

His Worship the Mayor
Councillors
City of Marion

Notice of General Council Meeting

Council Chamber, Council Administration Centre
245 Sturt Road, Sturt

Tuesday, 24 August 2021 at 6.30 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.



Tony Harrison
Chief Executive Officer

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1 Open Meeting**2 Kaurna Acknowledgement**

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

3 Disclosure

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

4 Elected Member Declaration of Interest (if any)**5 Confirmation of Minutes****5.1 Confirmation of Minutes of the General Council Meeting held on 10 August 2021**

Report Reference	GC210824R5.1
Originating Officer	Governance Officer – Angela Porter
Corporate Manager	Manager Office of the Chief Executive – Kate McKenzie
General Manager	Chief Executive Officer – Tony Harrison

RECOMMENDATION

That the minutes of the General Council Meeting held on 10 August 2021 be taken as read and confirmed.

ATTACHMENTS

1. GC210810 - Final Minutes [5.1.1 - 14 pages]



**Minutes of the General Council Meeting
held on Tuesday, 10 August 2021 at 6.30 pm
Council Chamber, Council Administration Centre
245 Sturt Road, Sturt**



**PRESENT**

His Worship the Mayor Kris Hanna

Councillor Ian Crossland

Councillor Maggie Duncan

Councillor Raelene Telfer

Councillor Bruce Hull

Councillor Kendra Clancy

Councillor Sasha Mason (electronic from 7.04pm)

Councillor Tim Gard

Councillor Matthew Shilling

Councillor Luke Hutchinson (electronic from 7.04pm)

Councillor Nathan Prior

Councillor Jason Veliskou (electronic from 7.04pm)

Councillor Joseph Masika

In Attendance

Chief Executive Officer - Tony Harrison

General Manager City Services - Tony Lines (electronic from 7.04pm)

General Manager Corporate Services - Sorana Dinmore

General Manager City Development - Ilia Houridis

Manager Office of the CEO - Kate McKenzie

Unit Manager Governance and Council Support - Victoria Moritz

Governance Officer - Angela Porter

1 Open Meeting

The Mayor opened the meeting at 6.30pm.

2 Kaurna Acknowledgement

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

3 Disclosure

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

The meeting experienced technical difficulties and although Councillors Hutchinson, Veliskou and Mason had joined the meeting from 6.30pm they were unable to participate and were therefore not recorded as in attendance until 7.04pm when the issues were resolved.

4 Elected Member Declaration of Interest (if any)

The Chair asked if any member wished to disclose an interest in relation to any item being considered at the meeting. Nil interests were disclosed.



5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 27 July 2021

Report Reference GC210810R5.1

Moved Councillor Matthew Shilling

Seconded Councillor Joseph Masika

That the minutes of the General Council Meeting held on 27 July 2021 be taken as read and confirmed.

Carried Unanimously

6 Communications - Nil

7 Adjourned Items - Nil

8 Deputations - Nil

9 Petitions - Nil

10 Committee Recommendations

Procedural Motion

Moved Councillor Matthew Shilling

Seconded Councillor Tim Gard

That the following reports be moved en bloc:

- Confirmation of the minutes for the Review and Selection Committee held on 3 August 2021 (GC210810R10.1)
- State Bicycle Fund – Grant Funding Deed (GC210810R11.1)

Carried Unanimously

10.1 Confirmation of the minutes for the Review and Selection Committee held on 3 August 2021

Report Reference GC210810R10.1

Moved Councillor Matthew Shilling

Seconded Councillor Tim Gard

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 3 August 2021.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

Carried Unanimously



11 Corporate Reports for Decision

11.1 State Bicycle Fund - Grant Funding Deed

Report Reference GC210810R11.1

Moved Councillor Matthew Shilling

Seconded Councillor Tim Gard

That Council:

1. Notes the Minister for Infrastructure has allocated \$235,000 ex GST from the State Bicycle Fund towards:
 - Diagonal Road Streetscape (Crew Street to Trott Grove) proposed pedestrian actuated crossing at the corner of Diagonal Road, Trott Grove and Warracowie Way.
 - Safe walking and cycling connection across Marion Road for the Sturt River Linear Path to Parkmore Street, Sturt.
 - Construct final stage for the Waterfall Creek shared path connection with the Linear Park Reserve, Hallett Cove, between the Linear Park Reserve playground and Aroona Road.
2. Pursuant to Section 38 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 Grant Deed for State Bicycle Fund.

Carried Unanimously

11.2 By-law Review

Report Reference GC210810R11.2

Moved Councillor Tim Gard

Seconded Councillor Maggie Duncan

That Council:

1. In exercise of the powers contained in section 246 of the *Local Government Act 1999*, having satisfied the consultation requirements of the Act and having had regard to the outcome of the consultation process, the National Competition Policy Report, the Certificates of Validity provided by the Council's legal practitioner and the comments from the Dog and Cat Management Board in relation to By-Law numbers 4 and 6, the majority of Council, in the presence of at least two thirds of its members, hereby makes and passes the following By-laws as attached and marked 'Attachment 1':
 - Permits and Penalties By-law No. 1 of 2021;
 - Moveable Signs By-law No. 2 of 2021;
 - Local Government Land By-law No. 3 of 2021;
 - Dogs By-law No. 4 of 2021;

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- Roads By-law No. 5 of 2021;
 - Cats By-law No. 6 of 2021; and
 - Animal Management By-law No. 7 of 2021.
2. That the Chief Executive Officer be authorised to undertake all steps necessary to finalise the by-law review process and to give effect to the newly adopted by-laws.

Carried Unanimously

9 Members were present and voted in favour of the motion

The resolution was supported by an absolute majority

Procedural Motion

Moved Councillor Maggie Duncan

Seconded Councillor Tim Gard

That the following items be moved en bloc:

- Policy Review – Order Making Policy (GC210810R11.3)
- Policy Review – Enforcement Policy (GC210810R11.4)
- Policy Review – Privately Funded Development Plan Amendments Policy (GC210810R11.5)
- Policy Review – Development Delegations (GC210810R11.6)
- Policy Review – Development & Regulatory Policies for Rescission (GC210810R11.7)
- Local Government Reform Round 1 Regulations – Submission (GC210810R11.8)

Carried Unanimously

11.3 Policy Review - Order Making Policy

Report Reference GC210810R11.3

Moved Councillor Maggie Duncan

Seconded Councillor Tim Gard

That Council:

1. Endorse the Order Making Policy as attached to this report, subject to any amendments made by Council at the Council Meeting on 10 August 2021.

Carried Unanimously

**11.4 Policy Review - Enforcement Policy****Report Reference** GC210810R11.4**Moved Councillor Maggie Duncan****Seconded Tim Gard**

That Council:

1. Endorse the Enforcement Policy as attached to this report subject to any amendments made by Council at the Council Meeting on 10 August 2021.

Carried Unanimously**11.5 Policy Review - Privately Funded Development Plan Amendments Policy****Report Reference** GC210810R11.5**Moved Councillor Maggie Duncan****Seconded Councillor Tim Gard**

That Council:

1. Adopt the Privately Funded Code Amendments Policy as attached to this report.

Carried Unanimously**11.6 Policy Review - Development Delegations****Report Reference** GC210810R11.6**Moved Councillor Maggie Duncan****Seconded Councillor Tim Gard**

That Council:

1. Adopt the Development Delegations Policy as attached to this report.

Carried Unanimously**11.7 Policy Review - Development & Regulatory Policies for Rescission****Report Reference** GC210810R11.7**Moved Councillor Maggie Duncan****Seconded Councillor Tim Gard**

That Council:

1. Rescind the Building and Swimming Pool Inspection Policy, noting that it is no longer valid due to the implementation of the Planning, Development and Infrastructure Act 2016.
2. Rescind the Temporary Signs and Banners Application, noting that it is not a formal policy and the process is captured within the 'Movable Signs By-Law'.

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3. Rescind the Liquor Licensing Policy to align with the changes to the Liquor Licensing Act.

Carried Unanimously

11.8 Local Government Reform Round 1 Regulations - Submission

Report Reference GC210810R11.8

Moved Councillor Maggie Duncan

Seconded Councillor Tim Gard

That Council:

1. Endorse the submission and feedback to the Local Government Association on the *Local Government Reform Round 1 Regulations Summary Paper*.

Carried Unanimously

12 Corporate Reports for Information/Noting

Procedural Motion

Moved Councillor Matthew Shilling

Seconded Councillor Raelene Telfer

That the following items be moved en bloc:

- Corporate and CEO KPI Report Quarter Four 2020/21 (GC210810R12.1)
- Cover Report – Animal Impounding (GC210810F18.1)
- Cover Report – Cove Cobras Football Club Update (GC210810F18.2)
- Cover Report – Confirmation of the confidential minutes for the Review and Selection Committee held on 3 August 2021 (GC210810F18.3)
- Cover Report - Appointment of Independent Member – Finance and Audit Committee (GC210810F18.4)

Carried Unanimously

12.1 Corporate and CEO KPI Report Quarter Four 2020/21

Report Reference GC210810R12.1

Moved Councillor Matthew Shilling

Seconded Councillor Raelene Telfer

That Council:

1. Notes this report and information and information contained within the attachments for Quarter Four.

Carried Unanimously

13 Workshop / Presentation Items - Nil

14 Motions With Notice - Nil

15 Questions With Notice



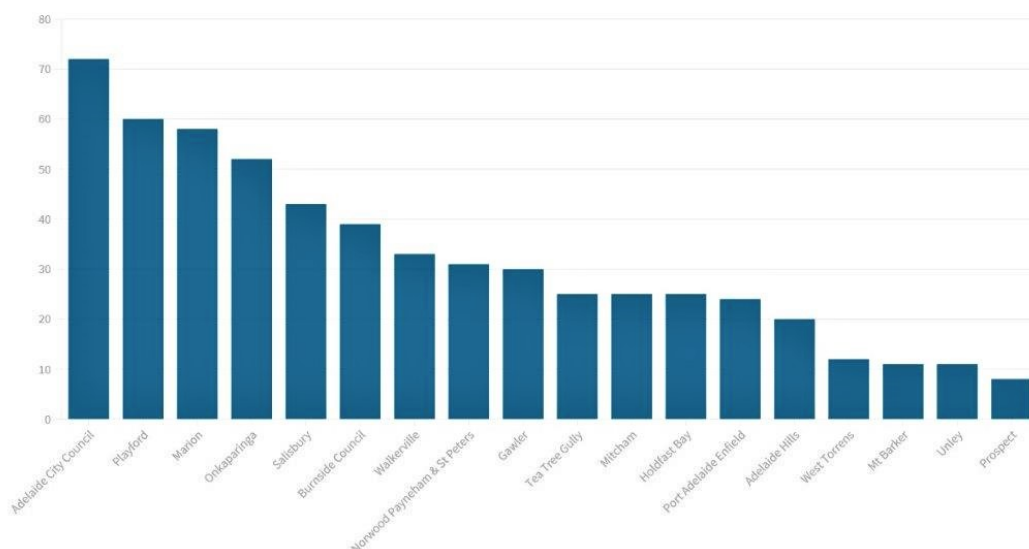
15.1 Confidential Items

Report Reference	GC210810Q15.1
Council Member	Councillor – Bruce Hull

QUESTION

With regards to the Advertiser article 27/7/21, titled Chamber of Secrets: Adelaide's most confidential councils, along with the attached graph that shows the Marion Council rating number 3. Could administration provide an explanation as to why Marion scores so highly in terms of the number of confidential items and also provide advise as to how we may be able to reduce the number of confidential items?

SUPPORTING INFORMATION



Response Received From	Unit Manager Governance and Council Support – Victoria Moritz
Corporate Manager	Manager Office of the CEO - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

STAFF COMMENTS

The Local Government Act 1999 (the Act) regulates how Council administers confidential items, with an underlying principle that as government is accountable to its public, only certain circumstances evoke the appropriate use of confidential orders.

During the 2019/20 financial year, to which the article refers, Council (including committees) considered 58 reports in confidence in relation to matters in accordance with the Act. The following table provides further detailed information about Council's use of various sections of the Act (more than one confidential clause may apply to an item)

Relevant placita of Local	Explanation S 90 (2) Information the disclosure of which would;	Number of times used
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Government Act (SA) 1999		
3(a)	<ul style="list-style-type: none"> involve unreasonable disclosure of information concerning the personal affairs of any person (living or dead). 	23
3(b)(i) and (ii)	<ul style="list-style-type: none"> 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; on balance, be contrary to the public interest. 	14
3(c)	<ul style="list-style-type: none"> reveal a trade secret 	0
3(d)(i) and (ii)	<ul style="list-style-type: none"> commercial information of a confidential nature (not being a trade secret) the disclosure of which— could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; on balance, be contrary to the public interest. 	15
3(e)	<ul style="list-style-type: none"> matters affecting the security of council, members or employees of the council or council property, or the safety of any person. 	0
3(f)	<ul style="list-style-type: none"> could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. 	3
3(g)	<ul style="list-style-type: none"> 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. 	4
3(h)	<ul style="list-style-type: none"> legal advice. 	8
3(i)	<ul style="list-style-type: none"> information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council; 	2
3(j)(i) and (ii)	<ul style="list-style-type: none"> would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); on balance, be contrary to the public interest. 	0
3(k)	<ul style="list-style-type: none"> tenders for the supply of goods, the provision of services or the carrying out of works. 	0
3(m)	<ul style="list-style-type: none"> relating to a proposed amendment to a Development Plan under the Development Act 1993 (SA) before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act. 	0
3(n)	<ul style="list-style-type: none"> relevant to the review of a determination of a council under the Freedom of Information Act 1991 (SA). 	0

As identified in the table above, those sections of the Act that have been referred to most frequently include:

- Section 3(b)(i)(ii) and (d)(i)(ii) *Commercial Information* – This is influenced by the nature and number of projects the council is currently or considering undertaking and has resulted in a higher number of reports considered under this clause.
- Sections 3(a) *Personal Affairs* – This is influenced by the number of independent members on committees which includes the recruitment and performance review process. It is also noted that all confidential minutes of committees are subsequently considered at council as confidential item.

