person, and creates a hostile environment.

The full NSW Code of Conduct can be found here: <https://www.olg.nsw.gov.au/wp-content/uploads/2020/08/Model-Code-of-Conduct-2020.pdf>

iv. Tasmania

Tasmania has a Model Code of Conduct that must be adopted by all local councils. The Tasmanian Code of Conduct covers a range of topics including⁶:

- how councillors should conduct themselves when making decisions;
- how to deal with non-pecuniary conflict of interests;
- ensuring the council member does not use their office or status improperly or to seek an unfair benefit;
- using council resources appropriately and not for private purposes;
- ensuring council information is only used and accessed for official purposes, and not disclosed inappropriately;
- only accepting gifts or benefits if it directly relates to carrying out public duties;
- guidance on council member relationships with community, other council members and council employees; and
- how to ensure the proper representation of council and council information.

The complete Tasmanian Model Code of Conduct can be found in Schedule 1 of the *Local Government (Model Code of Conduct) Order 2016* here:

<https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2016-023>

⁶ Note, many of these topics are covered elsewhere in South Australia's Local Government Act and will be dealt with separate to the Behavioural Management Standard, such as gifts and benefits, conflict of interest, and improper use of office.

Appendix 3: Exemptions from conflict of interest

Local Government (General) Regulations 2013 – Regulations 8AAA and 8AAB

8AAA—Conflicts of interest—ordinary business matters etc

- (1) For the purposes of sections 74(6) and 75A(6) of the Act, the following matters are prescribed:
- (a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act;
 - (b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders);
 - (c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act;
 - (d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act;
 - (e) the adoption or revision of an annual business plan;
 - (f) the adoption or revision of a budget;
 - (g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration;
 - (h) a discussion or decision of a matter at a meeting of a council if the matter—
 - (i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council; and
 - (ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.
- (2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee of the agency or instrumentality if the matter does not directly concern the agency or instrumentality.

8AAB—Conflicts of interest—special provisions relating to subsidiaries and committees

For the purposes of sections 74(6) and 75A(6) of the Act, the following matters are prescribed:

- (a) a matter to be discussed, or in relation to which a recommendation or decision is to be made, at a meeting of a council subsidiary if—
 - (i) the discussion, recommendation or decision relates to the purpose for which the subsidiary is established; and
 - (ii) the relevant interest in the matter is the interest of the council which appointed, or nominated for appointment, a member of the board of management of the subsidiary;
- (b) a matter to be discussed, or in relation to which a recommendation or decision is to be made, at a meeting of a regional subsidiary if—
 - (i) the discussion, recommendation or decision relates to the purpose for which the subsidiary is established; and

- (ii) the relevant interest in the matter is the interest of a council which appointed, or nominated for appointment, a member of the board of management of the subsidiary; and
 - (iii) the relevant benefit or loss would be enjoyed or suffered in common with all or a substantial proportion of the constituent councils of the subsidiary;
- (c) a matter to be discussed, or in relation to which a recommendation is to be made, at a meeting of a committee of a council established under section 41 of the Act if—
 - (i) the discussion or recommendation relates to the purpose for which the committee is established; and
 - (ii) the relevant interest in the matter is the interest of the council that established the committee.

LGA Submission on Behavioural Management Framework

Discussion Paper issued February 2021



The proposed framework varies significantly from the current processes to receive and manage complaints relating to Council Member Behaviour. The standards will be an essential element in setting the values for council members. To be effective, they must contain implementation and enforcement mechanisms and sanctions and ensure consistency across the Sector.

In response to the feedback sought from the LGA, City of Marion provides the following feedback:

Behavioural Standards and Behavioural Support Policies	
1) What values and behaviours should a council member display? a) What are the minimum core standards of behaviour expected of council members? b) What would you consider additional behaviours that councils might include in Behavioural Support Policies?	<ul style="list-style-type: none"> It is noted that for all intents and purposes the Behavioural Standards will replace the Current Code. Therefore, the minimum values and standards would be those currently identified under Part 2 of the Code of Conduct (<i>Behavioural Code</i>). <p>Additional standards could include:</p> <ul style="list-style-type: none"> Must ensure that their use of social media and other forms of communication complies with the code and must only publish material that is factually correct. Must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government. Must treat each other as equals regardless of gender, age, or past/current occupation.
2) What do you like and dislike about South Australia's current Code of Conduct for Council Members?	<p>Council has cited several issues with the current Code of Conduct which include:</p> <ul style="list-style-type: none"> Lack of proper consequence for an identified breach and/or repeated poor behaviour. Lack of independence over the process, with Council being the decision-making body on peer conduct. This significantly impacts on the working relationships within the Council.

	<ul style="list-style-type: none"> • Management required to support Code of Conduct investigations which also significantly impacts the working relationship between elected members and staff. • The lack of engagement and length of time taken when matters are referred to the Ombudsman and/or ICAC, with matters often dragging out for unreasonable periods of time. • Lack of consistency with other legislation such as the <i>Work Health and Safety Act 2012</i> (particularly matters associated with elected member bullying allegations). • The costs associated with investigation fees. • Lack of definition, it is too broad and leaves room for interpretation.
3) What level of prescription should be in the Standards of Behaviour?	<ul style="list-style-type: none"> • For the standards to be effective, they must contain implementation and enforcement mechanisms and sanctions. • High level statement descriptions and examples should be given.
4) Is the level of consistency across the sector important versus the freedom for councils to choose the behaviours they expect from their council members?	<ul style="list-style-type: none"> • There is benefit in having uniformity and consistency across the sector. Some guidelines with the Regulations would be useful and Councils can adopt their own policies.
Behavioural Management Policy	
5) Should the Governance Panel continue providing services under the new behavioural management framework?	<ul style="list-style-type: none"> • The Governance Panel is not necessary with the introduction of the Behavioural Standards Panel. Serious matters should be dealt with independently of Council so Council members are not required to make decisions about their peer conduct. There are concerns around how this will work in terms of cost and effectiveness. • The Framework recognises that most instances are low level however if the behaviour is serious enough or is systematic of repeated behaviour, this may increase time, resources, costs, and bureaucracy of the process to councils.

<p>6) What in the current Complaints Handling Procedure under the Council Members' Code of Conduct works well and what does not? a) What additional provisions should be included?</p>	<ul style="list-style-type: none"> • If a council member is convicted of an offence which occurs during the election process, they should no longer be able to serve on council. • Serious matters should be referred to the tribunal outside of council.
Integrity Provisions	
<p>7) Do you agree with the integrity provisions the Office of Local Government is proposing to prescribe in regulations? Why or why not?</p>	<ul style="list-style-type: none"> • Agree with the Integrity provisions proposed. • In relation to Parts b) the use by a council member of a facility or service provided to them by the council for a purpose unrelated to the performance or discharge of their official functions or duties and c) a council member must not exercise or perform, or purport to exercise or perform a power duty of function that they are not authorised to exercise or perform – some of these could be seen as trivial and incidental and should not be applied.
<p>8) Should misuse of presiding member powers under section 86(6b) be considered as an integrity provision or as a behavioural matter?</p>	<ul style="list-style-type: none"> • Should be considered as a behavioural matter and included as Behavioural Standard with complaints handled by councils in the first instance and the Behavioural Standards Panel for any repeated issues.
<p>9) What additional integrity provisions, if any, should be prescribed?</p>	<ul style="list-style-type: none"> • Proposed integrity provisions are sufficient.
Suspension of members	
<p>10) What is the appropriate length of suspension for: a) A failure to submit a primary or ordinary return; b) A failure to comply with mandatory training requirements under section 80A; and c) A relevant final intervention order where the person protected is a council member or council employee.</p>	<ul style="list-style-type: none"> • Appropriate length of suspension 1 – 3 months depending on the severity of the incident.

Conflict of interest	
11) Are the current exemptions to declaring a conflict of interest prescribed in the <i>Local Government (General) Regulations 2013</i> sufficient?	<ul style="list-style-type: none"> The current exemptions are sufficient, although the conflict of interest provisions is often confusing for council members.
12) Are there any exemptions that should not be included in future regulations?	<ul style="list-style-type: none"> All current exemptions should be included in the future regulations.
13) Are there any additional exemptions that should be prescribed?	<ul style="list-style-type: none"> Revised definition in relation to the exemption around a substantial class of the community. This should refer to a substantial number and not a substantial proportion of the council population.

Glandore Oval Cricket Training Facilities

Originating Officer	Community Facilities Planner - Sean O'Brien
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis
Report Reference	GC201208R09

REPORT OBJECTIVE

This report is seeking support of Council for the development of new cricket training facilities at Glandore Oval. The program includes the relocation of the RAAF Officer Ian Stoeckel Memorial and removal of the Rose Garden to create an open space recreation area. Information to the community will also be distributed as part of communications strategy.

EXECUTIVE SUMMARY

Glandore Oval is a key multi-purpose sports and recreation facility located at the north-eastern end of the Council boundary (refer to Attachment 1). The facility is home to the Adelaide Cricket Club (the Club).

In 2019 issues relating to the condition, suitability and location of the cricket nets (training facility) were raised by the Club to both the Council and the local Member for Boothby, Nicolle Flint MP. This resulted in a \$160,000 funding commitment towards a new training facility in the 2019 Federal Election. Council has also committed \$170,000 in the 2020/2021 budget, providing a total of \$330,000 for the project.

A concept design has been developed (Attachment 2) that would see the new training facility built over the unused netball courts in the north-east corner of the Glandore Oval site. The footprint of the proposed training facility would impact on the northern area of the existing Rose Garden, which surrounds the RAAF Officer Ian Stoeckel Memorial.

The RSL and Stoeckel family were consulted about the potential impact on the Rose Garden and memorial area, and are supporting a recommendation to relocate the memorial to a more appropriate setting at the Edwardstown Memorial Garden.

This report is seeking Council approval to proceed with the development of a new cricket training facility at Glandore Oval, relocation of the Stoeckel Memorial, removal of the Rose Garden to create an open space recreation area, and a formal process to inform the community of the project.

RECOMMENDATION

That Council:

- 1. Acknowledges the \$160,000 of funding provided by Nicolle Flint MP, Member for Boothby and the \$170,000 commitment from Council in the 2020/2021 budget.**
- 2. Approves the development of a new cricket training facility at Glandore Oval and removal of the Rose Garden to create a new open space lawn area.**
- 3. Approves the relocation of the RAAF Officer Ian Stoeckel Memorial to the Edwardstown Soldiers Memorial Recreation Ground in consultation with the Plympton Glenelg RSL.**
- 4. Endorses additional funding of up to \$20,000 to complete the project, to be funded from savings identified in the third budget review in 2020/21.**
- 5. Approves the process to inform the community of the project.**

DISCUSSION

Background

In 2019, the Adelaide Cricket Club (the Club) raised issues relating to the condition, suitability and location of the cricket nets (training facility) with both the Council and local Member for Boothby, Nicolle Flint MP.

As part of the 2019 Federal Election, the Member for Boothby committed \$160,000 towards improved training facilities for the Club at Glandore Oval; and Council has committed \$170,000 towards the build of a new training facility in the 2020-2021 budget.

There are two disused netball courts in the north eastern corner of the site that are at the end of their useful life. This has been identified as the preferred location for constructing the new training facility.

The design of the new training facility impacts on a third of the northern area of the Rose Garden that surrounds the RAAF Officer Ian Stoeckel Memorial.

Cricket Training Facility Project

The aim of the project is to develop a new Premier Grade cricket training facility at Glandore Oval that will meet the needs of the Club and community.

The Club and SACA have been involved throughout the cricket training facility concept development which identified the following scope:

- Remove the existing netball courts from the north eastern corner of the site including fences and lights.
- Remove a section of the rose garden and irrigation infrastructure.
- Provide a three-pitch synthetic cricket facility on the eastern/South Road side of the site.
- Excavate a natural turf wicket block 24m x 24m consisting of 150mm of drainage gravel, 100mm of drainage sand & 150mm of cricket wicket soil.
- Create a natural turf run up 30m long x 24m wide with irrigation.
- Provide a fully enclosed post-less cricket netting system.

An initial concept has been developed (Attachment 2) which is expected to be delivered within the available budget.

The synthetic cricket pitches (3) will be open for public use, and the turf pitches will be for exclusive use by the Club. The Club currently maintains the existing turf training facility and this arrangement would continue for the maintenance of the new turf training area. The synthetic pitches open for public use will be maintained by Council.

Ian Stoeckel Memorial

The RSL and Stoeckel family have been consulted about the best way to respect the Ian Stoeckel Memorial should a new training facility proceed that may impact on the surrounding Rose Garden.

The Rose Garden has previously been altered due to changes to South Road many years ago compromising the original design. In recent years condition of the garden has declined with many roses either diseased or in poor health. Investigations with rose experts indicates all of the gardens roses are common varieties and only a few of the original plants remain. The garden does not have any formal pathways and access to the memorial is poor.

The RSL outlined a preference to relocate the memorial away from South Road to a more appropriate commemorative space at the Edwardstown Soldiers Memorial Recreation Ground, and to potentially reduce the scale of the memorial plinth to blend into the site. This recommendation has been supported by the Stoeckel family (refer to Attachment 3 for RSL correspondence; and Attachment 4 for Stoeckel family correspondence).

An indicative cost for moving or making alterations to the memorial is being sourced.

Information on the Ian Stoeckel Memorial is listed on the RSL Virtual War memorial website. A search of the SA Heritage Places database did not indicate any heritage listings for the memorial or the garden.

Informing the Community

The next step for the project is to take steps to inform the local community of the new Glandore Oval cricket training facility, removal of the rose garden, and relocation of the Ian Stoeckel Memorial.

A communications plan is provided as Attachment 5.

Proposed Merger of Adelaide Cricket Club and Southern Districts Cricket Club

In January 2021 SACA announced a proposed merger between the Adelaide Cricket Club and Southern District Cricket Club. The proposed merger aligns to SACA's desire to reduce the number of clubs in the Premier Cricket competition through voluntary club mergers, which is supported by recommendations included in the Hussey Report prepared for SACA in 2020. A vote on the merger (originally scheduled for 15 February 2021) has been postponed.

A meeting was held between Council Administration and SACA on 17 February 2021 to discuss the possible implications of a merger on the future need of Glandore Oval. SACA confirmed that Glandore Oval will remain a critical site for cricket regardless of whether the merger occurs in the future (refer to SACA correspondence in Attachment 6).

Financial Implications

The total funding available for the project is \$330,000 which includes the Federal Government grant of \$160,000 and \$170,000 in the 2020-2021 budget.

The total estimated cost for the project is identified in the table below.

Item	Estimated Cost
Demolition	\$20,000
Cricket net construction	\$300,000
Landscaping	\$20,000
Memorial relocation	\$10,000
Total	\$350,000

To complete the project an additional budget of up to \$20,000 is required, to be funded from savings identified in the third budget review in 2020-21.