It is noted that the number of reports considered in confidence, of which there were 58, is the number of times council resolved to enter into confidence to hold discussions of a confidential nature and does not reflect the number of items that were either not retained in confidence, or that were released at a defined time, subsequent to the item being heard.



The provision to enter into confidence enables well-versed discussions and healthy debate to occur without prematurely releasing information that would be contrary to public interest and before an outcome or decision has been reached.

Each year, in accordance with Section 91 of the Act, Council undertakes a thorough review of any orders made relating to matters considered in confidence be kept confidential. Where Council makes such an order it must specify the duration of the order, or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. Any order that operates for a period exceeding 12 months is reviewed at least once a year to determine whether or not the confidentiality of the document needs to be retained.

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

When preparing and presenting reports, and when making decisions, we can continue to be mindful of the balance of providing sufficient information to allow informed decisions against the need for providing public awareness of the item.

The City of Marion is committed to the principle of an open and accountable government and maintaining high standards of accountability and transparency while acknowledging that on occasions, it may be necessary to restrict access to discussions and/or documents.

16 Motions Without Notice - Nil

17 Questions Without Notice - Nil

18 Confidential Items

18.1 Cover Report - Animal Impounding

Report Reference GC210810F18.1

Moved Councillor Matthew Shilling

Seconded Councillor Raelene Telfer

That pursuant to Section 90(2) (3) (b)(i) and (ii), (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 Office of the CEO, Manager Development & Regulatory Services, Unit Manager Communications, Unit Manager Community Health and Safety, Team Leader Building, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Animal Impounding upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to commercial information regarding the provision of animal impounding services.

Carried Unanimously



7.05pm the meeting went into confidence

Moved Councillor Joseph Masika

Seconded Councillor Maggie Duncan

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Animal Impounding, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) (b)(i) and (ii), (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

7.12pm the meeting came out of confidence

18.2 Cover Report - Cove Cobras Football Club Update

Report Reference GC210810F18.2

Moved Councillor Matthew Shilling

Seconded Councillor Raelene Telfer

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 Property, Unit Manager Sport and Recreational Community Facilities, Unit Manager Communications, Unit Manager Governance and Council Support, Recreation Development Officer and Governance Officer be excluded from the meeting as the Council receives and considers information relating to Cove Cobras Football Club Update, 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 licencing conditions with Council.

Carried Unanimously

7.12pm the meeting went into confidence

Moved Councillor Matthew Shilling

Seconded Councillor Maggie Duncan

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that any attachments to the report, Cove Cobras Football Club Update, having been considered in confidence under Section 90(2) and (3)(d) (i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for

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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

7.26pm the meeting came out of confidence

18.3 Cover Report - Confirmation of the confidential minutes for the Review and Selection Committee held on 3 August 2021

Report Reference GC210810F18.3

Moved Councillor Matthew Shilling

Seconded Councillor Raelene Telfer

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, Manager People and Culture, Manager Office of the CEO, Unit Manager Governance and Council Support, and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Confirmation of the confidential minutes for the Review and Selection Committee held on 3 August 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 concerns the personal affairs of any person.

Carried Unanimously

7.26pm the meeting went into confidence

Procedural Motion

Moved Councillor Luke Hutchinson

Seconded Councillor Jason Veliskou

That the following items be moved en bloc:

- Confirmation of the confidential minutes for the Review and Selection Committee held on 3 August 2021 (GC210810F18.3)
- Appointment of Independent Member – Finance and Audit Committee (GC210810F18.4)

Carried Unanimously

Moved Councillor Luke Hutchinson

Seconded Councillor Jason Veliskou

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Confirmation of the confidential minutes for the Review and Selection Committee held on 3 August 2021*, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act, except when required to effect or comply



with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried Unanimously

18.4 Cover Report - Appointment of Independent Member - Finance and Audit Committee

Report Reference GC210810F18.4

Moved Councillor Matthew Shilling

Seconded Councillor Raelene Telfer

That pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Services, General Manager Corporate Services, General Manager City Development, Manager Office of the CEO, Manage People and Culture, Governance Officer, Unit Manager Governance and Council Support, be excluded from the meeting as the Council receives and considers information relating to the appointment of an independent member to the Finance and Audit Committee, 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 concerns the personal affairs of any person.

Carried Unanimously

Moved Councillor Luke Hutchinson

Seconded Councillor Jason Veliskou

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Appointment of Independent Member – Finance and Audit Committee and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection until the Independent Member has been notified of the outcome. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried Unanimously

7.29pm the meeting came out of confidence

18.5 Cover Report - CEO Midway Probationary Review

Report Reference GC210810F18.5

Moved Councillor Matthew Shilling

Seconded Councillor Maggie Duncan



That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, be excluded from the meeting as the Council receives and considers information relating to CEO Midway Probationary Review, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personal affairs of the Chief Executive Officer.

Carried Unanimously

7.29pm the meeting went into confidence

Moved Councillor Raelene Telfer

Seconded Councillor Ian Crossland

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

Carried Unanimously

8.34pm the meeting came out of confidence

19 Other Business

20 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.

The meeting was declared closed at 8.34pm.

CONFIRMED THIS 24TH DAY OF AUGUST 2021

CHAIRPERSON

6 Communications

6.1 Elected Member Verbal Communications

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

6.2 Mayoral Communication Report

Report Reference GC220824R6.2

Name of Council Member Mayor - Kris Hanna

Date	Event	Comments
15 July 2021	Community Leadership Program Graduation Event	
22 July 2021	COASTFM radio interview	
6 August 2021	Marion RSL Civil Works completion celebration followed by dinner	
10 August 2021	Special citizenship ceremony	Two new citizens
11 August 2021	Friends of Glenthorne National Park AGM	
16 August 2021	Club Marion Committee meeting	Attended as Council liaison

6.4 CEO and Executive Communication Report

Report Reference GCYYMMDDR6.4

Date	Activity	Attended By
28 July 2021	Plan Lab Facility at Rivergum re Oaklands Green – Dwellings and Streetscapes	Ilia Houridis Tony Lines
28 July 2021	Meeting Monthly Oaklands Green Project Control Group	Tony Lines
29 July 2021	Meeting Tony Harrison, Jim Whiting Badge Construction and Steve Byrne SHC	Tony Harrison
29 July 2021	Meeting City of Marion Satalyst	Sorana Dinmore
29 July 2021	Feedback Survey Council Ready Governance Group	Tony Lines
30 July 2021	Meeting Judith Sellick (Sellick Consulting) Sorana Dinmore (CoM)	Sorana Dinmore
3 August 2021	Meeting Flinders University re Graduate Opportunities	Tony Lines

4 August 2021	Meeting Tony Harrison and Hamilton Secondary College	Tony Harrison
5 August 2021	Meeting Glenthorne Nature Play PCG	Ilia Houridis
5 August 2021	LGA CEO Advisory Group meeting	Tony Harrison
5 August 2021	Meeting Tony Harrison & John Schutz (DEW)	Tony Harrison
5 August 2021	KPMG CoM Fraud Scoping Meeting	Sorana Dinmore
6 August 2021	Meeting Tony Harrison, Tony Lines, Minister David Speirs, Lucy Huxter and Jana Kranixfeld	Tony Harrison Tony Lines
9 August 2021	Meeting: CoM & Objective	Sorana Dinmore
10 August 2021	Meeting SWBMX & Southern Soccer PCG	Ilia Houridis
10 August 2021	Meeting Tony Harrison and Kylie Fergusen (Community Centres SA)	Tony Harrison
10 August 2021	KPMG Scoping Meeting Collaborative Project(s) Health Check Internal Audit	Sorana Dinmore
11 August 2021	Meeting BioChar Project Debrief with Stakeholders	Ilia Houridis
11 August 2021	Meeting Tony Harrison and Christine Locher (VUCA)	Tony Harrison
11 August 2021	Meeting PEET and Green Hill Australia re Tonsley Village WSUD Design	Tony Lines
12 August 2021	City of Marion and Studio Nine Administration Building Workshop	Tony Harrison Sorana Dinmore Ilia Houridis Tony Lines
12 August 2021	Meeting Tony Harrison and Jayne Stinson MP	Tony Harrison
13 August 2021	SMRF JV Advisory Committee Meeting	Sorana Dinmore
13 August 2021	Meeting Tony Harrison and Scott Ashby (City of Onkaparinga)	Tony Harrison
13 August 2021	Meeting: Pernix CoM	Sorana Dinmore
17 August 2021	Meeting RSPCA & City of Marion	Tony Harrison Ilia Houridis
17 August 2021	Meeting: EGM Partners	Sorana Dinmore

	Recruitment (Claire Coombs) CoM (Sorana Dinmore)	
18 August 2021	Bi-monthly SAALC Meeting Ilia Houridis, Adam Luscombe (SAALC), Bruce Hull & Nathan Prior	Ilia Houridis
19 August 2021	Meeting City of Marion & Seacliff Group re Seacliff Development	Tony Harrison Ilia Houridis
19 August 2021	Meeting: Alison Surjan (Harrison McMillan Recruitment) Sorana Dinmore (City of Marion)	Sorana Dinmore
20 August 2021	Presentation Operation Flinders	Tony Lines Sorana Dinmore
20 August 2021	Meeting Tony Harrison and Cathy Miller	Tony Harrison
21 August 2021	Launch Kitchen Caddy roll-out with Mayor Hanna and Minister for Environment Member for Elder Carolyn Paver MP	Tony Lines
23 August 2021	Meeting City of Marion & SAJC re Infill Development	Ilia Houridis
23 August 2021	Meeting City of Marion and SA Water re Cove Road, Hallett Cove	Tony Lines

7 Adjourned Items - Nil**8 Deputations****8.1 Deputation Request from Ms Jane Osborne (Request Denied)**

Report Reference	GC210824D8.1
Originating Officer	Executive Assistant to the Mayor – Tom Matthews
Corporate Manager	Manager Office of the CEO – Kate McKenzie
General Manager	Chief Executive Officer – Tony Harrison

SPEAKER

Jane Osborne

ORGANISATION

Resident

COMMENTS

Ms Osborne has requested to make a deputation to Council regarding her proposal to have Meet the Candidates sessions run under guidelines similar to the sessions convened by the City of Holdfast Bay Council prior to council elections.

The request was declined on the basis that it would be more effective and more efficient if an email was sent to Elected Members with the details and reasons for the proposal.

The grounds for the speaker being denied to speak to the deputation is reported to Council in accordance with the *Local Government (Procedures at Meetings) Regulations 2013*, Section 11 (5):

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

ATTACHMENTS

Nil

9 Petitions - Nil**10 Committee Recommendations****10.1 Confirmation of the minutes for the Planning and Development Committee held on 3 August 2021**

Report Reference	GC210824R10.1
Originating Officer	Executive Officer to the General Manager City Development – Louise Herdegen
Corporate Manager	- N/A
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes of the Planning and Development Committee meeting held on 3 August 2021.

EXECUTIVE SUMMARY

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

Presentation/Workshop

- Healthy Liveable Neighbourhoods
- Confidential – Presentation from Future Urban re Lot 707, Marion Road, Bedford Park

Reports for Discussion

- Morphettville/Glengowrie Horse Related Activities Code Amendment
- Morphettville Racecourse – Zone Amendment (western side of Morphett Road)

Reports for Noting

- North-South Corridor T2D Update
- Code Amendments Update
- Planning Reforms Update

RECOMMENDATION**That Council:**

1. **Receives and notes the minutes of the Planning and Development Committee meeting held on 3 August 2021.**
2. **Notes that separate reports will be brought to Council for consideration of any recommendations from the Planning and Development Committee.**

ATTACHMENTS

1. PDC210803 - Final Minutes [10.1.1 - 7 pages]



**Minutes of the Planning and Development Committee
held on Tuesday, 3 August 2021 at 6.30 pm
Council Chamber, Council Administration Centre
245 Sturt Road, Sturt**



**PRESENT**

His Worship the Mayor Kris Hanna (from 7:14 pm)
Councillor - Sasha Mason
Councillor - Luke Hutchinson (via Zoom)
Councillor - Kendra Clancy
Councillor - Raelene Telfer
Councillor - Jason Veliskou

In Attendance

General Manager City Development - Ilia Houridis
Manager Office of the CEO - Kate McKenzie
Manager Development & Regulatory Services - Warwick Deller-Coombs
Manager City Property – Thuyen Vi-Alternetti
Manager Engineering, Assets & Environment - Mathew Allen
Unit Manager Engineering - Carl Lundborg
Team Leader – Planning - Alex Wright
Senior Policy Planner - David Melhuish
Executive Officer to the General Manager City Development – Louise Herdegen
Future Urban - Michael Osborn, Director
Southgate Institute for Health, Society and Equity - Professor Fran Baum, Director
Southgate Institute for Health, Society and Equity - Dr Michael McGreevy, Research Fellow
Southgate Institute for Health, Society and Equity - Dr Connie Musolino, Research Fellow
Wellbeing SA - Ms Laurianne Reinsborough, Director Health Promotion Branch, Prevention and Population Health Directorate

1 Open Meeting

The Chair opened the meeting at 6.38 pm.

2 Kaurna Acknowledgement

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

3 Elected Member Declaration of Interest

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

Nil interests were disclosed.

Order of Agenda Items – 4.2 Presentation from Future Urban re Lot 707, Marion Road, Bedford Park

The Chair sought and was granted leave of the meeting to vary the order of the agenda and consider the item *4.2 Presentation from Future Urban re Lot 707, Marion Road, Bedford Park* at Item 7 – Confidential Items of the agenda.



4 Workshop / Presentation Items

4.1 Healthy Liveable Neighbourhoods

Report Reference PDC210803R4.1

The Southgate Institute for Health Society and Equity at Flinders University, with support from Wellbeing SA, gave a presentation to outline the findings from the Healthy Urban Neighbourhood Transition Tool (HUNTT) project.

Presenters:

- Professor Fran Baum, Director, Southgate Institute for Health, Society and Equity
- Dr Michael McGreevy, Research Fellow, Southgate Institute for Health, Society and Equity
- Ms Laurianne Reinsborough, Director Health Promotion Branch, Prevention and Population Health Directorate, Wellbeing SA

The presentation focused on the walkability element of the report, such as how the infrastructure within a neighbourhood can encourage or impede the community getting out and about ie wider footpaths, trip hazards, ramps to the roadway, obstacles within the walkway such as light/powerpoles/signs, space between road and path, feeling safe, trees and landscaping.

Discussion points noted:

- Consider incorporating elements of the report into neighbourhood transition planning to enhance the needs of the community.
- Requirements of new developments regarding open space areas.
- Footpath quality, condition, safety issues, ramps can impact people wanting to walk.
- COVID impacts - people working from home more and have noticed an increase in pedestrian activity around neighbourhoods.
- Neighbourhoods benefit from housing diversity. As life changes people have the option of staying in the same area ie move from larger home to smaller home in the same area.
- Targeted policy change process may be required.
- The report provides ideas for long term projects as change over time is incremental however needs a starting point.

7:14 pm Mayor Hanna entered the meeting.

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the Planning and Development Committee Meeting held on 4 May 2021

Report Reference PDC210803R5.1

Moved - Councillor Clancy

Seconded - Councillor Hutchinson

That the minutes of the Planning and Development Committee Meeting held on 4 May 2021 be taken as read and confirmed.

Carried Unanimously



6 Business Arising

6.1 Business Arising Statement - Action Items

Report Reference PDC210803R6.1

Correction to the date a letter was sent to Mr Jessup to be amended to 27 May 2021.

Moved – Mayor Hanna

Seconded - Councillor Telfer

That the Planning and Development Committee:

1. Notes the business arising statement, meeting schedule and upcoming items.

Carried Unanimously

7 Confidential Items

4.2 Presentation from Future Urban re Lot 707, Marion Road, Bedford Park

Report Reference PDC210803R4.2

Moved – Mayor Hanna

Seconded - Councillor Clancy

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, Manager City Property, 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 *Presentation from Future Urban re Lot 707, Marion Road, Bedford Park*, 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

7:23 pm the meeting went into confidence.

Mr Michael Osborn, Director, Future Urban gave a presentation on the proposed privately funded Code Amendment for Lot 707, Marion Road, Bedford Park. The presentation provided an explanation of the land, location, current zoning and a high level vision for the proposal. It was advised by Mr Osborn that the Minister for Aboriginal Affairs has written a letter for the proposed development noting there are no issues from an Aboriginal Cultural Heritage Perspective.

Discussion points noted below:

- Proponents would like to continue the discussion and work with Council to advance investigations as needed, with the intention of progressing the privately funded code amendment, having a level of support from Council as part of the process.



5

- Members concerned that the development is not sympathetic to the natural environment, respectful of the cultural significance of the site and how a development of this nature would impact/integrate with the potential Kurna Elders Village.
- A number of attempts to use the Council owned land adjacent to the proposed site have been declined in the past due to impacts of a cultural area. Given the current proposal, Council may have an opportunity to investigate options with the Minister to unlock the land.

Action: How can we ensure the Minister for Aboriginal Affairs had the same information that council had when he gave the authorisation? (Mayor Hanna)

Moved – Mayor Hanna

Seconded - Councillor Veliskou

That the Planning and Development Committee:

1. Notes the presentation and anticipates the developer will prepare a code amendment.

Carried Unanimously

8:06 pm the meeting came out of confidence.

8 Reports for Discussion

8.1 Morphettville/Glengowrie Horse Related Activities Code Amendment

Report Reference PDC210803R8.1

Moved – Mayor Hanna

Seconded - Councillor Hutchinson

That the Planning and Development Committee:

1. Recommends that Council endorses the 'Morphettville/Glengowrie Horse Related Activities Code Amendment' - Proposal to Initiate' and seeks that the Proposal to Initiate be forwarded to the Minister for consideration.

Carried Unanimously

8.2 Morphettville Racecourse - Zone Amendment (western side of Morphett Road)

Report Reference PDC210803R8.2

Moved – Mayor Hanna

Seconded - Councillor Telfer

That the Planning and Development Committee:

1. Advise the South Australian Jockey Club (SAJC) to contact Planning and Land Use Services regarding the proposed rezoning of the SAJC land on the western side of Morphett Road.
2. Reiterate to SAJC that Council is supportive on their overall vision for the site.

Carried Unanimously



9 Reports for Noting

Moved - Mayor Hanna

Seconded - Councillor Telfer

That the following items be moved en bloc:

- 9.1 North-South Corridor T2D Update
- 9.2 Code Amendments Update
- 9.3 Planning Reforms Update

Carried Unanimously

9.1 North-South Corridor T2D Update

Report Reference PDC210803R9.1

Discussion points noted:

- DIT are engaging with property owners impacted as part of the mandatory property acquisition process to commence consultation and negotiation.
- Impact on Council infrastructure such as Cosgrove & Clovelly Halls to be determined. City of Marion have representatives on 3 Reference Groups established by the State Government and will continue to put forward Council's concerns.
- Immediate impacts on connectivity from Clovelly Park have been raised with DIT and they are suggesting movement through that area will be minimised.
- Anticipating rate revenue will decrease next financial year as a result of property acquisitions.

Moved - Mayor Hanna

Seconded - Councillor Telfer

That the Planning and Development Committee:

1. Notes the report.

Carried Unanimously

9.2 Code Amendments Update

Report Reference PDC210803R9.2

Moved - Mayor Hanna

Seconded - Councillor Telfer

That the Planning and Development Committee:

1. Notes the report.

Carried Unanimously

**9.3 Planning Reforms Update****Report Reference** PDC210803R9.3

Brief discussion points noted:

- Acknowledge workload has increased under the new code.
- The team are working to capacity and with additional temporary resources to assist, legislative timeframes are being met.
- Staff have put in the effort to understand the new requirements and are working efficiently to process applications in a timely manner.

Moved – Mayor Hanna**Seconded - Councillor Telfer**

That the Planning and Development Committee:

1. Notes the report.

Carried Unanimously**10 Other Business - Nil****11 Meeting Closure**

The meeting was declared closed at 8:23 pm.

CONFIRMED THIS 5TH DAY OF OCTOBER 2021.

CHAIRPERSON

10.2 Confirmation of the minutes of the Special Review and Selection Committee meeting held on 20 August 2021

Report Reference	GC210824R10.2
Originating Officer	Acting Manager People and Culture – Rachel Read
Corporate Manager	N/A
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

The purpose of this report is to facilitate the receiving and noting of the minutes of the Special Review and Selection Committee meeting held on 20 August 2021.

EXECUTIVE SUMMARY

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

Confidential Items

- Appointment of Independent Members – Warriparinga Advisory Team

RECOMMENDATION**That Council:**

1. **Receives and notes the minutes of the Special Review and Selection Committee meeting held on 20 August 2021.**
2. **Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.**

ATTACHMENTS

1. SRSC210820 Draft Minutes [**10.2.1** - 4 pages]



**Minutes of the Review and Selection Committee
held on Friday, 20 August 2021 at 5.30 pm
Committee Room 1, Council Administration Centre
245 Sturt Road, Sturt**

**PRESENT**

His Worship the Mayor Kris Hanna
Councillor Maggie Duncan

Councillor Tim Gard

In Attendance

Manager City Property - Thuyen Vi-Alternetti
Acting Manager People and Culture - Rachel Read

1 Open Meeting

The Chair opened the meeting at 4.55pm.

2 Kurna Acknowledgement

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

3 Elected Member Declaration of Interest (if any)

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

4 Confirmation of Minutes**4.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 3 August 2021**

Report Reference SRSC210820R4.1

Moved Councillor Duncan

Seconded Councillor Gard

That the minutes of the Review and Selection Committee Meeting held on 3 August 2021 be taken as read and confirmed.

Carried Unanimously

5 Confidential Items**5.1 Cover Report - Appointment of Independent Members - Warriparinga Advisory Team**

Report Reference SRSC210820F5.1

Moved Councillor Duncan

Seconded Councillor Gard

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present, with the exception of the following persons: Manager People and Culture,

SRSC210820 - Special Review and Selection Committee - 20 August 2021



3

Manager City Property, be excluded from the meeting as the Committee receives and considers information relating to Appointment of Independent Members – Warriparinga Advisory Team, 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 recruitment of independent members of the Warriparinga Advisory Team.

Carried Unanimously

5.00 pm the meeting went into confidence

Moved Councillor Gard

Seconded Councillor Duncan

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Appointment of Independent Members – Warriparinga Advisory Team, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection until the successful candidates have been notified. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried Unanimously

5.04pm the meeting came out of confidence

6 Reports for Discussion - Nil

7 Reports for Noting - Nil

8 Workshop / Presentation Items - Nil

9 Other Business

10 Meeting Closure

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

The meeting was declared closed at 5.04 pm.

CONFIRMED THIS 2ND DAY OF NOVEMBER 2021

CHAIRPERSON

SRSC210820 - Special Review and Selection Committee - 20 August 2021

11 Corporate Reports for Decision

11.1 Morphettville/Glengowrie Horse Related Activities Code Amendment

Report Reference	GC210824R11.1
Originating Officer	Senior Policy Planner – David Melhuish
Corporate Manager	Manager Development and Regulatory Services - Warwick Deller-Coombs
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

To seek Council's endorsement on a 'Proposal to Initiate' for the proposed 'Morphettville/Glengowrie Horse Related Activities Code Amendment' and forward the document (Attachment 1) to the Minister for formal agreement.

REPORT HISTORY

Report Reference	Report Title
PDC210803R8.1	Morphettville/Glengowrie Horse Related Activities Code Amendment

EXECUTIVE SUMMARY

Council has proposed a Code Amendment to investigate policy changes that provide opportunities for a greater diversity of appropriate residential development to occur within the affected areas of Morphettville and Glengowrie. This in turn will provide incentive for existing horse related activities to move into the facilities within the Morphettville Racecourse.

This report is for Council to endorse the relevant 'Proposal to Initiate' documentation to the Minister for Planning as recommended by the Planning and Development Committee.

RECOMMENDATION

That Council:

- Endorses the 'Morphettville/Glengowrie Horse Related Activities Code Amendment - Proposal to Initiate' and forwards the document (Attachment 1) to the Minister for Planning for consideration.**

DISCUSSION

Background

The area proposed for rezoning is located on the southern side of Bray Street in Morphettville and the western side of Morphett Road in Glengowrie. The area was formerly covered by the Residential Racecourse Zone, which formalised the opportunity for the stabling of horses and residential use on the same property. The zone specifically sought detached dwellings at low densities in association with a range of horse related activities, with minimum allotment sizes of 560m² and 15 metre frontage.

Aerial map of proposed area can be found in **(Attachment 2)**

Under the Planning and Design Code, the area has been rezoned to the Suburban Neighbourhood

Zone. The policy within this zone no longer refers to horse related activities, nor is there a requirement for only detached dwellings, but it does maintain the minimum 560m² site area and 15m frontage.

The South Australian Jockey Club (SAJC) will soon construct additional stables within the adjacent racecourse property (corner of Bray Street and Morphett Road). It is understood that some stable owners in the affected area are considering relocating into these new stables (while some may wish to remain).

These stable owners have requested that Council consider the rezoning of their land to an exclusively residential type zone (without the requirement for associated horse related activities) that provides the opportunity for residential development at higher densities to be constructed.

Council is aware that the current necessity to walk horses through and across streets to the racecourse (particularly Bray Street and Morphett Road) is a potentially dangerous practice for both horses and motorists. The removal and/or reduction of stables and horse related activities from the surrounding streets, and into the racecourse, would most certainly result in a safer environment.

Rezoning of the subject area requires amendments to be made to the Planning and Design Code. This involves Council undertaking a Code Amendment process, which is a relatively lengthy procedure and involves the approval of the Minister for Planning.

At the General Council meeting on 11 May 2021 Council resolved to initiate a Code Amendment regarding the affected areas in Morphettville and Glengowrie.

On 17 May 2021 Council sent out a letter to all property owners within the affected area seeking response on whether they were in favour of the proposed rezoning. Council received a return rate of 47% (31 from 65), with a majority in favour of the proposed rezoning.

A summary of the comments received can be found in **(Attachment 3)**

Code Amendment Process

The Code Amendment proposes policy amendments (particularly site dimensions) that provide opportunities for a greater diversity of appropriate residential development to occur within the affected area.

This in turn will provide incentive for existing horse related activities to move into the facilities within the Morphettville Racecourse.

The final zone and potential changes to policy and/or technical and numeric variations (TNV) will be identified during the Code Amendment process following consideration of further investigations and analysis.

It is noted that, if the area is rezoned, current stable complexes and other non-residential uses have 'existing use rights' so can remain operating at the location. Also, it is probable that stable complexes will not move across to Morphettville Racecourse at the same time, therefore there is likely to be a mix of land uses within the area for some time.

The first step involved in initiating an amendment to the Code, involves the creation and lodgement of a **'Proposal to Initiate'** with Planning and Land Use Services (PLUS) via the SA Planning Portal.

This is similar to the previous 'Statement of Intent' under the Development Act 1993.

The Proposal to Initiate must set out matters such as:

Code Policy

- Any overlay, general policy, zone, or subzones in the Code being proposed for amendment; and/or
- The intended spatial application of an overlay, general policy, zone, or subzone in the Code over an identified area.