Project Timeline

Date	Stage
2019	Federal Funding commitment for \$160,000 towards the development of a new cricket training facility. Council commits \$170,000 in the 2020-21 budget towards the project.
January 2020	Site inspection and initial discussions re design needs
February 2020	Training facility designs provided by SACA Investigation and consultation with Marion Heritage Research Centre, RSL(SA) Virtual Memorial and relatives of Ian Stoeckel.
May 2020	Site survey completed for rose garden and netball courts area. Landscape Architect engaged to develop concept designs for the cricket nets.
July 2020	Initial concept options for discussion
August to October 2020	Design concepts refined in consultation with clubs and SACA.
November 2020	Consultation with Glandore Oval Committee and Adelaide Cricket Club on the nets proposal and long term planning of the site.
December 2020	Review of the site to discuss long term issues and rose garden impacts with Elected Members
January 2021	Proposed merger between Adelaide Cricket Club and Southern Districts Cricket Club announced. Consultation with the Club regarding merger to understand potential impact for the project.
January February 2021	Site Survey (Entire Glandore Oval site)
15 February 2021	Clubs vote on merger - result postponed
17 February	Meeting between Council and SA Cricket Association to understand merger and future need of Glandore Oval.
23 February 2021	Meeting with RSL to discuss Ian Stoeckel Memorial.
23 March 2021	Council Report
Early April 2021	Inform the community
April to May 2021	Tender documentation and project planning
May to July 2021	Design and Construct Tender <ul style="list-style-type: none"> Commence process in May Award Tender July
July 2021	Construction <ul style="list-style-type: none"> Start up and design works July Commence works August (end of football season) Complete works November 2021

Attachment

#	Attachment	Type
1	Glandore Oval Site 1	PDF File
2	Design Concept Nets and Open Space 2	PDF File
3	Stoeckel Memorial RSL Correspondence 3	PDF File
4	Email from Elaine Stoeckel 4	PDF File
5	Glandore Oval Communications Plan 5	PDF File
6	SACA Glandore Oval March 2021	PDF File



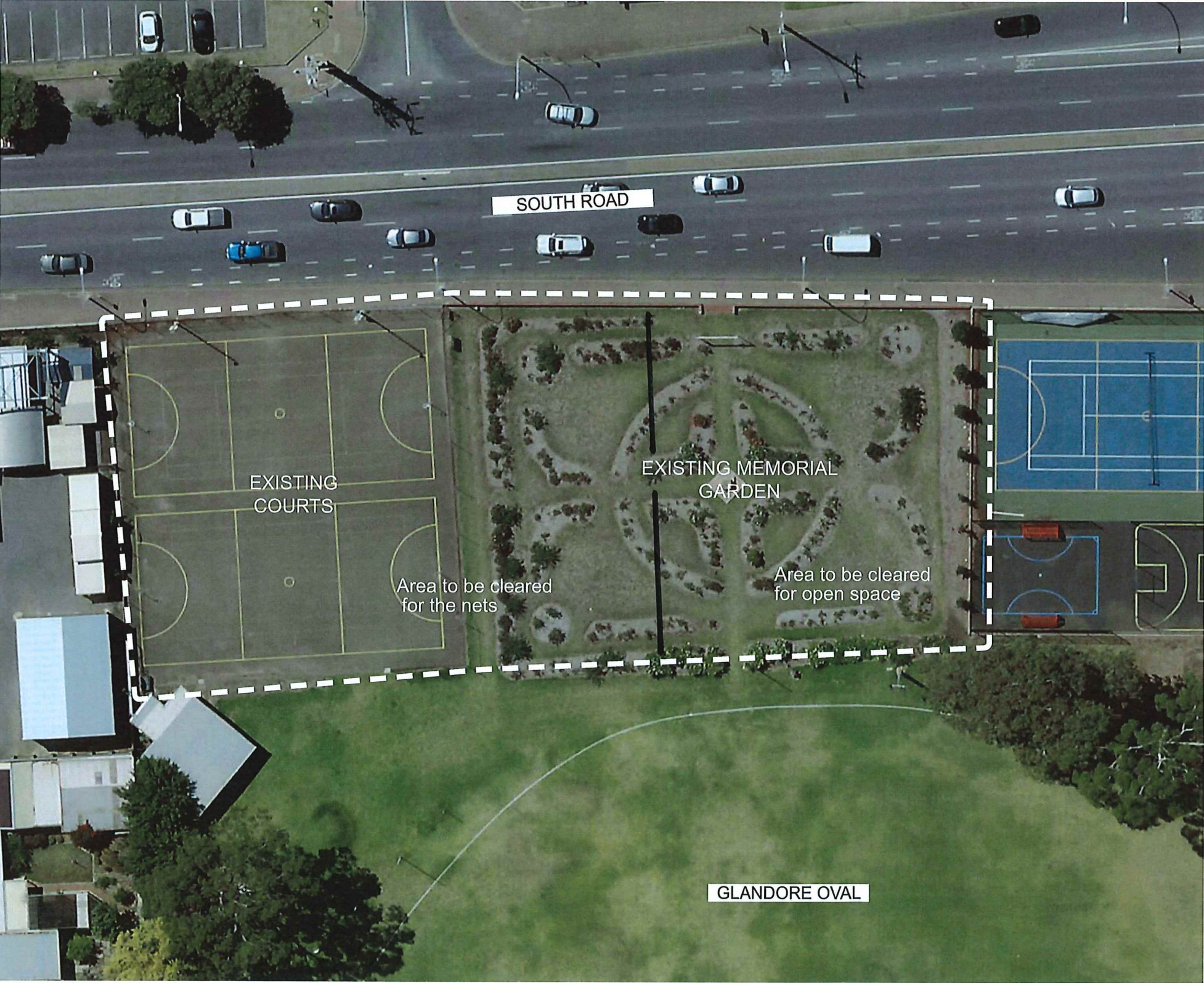
GLANDORE OVAL REDEVELOPMENT


20GOC DATE OF ISSUE: 02.11.2020

Attachment 2



EXISTING CONDITIONS



 Scope of works



GLANDORE OVAL REDEVELOPMENT

20GOC DATE OF ISSUE: 02.11.2020



PROPOSED SITE



Scope of works





Attachment 3

ABN: 13 264 183 365

Our reference: JWH:BH:memorials 02/2021

4 March 2021

Mr Sean O'Brien
Community Facilities Planner
City of Marion

Email: Sean.O'Brien@marion.sa.gov.au

Dear Sean

Re: Consultation – Location and Upgrading of the Stoeckel Memorial

I refer to our meeting with you and Mark on 23 February 2021 during which we discussed a number of issues associated with the Ian Stoeckel Memorial at Glandore Oval.

War memorials have always had a deep emotional resonance within the Australian community. Whether on a national, state or local level, they act as constant reminders of the ultimate price of war as well as a means of remembering the names of the individual servicemen and servicewomen who paid the ultimate sacrifice on behalf of our nation.

Whatever their appearance, they continue to act as focal points for the commemoration of those killed and affected by war and as places for reflection on the effects of their loss on a community and society as a whole.

Our RSL Sub Branch believes the Stoeckel Memorial meets these requirements for our community in the City of Marion but accepts that, although at the time of its construction it was located in an appropriate setting, it is now time to move it to a more appropriate location.

Our recommendations are

- That the existing Memorial be relocated to the Memorial Garden at the Edwardstown Soldiers Memorial Recreation Ground.
- That the scale of the new Memorial be in proportion to the new site
- That the existing plaque be incorporated into the Memorial on the new site
- That a new plaque be placed near the new Memorial site and used as an educational tool to provide biographical information on Ian Stoeckel.
- That these recommendations be put before the Stoeckel family and their views be sought on moving the Memorial to the site suggested by our RSL.

After the Memorial has been relocated there should be a dedication ceremony and we

are prepared to work with the City of Marion to organise such a ceremony with the appropriate protocols.

If you require any further assistance or meetings our contact is our Immediate Past President Mr Keith Harrison who can be contacted on 0402 560 492.

Thank you for inviting our RSL to participate in the consultation process on the future of the Ian Stoeckel Memorial.

Yours sincerely



BILL HIGNETT OAM
President

Cc: Keith Harrison

Attachment 4

From: Elaine [REDACTED]
Sent: Wednesday, 3 March 2021 1:24 PM
To: Sean O'Brien [REDACTED]
Subject: RE: Glandore Oval Ian Stoeckel Memorial

Dear Sean,

Sorry for delay in replying - I have been away for a week.

Yes I am in total agreement with the relocation of the Ian Stoeckel memorial - feel it is more suitable to be co-located with others and part of ANZAC services and with RSL approval.

Thanking you

Create a great day
Elaine

Elaine Stoeckel JP ND

Glandore Oval Communications Plan

Project background:

Title	Glandore Oval Facility Improvements
Program/Project name	Glandore Oval Cricket Training Facility & Memorial Relocation
Date	10 March 2021
Summary of project	
<p>Glandore Oval is a key multi-purpose sports and recreation facility located on the northern boundary of the Council area.</p> <p>The facility is home to the Adelaide Cricket Club who require better quality cricket training facilities to meet the standards required for Premier Grade Cricket.</p> <p>There is a memorial rose garden on the eastern side of the oval next to south road. In the centre of the rose garden there is a granite memorial that honours RAAF Officer Ian Stoeckel Killed in action 9th November 1943.</p> <p>The rose garden was altered due to changes to south road many years ago which has compromised the original design of the garden. The garden is not well located within the site being close to South Road where works have impacted on the garden in the past. The garden does not have any formal pathways and is a difficult space for wheelchairs, elderly citizens or people who may find it difficult to access.</p> <p>The condition of the memorial garden has declined in recent years with some of the roses either diseased or in poor health. Investigations with rose experts have indicated all roses are common varieties and only a few of the original plants remain.</p> <p>To address the site issues Nicolle Flint MP, Member for Boothby, committed \$160,000 of funding to the project during the 2019 Federal Election. Council has a budget of \$170,000 in the 2020/21 financial year providing a total budget of \$330,000 for the project.</p> <p>The cricket nets will be developed in the north eastern corner of the site which will impact on the rose garden.</p>	

Purpose of communication:

A concept design has been developed that proposes a new cricket training facility to be developed in the north eastern corner of the Glandore Oval with an alteration to approximately one-third of the existing rose garden. Council is also seeking to relocate the Ian Stoeckel Memorial located at the centre of the rose garden to the Edwardstown Soldiers Memorial Recreation Ground which has been identified as a more appropriate commemorative location.

The purpose of the communications is to inform key stakeholders and the community on the proposed upgrades.

Summary of stakeholders	
<i>List Stakeholders</i>	<i>Involvement</i>
Elected Members and ELT	Endorsement of proposed communications approach
Open Space Brett Jaggard and Tony Harris	Maintenance of garden and cricket nets Involve in design process
Primary	
Adelaide Cricket Club and SA Cricket Assoc.	Involve in design
Local RSL's Glenelg, Plympton, Col Light Gardens and Marion	Involve in design
State RSL Virtual War Memorial Legacy SA	Consult
Family members of RAAF Officer Ian Stoeckel	Consult
Residents	Consult
Secondary	
Ross Roses – local rose experts with a history connected to the Rose Garden	Involve in design
Dept Health Funding body	Inform
Nicolle Flint MP, Member for Boothby,	Inform

Key engagement messages
The proposed cricket nets will meet the standards for Premier Grade Cricket and move the facilities towards South Rd away from residential properties.
The Glandore Oval rose garden has declined over recent years and does not provide an accessible area that honours the memorial. The RSL and Stoeckel family are supporting a relocation of the Ian Stoeckel Memorial to Edwardstown Oval Memorial Garden.
The rose garden will be transformed into a new lawn area for the community to enjoy beside the outdoor courts, playground and oval

Glandore Oval

Communications Plan



Communications approach – summary table

Message	Target audience	Task	Responsibility	Date
<p>We are providing information to the public on the development of new cricket training facilities at Glandore Oval and changes to the Ian Stoeckel Memorial</p> <p>You can visit us online at makingmarion.com.au to review the concept designs and provide your comments</p> <p>The communications will close 12 April 2021</p>	Surrounding Residents	Mailbox drop	Sean O Brien	26 March
	Social media	Social media posts	Communications	26 March to 12 April 2021
	Making Marion users	Online submission form	Patrice Pearson	
<p>We are engaging on upgrading infrastructure at Glandore Oval and seeking input on options for the memorial and rose garden.</p>	<p>Return solidier stakeholder groups</p> <ul style="list-style-type: none"> • Plympton Glenelg RSL • Virtual War Memorial • Legacy SA 	<p>Face to face meeting with local branch representatives to discuss what's proposed, understand their level of support and seek their advice and input of options for the war memorial.</p>	<p>Sean O Brien Mark Hubbard</p>	

Glandore Oval

Communications Plan



Communications approach – summary table

Message	Target audience	Task	Responsibility	Date
We are currently engaging on the Glandore oval cricket nets and we are seeking input into the design.	Adelaide Cricket Club SA Cricket Assoc.	Face to face meeting to discuss what's proposed and seek their advice and input to the design and upgrade.	Sean O Brien	Regular meetings throughout the project.
We are currently engaging on the Glandore oval seeking your input and advice on the planning of the site.	Glandore Recreation Centre Board of Management. Adelaide Cricket Club Westminster Old Scholars Football Club	Meet with clubs to discuss needs, opportunities, constraints and options.	Sean O Brien Mark Hubbard	Regular meetings throughout the project. Feedback will be sought on site planning preferences.
Inform on project details.	Nicolle Flint MP, Member for Boothby and Health Dept	Regular project updates Making Marion update	Sean O Brien Mark Hubbard	Post consultation period

5th March 2021

Mr Sean O'Brien
 City of Marion
 Via email: sean.o'brien@marion.sa.gov.au

Dear Mr O'Brien

Re: Glandore Oval

Glandore Oval is the home of the Adelaide Cricket Club (ACC) and an important site for the SACA Premier Cricket competition. While there are opportunities for improvement, Glandore Oval is a necessary and critical piece of infrastructure for Premier Cricket. It is one of only two council ovals with turf pitches in the City of Marion.

On 21 January the ACC Board informed its members that it would propose a merger with the Southern District Cricket Club (SDCC) based at Bice Oval, Christies Beach. As of the date of this letter, the merger process has been delayed.

Both clubs share the view that they were preferred merger partners with a shared interest in developing elite cricket in the southern suburbs. That proposal identified that the merged entity would adopt a shared facilities model, with Glandore and Bice Oval to be used as the primary grounds. The merged club was also committed to playing on Premier Cricket grounds between Christies Beach and Glandore.

Premier Cricket is played across four grounds per club. Four of ACC and SDCC's grounds are north of Glandore. ACC compete across three other ovals at GS Kingston / Wirrarninthe in the Adelaide Parkland and the Adelaide University Playing Fields at West Beach, and SDCC compete at Adelaide High School. By process of elimination of existing available grounds and the scarcity of available turf facilities, Glandore Oval will necessarily be one of the grounds required. For the members and players of ACC, Glandore Oval is an important part of their history, identity and community. For these reasons Glandore Oval will continue to be of critical importance to Premier Cricket, either for ACC or a merged club.

Warm regards,



Ben Page
 Public Policy and Government Relations Manager



SACA

SOUTH AUSTRALIAN
 CRICKET ASSOCIATION INC.

ADELAIDE OVAL

PO BOX 545
 NORTH ADELAIDE,
 SOUTH AUSTRALIA 5006
 ABN 94 694 912 780

ADMINISTRATION

P: 08 8300 3800
 F: 08 8231 4346
 sacareception@saca.com.au

MEMBERSHIP

P: 08 8300 3232
 membership@saca.com.au

WWW.SACA.COM.AU



MAJOR SPONSOR OF THE STATE TEAM AND GRADE CRICKET IN SOUTH AUSTRALIA

Review of Public Open Space Irrigation

Originating Officer	Water Resources Coordinator - Glynn Ricketts
Corporate Manager	Manager Engineering, Assets and Environment - Mathew Allen
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323R10

REPORT OBJECTIVE

The purpose of this report is to provide Council with an update on the Irrigation of Public Open Space following the General Council meeting in August 2019, when Council resolved to reduce the irrigation score from 13 to 12. Council requested a review of irrigation in 2021 and this report provides this review.