Affected Area

- A map or description of the Affected Area. The Code Amendment requires re-notification of the scope of properties to be included in the zone and those that will be affected by the proposal will need to be reconsidered by Council.

Consultation

- Information regarding any consultation that has already occurred with respect to the proposed Code Amendment.
- Details of further consultation proposed to be undertaken with respect to the proposed Code Amendment (as required by the Community Engagement Charter).

Investigations

- Information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment.
- An outline of the further investigations that will be undertaken to support the proposed Code Amendment.

Timetable

- An outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits).

Administration has drafted a **Proposal to Initiate** for Council's consideration. (**Attachment 1**)

The Planning and Development Committee has considered the proposal to be appropriate and recommends Council to forward the document to PLUS, seeking the Minister's formal approval to undertake a Code Amendment.

ATTACHMENTS

1. Attachment 1 - Proposal to Initiate - Morphettville/Glengowrie Horse Related Activities Code Amendment [**11.1.1** - 18 pages]
2. Attachment 2 - Proposed Areas for Rezoning [**11.1.2** - 1 page]
3. Attachment 3 - Summary of Responses - Letter Drop [**11.1.3** - 1 page]

**PROPOSAL TO INITIATE AN AMENDMENT TO THE
PLANNING & DESIGN CODE**

**Morphettville/Glengowrie Horse Related Activities
Code Amendment**

By Marion Council

(Signature Required)

Marion Council (*the Proponent*)

Date: July 2021

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.

MINISTER FOR PLANNING AND LOCAL GOVERNMENT

Date:

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1. INTRODUCTION

Marion Council is proposing to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to land within the Suburban Neighbourhood Zone located adjacent the Morphetville Racecourse on the southern side of Bray Street in Morphetville and the western side of Morphet Road in Glengowrie. (the Affected Area).

The purpose of this Proposal to Initiate is to seek approval of the Minister for Planning and Local Government (the Minister) to initiate the Code Amendment under section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act).

The Proponent is the council for the whole of the Affected Area.

This Proposal to Initiate details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Code Amendment. It also details the timeframes to be followed in undertaking the Code Amendment, should this Proposal to Initiate be approved by the Minister.

The Proponent acknowledges that the Minister may specify conditions on approving this Proposal to Initiate, under section 73(5) of the Act. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the conditions will apply.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(4)(a) of the Act, the Proponent will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- 1.1.1. The Proponent acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.
- 1.1.2. The Proponent declares that it has not and does not intend to enter into an agreement with a third party for the recovery of costs incurred in relation to the Code Amendment under section 73(9) of the Act. If the Proponent does enter into such an agreement, the Proponent will notify the Department prior to finalising the Engagement Report under section 73(7).
- 1.1.3. The Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:

- a) David Melhuish, Senior Policy Planner
- b) david.melhuish@marion.sa.gov.au
- c) 08 83756721

and/or

- a) Warwick Deller-Coombs, Manager Development & Regulatory Services
- b) Warwick.deller-coombs@marion.sa.gov.au
- c) 08 8375 6665

1.1.4. The Council intends to undertake the Code Amendment by:

a) utilising professional expertise of employees of the Council including:

Planning Practitioners

- David Melhuish, Senior Policy Planner – MPIA
- Warwick Deller-Coombs, Manager Development and Regulatory Services – MPIA

Community Engagement

- Communications Department
- Community Engagement Coordinator

1.2. Rationale for the Code Amendment

The area was formerly covered (under the former Development Plan) by the Residential Racecourse Zone, which formalised the opportunity for the stabling of horses and residential use on the same property. The zone specifically sought detached dwellings at low densities in association with a range of horse related activities, with minimum allotment sizes of 560m² and 15 metre frontage.

Under the Planning and Design Code, the area has been rezoned to the Suburban Neighbourhood Zone. The policy within this zone no longer refers to horse related activities, nor is there a requirement for only detached dwellings, but it does maintain the minimum 560m² site area and 15m frontage.

The South Australian Jockey Club (SAJC) will soon construct additional stables within the adjacent racecourse property (corner of Bray Street and Morphett Road). It is understood that a number of stable owners in the affected area are considering relocating into these new stables.

Council understands that even with the proposed additional stables at Morphettville Racecourse, there would not be sufficient numbers to cater for all the horses currently within the surrounding area. The SAJC may consider increasing the number of additional stables to be built on the racecourse land; however, they advise that this requires commitment from stable owners that they will relocate to the racecourse if the stables were built. Council has heard from a number of the stable owners that they are reluctant to commit to anything unless the land is rezoned to enable the sale of their land and relocation to the new stables, to be more financially viable.

These stable owners have requested that Council consider the rezoning of their land to an exclusively residential type zone (without the requirement for associated horse related activities) that provides the opportunity for residential development at higher densities to be constructed.

Council is aware that the current necessity to walk horses through and across streets to the racecourse (particularly Bray Street and Morphett Road) is a potentially dangerous practice for both horses and motorists. The removal and/or reduction of stables and horse related activities from the surrounding streets, and into the racecourse, would most certainly result in a safer environment.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being land located adjacent the Morphetville Racecourse on the southern side of Bray Street in Morphetville and the western side of Morphet Road in Glengowrie, within the City of Marion, as shown in the map in **Attachment A**.

2.2. Scope of Proposed Code Amendment

Site 1 – The Affected Area currently within the Suburban Neighbourhood Zone

Current Policy	Suburban Neighbourhood Zone <u>Overlays</u> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 15 metres) • Affordable Housing • Building Near Airfields • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <u>TNVs</u> <ul style="list-style-type: none"> • Maximum Building Height is 9m • Maximum Building Height is 2 levels • Minimum Frontage is 15m • Minimum Site Area is 560 sqm
Amendment Outline	<p>The Code Amendment proposes to investigate policy amendments (particularly site dimensions) that provide opportunities for a greater diversity of appropriate residential development to occur within the affected area.</p> <p>This in turn will provide incentive for existing horse related activities to move into the facilities within the Morphetville Racecourse.</p>
Intended Policy	<p>Potential rezoning to:</p> <p>General Neighbourhood Zone</p> <p>OR</p> <p>Suburban Neighbourhood Zone with amended TNVs that allow smaller site dimensions for particular forms of dwelling type.</p> <p>Final zone and local variations (TNV) will be identified following consideration of the findings of the investigations.</p>

3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

3.1. Summary of Strategic Planning Outcomes

The key strategic planning considerations are summarised as follows:

- Creation of a safer environment between horses and vehicles in the streets within and surrounding the affected area.
- Provide opportunity for infill development to occur in an area in reasonable proximity to existing services and public transport
- Opportunity to renew and provide increased housing choices to meet the needs of the community

3.2. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><i>Principles of Good Planning</i></p> <p><u><i>Urban renewal principles</i></u></p> <ul style="list-style-type: none"> • <i>Preference should be given to accommodating the expected growth of cities and towns through the logical consolidation and redevelopment of existing urban areas.</i> • <i>Urban renewal should seek to make the best use (as appropriate) of underlying or latent potential associated with land, buildings and infrastructure.</i> <p><u><i>Activation and liveability principles</i></u></p> <ul style="list-style-type: none"> • <i>Urban areas should include a range of high quality housing options with an emphasis on living affordability</i> 	<p>The proposed Code Amendment would introduce policy that will provide an opportunity for replacement of aging housing stock and horse related activities with a diversity of dwelling types in an established and well serviced area.</p> <p>Options exist for the relocation of horse related activities from an area that is mixed with residential properties, to the adjacent Morphettville Racecourse, providing opportunity to address/reduce conflict between the two diverse and often incompatible uses.</p>

<i>Integrated Planning</i> <i>1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for replacement of aging housing stock and horse related activities with a diversity of dwelling types in an established and well serviced area.
<i>Housing Supply and Diversity</i> <i>6.6 A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for replacement of aging housing stock and horse related activities with a greater diversity of dwelling types that better cater for life stages and lifestyle choice.

3.3. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide the long term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

The 30–Year Plan for Greater Adelaide (2017 Update) volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
No relevant priorities, policies or targets further to those mentioned in the State Planning Policies above	

3.4. Alignment with Other Relevant Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Nil	

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

The table below identifies what investigations have already been undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Seeking level of support for proposed changes	Letter sent to all property owners within the affected areas seeking level of support for the rezoning proposal.	50% response rate. 29 of the 31 submissions received were in favour of the rezoning proposal.

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines what additional investigations that will be undertaken to support the Code Amendment.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Impacts between land uses	<p>A number of property owners with horse related activities may not wish to relocate into the racecourse land but remain operating where they are.</p> <p>This could result in a mix of land uses for some time (or permanently) as the process of moving horses from existing stables to the new stables at Morphetville is carried out.</p> <p>Further investigations seeking an understanding of the likely impacts between a potentially greater number of dwellings and remaining horse related activities will be undertaken, to ensure appropriate co-existence can be achieved.</p>
Appropriate forms/densities of dwellings	<p>It is noted that a large number of existing allotments are under 18 metres in frontage (15m - <18m) and/or have frontage to an arterial road (Morphett Road)</p> <p>Investigations into appropriate frontage dimensions, access and dwelling forms for the affected area will be undertaken to ensure appropriate design outcomes can be achieved.</p>
Appropriate supply of 'on-course' stabling	<p>Investigate whether the potential supply of on-course stables will be sufficient for the transfer of existing off-site stables, and whether there is sufficient demand for future transfer of suburban stables to on-course.</p>

4.3. Engagement Already Undertaken

The following engagement has occurred on the proposed Code Amendment:

- Letter sent to all property owners within the affected areas seeking level of support for the rezoning proposal.
- Further letter sent to all property owners within the affected areas that did not provide a response to the initial letter.
- A copy of the letter/s can be viewed in **Attachment C**

A summary of outcomes or matters raised through engagement already undertaken is as follows:

- 50% response rate.
- Majority were in favour of rezoning proposal.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
<ul style="list-style-type: none"> • 8-week consultation process on the Draft Code Amendment. • A copy of the Code Amendment in the Plan SA Portal. • A notice in the Advertiser Newspaper. • Information on Council's 'Making Marion' website, with information on the Code Amendment including, but not limited to a copy of the draft Code Amendment, FAQs and information on how to make comments. • A written notice to all property owners within the affected area and property owners immediately surrounding the affected area (as considered appropriate) inviting them to review and comment on the draft policy. • Information brochure outlining what the Code Amendment is about, the proposed policy amendments, and how interested persons can comment. • Notification of the draft Code Amendment to relevant State Government departments/agencies, Members of Parliament, adjacent 	<p>The broad intent of the engagement process will be to:</p> <ul style="list-style-type: none"> • Alert attention to the draft Code Amendment, its scope and intent. • Highlight any specific issues identified during the drafting process. • Provide details on the Code Amendment process and opportunities for input/comment. • Provide information on how to seek further information.

<p>Councils, infrastructure providers and other interested parties.</p> <ul style="list-style-type: none"> • Copies of draft Code Amendment and information brochure to be made available at Council offices and libraries. • The scheduling of a Public Meeting (if required) at the conclusion of the consultation process, at which any interested person may appear before Council's Planning and Development Committee to make representations on the proposed amendment. 	
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5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument.

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- the Local Government Association must be notified in writing of the proposed Code Amendment;
- if the Code Amendment has a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally), the Designated Entity must take reasonable steps to give a notice in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*, to:
 - the owners or occupiers of the land; and
 - owners or occupiers of each piece of adjacent land;
- consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2. Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.3. Code Amendment Timetable

The Proponent (where it is also the Designated Entity) commits to undertaking the Code Amendment in line with the timeframe outlined **Attachment B**. If a timeframe is exceeded (or expected to be exceeded) the Proponent agrees to provide an amended timetable to the Department with an explanation of the delay, for approval by the Minister of an extension of time for the Code Amendment.

ATTACHMENT A
Maps of Affected Area



ATTACHMENT B

Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframe
Approval of the Proposal to Initiate		
Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission	AGD	2 weeks <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i>
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary)	AGD, Relevant Government Agencies	+ 2 weeks
Consideration of Proposal to Initiate and advice to the Minister	Commission (Delegate)	3 weeks
	Commission	+ 3 weeks
Proposal to Initiate agreed to by the Minister	Minister	2 weeks
Preparation of the Code Amendment		
Engagement Plan Prepared. Investigations conducted; Code Amendment Report prepared The Drafting instructions and draft mapping provided to AGD	Designated Entity	12 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation	Designated Entity	6 weeks
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan	Designated Entity	12 weeks
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD	Designated Entity	8 weeks
Assess the amendment and engagement. Prepare report to the Commission or delegate <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks

Step	Responsibility	Timeframe
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	3 weeks
Implementing the Amendment (operation of the Code Amendment)		
Go- Live- Publish on the PlanSA Portal	AGD	2-4 weeks
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC	AGD	8 weeks

ATTACHMENT C

Engagement Already Undertaken

OFFICE OF THE MAYOR

17 May 2021



PO Box 21, Oaklands Park
South Australia 5046
245 Sturt Road, Sturt
South Australia 5047
T (08) 8375 6600
F (08) 8375 6699
E council@marion.sa.gov.au

ADDRESS BLOCK

Dear Sir/Madam

Potential change to the zoning of your property to allow opportunity for subdivision and construction of a range of dwelling types to occur.

Council is seeking your views on the above matter to see whether there is community support for a rezoning process to be undertaken.

The area proposed for rezoning is located on the southern side of Bray Street in Morphettville and the western side of Morphett Road in Glengowrie. The area was formerly covered by the **Residential Racecourse Zone**, which formalised the opportunity for the stabling of horses and residential use on the same property. The zone specifically sought detached dwellings at low densities in association with a range of horse related activities, with minimum allotment sizes of 580m² and 15 metre frontage.

Under the State Government's recently commenced Planning and Design Code, the area has been rezoned to the **Suburban Neighbourhood Zone**. The policy within this zone no longer refers to horse related activities, nor is there a requirement for only detached dwellings, but it does maintain the minimum 580m² site area and 15m metre frontage.

The South Australian Jockey Club (SAJC) will soon construct **additional stables within the adjacent racecourse property** (corner of Bray Street and Morphett Road). I understand that a number of stable owners in the subject area are considering relocating into these new stables.

Council has received enquiries from a number of the stable owners in the area requesting the rezoning of their land to an exclusively residential type zone (**without** the requirement for associated horse related activities). This would allow residential development at higher densities to be constructed, which would make the sale of existing land and relocation to the new stables in the racecourse more financially viable.

Council is aware that the current necessity to walk horses through and across streets to the racecourse (particularly Bray Street and Morphett Road) is a potentially dangerous practice for both horses and motorists. The removal and/or reduction of stables and horse related activities from the surrounding streets, and into the racecourse, would most certainly result in a safer environment.

Staff and I recently met with horse trainers, stable owners and members of the SAJC. There appeared to be general support for the rezoning from those attending.

Council understands that even with the proposed additional stables at Morphettville Racecourse, there would not be sufficient numbers to cater for all the horses currently within
as the traditional and continuing custodians of the land.


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marion.sa.gov.au

the surrounding area. The SAJC may consider increasing the number of additional stables to be built on the racecourse land; however, they advise that this will require commitment from stable owners that they will relocate to the racecourse if the stables were built. Council has heard from a number of the stable owners that they are reluctant to commit to anything unless the land is rezoned to enable the sale of their land and relocation to the new stables, to be more financially viable.

Rezoning of the subject area requires amendments to be made to the Planning and Design Code. This involves Council undertaking a Code Amendment process, which is a relatively lengthy procedure and involves the approval of the Minister for Planning. Council is unlikely to undertake a Code Amendment process unless there is support from the relevant property owners.

If there is appropriate demand for a change in zoning, Council will seek to rezone the land to that of the surrounding General Neighbourhood Zone. This zone is predominantly a residential zone that would provide an opportunity for many property owners to subdivide their land and a greater diversity of dwelling types to be constructed. Allotments with minimum areas of 250m² and/or 300m² would be possible, dependent on the type of dwelling proposed.

Staff advise that if the area is rezoned, current stable complexes and other non-residential uses have 'existing use rights', which means they can remain operating at the location. Staff advise it is probable that there is likely to be a mix of land uses for some time as the process of moving horses from existing stables to the new stables at Morphetville is carried out.

Council is seeking feedback on the matter from all property owners within the subject area (both properties involving horse related activities and those used for purely residential purposes).

A simple questionnaire, asking whether you support the rezoning proposal, is attached for your consideration. There is also space provided for any additional comments you may have on the matter. An aerial photograph outlining the subject areas is also attached.

Please provide any comment you may have by **5pm Friday 4 June 2021**.

If you would like to discuss the matter further, please do not hesitate to contact Council's planning staff:

David Melhuish, Senior Policy Planner
Ph: 83756721
Email: david.melhuish@marion.sa.gov.au

Warwick Deller-Coombs, Manager Development and Regulatory Services
Ph: 83756685
Email: warwick.deller-coombs@marion.sa.gov.au

Yours faithfully,



Kris Hanna
Mayor

Rezoning of properties within Morphetville and Glengowrie

Council is considering rezoning the subject properties, outlined on the aerial photograph (currently used for, or adjacent to, horse related activities) to General Neighbourhood Zone. This will allow the opportunity for subdivision and redevelopment of properties for residential development.

Are you in favour of the above proposal?

YES ☐

NO ☐

Please return the questionnaire to:

Development Services
City of Marion
PO Box 21, Oaklands Park
SA 5046 OR
council@marion.sa.gov.au

If you wish to provide further discussion on your answer and/or any other comment in relation to the matter, please do so below. (please attach further comment if insufficient space)

Please provide the following details:

Name:	
Address – (within the subject area):	
Contact Details:	Phone: Email:





Horse Related Activities Code Amendment**Initial Letter Drop Seeking Comment on Proposed Rezoning****Summary of Responses****In Favour of Rezoning (29 respondents)**

- Support proposed rezoning
- Makes good sense to relocate horse keeping facilities to a safer and central location in the Morphettville Racecourse
- Exclusive residential zone will provide greater opportunity for land owners to redevelop underutilized and outdated stock
- There is no possible way we could have stables at our property
- How long will it take the SAJC to build sufficient numbers of stables?
- Need advise on how the stables in the racecourse will be managed
- What types of houses would be developed?
- If the area is rezoned but there is insufficient stabling within the racecourse, will stable owners that remain be allowed to walk horses across to the racecourse and put manure out for collection?
- Concerned that ultra-high density housing will devalue the area

Against Rezoning (2 respondents)

- Against proposed rezoning
- Not a fan of on-course stables
- We find horses do better with closer human contact and the ability to check anytime is beneficial
- More car parking and traffic from additional dwellings would be detrimental to horse related businesses that remain in the area (traffic noise, walking horses through streets etc.)
- What plans does Council have to deal with extra traffic?
- Additional/new residential property owners would not appreciate odours associated with horse related activities
- Take horses out as far as you can from me

11.2 Proposal to initiate boundary realignment at Seacliff Park

Report Reference	GC210824R11.2
Originating Officer	Manager Development and Regulatory Services – Warwick Deller-Coombs
Corporate Manager	Manager Development and Regulatory Services - Warwick Deller-Coombs
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

To seek a Council resolution to progress with a formal 'Stage 1 Potential Proposal' to the Boundaries Commission to align the boundary for the Seacliff Park development on the southern side of Scholefield Road, Seacliff Park.

REPORT HISTORY

Report Reference	Report Title
GC190312	Boundary Realignment - Seacliff Park

EXECUTIVE SUMMARY

Council previously wrote to the Boundaries Commission to investigate the process for a boundary realignment of the Seacliff Park development site (formerly known as Cement Hill).

The Boundaries Commission (the Commission) responded to Council on 9 August 2021 (attached).

Council recently learnt that the City of Holdfast Bay, on 13 July 2021, resolved to formally lodge a 'Stage 1 Potential Proposal' with the Commission.

The landowners, the Seacliff Group, have indicated they do not intend submitting a proposal at this time.

Given 85 per cent of the site is currently within the City of Marion (CoM), Administration is of the view that the current area should be maintained in addition to the extension of the boundary to include the remainder of the development site land to ensure future CoM residents remain in CoM and are better connected to the relevant communities of interest.

The boundary realignment process is conducted independently by the Commission, with all parties consulted with by the Commission to inform their assessment and recommendation.

Administration is advised that following submission of a Stage 1 Potential Proposal, the Commission staff work with that party until a sufficient level of information is provided, before it is officially put before the Commission for consideration.

Therefore while multiple proposals may be submitted, the Commission will determine which single party is accepted as the Proposal Initiator in Stage 1.

Following a Proposal Initiator being confirmed that party enters into a funding agreement with the Commission to undertake the Stage 2 investigation on the proposer's behalf.

It is the Commission who determines the appropriate level of analysis and engagement to be undertaken, before providing a recommendation to the Minister of Local Government.

There is a cost involved in progressing to Stage 2. There is no prescribed fee to reference as the fee is determined by the requirements of the assessment. Previous applications that have progressed to Stage 2 have been in the order of \$150-\$200,000.

RECOMMENDATION

That Council:

1. **Authorises the Administration to submit a 'Stage 1 Potential Proposal' to the Boundaries Commission for a realignment of the boundary for the development site on Scholefield Road, Seacliff Park (commonly known as Cement Hill) so that the relevant parcels of land are wholly located within the City of Marion council boundary.**
2. **Endorses up to \$200,000 to be allocated for savings from the 1st quarterly budget review to fund the Stage 2 proposal, should the 'Stage 1 Potential Proposal' be accepted by the Boundaries Commission.**
3. **Considers the future usage of Les Scott Reserve as part of the development of the 'Stage 1 Potential Proposal' as recommended by the Local Government Boundaries Commission.**

DISCUSSION

Background

In November 2020, the Minister for Planning approved a Development Plan Amendment (DPA) for a large parcel of land located along the southern side of Scholefield Road, Seacliff Park, from Ocean Boulevard. The majority of the site is within the City of Marion (CoM) and a small portion sits across the council boundary with the City of Holdfast Bay (CoHB) (map attached).

With the site crossing council boundaries, this creates some difficulties with the assessment of these future developments. As it currently stands, it is likely that the commercial part of the site would be assessed by the State Commission Assessment Panel and the residential component would be assessed by CoM.

With 85 per cent of the site already in CoM, it seems most logical for the remainder of the site to be wholly located within the CoM council boundary.

CoM wrote to the Commission on 8 June 2021 and they responded on 9 August 2021.

On 13 July 2021, the City of Holdfast Bay resolved the following motion:

"Motion C130721/2336 That Council endorse Administration to submit a proposal to the South Australian Boundaries Commission for a realignment of the boundary for the development site on Scholefield Road, Seacliff Park (commonly known as Cement Hill) so that the parcel of land is wholly located within the City of Holdfast Bay council boundary."

Discussion

The attached response from the Commission details the process Council should undertake in order to submit a formal Stage 1 Potential Proposal.

The response also invites Council to consider the future of the Les Scott Reserve area, which is currently an open space reserve owned by the City of Holdfast Bay.

This reserve has been earmarked for improvements by the developer and should it conceivably be transferred to the City of Marion, it should remain as community open space and form a key part of the precinct redevelopment.

In planning for future development of our city, the future residents (community of interest) of this site have been considered. Administration has been working on the proposal and it can be demonstrated that there are strong social, economic and environmental connectivity with the communities living in the City of Marion.

If Council wishes to include particular comments about relevant communities of interest, the following resolution may be added:

E.g. "That Council includes in its 'Stage One Potential Proposal' comments on the following communities of interest in addition to those developed by Administration:

- XXX
- XXX"

Conclusion

Due to the strong communities of interest, it is proposed that the development site fall wholly within the boundary of the City of Marion.

ATTACHMENTS

1. LGBC response to City of Marion request for advice - July 2021 [**11.2.1** - 3 pages]
2. Marion- Holdfast Boundary June 2021 [**11.2.2** - 1 page]



GPO Box 2329
Adelaide SA 5001

Tel (08) 7109 7145
DPTI.BoundariesCommission@sa.gov.au

Mr Kris Hanna
Mayor
City of Marion
PO box 21
OAKLANDS PARK SA 5046

Dear Mayor Hanna

Thank you for your letter of 8 June 2021 seeking advice from the Local Government Boundaries Commission (the Commission) regarding the process to initiate a council boundary change between the City of Marion (the Council) and the City of Holdfast Bay in the area of Seacliff Park.

As you would be aware, Commission staff met with Council staff on 13 July 2021 to discuss your correspondence. At this meeting, Commission staff outlined the boundary change process and the relevant legislation outlined in the *Local Government Act 1999* (the Act) and the Commission's Guidelines.

Commission staff also pointed out that the Commission is responsible for assessing boundary change proposals and would provide formal advice upon receiving a potential boundary change proposal (Stage 1).

Your correspondence was tabled at the Commission's meeting of 19 July 2021. The Commission acknowledged that as this correspondence sought advice regarding the boundary change process, it was not considered to be a potential proposal (Stage 1) as outlined in the Act and the Commission's nine Guidelines.

The Commission noted the Council's inquiries in relation to the boundary change process and a possible boundary change proposal that would move land encompassing the entirety of Certificate of Title 5774 Folio 145 (owned by The Seacliff Group) and Certificate of Title 5743 Folio 866 (owned by City of Holdfast Bay) from the City of Holdfast Bay to the City of Marion.

Council Initiated Proposals

As outlined in Chapter 3, Part 2 of the Act, council boundary changes can be initiated by a council or multiple councils. These can be referred by a proponent as either administrative or general proposals.

Administrative Proposals

Section 30 of the Act and the Commission's *Guideline 2 – Administrative Proposals* include a simplified pathway for consideration of boundary change proposals that are minor administrative matters.

The Commission may consider a proposal to be an administrative proposal in limited circumstances, including when the proposal is to correct an anomaly that is, in the opinion of the Commission, generally recognised. While an inquiry into an administrative proposals has fewer formal requirements under the legislation, it should be noted that the Commission may still undertake community consultation on it, to seek wider views on the impact of the proposal,

In discussing the Council's correspondence, the Commission was of the view that in order for the Commission to consider the proposed boundary realignment to be an administrative



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proposal, the Commission would require all affected parties to be in agreement that the proposed boundary change should occur.

The Council may therefore wish to approach the City of Holdfast Bay and The Seacliff Group as affected landowners to seek their views and support on the Council's proposed boundary change.

General Proposals

Section 31 of the Act and the Commission's Guideline 3 – *Submitting a General Proposal to the Commission* outline that a general proposal is defined as a proposal that is not considered as an 'administrative proposal' under section 30(7) of the Act.

The Commission requests that Councils make a general proposal in two stages as outlined in the Commission's Guideline 3.

Commission staff have provided the Council staff with a template which the Commission has developed for potential proposals (Stage 1) initiated by Councils. This template outlines the relevant information that must be provided to the Commission before it can make a determination as to whether a general proposal (Stage 2) can be referred to the Commission.

Although not mandatory, I strongly suggest that the Council use this template if it wishes to proceed with developing a potential proposal and address the relevant section 26 Principles in the Act that are outlined in the template. These principles are of fundamental importance to boundary change proposals and ultimately form the basis of recommendations made to the Minister.

The Council may also wish to note that if the proposal was considered to be a general proposal and the Commission determine that the proposal warranted investigation, Section 32B of the Act and the Commission's Guideline 8 – *Costs for General Proposals Initiated by a Council or Councils* provides for the Commission to recover reasonable costs of an inquiry into a general proposal.