RECOMMENDATION

That Council:

- 1. Notes the review of the Irrigation Management Plan.**
- 2. Resolves to maintain the irrigation score of 12 and/or a public value score of 4.**

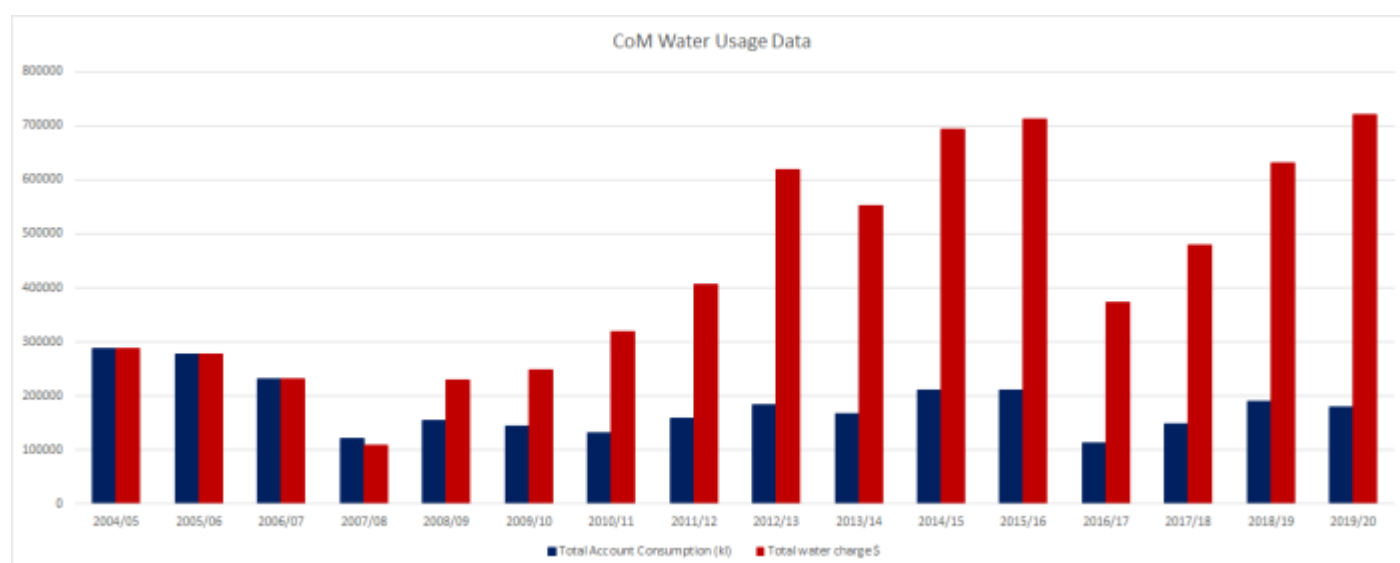
DISCUSSION

At its meeting on 13 August 2019 (GC190813R09) Council resolved to reduce the Irrigation Score from 13 to 12, resulting in an additional 12 sites across the City being irrigated.

The Irrigation of Public Open Space across the City is managed by staff implementing the Irrigation Management Plan (the Plan). The Plan consists of a high level policy, a methodology (that is consistent with SA Water's Code of Practice), a manual (tool kit) and a dynamic operational decision support tool that identifies those sites with a score over 12 and/or a public value of 4 that should be irrigated.

The Plan was originally endorsed by Council at its meeting on 9 September 2014 (GC090914R04) . The Plan is an important document for staff as it determines which reserves will be irrigated, how much of the reserve is kept green and the service level for turf and grass management. Depending upon the water source (potable, bore or Oaklands water), it also provides staff with budget costs for watering and maintenance.

Since the last review in August 2019 the usage of potable water for Irrigation has remained relatively stable (Figure 1).

Figure 1 Annual potable water consumption and cost

However, as can be seen in Figure 1, the overall potable water supply costs have increased as SA Water prices have increased.

Staff use the dynamic irrigation decision support tool to annually review the irrigation program. The scores change as the Open Space Plan is implemented. As the standard of our reserves, parks and gardens increase, the score per improved site increases, resulting in additional irrigated sites as the score attains 12 or more.

Hence, the number of sites may increase after each annual review due to constant service level improvements created by the implementation of the Open Space Plan. The preference is to use bore water/Oaklands Water over potable water where available.

Council is planning to extend the Oaklands distribution network further south, enabling an additional seven City of Marion sites to be irrigated with treated stormwater instead of potable water (subject to grant funding approval).

Since the plan was last reviewed in 2019, a further 12 open space reserves (Table 2) have met the 12 threshold for irrigation, bringing the total number of reserves being irrigated to 121. The location of these 12 sites is shown in Attachment 1. The Irrigation Plan enables evidence based, multiple criteria decision making whilst ensuring the sustainable use of water resources.

Table 2 Table of Site irrigated since last review

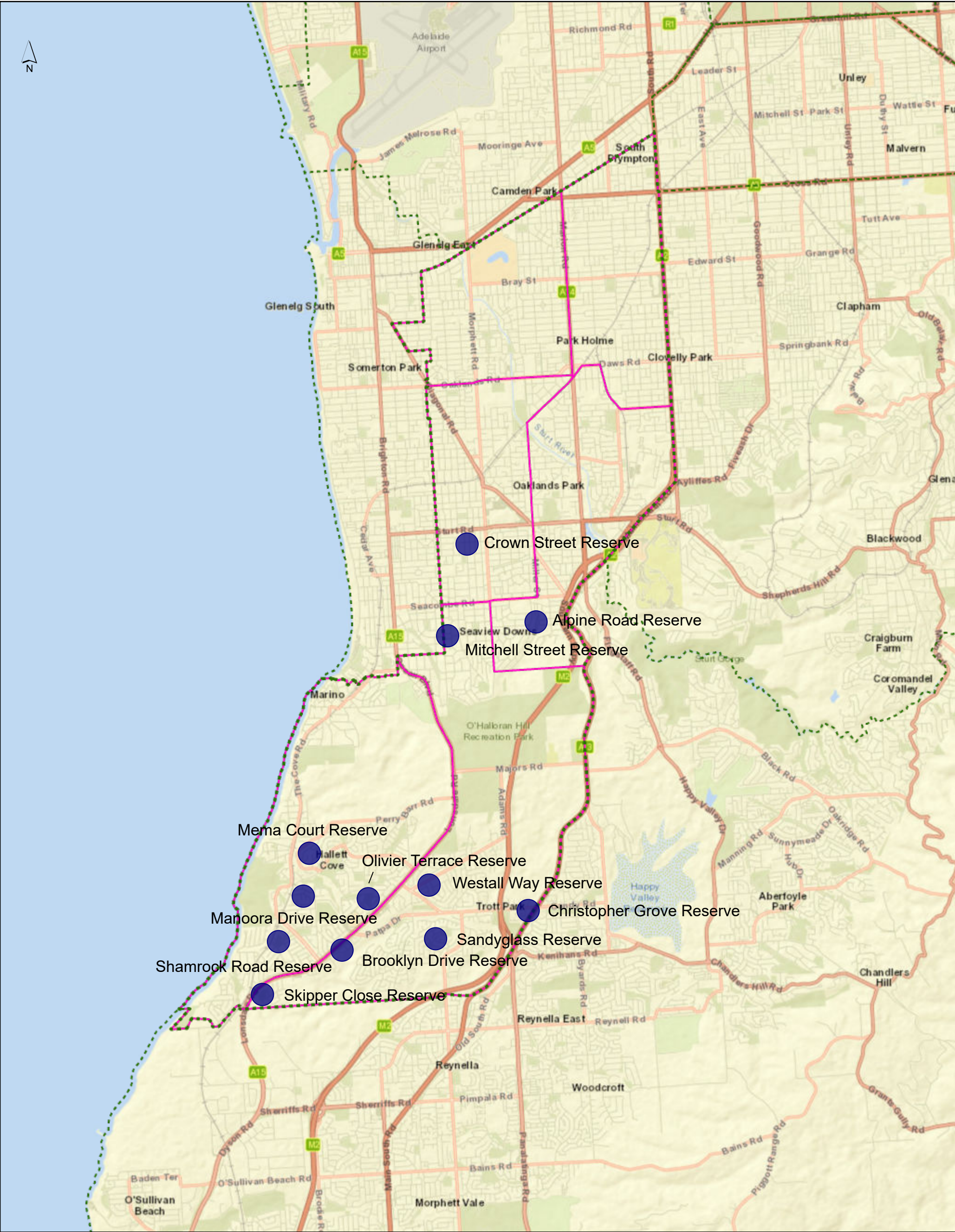
Site Name	Year	Suburb	Classification	Ward
Shamrock Road Reserve	2019	Hallett Cove	Neighbourhood	Coastal
Crown Street Reserve	2019	Dover Gardens	Local	Warracowie
Sandyglass Reserve	2020	Sheidow Park	Local	Southern Hills
Christopher Grove Reserve	2020	O'Halloran Hill	Local	Southern Hills
Skipper Close Reserve	2020	Hallett Cove	Local	Southern Hills





Alpine Road Reserve	2020	Seacombe Heights	Neighbourhood	Warriparinga
Mitchell Street Reserve	2020	Seaview Downs	Local	Southern Hills
Olivier Terrace Reserve	2021	Hallett Cove	Local	Coastal
Brooklyn Drive Reserve	2021	Hallett Cove	Local	Southern Hills
Mema Court Reserve	2021	Hallett Cove	Local	Coastal
Westall Way Reserve	2021	Sheidow Park	Local	Southern Hills
Manoora Drive Reserve	2021	Hallett Cove	Local	Coastal

It is recommended that the score of 12 for triggering irrigation is maintained.

Attachment

#	Attachment	Type
1	Attachment 1 Location of Reserves	PDF File



<p>About this Document This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion. This information is provided for private use only.</p> <p>Disclaimer While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.</p>	<p>City of Marion Web Map Printout</p> <div><p>Ward Labels</p><p> Wards</p><p> Marion Council Boundary</p><p> SA Council Boundaries</p></div>	<div><p>CITY OF MARION</p></div> <div><p>Created by svc.ArcGIS 10/03/2021 9:14 AM</p><p>Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere Scale: 1:72,224</p><div><div>01.252.5</div><div>km</div></div></div>
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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

CORPORATE REPORTS FOR INFORMATION/NOTING

Museum/Exhibition Space - Community Consultation Report

Originating Officer	Grants Officer - Emma McDonald
Corporate Manager	Manager Community Connections - Liz Byrne
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323R11

REPORT OBJECTIVE

To provide Council with the outcomes from the community consultation relating to the Marion Museum/Exhibition space extension concept at the Marion Heritage Research Centre.

EXECUTIVE SUMMARY

At the January 2021 General Council meeting (GC210127R07), Council resolved to engage with the community via Making Marion about the Museum/Exhibition Concept project. This report shares with Council the outcomes from this consultation.

The community consultation engagement was utilised to obtain the views of community members and to better understand the level of support for the design/layout Option A or B of the museum/exhibition space. The engagement also sought feedback from nine questions relating to the project.

A total of eleven people responded to the community consultation about the local museum. The majority were in favour of extending the Marion Heritage Research Centre to include an exhibition space/museum that would raise awareness of Marion's unique cultural heritage within the city.

It is recognised that eleven responses is a limited reflection of the community, and further engagement may be required should the funding grant application be successful.

RECOMMENDATION

That Council

1. Notes the report.

GENERAL ANALYSIS

The community consultation survey was available on the Making Marion website from 5 February to 24 February 2021. Promotion of this consultation was distributed through our databases and various Marion social media platforms to encourage feedback. Social media analytics indicate that 7,374 people were reached and 254 people engaged in the posts relating to this consultation.

A total of eleven people provided responses to the community consultation, ten via Marking Marion and one sent an email to Council's generic email address.

People were asked if they thought a local museum would achieve the following outcomes?

1. Create stronger links of the MHRC with the wider community
2. Increase awareness of the community to the history of the City of Marion
3. Make history come to life



4. Provide a facility that is accessible to all demographics and ages
5. Provide up to date research technology as well as original artefacts to discover
6. Future proof storage facility for the MHRC
7. Increase accessibility of MHRC to the public
8. Provide adequate resourcing to maintain operations of MHRC and museum
9. Provide a more attractive environment for historical research and display.

The people who responded via Making Marion indicated that they either somewhat agreed or definitely agreed that a local museum would achieve the above outcomes. The community was also invited to respond with free text and many indicated their support for the project. Other responses in this section thought that the report was not detailed enough, or the proposed extension didn't provide enough storage. In addition, one person provided very specific feedback about the proposed extension.

The one person who sent an email questioned why a local museum was being considered at all. Administration responded with a letter addressing their concerns and provided background information to the project.

For a more detailed description of the feedback please see Attachment 1.

Attachment

#	Attachment	Type
1	Attachment 1 - Survey_Responses_Report_Marion Museum	PDF File

Marion Museum feedback

SURVEY RESPONSE REPORT

25 January 2021 - 23 February 2021

PROJECT NAME:

Marion Museum

SURVEY QUESTIONS

Q1 Please indicate how well you think a local museum would achieve the following outcomes?



Optional question (10 response(s), 0 skipped)

Question type: Likert Question

Q2 Do you have any comments or feedback you'd like to provide about the local museum project?

Screen Name Redacted

2/05/2021 01:10 PM

The red house has shown its worth and needs extending. The problem of storage space has not been addressed. The village museum has shown the need for open controlled space as well as research area. This report only goes half way

Screen Name Redacted

2/05/2021 02:30 PM

Great idea

Screen Name Redacted

2/05/2021 03:51 PM

Make sure it's cutting edge sustainable/zero carbon

Screen Name Redacted

2/07/2021 07:15 AM

If it is built in the same facility as the kaurna living site I just wanted to ensure that the kaurna elders are also ok with this going ahead they may wish for it to stay as a kaurna specific site for many reasons I think with their grave it could go ahead there however if not perhaps the red house would be the next option

Screen Name Redacted

2/07/2021 08:37 PM

It sounds like an exciting project, and I would love to see it take place!

Screen Name Redacted

2/09/2021 07:38 PM

Needs to have only one entrance. Close door on old verandah More storage space. Requires more space for volunteers who use the computer There fore ensure lots of power points for each work station. More space for displays for different regions within the council eg KaurnaMob, Glenthorne Farm, Field River, Wetlands, Edwardstown history, Marion heritage walk and museum plus many other parts of the council. Finally needs much more vegetation around the museum. Support a new Council Museum. Good location.

Screen Name Redacted

2/09/2021 09:43 PM

As a person with a long association with the Red House (the house built by Walter James Phelps a pioneer of the area), I believe the project will have great merit going forward

Optional question (7 response(s), 3 skipped)

Question type: Essay Question

Email query 12/02/2021

I have read that the City Of Marion is considering spending money on building a museum,I ask WHY?

I have been a resident of the city of Marion for over 70 years. My parents lived in the area, my husbands family were part of the first. Settlers in the area , and I consider that this will be a total waste of money. The Marion district was originally a huge market garden with people growing grapes, almonds, glass houses of tomatoes and cucumbers, stone fruits. Most of this land by the 1960's had been bought and converted into housing and later the Westfield Shopping Centre was the big project, so what's exactly will this museum contain? replica's of an almond tree, grape vines, a bottle of Patretti's wine, a horse and cart. Will it also contain the history of the SA's first peoples and if so why does the. ABORIGINAL CULTURAL CENTRE exist and why isn't this opened at weekends for people to visit and made more use of.

Surely with three Libraries a Cultural Centre the Red House and multiple Neighbourhood Centres the council has enough buildings to house whatever history and artefacts a museum would hold. Nobody visits SA and says lets go to the City of Marion its a great tourist area , when we have great food and wine areas,wonderful beaches, and actual historical towns. Surely they're are better projects that taxpayers money could be used for.

Work Health & Safety - Monthly Performance Report - February 2021

Originating Officer	Unit Manager Risk - Sherie Walczak
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323R12

REPORT OBJECTIVE

The objective of this monthly report is to provide Council with assurance that the City of Marion has effective strategies in place to meet its legal obligations as outlined in the Work Health and Safety Act (SA) 2012, and to monitor Council's core target of a 10% reduction of the Lost Time Injury Frequency Rate (LTIFR) from the previous year.

RECOMMENDATION

That Council:

- 1. Notes the report and statistical data contained therein.**

DISCUSSION

Targets and performance indicators have been established in order to measure the continual improvement of the program. Performance against these targets are outlined in **Attachment 1** which are measured in two ways:

- Positive performance indicators (PPI's); and
- Lag performance indicators (LPI's)

Council's KPI is the achievement of a 10% reduction on last year's 6.1 LTIFR, to reach 5.4 or less in 2020-21.

The *rolling* LTIFR, based on internal incident reports, is **14.7** with **nine** lost time injuries being recorded over the last twelve months.

The *current* LTIFR, based on LGAWCS (Schemes) claims data, is **10.9** with **eight** lost time injury claims being submitted this year to date, however only **five** have been accepted and **three** deferred for investigation.

The well-being of the staff involved is paramount and Management has reviewed each incident individually to ensure appropriate controls are in place to reduce or eliminate risk.

The organisation is continuing to implement various initiatives including the Health, Safety and Environment (HSE) Strategic Plan 2019-23 (currently in its second year) to address compliance, key risks and reduce the LTIFR.