If the Commission decided to investigate a general proposal, it will advise the Council of the expected costs of an inquiry and it will then be up to the Council to determine whether to proceed with the proposal.

Other Matters

Proposal Initiator

It was not apparent to the Commission's staff as to who the potential initiator of this proposal might be. This is an important consideration for the Council as there are a number of variations in the requirements of Council and publicly initiated proposals. The Commission's Guideline 3 – *Submitting a General Proposal to the Commission* outlines the process for Council initiated proposals and Guideline 6 – *Proposals Initiated by Members of the Public* outlines the requirements of proposals that are initiated by the public as eligible electors.



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Adelaide SA 5001

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DPTI.BoundariesCommission@sa.gov.au

Les Scott Reserve

The affected area highlighted in your correspondence includes the Les Scott Reserve, which is currently under the ownership and council administration of the City of Holdfast Bay. As this is public land and provides open space to the immediate and surrounding community, the Commission requests that the Council consider the future usage of this land as part of the development of any proposal.

Should you have any further queries about the information please contact the Commission on 7109 7164 or by email at boundaries.commission@sa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "B Green".

Bruce Green

Chair, SA Local Government Boundaries Commission

09/08/2021

Cc: Mayor Amanda Wilson, City of Holdfast Bay



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

COUNCIL
BOUNDARY
REALIGNMENT

Map Width: 746.5 m
Created by dev
Tuesday, 5 March 2019



12 Corporate Reports for Information/Noting

12.1 Finance Report - July 2021

Report Reference	GC210824R12.1
Originating Officer	Assistant Financial Accountant – Melissa Virgin
Corporate Manager	Chief Financial Officer - Ray Barnwell
General Manager	General Manager Corporate Services - Sorana Dinmore

REPORT OBJECTIVE

This report provides Council with information relating to the management of financial resources under its control as at July 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 – July 2021”**

DISCUSSION

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.

ATTACHMENTS

1. Appendix 1: Monthly Financial Reporting [**12.1.1** - 5 pages]
2. Appendix 2: Capital Works Reporting including Major Projects [**12.1.2** - 7 pages]
3. Appendix 3: Debtors Reports for Sundry Debtors and Rates debtors [**12.1.3** - 2 pages]

APPENDIX 1

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 2021/22 means a targeted operating surplus of between \$0 and \$9.582m.

Comment: Council currently has a net operating surplus result of \$1.721m before capital revenues, against a year to date forecast budget of \$1.628m surplus. This position is detailed in the attached Funding Statement and variation notes.

Capital Budget -
\$54.643m

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 100% 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: \$10.920m of new borrowings are currently forecast in the 2021/22 budget and principal repayments of \$0.827m, meaning that the overall loan liability balance is currently forecast to increase by \$10.093m to \$14.483m at 30 June 2022.

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 of \$44.296m are fully cash backed and are detailed in the below table. Council's adopted budget for 2021/22 includes Transfers to Reserves of \$0.285m and Transfers from Reserves of \$19.738m, after accounting for amounts quarantined for specific projects and carryovers, there is \$3.102m 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	9,819	1,029	1,525	3,537	17,910	859	2,441	23,086	44,296
Budgeted transfers to reserve	0	0	240	0	20	260	15	10	0	285
Budgeted transfers from reserve	0	(8,157)	(280)	(1,525)	(2,730)	(12,692)	0	0	(7,046)	(19,738)
Current Budgeted Closing Balance	2,000	1,662	989	0	827	5,478	874	2,451	16,040	24,843
Quarantined Funds	(2,000)	(1,628)	(949)	0	(250)	(4,827)	(874)	0	(16,040)	(21,741)
Projected Available Balance	0	34	40	0	577	651	0	2,451	0	3,102

The 2021/22 budget forecasts a net cash deficit of \$0.681m.

*CFPP: Community Facilities Partnership Program

*Other includes Walking & Cycling and Energy Efficiency.

**Funding Statement
as at 31 July 2021**

Original Adopted Budget	YTD Actual	YTD Budget	YTD Variance		Annual Budget	Note
\$'000	\$'000	\$'000	\$'000		\$'000	
Operating Revenue						
81,693 Rates	6,549	6,477	72	F	81,693	
2,106 Statutory Charges	65	117	(52)	U	2,106	
2,827 User Charges	94	136	(42)	U	2,827	
6,726 Operating Grants & Subsidies	510	379	131	F	6,726	A
347 Investment Income	1	7	(6)	U	347	
1,222 Reimbursements	21	41	(20)	U	1,222	
538 Other Revenues	3	12	(9)	U	538	
365 Net gain - Equity Accounted Investments	-	-	-	-	365	
95,824	7,243	7,169	74	F	95,824	
Operating Expenses						
39,912 Employee Costs	1,771	2,103	332	F	39,912	B
21,659 Contractual Services	1,586	1,400	(186)	U	21,659	C
5,186 Materials	119	221	102	F	5,186	D
254 Finance Charges	-	-	-	-	254	
16,000 Depreciation	1,482	1,482	-	-	16,000	
8,609 Other Expenses	564	335	(229)	U	8,609	E
91,620	5,522	5,541	19	F	91,620	
4,204 Operating Surplus/(Deficit) before Capital Revenues	1,721	1,628	93	F	4,204	
Capital Revenue						
4,577 Capital Grants & Subsidies	-	-	-	-	4,577	
- Contributed Assets	-	-	-	-	-	
- Asset Disposal and Fair Value Adjustment	-	-	-	-	-	
4,577	-	-	-	-	4,577	
8,781 Net Surplus/(Deficit) resulting from operations	1,721	1,628	93	F	8,781	
16,000 add Depreciation	1,482	1,482	-		16,000	
- add (Gain)/Loss on Asset Disposal	-	-	-		-	
(365) less Share of Profit Equity Accounted Investments	-	-	-		(365)	
24,416 Funding available for Capital Investment	3,203	3,110	93	F	24,416	
Capital						
20,283 less Capital Expenditure - Renewal	754	174	(580)	U	20,283	F
34,360 less Capital Expenditure - New	188	2,729	2,541	F	34,360	G
- less Capital - Contributed assets	-	-	-	-	-	
- add Proceeds from Sale of Surplus Assets	-	-	-	-	-	
(30,227) Net funding increase/(decrease)	2,261	207	2,054	F	(30,227)	

Original Adopted Budget \$'000		YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Annual Budget \$'000	Note
Funded by						
Loans						
10,920	Loan Principal Receipts (Net)	-	-	-	10,920	
-	Loan Receipts/(Payments) from Sporting Clubs (Net)	-	-	-	-	
(827)	Loan Principal Repayments	-	-	-	(827)	
10,093	Loan Funding (Net)	-	-	-	10,093	
Movement in level of cash, investments and accruals						
(681)	Cash Surplus/(Deficit) funding requirements	12,840	10,786	2,054	(681)	
(19,453)	Reserves Net - Transfer to/(Transfer from)	(10,579)	(10,579)	-	(19,453)	
(20,134)	Cash/Investments/Accruals Funding	2,261	207	2,054	(20,134)	
30,227	Funding Transactions	(2,261)	(207)	(2,054)	F 30,227	H

Variation Notes

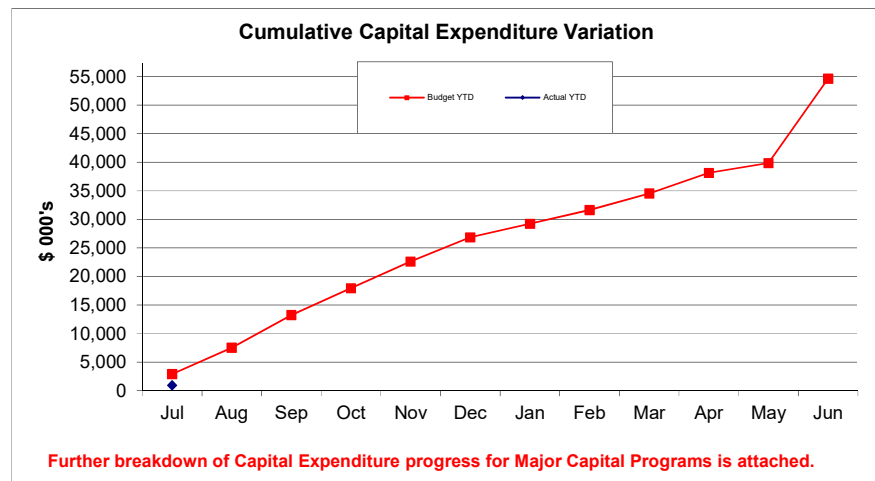
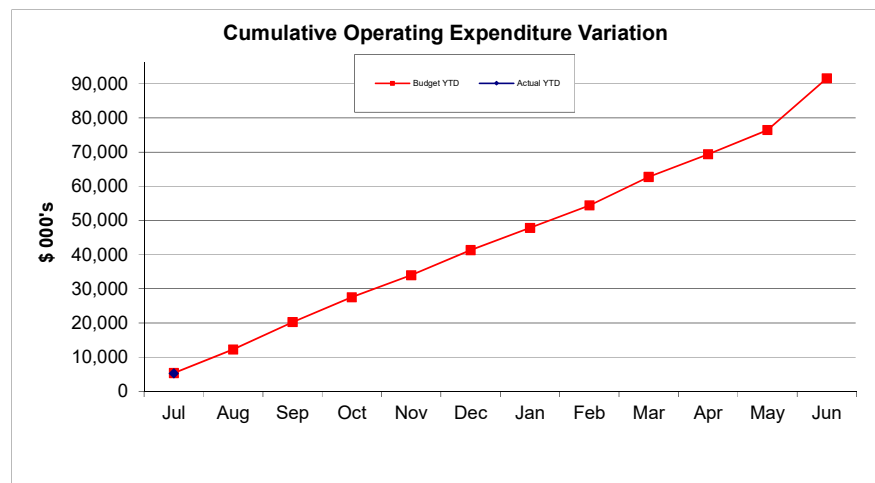
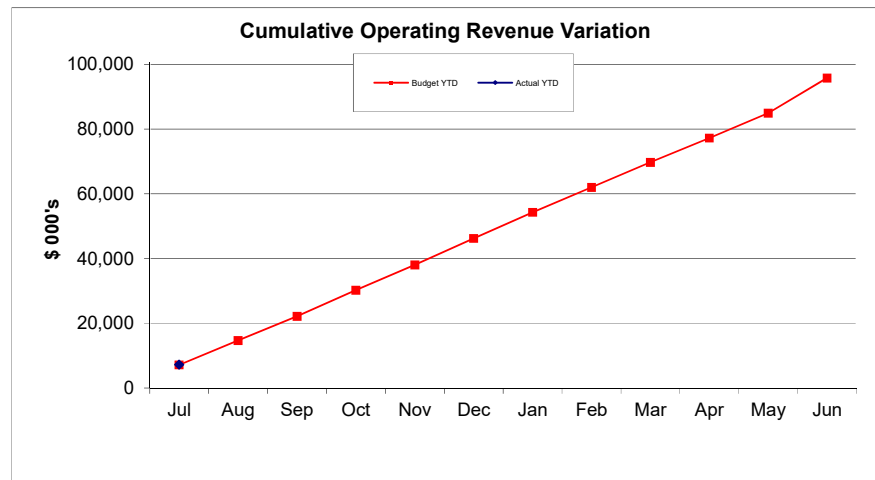
A	Operating Grants & Subsidies	Favourable \$131k	Reflects an unbudgeted subsidy received for Family and Community Development (\$70k) and budget-timing with regards to a number of other accounts which are individually insignificant.
B	Employee Costs	Favourable \$332k	Predominantly reflects budget-timing variances in addition to savings from temporarily vacant positions.
C	Contractors	Unfavourable \$186k	Reflects budget-timing variances with regards to Cleaning (\$59k), Waste (\$46k) and a number of other variances which are individually insignificant.
D	Materials	Favourable \$102k	Reflects budget-timing variances with regards to a number of variances which are individually insignificant.
E	Other Expenses	Unfavourable \$229k	Reflects the reclassification of a contribution (\$200k) from capital to operating, this will be adjusted in the first budget review. The overall funding impact is zero.
F	Capital Expenditure (Renewal)	Unfavourable \$580k	Reflects budget-timing variances with regards to Fleet Replacement (\$435k) and a number of variances which are individually insignificant.
G	Capital Expenditure (New)	Favourable \$2,541k	Reflects budget-timing variances with regards to Southern Soccer Regional Football Facility (\$1,086k) Mitchell Park Sports and Community Club Redevelopment (\$874k), and Sam Willoughby International BMX Facility (\$704k).
H	Funding Transactions	Favourable \$2,054k	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 Transactions

This variance is the sum total of all variances and reflects an increase against council's expected YTD cash position.