Attachment

#	Attachment	Type
1	GC210323R - WHS Monthly Performance Report Feb 2021	PDF File

Attachment 1 – WHS Monthly Performance Report – February 2021

City of Marion's HSE Vision is that **'We can all make a difference towards achieving zero harm, to people and the environment'**. We are specifically focused on further developing our leadership styles, organisational culture and systems committing to:

- Developing our people to lead the change across the City of Marion
- Embedding a culture of safety and wellbeing as a part of normal business practice
- Continually improving our WHS Management System (WHSMS) and Environmental Management System (EMS) to achieve best practice

Hazard and Near Miss Reports (Internal WHS SkyTrust reporting data)

Historical statistics inform us that when there is a healthy culture of Hazard/Near Miss Reporting, there is a consequential reduction in injuries to Workers. Hazards and Near Misses are reported to date for this financial year and are outlined in Table 1. They can be compared against those reported last financial year which are outlined in Table 2.

➤ **Annual Target Total = 118 hazard and near miss reports (ave 9.8 per month) during 2020-21.**

Table 1: Hazard and Near Miss Reports - Financial Year 2020-21

Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total	Ave
11	7	12	14	17	11	7	8					87	10.9

Table 2: Hazard and Near Miss Reports - Financial Year 2019-20

Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Total	Ave
14	13	10	9	10	9	9	6	7	6	7	12	112	9.3

Lost Time Injuries Reported (Internal WHS SkyTrust reporting data)

Lost Time Injuries (LTI's) are those injuries where a whole work day or more has been lost due to a workplace injury. LTI's reported to date for this financial year are outlined in Table 3 and can be compared against those reported last financial year which are outlined in Table 4.

Table 3: Number of LTI's per month - Financial Year 2020-21

Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total
1	2	2	0	0	1	0	2					8

Table 4: Number of LTIs per month - Financial Year 2019-20

Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Total
0	1	0	0	1	0	0	0	0	0	1	1	4

Table 5: Outline of LTIs reported - Financial Year 2020-21

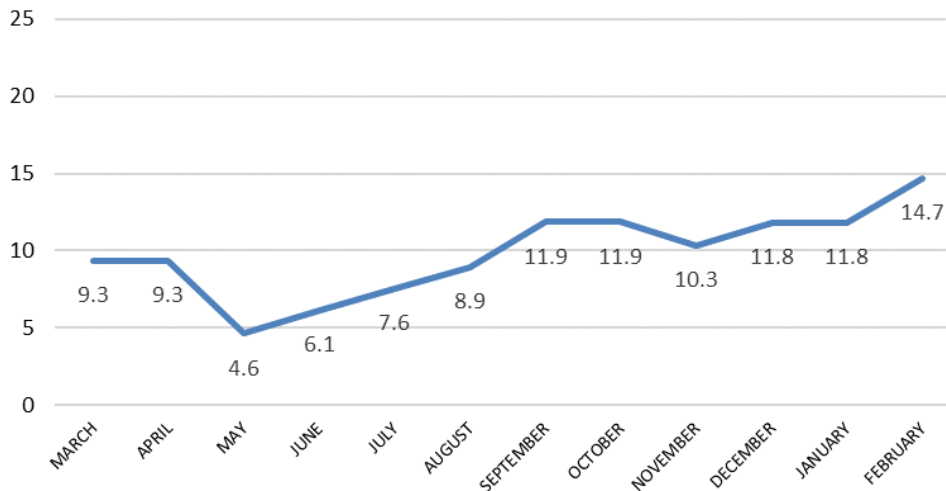
No.	Description of Incident	Mechanism of Injury	Injury Description
1	Experienced left shoulder pain while lifting, dragging & feeding branches into the woodchipper	Muscular stress while lifting, carrying or putting down objects	Sprain to left shoulder
2	Foot got stuck on the footstep and landed heavily on left leg which buckled	Falls from a height	Strained left Knee
3	Dropped an 8kg bollard base onto the top of foot during assembly	Hit by a falling object	Bruised left foot
4	While loading truck, foot twisted in pavers	Stepping, kneeling or sitting on object	Fractured foot
5	Stepped out of backhoe into kerb excavation and twisted left knee	Stepping, kneeling or sitting on object	Trauma to left knee joints / ligaments
6	After Hours Emergency Management - Call Out member impacted by branch resulting in a fall with pain to ribs and limbs	Being hit by falling objects	Fractures, unspecified
7	Standing, squatting and bending to erect new fence and have developed sore feet	Stepping, kneeling, or sitting on objects	Trauma to joints and ligaments, unspecified
8	Walking off the verge onto the road and left foot slipped off the kerb twisting left knee	Stepping, kneeling, or sitting on objects	Trauma to joints and ligaments, unspecified

Rolling Lost Time Injury Frequency Rate (Internal WHS SkyTrust reporting data)

Rolling injury frequency rate over a 12 month or greater period is a common monitoring for performance of WHS and Return to Work performance. It continues over financial and calendar years rather than starting from zero so that longer term trends can be observed and appropriate action taken to address upward trends and/or seasonal spikes in injuries..

The rolling LTIFR, outlined with a solid blue line in Figure 1 from internal incident report data, provides analysis of the average LTIFR over the last 12 months.

Figure 1: Rolling LTIFR over 12 months



The current 12 month rolling LTIFR for the City of Marion is **14.7** which represents a **57%** increase over the previous 12 months.

Rolling Total Recordable Incident Frequency Rate (Internal WHS SkyTrust reporting data)

Total Recordable Incidents include fatalities, LTI's and incidents resulting in the employee receiving medical treatment and/or is certified as only fit to undertake suitable duties. The Rolling Total Recordable Incident Frequency Rate (TRIFR), outlined with a solid green line in Figure 2 from internal incident report data, provides analysis of the average TRIFR over the last 12 months.

Figure 2: Rolling TRIFR over 12 months

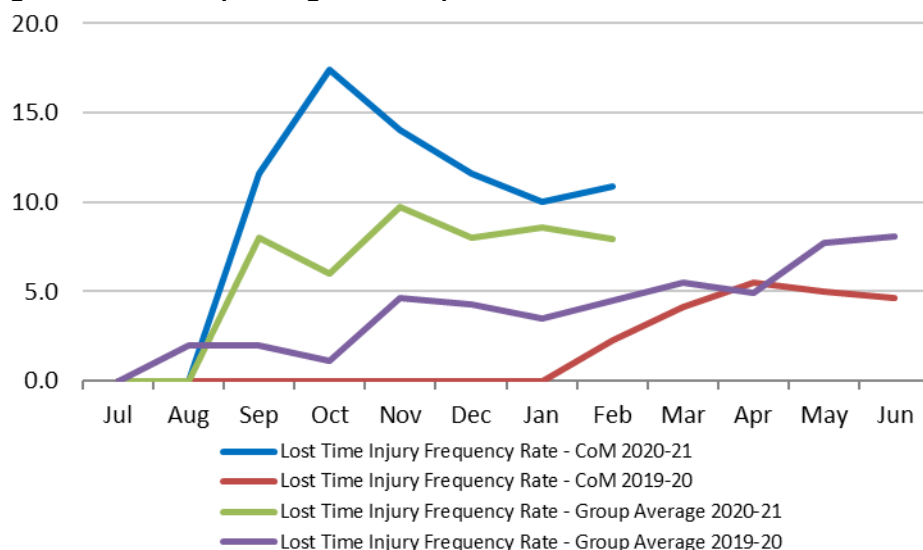


The current 12 month rolling TRIFR for the City of Marion is **20.3** which represents a **12%** reduction over the previous 12 months.

Lost Time Injury Frequency Rate (LGAWCS Claims Data)

Lost Time Injury Frequency Rate (LTIFR), is an industry standard tool for measuring LTI's within a given reporting period which enables comparison to other organisations. Council's LTIFR is outlined in Figure 3, from the LGA's Member Portal data once claims have been determined and can be measured and monitored against our industry counterparts being the Group A Councils (1GaC).

Figure 3: LTIFR compared against Group A Councils

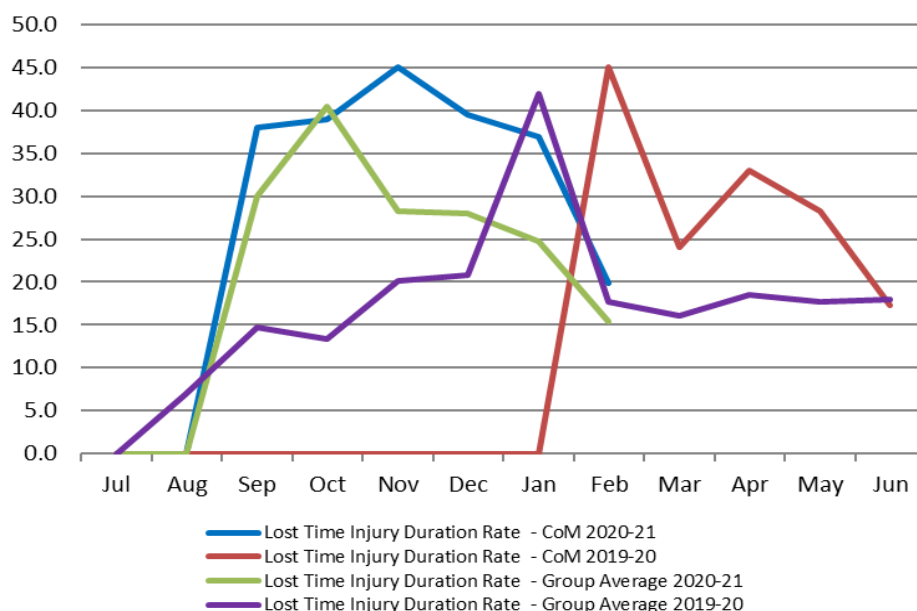


The current LTIFR for the City of Marion (represented in blue) is **10.9**, compared to GaCs recording **7.9** with five claims being accepted to date this year and three yet to be determined.

Lost Time Injury Duration Rate (LGAWCS Claims Data)

The Lost Time Injury Duration Rate (LTIDR), is an industry standard tool for measuring the average days lost from LTI's within a reporting period to enable comparison to other organisations. Council's LTIDR is outlined in Figure 4, data is sourced from the LGA's Member Portal once claims have been determined and can be measured and monitored against our industry counterparts being the GaC.

Figure 4: LTIDR compared against Group A Councils



The current LTIDR for the City of Marion (represented in blue) is **19.8**, compared to GaCs recording **15.4** with five claims being accepted to date this year and three yet to be determined.

¹ GaC are metropolitan councils with more than 300 staff (Marion, Adelaide, Charles Sturt, Onkaparinga, Playford, Port Adelaide Enfield, Salisbury and Tee Tree Gully).

Questions Taken on Notice Register

Originating Officer	Governance Officer - Angela Porter
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	GC210323R13

REPORT OBJECTIVE

To receive and note the information contained within the *Questions Taken on Notice Register* provided in Attachment 1.

EXECUTIVE SUMMARY

At the 8 May 2018 General Council meeting Council resolved that (GC080518M01):

Questions without Notice that were not answered at the same meeting will be entered into a register. This register will be tabled as an information report at the following meeting.

Under Regulation 9 of the Local Government (Procedures at Meetings) Regulations 2013 (The Regulations):

(3) A member may ask a question without notice at a meeting.

(4) The presiding member may allow the reply to a question without notice to be given at the next meeting.

(5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

RECOMMENDATION

That Council:

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

Attachment

#	Attachment	Type
1	GC210323 - QON Register	PDF File
2	GC210323 - QON Register - Community Gardens Policy	PDF File

Questions Taken on Notice Register



Report Reference	Meeting Date	Councillor	Responsible Officer	Question taken on notice during the meeting	Response
GC210309R05 – Community Gardens Agreement – updated	9 March 2021	Cr Ian Crossland	Community Gardens Coordinator – Anna Haygreen	How long does it currently take for applications to be assessed?	<p>The time taken to assess community gardens applications varies depending on the site chosen and the capacity of the community group. There are a range of matters to work through to ensure a community garden is viable, to build community capacity and to ensure the community garden is able to succeed in the long term. The application process has three stages and each is contingent on the community garden group submitting required documentation, including garden design, evidence of planning and community engagement, insurances, certificate of incorporation and a management plan. The site assessment following the initial expression of interest takes approximately 3-5 months including soil testing. In line with the City of Marion Community Gardens Policy, we aspire to support community gardens to start operating within a 12 month timeframe from receipt of their full application.</p> <p>A copy of the Community Gardens Policy is provided (Attachment 2) for reference.</p>

Community Gardens Policy

1. RATIONALE

Community gardens are increasingly recognised as important sites for community connection, urban food production and environmental education. There is also widespread recognition that community gardens have a range of health, environmental, social, cultural, food security and economic benefits for the community. This policy outlines Council's approach to supporting community gardens.

2. POLICY STATEMENT

Council will support the development of a network of appropriately located, designed, managed and resourced community gardens across the city.

3. OBJECTIVES

Council's approach to supporting community gardening in the City of Marion includes:

3.1 A community development approach

Council takes a community development approach to community gardens where community groups manage the gardens themselves with the support of Council and other partnering organisations.

3.2 Building the capacity of community gardening groups

Council recognises that there are varying degrees of community capacity and skills available to establish and maintain community gardens. As a result, Council has an important role to play in identifying opportunities, building community capacity and supporting communities to establish and maintain community gardens.

3.3 Fostering a diversity and geographic spread of community gardens

Council aims to foster a mix of community garden types and activities to meet diverse community needs, and achieve vibrant gardens across the whole Council area. Council will take a strategic approach to the location and type of community gardens it fosters. Garden types may include communal gardens, dedicated allotments, community orchards, indigenous bush tucker gardens or demonstration gardens for the purpose of education.

3.4 Encouraging accessible and inclusive community gardens

Community gardens should be accessible and cater for a range of community groups and needs including people with disabilities, children, older people, Aboriginal people and people from culturally and linguistically diverse backgrounds. Community gardens should be designed and managed so they are open to the broader community on a regular basis and when gardeners are present.

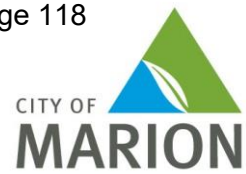
3.5 Building and facilitating partnerships

Council will develop strong partnerships with new and existing community gardening groups. It will also assist these groups to connect with relevant agencies, local organisations, neighbourhood centres, schools, businesses, funding bodies and other community gardens to provide opportunities for forming mutually beneficial partnerships.

3.6 Assisting community gardening groups during the establishment phase

Council recognises the significant amount of resources, time and labour required to establish a new community garden. Council will work closely with community garden groups during the

Community Gardens Policy



establishment phase and strive to support those groups to get their community garden up and running in 12 months. Community garden groups can apply to the City of Marion Community Grants program to obtain funding to establish their garden. In addition, Council may provide one-off financial assistance for essential infrastructure in new community gardens provided that community gardening groups demonstrate a strong commitment to managing their garden responsibly. Funding for community gardens is dependent on budget constraints and demand.

3.7 Security of tenure for community gardens

3.8 Community gardening groups should have the potential for security of tenure so they can plan for the long-term future and viability of the garden. In most cases, the allocation of Council land for community gardens will be formalised through a Community Gardens Agreement. Once approved, community gardens can obtain an initial 2-year agreement. This will be followed by a 5-year agreement, provided that the site is being managed effectively and there is ongoing demand for a community garden. Each Community Gardens Agreement will be developed in partnership with community gardening groups and will reflect the scale and nature of their specific community garden. **Minimising the ongoing expenses for community gardens**

Council will not charge community gardens for water use provided that community gardening groups use water responsibly. In addition, Council will not charge an annual fee to community gardens on the understanding that they are run by volunteers on a not-for-profit basis for the benefit of the community. Community gardening groups are responsible for all other ongoing community garden expenses as set out in the Community Gardens Agreement.

3.9 Ensuring community gardens are visually appealing

Council requires community gardening groups to ensure their community gardens are visually appealing, tidy and well maintained.

4. POLICY SCOPE AND IMPLEMENTATION

While community gardens may operate on private land, this policy applies to community gardens on land that Council owns and/or manages.

This policy does not outline the procedure for starting new community gardens. This detail is contained in the City of Marion Community Gardens Guidelines.

This policy does not apply to verge gardens. Council's position on verge gardening is outlined in the City of Marion Verge Development Guidelines.