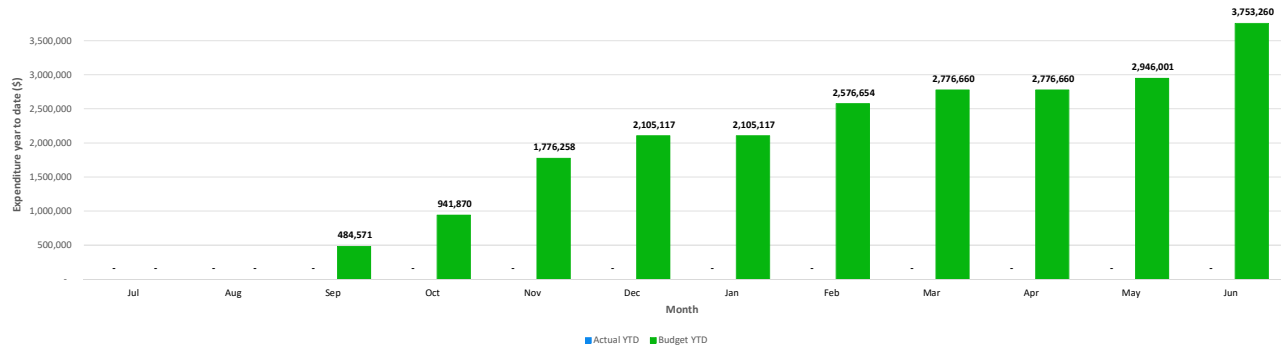
Funding Statement Cumulative Position - 2021/22



Road Reseal

Monthly Comment

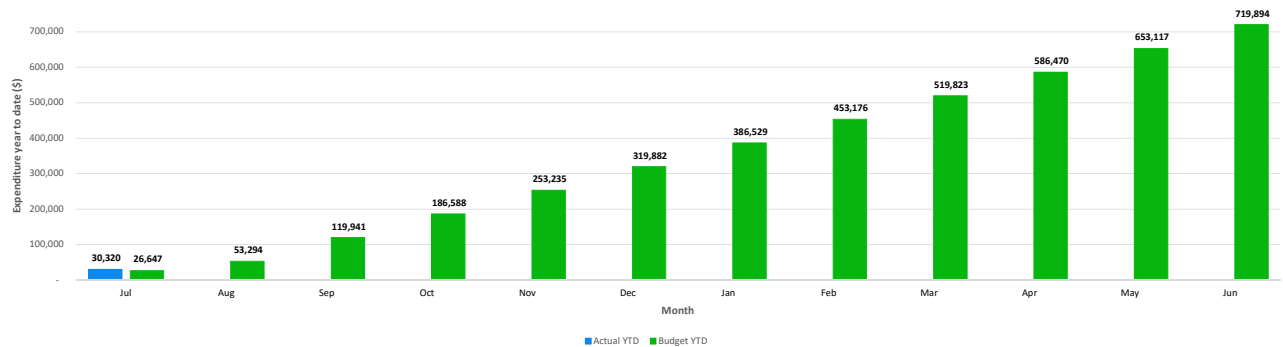
Program works are currently being scoped, anticipated to commence in September.



Kerb and Water Table

Monthly Comment

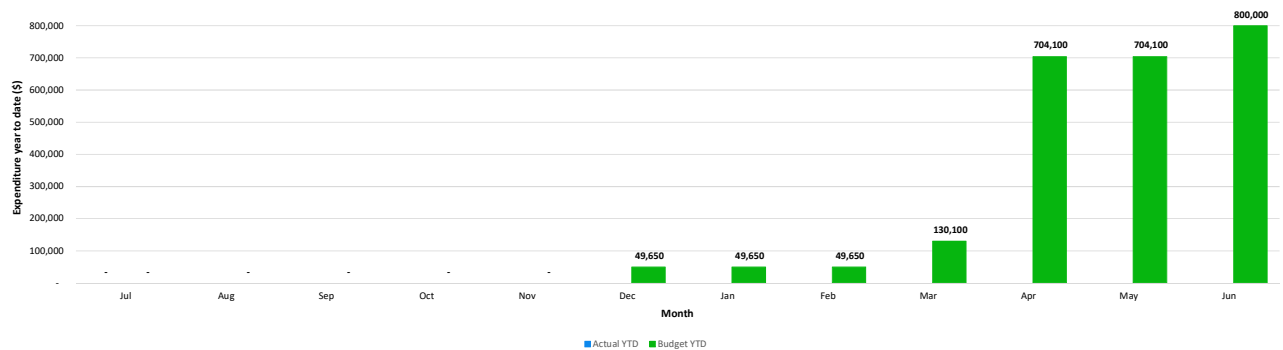
Program works are currently being scoped.



New Footpath Construction

Monthly Comment

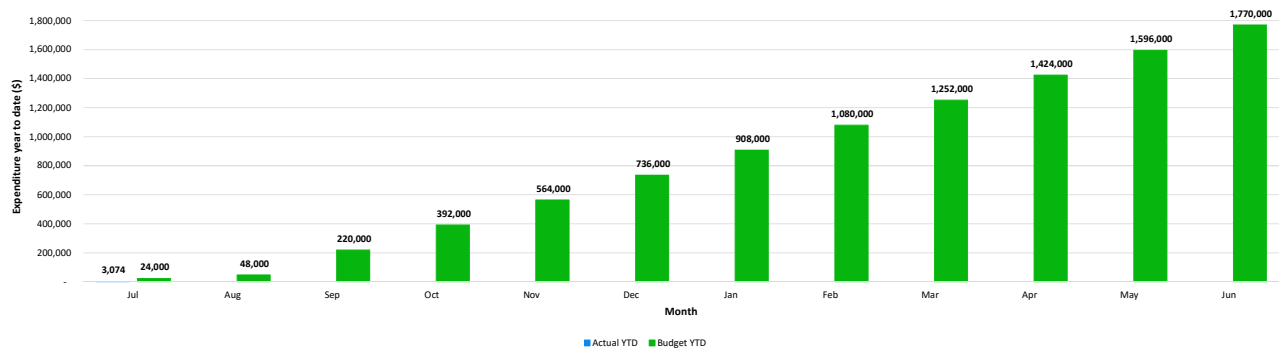
Program works are currently being scoped, anticipated to commence in November.



Renewal Footpath Construction

Monthly Comment

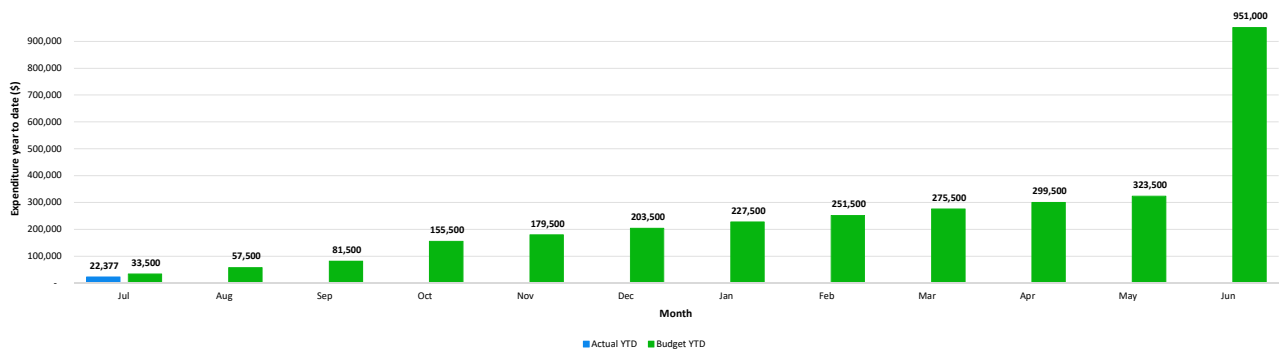
Program works are currently being scoped.



Transport

Monthly Comment

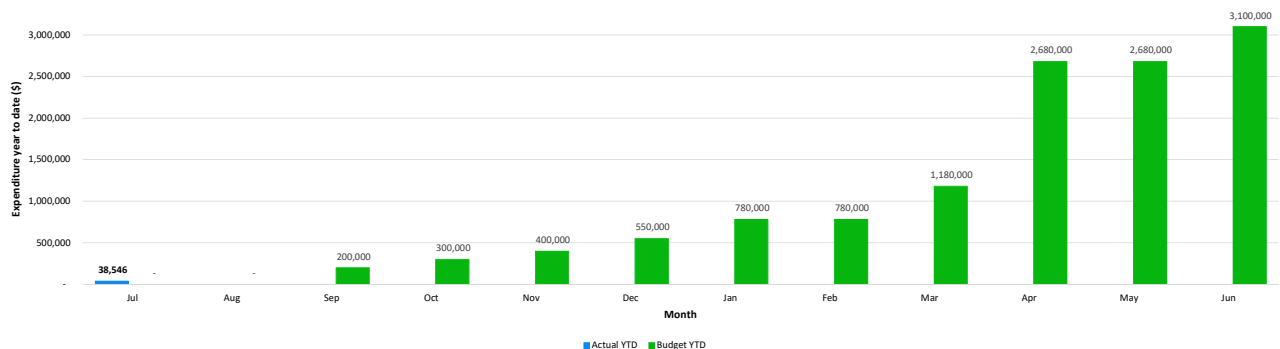
Program in progress with 10% of the Signs Program complete. Designs are complete for The Esplanade, Hallett Cove, Waterfall Creek Shared Path and Marion Road, Sturt. Feasibility assessments are currently underway for Parking Bays at Mitchell Street, Glengowrie, River Parade, Hallett Cove, Collins Avenue, Ascot Park and Park Terrace, Plympton Park.



Drainage

Monthly Comment

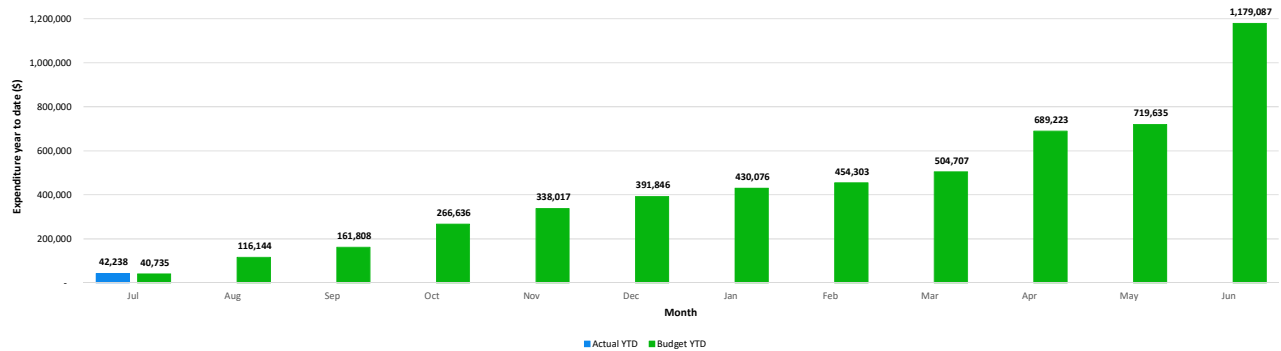
Program in progress with designs complete for Santana Court, Hallett Cove, Berrima Road, Sheidow Park, Cadell/Irwin Street, Seaview Downs and English/Renown Avenue, Clovelly Park. Works on LeCRETua way are due to commence in October.



Street Trees

Monthly Comment

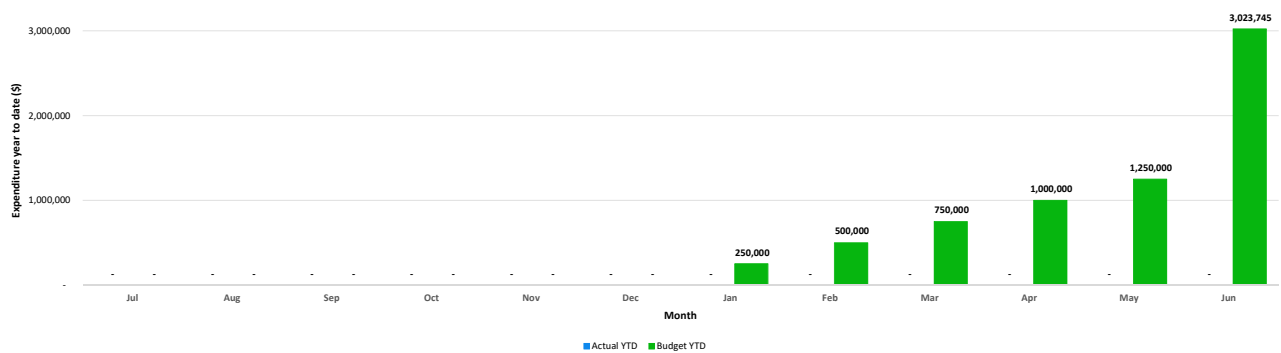
Program in progress with 417 trees from the Tree Planting Program complete. Scoping works for the Treescaping Program have commenced.



Streetscapes

Monthly Comment

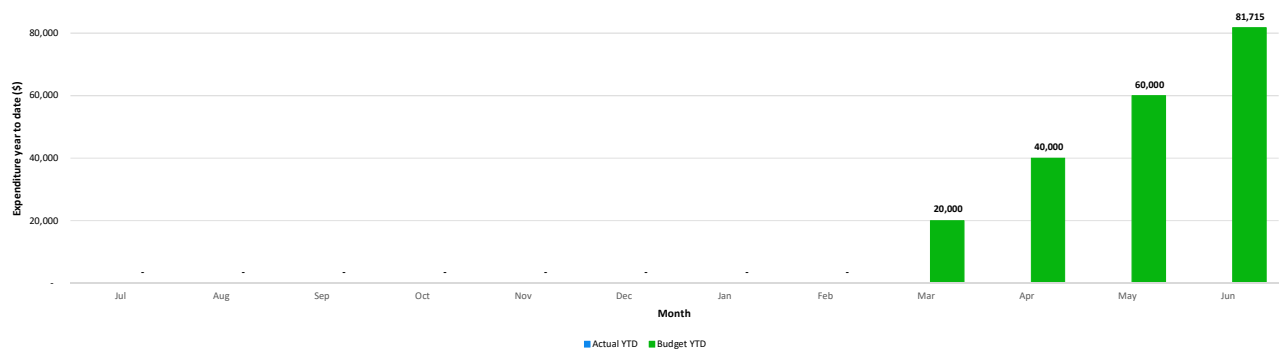
The consultation process is complete for Sturt Road, Seacombe Gardens and Diagonal Road, anticipated to go to tender in September. Works are currently being scoped for Addison Road Verge Upgrade, Crozier Terrace Streetscape and Murray Terrace Verge upgrade. This budget for this program will re-timed.