5. DEFINITIONS

Community Garden – Community Gardens are community led and managed, not-for-profit initiatives, where members of the local community come together to garden in individual or shared plots and produce is intended for the consumption of the gardeners and fundraising for community gardening purposes. Community gardens are open to the public on a regular basis and anyone can become a member.

Community Gardens Agreement – An agreement between a community group and Council regarding the use of Council land for a community garden.

Community Gardening Group – A not-for-profit community group or organisation using Council land for the purpose of a community garden.

Community Gardens Policy

Community Capacity – The skills, knowledge, resources, social networks and volunteer time available in a given community that can be dedicated to community initiatives such as a community garden.

Verge Garden - A garden located on the area between the kerb and the property boundary that is managed by one or more adjacent households.

6. ROLES AND RESPONSIBILITIES

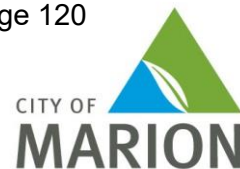
To ensure community gardens on Council land are appropriately located, designed, managed, and resourced Council will:

- Provide advice to community groups on planning, design and management of community gardens, which may include templates of various documents needed for the formal registration of the group as an association, as well as ongoing operation of the community garden.
- Assess proposed community garden locations based on site selection criteria outlined in the Community Garden Guidelines.
- Undertake soil testing at proposed community garden sites to manage soil contamination and protect public health.
- Ensure there is sufficient demand and local community support before approving new community gardens.
- Undertake appropriate community engagement and consultation processes for new community gardens.
- Require community gardens to be managed by an incorporated group or organisation with sufficient capacity and commitment.
- Ensure community gardens have appropriate safety measures in place.
- Require community gardening groups to obtain a Community Gardens Agreement for use of Council land.
- Promote community gardens as sites for environmental education and building community connections.
- Encourage best practice water and waste management in community gardens.
- Aspire to support new community gardens to start operating within a 12 month timeframe from receipt of application.

Community gardening groups managing community gardens on Council land must:

- Liaise with Council's Community Gardens Coordinator throughout the process of establishing a community garden.
- Ensure the group is incorporated and has the capacity to manage the garden.
- Design the garden for accessibility and ensure it is inclusive of a range of community groups and needs.
- Engage with the local community and communicate with neighbours to seek support for the garden.
- Ensure the community garden is open to the broader community on a regular basis and when gardeners are present.
- Develop a management plan for Council approval that includes procedures for responsible management of water and waste in the garden.
- Develop a Gardeners Code of Conduct and ensure it is shared amongst community garden members.

Community Gardens Policy



- Develop a safety plan for the garden to ensure appropriate safety measures are in place.
- Prepare a budget for the community garden and take responsibility for sourcing funding.
- Arrange appropriate insurances including public liability insurance.
- Obtain development approval for community garden structures or features as required before such structures are erected.
- Negotiate a Community Gardens Agreement with Council before using the land.
- Ensure community gardens remain visually appealing.

Roles and responsibilities of both Council and Community Gardening Groups will be outlined in each Community Gardens Agreement.

7. REFERENCES

- City of Marion Community Gardens Guidelines
- City of Marion Verge Development Guidelines
- City of Marion Tree Management Policy
- City of Marion Environmental Policy
- City of Marion Open Space Policy
- City of Marion Community Land Management Plans
- City of Marion Public Consultation Policy
- City of Marion Open Space by-laws

8. REVIEW AND EVALUATION

This policy will be reviewed once within the term of Council. The review will be scheduled by the Governance Department in coordination with the Environment Sustainability Team.

Finance Report - February 2021

Originating Officer	Assistant Financial Accountant - Melissa Virgin
Corporate Manager	Manager Finance - Ray Barnwell
General Manager	General Manager Corporate Services - Sorana Dinmore
Report Reference	GC210323R14

REPORT OBJECTIVE

This report provides Council with information relating to the management of financial resources under its control as at February 2021. This report is one of a series of reports designed to assist Council in achieving and maintaining a financially sustainable position. Other reports assisting in this process include the Quarterly Budget Reviews and the Long Term Financial Plan.

This report includes financial information regarding major projects. The principles used for the assessment of reportable projects are:

- Council has agreed to proceed with the project and approved a Prudential Report under Section 48 of the *Local Government Act 1999*.
- The Whole-of-Life Cost is greater than \$4 million dollars (including grant assisted projects).

RECOMMENDATION

That Council:

1. Receives the report “Finance Report – February 2021”

GENERAL ANALYSIS

BACKGROUND

This report is presented on a monthly basis to provide Elected Members with key financial information to assist in monitoring Council’s financial performance against budget.

APPENDICES

Appendix 1: Monthly Financial Reporting
 Appendix 2: Capital Works Reporting including Major Projects
 Appendix 3: Debtors Reports for Sundry Debtors & Rates Debtors

Attachment

#	Attachment	Type
1	Finance Report_February Appendix 1 pt 1 2 3 4	PDF File
2	Finance Repot_ February Appendix 2 pt 1 2	PDF File
3	Finance Report_February Appendix 3 pt 1 2	PDF File

Funding Statement – Actual versus Budget

The Funding Statement provides a view of Council's financial performance against the approved budget and is consistent with the information provided at budget reviews. It provides a review against all of the elements contained within the Statement of Comprehensive Income and the Statement of Financial Position that are adopted as part of the Annual Budget Report. It details Council's:

Statement of Comprehensive Income -

The operating result is recognised as one of Council's key financial indicators. The budget framework includes a commitment to its ongoing Financial Sustainability maintaining an Operating Surplus Ratio of between 0% and 10%, on average over each five-year period, which for 2020/21 means a targeted operating surplus of between \$0 and \$9.652m.

Comment: Council currently has a net operating surplus result of \$4.713m before capital revenues, against a year to date forecast budget of \$4.967m surplus. This position is detailed in the attached Funding Statement and variation notes.

Capital Budget -

The Capital Budget is linked to Council's key financial indicator – "Asset Sustainability Ratio" and an actual to budget comparison reflects Council's progress in achieving its Capital program.

Comment: The actual to budget position reveals that 78.88% of the year to date Capital Renewal Budget has been spent.

Loans -

The loans component of the Funding Statement identifies any new proposed loan receipts or principal payments. Council's borrowings are included in Council's key financial indicator – "Net Financial Liabilities" which reflects Council's total indebtedness.

Comment: \$2.0m of new borrowings are included in the 2020/21 budget and principal repayments of \$1.245m, meaning that the overall loan liability balance is forecast to increase by \$0.755m to \$6.39m at 30 June 2021.

Reserves & Cash -

Various fund movements such as surplus budget review results, unspent grants and carryover projects at year end are reflected as transfers to reserves, whilst utilisation of reserve funds are recognised as transfers from reserves.

Cash may be utilised to fund expenditure within the context of Treasury Management to ensure loans are not drawn down where temporary cash holdings are available.

Comment: Council's Reserves are detailed in the below table. Transfer to Reserves of \$1.804m and Transfers from Reserves of \$28.851m are forecast to occur in 2020/21, and after accounting for amounts quarantined for specific projects or works, there is \$3.864 available.

Reserves (\$000s)	Asset Sustainability Reserve						Water Reserve - Oaklands Wetland	Open Space Reserve	Grants & Carryover Reserve	TOTAL ALL RESERVES
	Major Infrastructure Failure	General	Other	Major New Projects	CFPP	TOTAL ASR				
Opening Balance	2,000	9,753	840	1,525	3,517	17,635	613	2,055	20,882	41,185
Savings from 2019/20 audited accounts	0	3,398	0	0	0	3,398	265	0	0	3,663
Budgeted transfers to reserve	0	0	240	0	20	260	40	38	1,466	1,804
Budgeted transfers from reserve	0	(6,331)	(140)	(1,430)	(2,660)	(10,561)	(30)	0	(18,260)	(28,851)
Current Budgeted Closing Balance	2,000	6,820	940	95	877	10,732	888	2,093	4,088	17,801
Quarantined Funds	(2,000)	(5,675)	(900)	(70)	(320)	(8,965)	(884)	0	(4,088)	(13,937)
Projected Available Balance	0	1,145	40	25	557	1,767	4	2,093	0	3,864

The 2020/21 budget forecasts a net cash surplus of \$0.049m.

*CFPP: Community Facilities Partnership Program

*Other includes Walking & Cycling and Energy Efficiency.

**Funding Statement
as at 28 February 2021**

Original Adopted Budget \$'000	Carryovers \$'000	Budget Review Adjustments \$'000		YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000		Annual Budget \$'000	Note
Operating Revenue									
80,044	-	88	Rates	53,477	53,446	31	F	80,132	
2,161	-	7	Statutory Charges	1,618	1,567	51	F	2,168	
2,278	-	278	User Charges	1,664	1,688	(24)	U	2,556	
7,824	(1,620)	1,807	Operating Grants & Subsidies	6,009	5,548	461	F	8,011	A
755	-	(251)	Investment Income	356	361	(5)	U	504	
1,164	-	99	Reimbursements	847	654	193	F	1,263	B
1,235	-	285	Other Revenues	270	545	(275)	U	1,520	C
365	-	-	Net gain - Equity Accounted Investments	-	-	-	-	365	
95,826	(1,620)	2,313		64,241	63,809	432	F	96,519	
Operating Expenses									
37,973	-	-	Employee Costs	23,601	23,928	327	F	37,973	D
20,848	3,136	3,791	Contractual Services	16,125	15,990	(135)	U	27,775	E
4,808	3	663	Materials	3,121	3,305	184	F	5,474	F
322	-	-	Finance Charges	159	159	-	-	322	
15,708	-	-	Depreciation	10,535	10,484	(51)	U	15,708	
9,478	14	(455)	Other Expenses	5,987	4,976	(1,011)	U	9,037	G
89,137	3,153	3,999		59,528	58,842	(686)	U	96,289	
6,689	(4,773)	(1,687)	Operating Surplus/(Deficit) before Capital Revenues	4,713	4,967	(254)	U	230	
Capital Revenue									
8,163	(2,307)	15	Capital Grants & Subsidies	1,759	787	972	F	5,871	
-	-	-	Contributed Assets	-	-	-	-	-	
-	-	-	Asset Disposal and Fair Value Adjustment	(1,578)	-	(1,578)	U	-	
8,163	(2,307)	15		181	787	(606)	U	5,871	
14,852	(7,080)	(1,671)	Net Surplus/(Deficit) resulting from operations	4,894	5,754	(860)	U	6,101	
15,708	-	-	add Depreciation	10,535	10,484	51		15,708	
-	-	-	add (Gain)/Loss on Asset Disposal	1,578	-	1,578		-	
(365)	-	-	less Share of Profit Equity Accounted Investments	-	-	-		(365)	
30,195	(7,080)	(1,671)	Funding available for Capital Investment	17,007	16,238	769	F	21,444	
Capital									
17,119	2,193	(7,939)	less Capital Expenditure - Renewal	4,554	5,773	1,219	F	11,373	H
27,993	5,533	4,296	less Capital Expenditure - New	5,358	5,697	339	F	37,822	I
-	-	-	less Capital - Contributed assets	-	-	-	-	-	
-	-	-	add Proceeds from Sale of Surplus Assets	-	-	-	-	-	
(14,917)	(14,806)	1,972	Net funding increase/(decrease)	7,095	4,768	2,327	F	(27,751)	

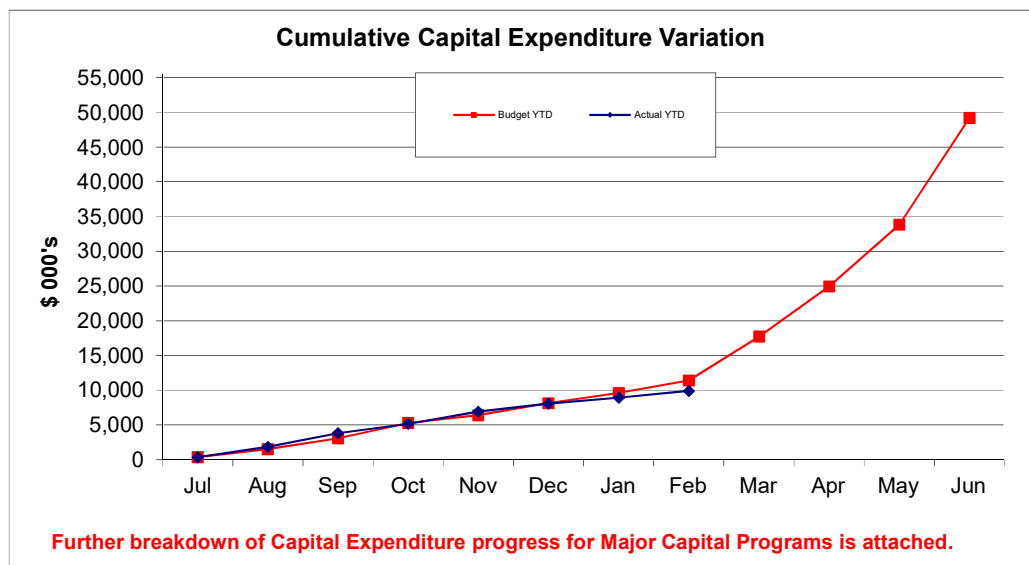
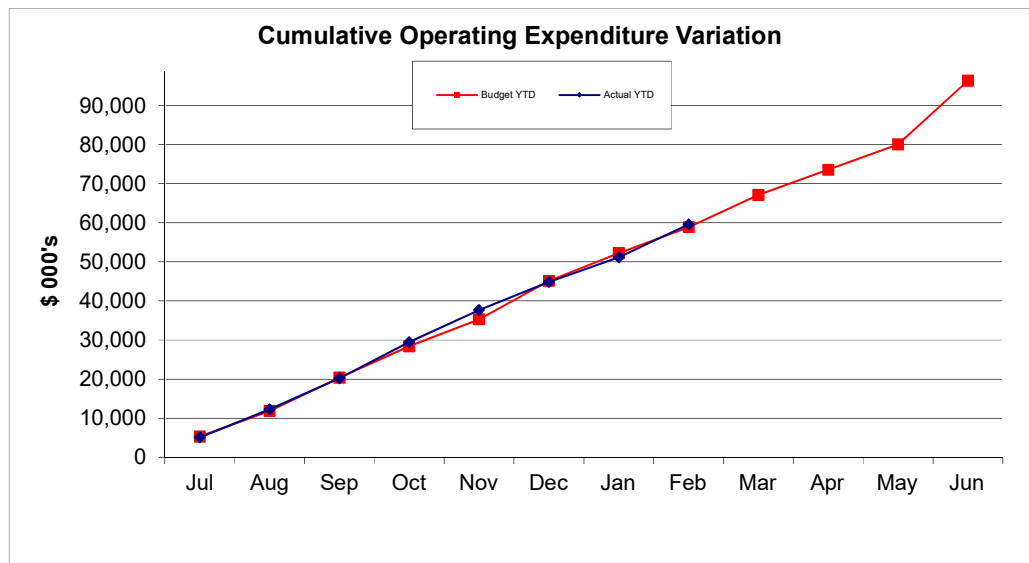
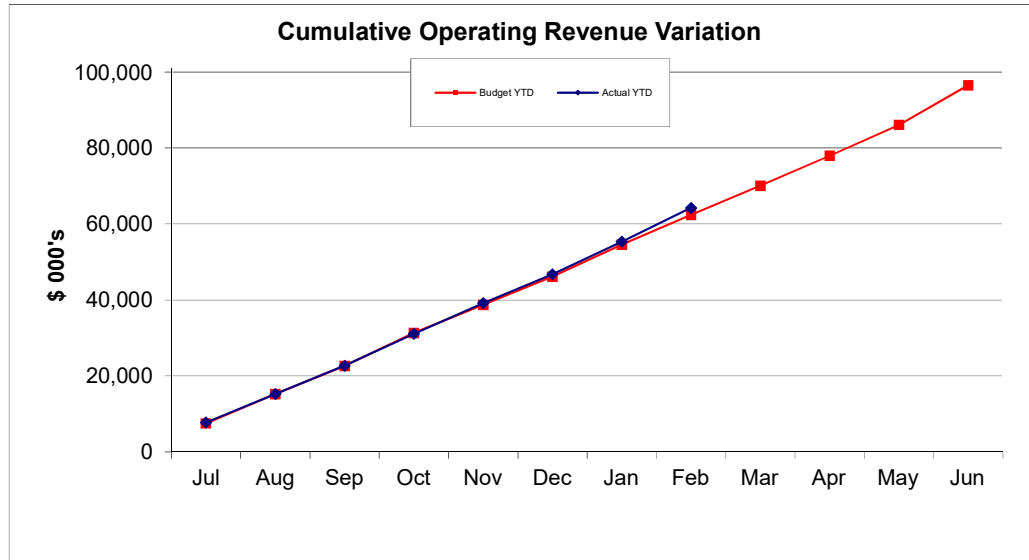
Original Adopted Budget	Carryovers	Budget Review Adjustments		YTD Actual	YTD Budget	YTD Variance	Annual Budget	Note
\$'000	\$'000	\$'000		\$'000	\$'000	\$'000	\$'000	
Funded by								
Loans								
2,000	-	-	Loan Principal Receipts (Net)	-	-	-	2,000	
-	-	-	Loan Receipts/(Payments) from Sporting Clubs (Net)	-	-	-	-	
(1,245)	-	-	Loan Principal Repayments	(613)	(613)	-	(1,245)	
755	-	-	Loan Funding (Net)	(613)	(613)	-	755	
Movement in level of cash, investments and accruals								
154	-	(105)	Cash Surplus/(Deficit) funding requirements	33,527	31,200	2,327	49	
(14,317)	(14,806)	2,078	Reserves Net - Transfer to/(Transfer from)	(27,045)	(27,045)	-	(27,045)	
(14,163)	(14,806)	1,973	Cash/Investments/Accruals Funding	6,482	4,155	2,327	(26,996)	
14,917	14,806	(1,972)	Funding Transactions	(7,095)	(4,768)	(2,327)	F 27,751	J

Variation Notes

A	Operating Grants & Subsidies	Favourable \$461k	Reflects unbudgeted grants received for Mitchell Park Integrated Artwork (\$100k), Edwardstown Greening Project (\$60k), budget-timing for Lonsdale Highway Tree Planting (\$67k) and a number of variances which are individually insignificant.
B	Reimbursements	Favourable \$193k	Reflects unbudgeted funding for the Risk Incentive Program (\$112k), budget-timing variances with regards to private infrastructure works (\$68k) and a number of variances which are individually insignificant.
C	Other Revenue	Unfavourable \$275k	Predominantly reflects budget-timing variances which are individually insignificant.
D	Employee Costs	Favourable \$327k	Predominantly reflects budget-timing variances in addition to savings from temporarily vacant positions.
E	Contractors	Unfavourable \$135k	Predominately reflects budget-timing with regards a number of variances which are individually insignificant.
F	Materials	Favourable \$184k	Predominately reflects budget-timing with regards to Water.
G	Other Expenses	Unfavourable \$1,011k	Predominately reflects a reclassification of Birch Crescent grant funding from capital to operating.
H	Capital Expenditure (Renewal)	Favourable \$1,219k	Reflects budget-timing variances with regards to Oakland's Precinct Streetscape Development (\$600k), Footpath Construction (\$451k) and a number of variances which are individually insignificant.
I	Capital Expenditure (New)	Favourable \$339k	Predominately reflects budget-timing variances with regards to Drainage construction (\$280k) and a number of variances which are individually insignificant.
J	Funding Transactions	Favourable \$2,327k	This variance is the sum total of all variances and reflects an increase against council's expected YTD cash position.

The above comments referring to budget timing variations are where some monthly budget estimates are not reflective of the actual expenditure patterns as at the reporting date.

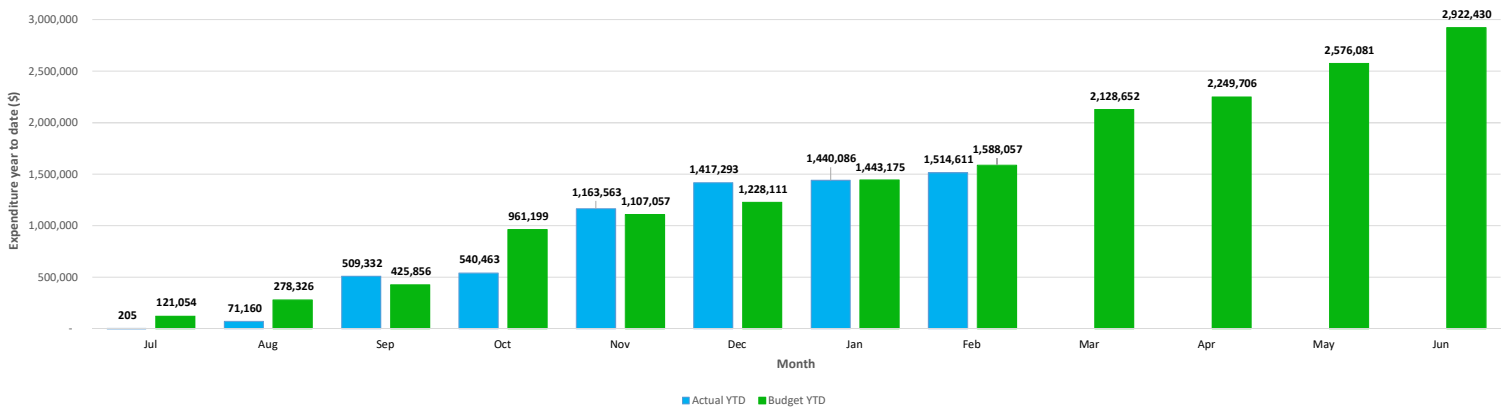
Funding Statement Cumulative Position - 2020/21



Road Reseal

Monthly Comment

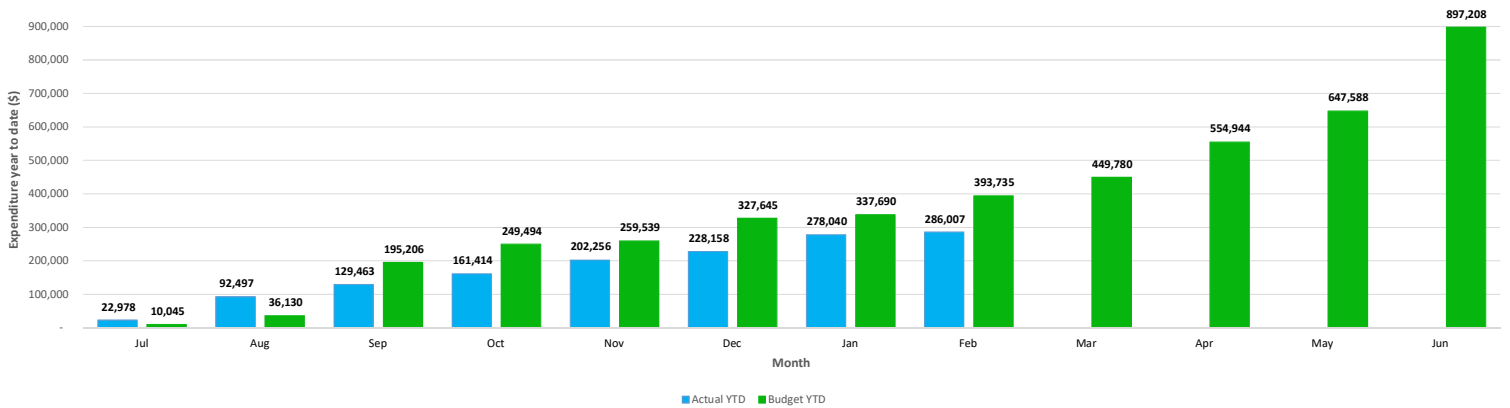
Road reseal program is 82% complete and on track to be completed in 20/21.



Kerb and Water Table

Monthly Comment

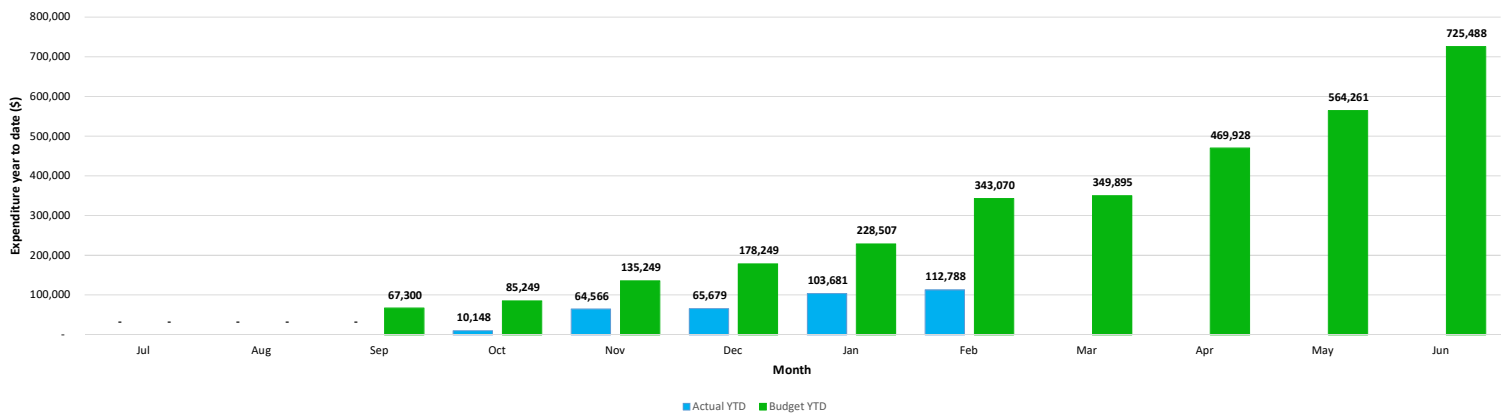
Program is 53% complete and on track to be completed by end of financial year. The Kerb Ramp program is progressing with a focus on high priority locations.



New Footpath Construction

Monthly Comment

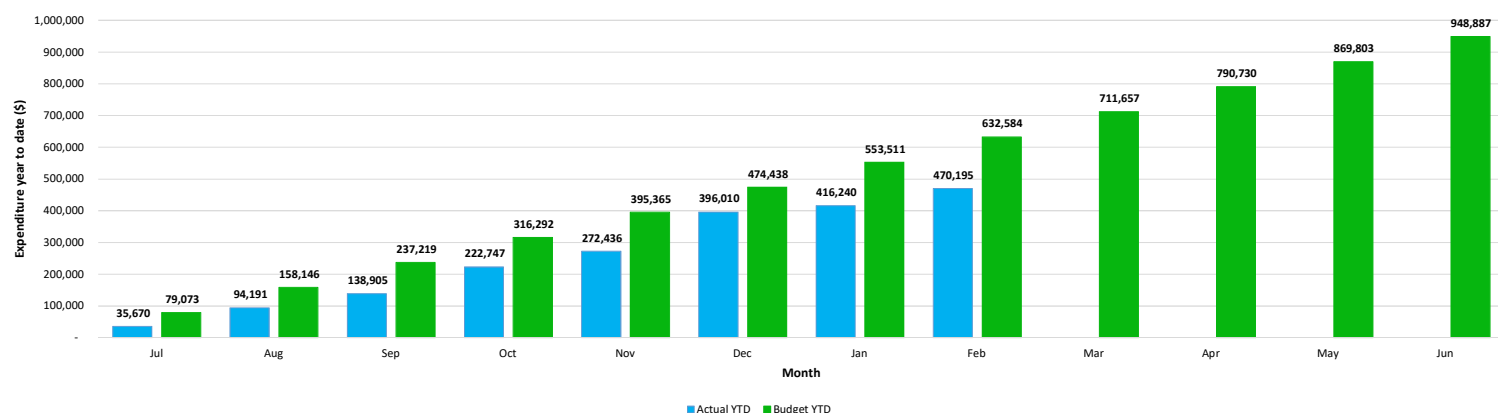
Program is in progress with 75% complete, and on track to be completed this financial year. A number of projects situated near schools are progressing during the school holiday periods.



Renewal Footpath Construction

Monthly Comment

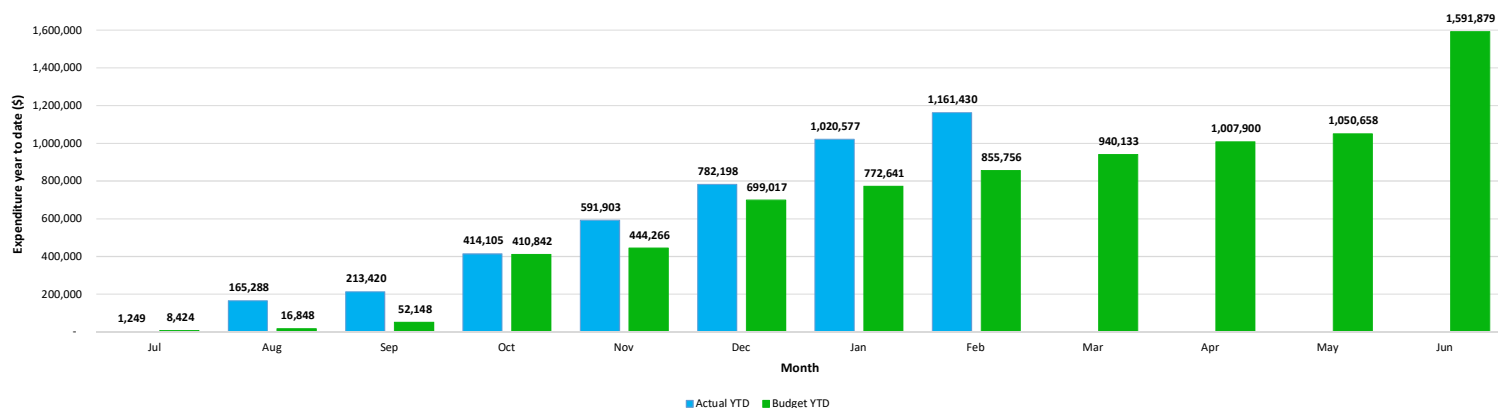
Program is 62% complete and on track.



Transport

Monthly Comment

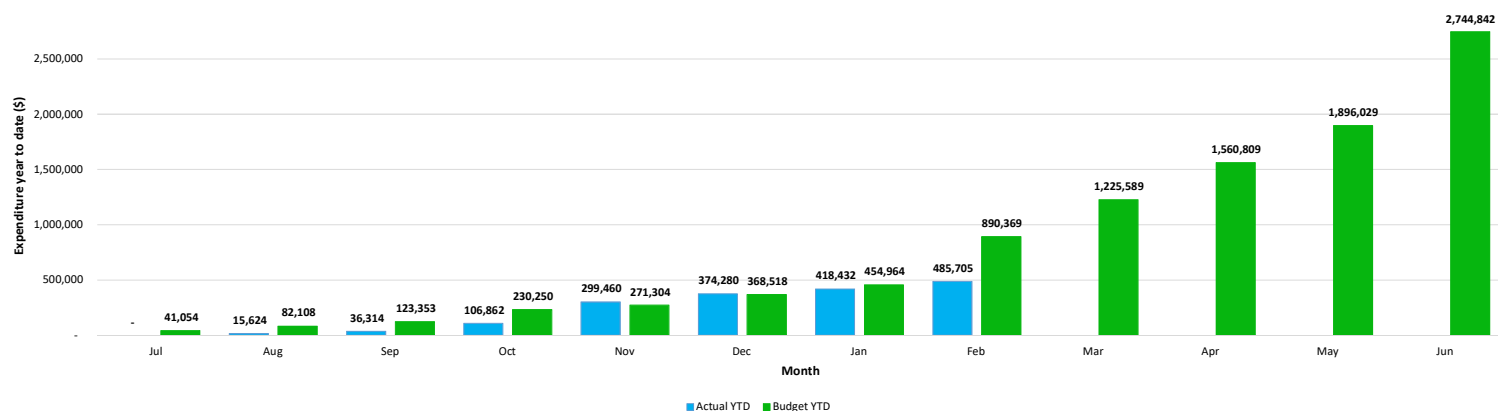
Program in progress and on track with the exception of Lander Road and Young Street, this projects is anticipated to be a carryover.



Drainage

Monthly Comment

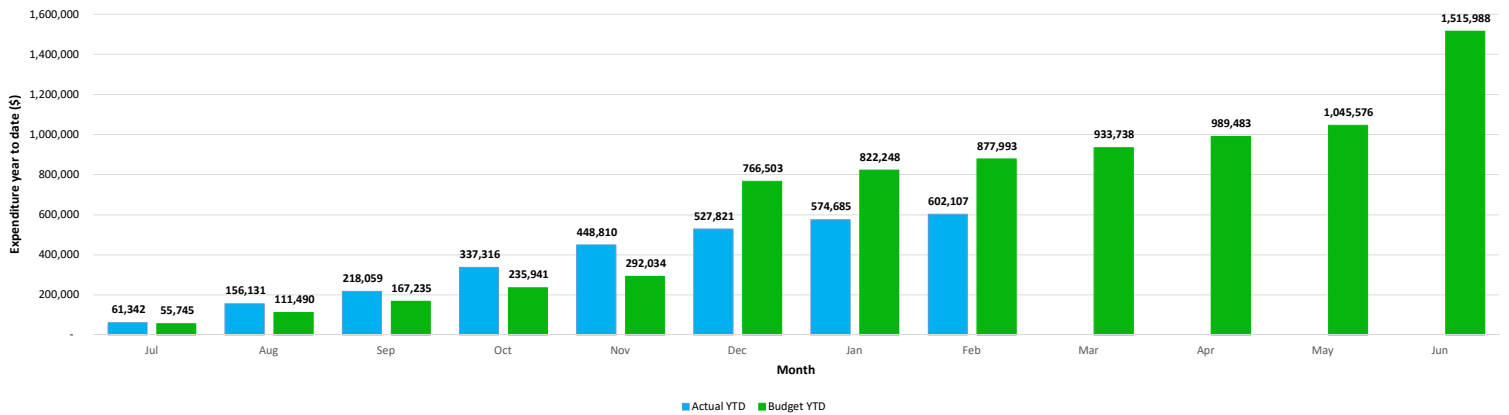
Program in progress and on track. Designs are complete for all drainage projects in the 20/21 program. Lucretia Way, Hallett Cove and Shaftesbury and Bandon Terrace Reserve, Marino have progressed to construction phase, a carryover is anticipated for Lucretia Way.



Street Trees

Monthly Comment

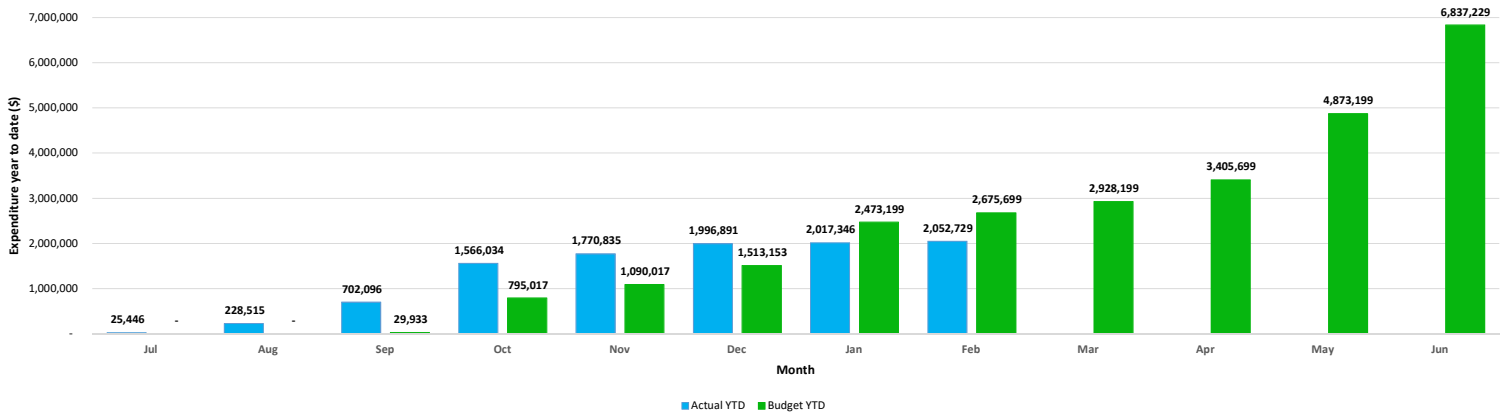
The Tree Planting program has been completed for this season with the focus now being on tree watering over the summer months. Scoping for next season has started, planting is anticipated to recommence in April.



Streetscapes

Monthly Comment

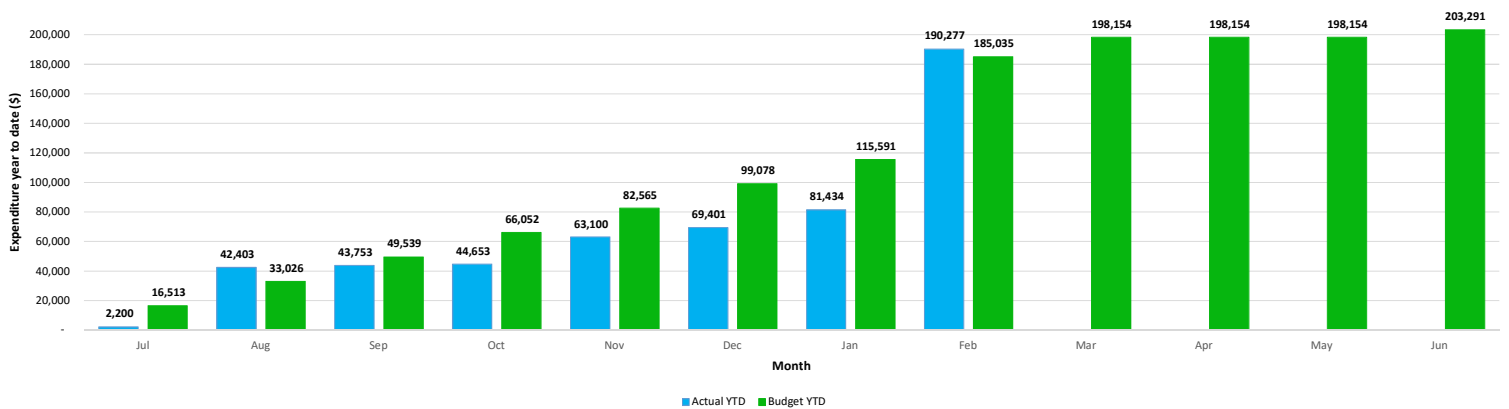
Program in progress with Sturt Road (Stage 1 - South Road to Marion Road), Diagonal Way and Quick Rd (carryover c/o) streetscapes complete. Works on Sturt Road (Marion Road to Diagonal Road) have commenced, a minor carryover is anticipated for this project. Works on Birch Crescent (c/o) are scheduled to commence in March 2021.



Irrigation

Monthly Comment

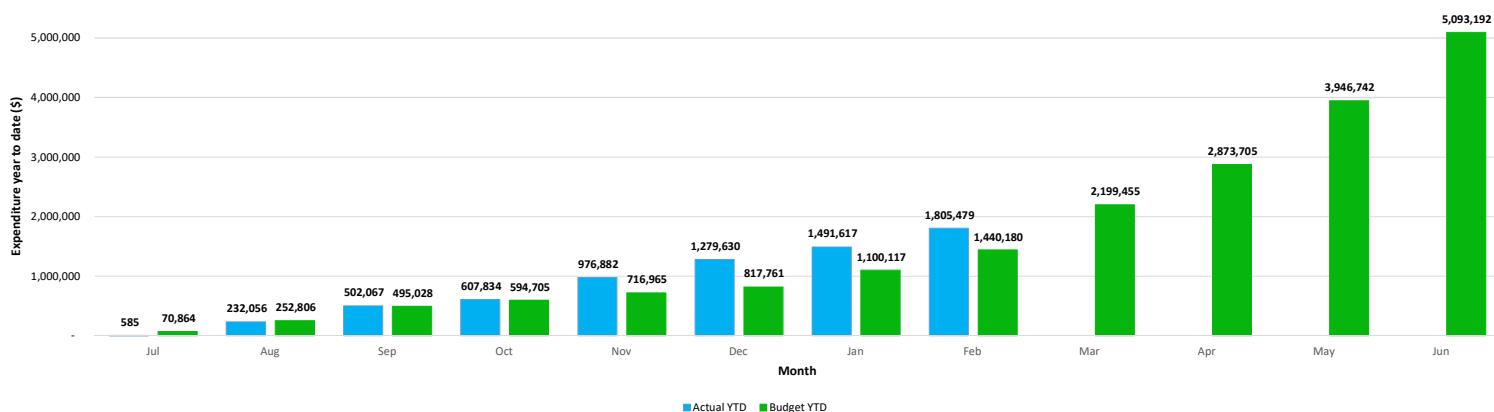
Irrigation program is complete.



Open Space Developments

Monthly Comment

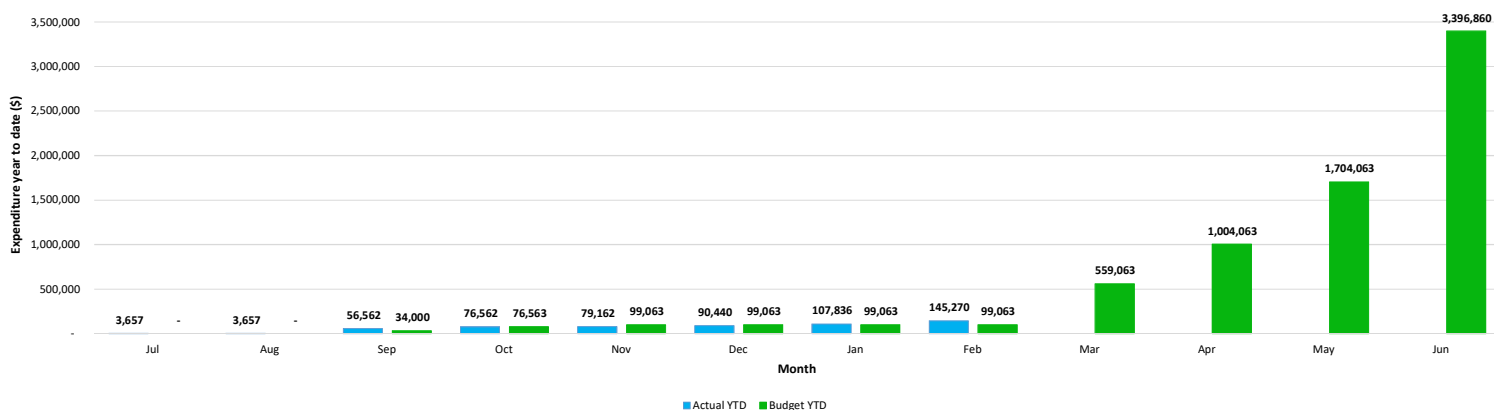
Program in progress with Heron Way Reserve Stage 6, Christopher Grove Reserve Playground, Alpine Road Reserve Playground, Brooklyn Drive Reserve Playgorund and Hamilton Park Reserve Community Court complete. Remaining projects are on track for completion by end of financial year with the exception of Capella Drive Reserve Skate Park which is being impacted by volume of work in the market.



Sports Facilities and Courts

Monthly Comment

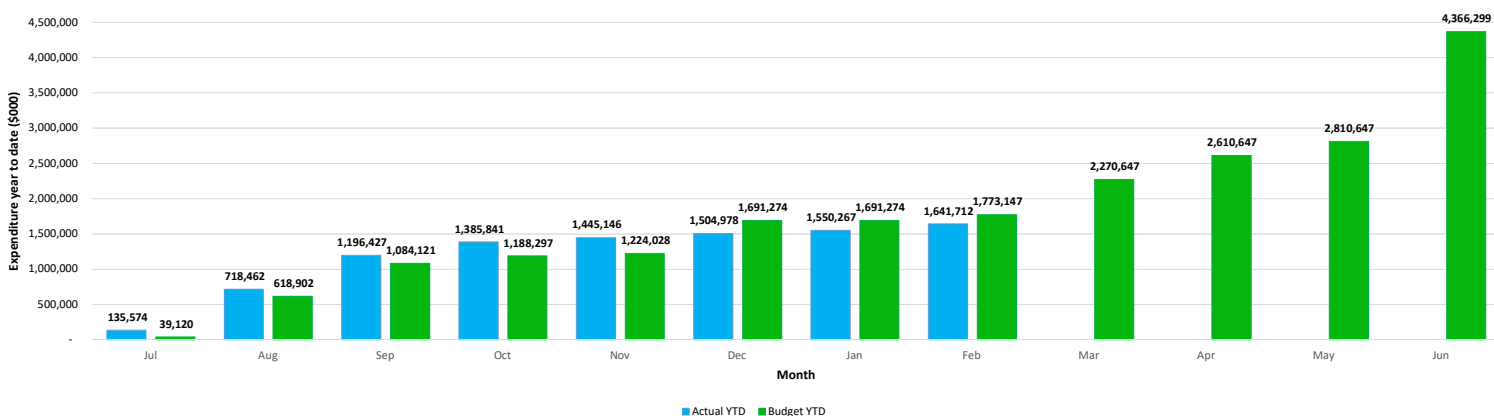
Program in progress with Edwardstown Bowls shade sails (c/o) and Sports Light Tracker (c/o), Glandore Oval Storage Shed and Marion Bowls Carpet replacement complete. A number of key projects including the Marion Golf Club, Tarnham Road Reserve and Glandore Crickets Nets are subject to further council reports and grant applications. The tender documentation for the LED lighting are being finalised for install and connection only, council will purchase the structures to assist in delivery of this project by end of financial year. The remainder of this program is on track.



Building Upgrades

Monthly Comment

Program in progress with 80% of planned projects complete. Contracts for Marion RSL carpark and Admin Air Conditioner have been awarded with works to commence in March 2021, completion is anticipated by end of financial year. Re-scoping of the CCTV project has caused delays although it is anticipated this project will go to tender in March 2021, there is a risk of carryover with this project.



Major Projects

Mitchell Park Sports and Community Club Redevelopment

	2020/21 Actual YTD 28/02/2021	2020/21 Budget	Project Cost At Completion
Income			
Commonwealth Government Grant Contribution	1,000,000	4,605,000	5,000,000
Total Income	1,000,000	4,605,000	5,000,000
Expenditure			
Operating	-	-	-
Capital Construction	(616,576)	(6,605,000)	(16,250,000)
Total Expenditure	(616,576)	(6,605,000)	(16,250,000)
Project Result Surplus/(Deficit)	383,424	(2,000,000)	(11,250,000)

The net deficit forecast will be funded in the following manner:

Funded By :	\$
(Over Project Life)	
Proposed Borrowings	10,920,000
Open Space Capital budget	250,000
Reserve Transfer	
- Asset Sustainability Reserve – Energy Efficiency	80,000
	11,250,000

Sam Willoughby International BMX Facility

	2020/21 Actual YTD 28/02/2021	2020/21 Budget	Project Cost At Completion
Income			
City of Onkaparinga Contribution	-	750,000	750,000
State Government Grant Contribution	-	-	3,550,000
Total Income	-	750,000	4,300,000
Expenditure			
Operating	-	-	-
Capital Construction	(410,687)	(5,800,000)	(6,050,000)
Total Expenditure	(410,687)	(5,800,000)	(6,050,000)
Project Result Surplus/(Deficit)	(410,687)	(5,050,000)	(1,750,000)

The net deficit forecast will be funded in the following manner:

Funded By :	\$
(Over Project Life)	
Reserve Transfer	
- Asset Sustainability Reserve	1,750,000
	1,750,000

Council have received the State Governments \$3.3m contribution to this project.

Southern Regional Football Facility

	2020/21 Actual YTD 28/02/2021	2020/21 Budget	Project Cost At Completion
Income			
State Government Grant Contribution	-	-	2,500,000
Total Income	-	-	2,500,000
Expenditure			
Operating	-	-	-
Capital Construction	205,144	(6,121,741)	(7,000,000)
Total Expenditure	205,144	(6,121,741)	(7,000,000)
Project Result Surplus/(Deficit)	205,144	(6,121,741)	(4,500,000)

The net deficit forecast will be funded in the following manner:

Funded By :	\$
(Over Project Life)	
Reserve Transfer	
- Asset Sustainability Reserve	4,500,000
	4,500,000

Council have received the State Governments contribution to this project.

Sundry Debtors Report - Ageing report as at 28 February 2021

Debtor	Total Balance	Current	30 Days	60 Days	90 Days	90+ Days	Percentage of total 90+ day balance	Comments for 90+ Day balances
General Total		37,792.50	33,788.80	4,003.70	.00	.00	.00	0%
Neighbourhood Centres Total		2,469.80	.00	.00	520.00	.00	1,949.80	2% Made up of 2 out of 7 debtors. The debt collection process is being worked through for one account totalling \$1,855.00, one other account totalling \$94.80 has subsequently been settled in March.
Regulatory Services Land Clearing Total		3,381.28	490.34	.00	.00	.00	2,890.94	3% Made up of 4 debtors, with one account totalling \$1,725.35.
City Property Facilities Total		72,558.07	29,894.35	2,194.01	12,493.22	13,483.96	14,492.53	17% Made up of 3 out of 31 debtors. One account totalling \$9,000.00 is on a payment plan, payments of \$1500.00 have subsequently been received in March.
Civil Services Private Works Total		50,328.75	12,020.00	890.00	4,003.75	3,090.00	30,325.00	35% Made up of 11 out of 24 debtors in this category with three accounts totalling \$17,400.00 relating to works not commenced, awaiting payment, one of the remaining accounts totals \$3,190.00. Four accounts totalling \$7,005.00 are on payment plans, payments of \$690.00 have subsequently been received in March.
Swim Centre Debtors Total		67,507.83	17,963.35	2,956.00	46,460.48	128.00	.00	0%
Grants & Subsidies Total		2,172,964.93	1,614,426.19	26,638.74	.00	531,900.00	.00	0%
Environmental Health Inspections Total		59,772.11	10,614.70	39,346.80	151.00	.00	9,659.61	11% Made up of 52 out of 161 debtors, with none individually significant. Two accounts totalling \$151.00 have subsequently been settled in March.
Regulatory Services Other Total		37,385.65	3,641.00	.00	6,777.65	.00	26,967.00	31% Made up of 109 out of 144 debtors in this category. The debt collection process is being worked through for five accounts totalling \$4,006.50.
Supplier Refund Totals		43,332.70	6,643.52	.00	36,689.18	.00	.00	0%
Marion Cultural Centre Total		6,473.00	5,667.00	806.00	.00	.00	.00	0%
Living Kurna Cultural Centre Total		4,511.60	4,511.60	.00	.00	.00	.00	0%
Local Government Total		124,981.14	123,512.89	.00	1,468.25	.00	.00	0%
Economic Development Total		845.16	845.16	.00	.00	.00	.00	0%
Total		2,684,304.52	1,864,018.90	76,835.25	108,563.53	548,601.96	86,284.88	
Total Aging Profile			69%	3%	4%	20%	3%	

Category	Description
Employees	Anything that relates to CoM employees.
General	Anything that does not fit into one of the below categories.
Neighbourhood Centres	For hire of rooms in Neighbourhood Centres, etc. - usually charged out at an hourly rate. Also includes cultural workshops and tours.
Regulatory Services Land Clearing	When council has had to clear land due to non-compliance of owner.
Sporting Clubs & Other Leases	Rent, electricity, water, maintenance, etc. charged out to lessees.
Civil Services Private Works	Repairs or modifications to infrastructure (footpaths, kerbs, driveway inverts). Can be at resident request.
Swim Centre Debtors	Outdoor Swimming Centre - used for lane hire, school visits, etc.
Grants & Subsidies	Government grants and subsidies.
Environmental Health Inspections	Food Inspection fees.
Regulatory Services Other	Vehicle Impoundment fees and other regulatory services.
Supplier Refunds	Where a supplier owes the City of Marion funds. This category is used to keep track to ensure we have received payment for credits.
Development Services	Includes contribution from residents and/or developers for the removal and/or replacement of Council Street Trees and significant trees.
Living Kurna Cultural Centre	Relates to programs run through the LKCC.
Environmental Health Testing	Environmental testing fees.
Local Government	Transactions with other Local Government corporations.
Communications	Anything related to communications.
Economic Development	Events, etc. relating to economic development within the City of Marion.
Marion Cultural Centre	Hiring of the Marion Cultural Centre.

*any category that does not have any outstanding invoices will not be displayed.

Rates Report - Collection of Rates to 28 February 2021

ANALYSIS OF OUTSTANDING RATES AS AT 28 FEBRUARY 2021

	<u>Note</u>		% of Total Annual Rates
CURRENT	1	\$ 24,650,211	30.8%
OVERDUE	2	\$ 964,832	1.2%
ARREARS	3	\$ 1,252,464	1.6%
INTEREST	4	\$ 45,109	0.1%
POSTPONED	5	\$ 201,463	0.3%
LEGALS	6	\$ 25,057	0.0%
		\$ 27,139,136	33.9%
TOTAL ANNUAL RATES FOR 2020/21		\$ 80,044,096	

Note 1: Current

Current rates represent the total amount of rates levied in the current financial year that are not yet due for payment. For example at 1st January this represents Quarter 3 & Quarter 4 rates unpaid.

Note 2: Overdue

Overdue rates represent rates levied in the current financial year that remain unpaid past their due payment date. For example on 1st January, this represents rates from Quarter 1 and Quarter 2 that remain unpaid.

Note 3: Arrears

Rates in arrears represent rates and charges levied in previous financial years that remain unpaid .

Note 4: Interest

Interest represent the fines and interest applied to overdue rates and rates in arrears.

Note 5: Postponed

Postponed rates represent any rates amount due by seniors that have been granted a deferral, until the eventual sale of their property, as allowable under the Local Government Act. Interest is charged on these deferred rates and is recoverable when the property is sold.

Note 6: Legals

Legals represent any legal fees, court costs that have been incurred by Council in the collection of rates in the current financial year. These amounts represent costs that have been on-charged to the defaulting ratepayers and are currently outstanding.

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE

ALGA 2021 Notice of Motion - Minimum Requirements for Home Carports and Garages

Elected Member Councillor Bruce Hull

Report Reference: GC210323M01

Motion:

That the City of Marion puts to the ALGA National Congress a Notice of Motion that urges the ALGA to lobby for a change to the Australian Standards to make the minimum width of a home car port or garage increased from 3 meters to 4 meters, so as to ensure that a reasonable size family car can have both the driver's and passenger's side doors open whilst garaged.

Supporting Information:

Nil

Response Received From: Manager Development & Regulatory Services - Warwick Deller-Coombs

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

General Manager General Manager City Development - Ilia Houridis

Staff Comments:

Australian Standard for Design of Enclosed Garages

- Australian Standard AS2890.1.2004 is the relevant governing document guiding the minimum dimensions for an enclosed car parking space.
- The standard permits a minimum width of 3 metres (at any point).
- The vehicular width for Australian Road Guidelines is 1.9 metres for a standard passenger vehicle.
- Standards Australia is the relevant non-government, not-for-profit organisation for controlling Australian Standards.
- Austroads, the National body, in conjunction with the SA Department of Transport and Infrastructure are responsible in regards to updating standard vehicle widths.
- Given the current Australian Standard appears to have been created in 2004, it would appear a review could be useful in identifying any updates to modern car widths or any concerns raised by current standards.

State Government Car Parking Summit - 2018

- In 2018, the then Department of Planning, Transport and Infrastructure ran a Car Parking Summit.
- The results of the summit were published in the "Integrated Movement Systems Policy Discussion Paper".

[https://plan.sa.gov.au/data/assets/pdf_file/0010/483886/Integrated Movement Systems Policy Discussion Paper.pdf](https://plan.sa.gov.au/data/assets/pdf_file/0010/483886/Integrated_Movement_Systems_Policy_Discussion_Paper.pdf)

- The outcomes of the discussion paper are included in the Draft Planning and Design Code and did not seek to amend home car port or garage sizes.

Planning and Design Code

- While the latest public draft of the P&D Code does not specifically reference the Australian Standards, it does reflect its requirements for enclosed parking spaces:

Design in Urban Areas DTS / DPF 23.1

Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):

(a) single width car parking spaces:

- (i) a minimum length of 5.4m per space*
- (ii) a minimum width of 3.0m*
- (iii) a minimum garage door width of 2.4m*

(b) double width car parking spaces (side by side):

- (i) a minimum length of 5.4m*
- (ii) a minimum width of 5.4m*
- (iii) minimum garage door width of 2.4m per space.*

Australian Local Government (ALGA) Notices of Motions - Process Comments

The following alternate wording is recommended:

That Council:

- 1. Submits the following motion for consideration at the ALGA 2021 National General Assembly of Local Government to be held on 20-23 June 2021:**

That the National General Assembly Lobby for a change to the Australian Standards to make the minimum width of a home car port or garage increased from 3 meters to 4 meters, so as to ensure that a reasonable size family car can have both the driver's and passenger's side doors open whilst garaged.

- 2. On submitting the Notices of Motions to the Australian Local Government Association, the Chief Executive Officer be authorised to amend the wording (without changing the meaning or purpose of the motion) if required.**

The 2021 ALGA National General Assembly is a major event on the annual local government calendar. This year, it will be held at the National Convention Centre in Canberra between 20 - 23 June 2021.

The NGA provides an opportunity for Council to participate and contribute to the future of local government at a national level by developing and submitting Notices of Motions and attending the conference.

The NGA typically attracts more than 870 Mayors, Councillors and senior officers from councils across Australia. This event provides an opportunity for Council to contribute to the development of local government, receive updates and influence top policy issues facing local government at a national level by way of submitting one or several 'Notice/s of Motions'.



The theme for this year's event is 'Working Together for our Communities'. This NGA will focus on working together for our communities and how local governments can achieve success through partnerships. It will consider how strategic partnerships can assist councils to address the challenges and opportunities we are facing today and tomorrow.

Proposed Motion/s

For a Motion to be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must align to the discussion paper (Attachment 1) and meet the following criteria:

- Be relevant to the work of Local Government Nationally
- Not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference
- Be consistent with the themes of the NGA
- Complement or build on the policy objectives of your state and territory local government association
- Be submitted by a council which is a financial member of their state or territory local government association
- Propose a clear action and outcome i.e. call on the Australian Government to do something
- Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Elected Members were asked to forward any proposed 'Notices of Motions' to Administration for consideration and to be put forward as Notice of Motion to the ALGA.

Following endorsement of any 'Notices of Motions' by Council, Administration will provide these on the required form to the ALGA by 11.59pm on Friday 26 March 2021. An assessment will be made by ALGA and state/territory governments prior to inclusion in the NGA Papers.

At the General Council Meeting on 9 March 2021 (GC210309R06) Council resolved to nominate Councillor Shilling as the City of Marion voting delegate and to attend the Australian Local Government National General Assembly 2021.

Warracowie Way and Plaza - Submission re Historical Aspects

Elected Member Councillor Raelene Telfer

Report Reference: GC210323M02

Motion:

That the heritage art installations of the three wells in the pavement on the forecourt of the Marion Cultural Centre remain near the site of the original Warracowie homestead, now the site of the Marion Cultural Centre.

Supporting Information:

The history of the Hamilton family living at the Warracowie homestead in Warradale is worth preserving via the current three wells and plaque art installations laid out in the pavement in front of the Marion Cultural Centre, at Warracowie Way, Warradale.

Attachment 1 contains supporting information and images.

Response Received From: City Activation Senior Advisor Brett Grimm

Corporate Manager Manager City Activation - Greg Salmon

General Manager General Manager City Development - Ilia Houridis

Staff Comments:

The Warracowie Wells art work was installed 2002. The artist used salvaged materials from the old homestead to acknowledge the Kurna and European histories of the site, in particular the two wells associated to the Homestead.

In 2019, the smaller circular pavement surrounding the tree was removed due to tree lifting activity and trip hazards. The pavements have been salvaged for reinstatement on site, with the location to be determined.

The Marion Cultural Centre Plaza concept plans propose to integrate the artworks and plaques with reinstatement within the plaza scope. Specific details on location within the plaza to be developed in the design development phase.

ATTACHMENTS:

#	Attachment	Type
1	Attachment 1 - Supporting Information Information and Images	PDF File

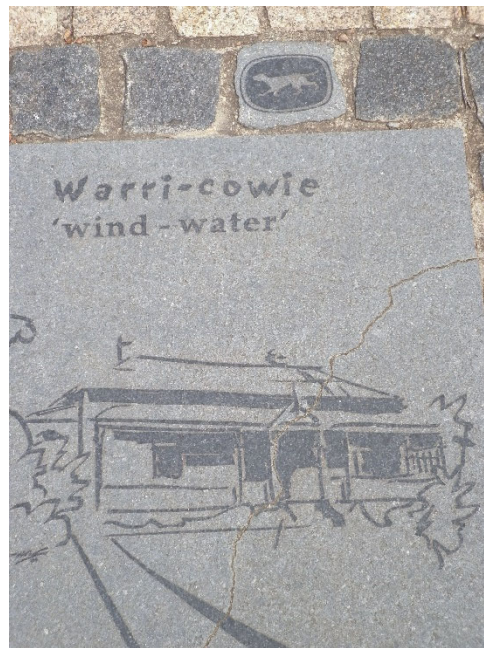


Figure 1

Plaque in forecourt in front of the site original Warracowie homestead



Figure 2

Warracowie well 1 icon made from homestead bricks and stones. The dog included in one of these sculptures of wells was a representation of George Henry Hamilton's seal (for wax on letters). Stone around the plaque represent grape vines.



Figure 3

Warracowie well icon 3 was planted with dedication tree by Mayor Colin Hayes, Kokabunji Mayor and an aboriginal representative. There is a plaque in 3 languages.



Figure 4

Warracowie homestead



Figure 5

Warracowie House with almond orchards



Figure 6

Warracowie house with formal garden



Figure 7

Hamilton family males who were in service



Figure 8

George Hamilton successfully petitioned to name the suburb of Warradale – 'Warra' form Kurna language and 'dale' from English. Milham St is a mixture of the name Hamilton.

QUESTIONS WITH NOTICE

Waste from City of Marion skips and bins

Elected Member Councillor Bruce Hull

Report Reference: GC210323Q01

Question:

What tonnage of putrescible and recyclables are being incinerated from Marion Council skips and bins that are under the care and control of the City of Marion, be it in house or contracted?

Supporting Information:

Nil.

Response Received From:

Senior Procurement Specialist - Colin Heath

Staff Comments:

The City of Marion currently has a bulk bin service provided by Cleanaway. Bin sizes range from 660 litres to 3000 litres (compared to the standard 140/240 litre kerbside recycling bin sizes) and collect various waste streams (general waste, co-mingled recycling, and cardboard recycling).

The City of Marion currently has 10 co-mingled recycling bulk bins collecting recycling product from the Tonsley residential precinct (6 bins) and Council operated buildings (4 bins).

Cleanaway have advised:

1. the City of Marion's bulk bin comingled recycling is disposed as "dry waste" at SUEZ Resource-Co. The dry waste process is summarised below:
 - SUEZ-Resource-Co sorts materials for higher use (eg. Metals, cardboard etc) and the remaining is converted into Processed Engineered Fuel (PEF)
 - Processed Engineered Fuel (PEF) is used as an alternate to fossil fuels at Adelaide Brighton Cement (ABC) and burnt
2. SUEZ-ResourceCo's capability to receive the material is quite unstable based on the operational requirements of ABC and from time to time, SUEZ-ResourceCo are unable to receive the material. This can change daily and where Cleanaway is unable to dispose of the material at SUEZ-ResourceCo, the material is disposed at the Cleanaway Wingfield Transfer Station for processing, with residual material going to landfill. Unfortunately at this time Cleanaway is unable to dispose of Bulk Comingled Recycling at a dedicated MRF (ie. Visy) as they only process loads which are only from residential sources.

We estimate 20-23 tonnes of co-mingled recycling material is collected annually through these bins (based on estimated weights per collection), and processed as either PEF or sent to landfill in accordance with Cleanaway's advice above.

Cardboard Recycling is treated as a separate stream and disposed at OPAL (Previously Orora) for recycling.

General Waste is disposed at a landfill site.



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.