Irrigation

Monthly Comment

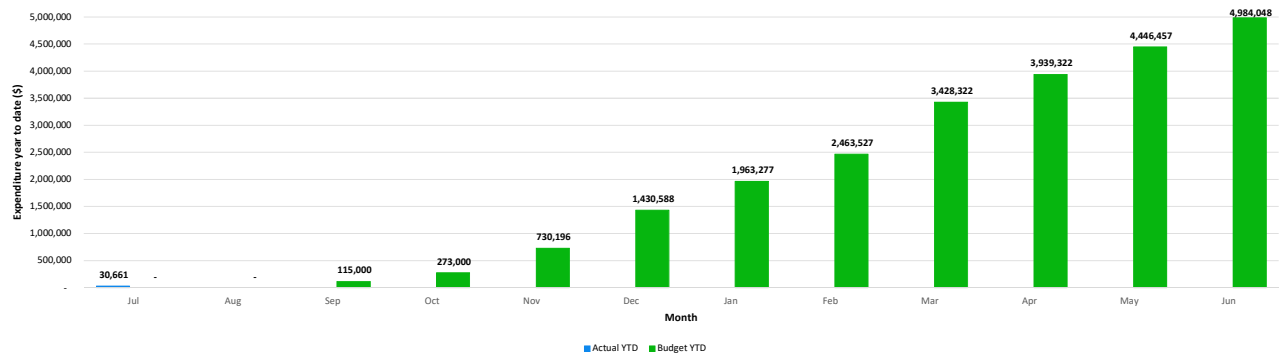
Program has not started.



Open Space Developments

Monthly Comment

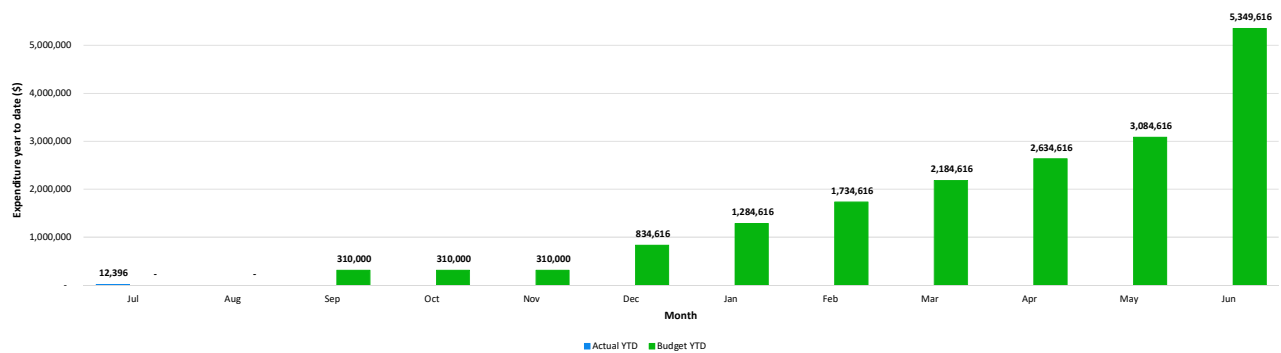
Program in progress with Capella Drive Reserve Skate Park (c/o carryover) in construction. Construction on McConnell Reserve East and Yalpinga Street Reserve is anticipated to commence in September.



Sports Facilities and Courts

Monthly Comment

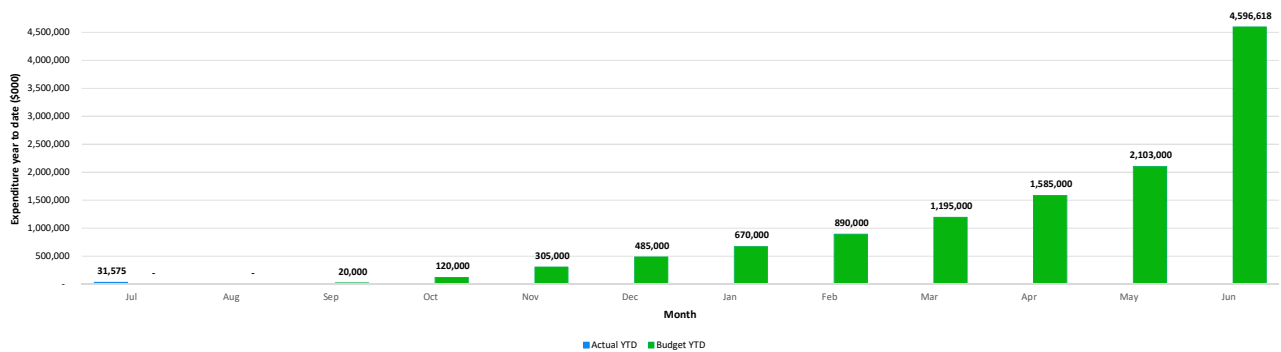
Tanham Road Tennis Courts and Playspace Redevelopment is out for Community consultation, final feedback will be considered before detailed design commences.



Building Upgrades

Monthly Comment

Works are in progress on Adelaide Remote Control Car Club Lighting and Verandah (c/o) and Marion City Band Toilets (c/o). Preliminary activities are in progress for a number of projects in this program.



Major Projects

Mitchell Park Sports and Community Club Redevelopment

	2021/22 Actual YTD 31/07/2021	2021/22 Budget	Project Cost At Completion
Income			
Commonwealth Government Grant Contribution		1,500,000	5,000,000
State Government Grant Contribution			250,000
Total Income	-	1,500,000	5,250,000
Expenditure			
Operating	-	-	-
Capital Construction	(12,080)	(11,000,000)	(16,250,000)
Total Expenditure	(12,080)	(11,000,000)	(16,250,000)

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

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

Council have received \$1.0m of the Commonwealth Governments contribution and \$250k of the State Governments contribution to this project. A further \$2.5m has been invoiced for progress payments, yet to be received.

Sam Willoughby International BMX Facility

	2021/22 Actual YTD 31/07/2021	2021/22 Budget	Project Cost At Completion
Income			
City of Onkaparinga Contribution	-	375,000	750,000
State Government Grant Contribution	-	-	3,550,000
Total Income	-	375,000	4,300,000
Expenditure			
Operating	-	-	-
Capital Construction	(12,148)	(3,958,005)	(6,050,000)
Total Expenditure	(12,148)	(3,958,005)	(6,050,000)
Project Result Surplus/(Deficit)	(12,148)	(3,583,005)	(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 contribution and \$375k of City of Onkaparinga's contribution to this project.

Southern Regional Football Facility

	2021/22 Actual YTD 31/07/2021	2021/22 Budget	Project Cost At Completion
Income			
State Government Grant Contribution	-	-	2,500,000
Total Income	-	-	2,500,000
Expenditure			
Operating	-	-	-
Capital Construction	(9,898)	(5,528,750)	(7,000,000)
Total Expenditure	(9,898)	(5,528,750)	(7,000,000)
Project Result Surplus/(Deficit)	(9,898)	(5,528,750)	(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 31 July 2021

Appendix 3

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	13,139.45	3,853.55	7,644.90	966.00	550.00	125.00	0%	Made up of 1 out of 19 debtors. This account has subsequently been settled in August.
Neighbourhood Centres Total	1,990.00	1,490.00	500.00	.00	.00	.00	0%	
Regulatory Services Land Clearing Total	2,890.94	.00	.00	.00	.00	2,890.94	3%	Made up of 4 debtors, with one account totalling \$1,725.35.
City Property Facilities Total	71,420.38	.00	28,422.48	23,072.81	525.06	19,400.03	23%	Made up of 10 out of 14 debtors. Two accounts totalling \$3,739.12 are on payment plans. One account totalling \$6006.59 is being worked through with the debtor. One account totalling \$1430.75 has subsequently been settled in August.
Civil Services Private Works Total	39,555.00	2,100.00	8,670.00	.00	10,235.00	18,550.00	22%	Made up of 11 out of 21 debtors in this category with Two accounts totalling \$4,850.00 relating to works not commenced, awaiting payment. Five accounts totalling \$7,130.00 are on payment plans. Two accounts totalling \$3,630.00 have subsequently been settled in August.
Swim Centre Debtors Total	1,815.00	.00	.00	.00	384.00	1,431.00	2%	Made up of 1 out of 2 debtors. This account relates to an invoice that was in dispute, this has now been resolved.
Grants & Subsidies Total	2,501,638.74	1,000,000.00	.00	.00	1,500,000.00	1,638.74	2%	Made up of 1 out of 5 debtors in this category.
Environmental Health Inspections Total	17,582.90	246.00	6,707.80	.00	577.20	10,051.90	12%	Made up of 48 out of 93 debtors, with none individually significant. Two accounts totalling \$1,146.40 have subsequently been settled in August.
Regulatory Services Other Total	36,223.15	.00	907.50	4,361.50	.00	30,954.15	36%	Made up of 112 out of 133 debtors in this category, with none individually insignificant.
Supplier Refund Totals	300.00	.00	.00	.00	300.00	.00	0%	
Marion Cultural Centre Total	2,483.00	1,357.00	346.00	780.00	.00	.00	0%	
Living Kaurna Cultural Centre Total	3,365.20	.00	2,000.80	1,364.40	.00	.00	0%	
Local Government	64,706.32	5,845.32	58,861.00	.00	.00	.00		
Total	2,757,110.08	1,014,891.87	114,060.48	30,544.71	1,512,571.26	85,041.76		
Total Aging Profile		37%	4%	1%	55%	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 Kaurna Cultural Centre	Relates to programs run through the LKCC.
Environmental Health Testing	Environmental testing fees.
Local Government	Transactions with other Local Government corporations.
Communications	Anything related to communications.
Economic Development	Events, etc. relating to economic development within the City of Marion.
Marion Cultural Centre	Hiring of the Marion Cultural Centre.

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

Rates Report - Collection of Rates to 31 July 2021

ANALYSIS OF OUTSTANDING RATES AS AT 31 JULY 2021

	<u>Note</u>		% of Total Annual Rates
CURRENT	1	\$ 75,862,021	92.9%
OVERDUE	2	\$ 490	0.0%
ARREARS	3	\$ 2,370,022	2.9%
INTEREST	4	\$ 41,067	0.1%
POSTPONED	5	\$ 228,918	0.3%
LEGALS	6	\$ 36,466	0.0%
		\$ 78,538,984	96.2%
TOTAL ANNUAL RATES FOR 2021/22		\$ 81,668,804	

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.

12.2 WHS Monthly Performance Report July 2021

Report Reference	GC210824R12.2
Originating Officer	Unit Manager Risk – Sherie Walczak
Corporate Manager	Manager Office of the CEO - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

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 LTIFR of 14.4, to reach 12.95 or less in 2021-22.

The **2021-22 LTIFR** as at the end of July 2021 is **0.0** with **0** lost time injury claims being submitted.

The well-being of the staff involved is paramount and Management reviews 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 (which has just completed its second year) to address compliance, key risks and reduce the LTIFR. It is noted that the WHS function is being realigned under the People and Culture division. Recruitment is currently underway for a dedicated Unit Manager, Work, Health and Safety. It is anticipated that this shift will occur in September 2021.

ATTACHMENTS

1. GC210824R WHS Monthly Performance Report July 2021 [**12.2.1** - 3 pages]

Attachment 1 – WHS Monthly Performance Report – July 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.

Table 1: Hazard and Near Miss Reports - Financial Year 2021/22

Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Total	Ave
8												8	8

Table 2: 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	10	6	5	12	120	10

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 2021/22

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
0												0

Table 4: Number of LTIs 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	3	0	0	0	1	10

*Two LTIs occurring late in 2019-20 either sought further medical intervention or were investigated and accepted post June 2020.

Table 5: Outline of LTIs reported - Financial Year 2021/22

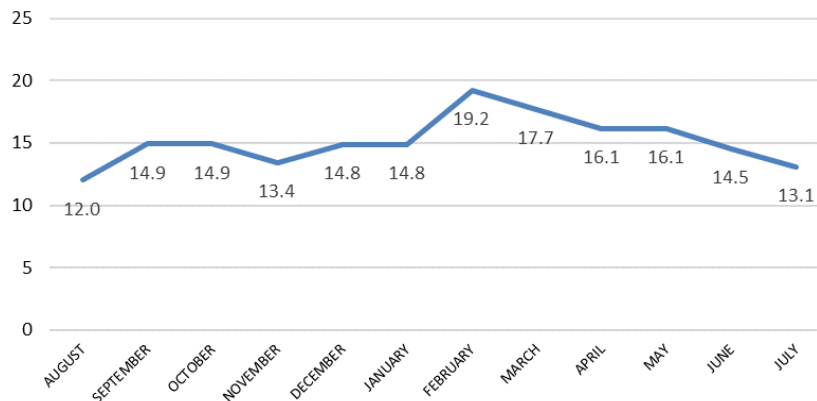
No.	Description of Incident	Mechanism of Injury	Injury Description

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

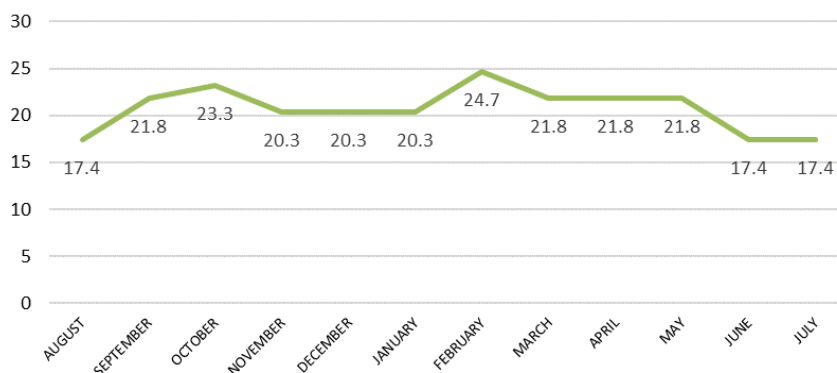


The current 12 month rolling LTIFR for the City of Marion is **13.1** which represents a **9%** increase over the previous 12 months from.

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

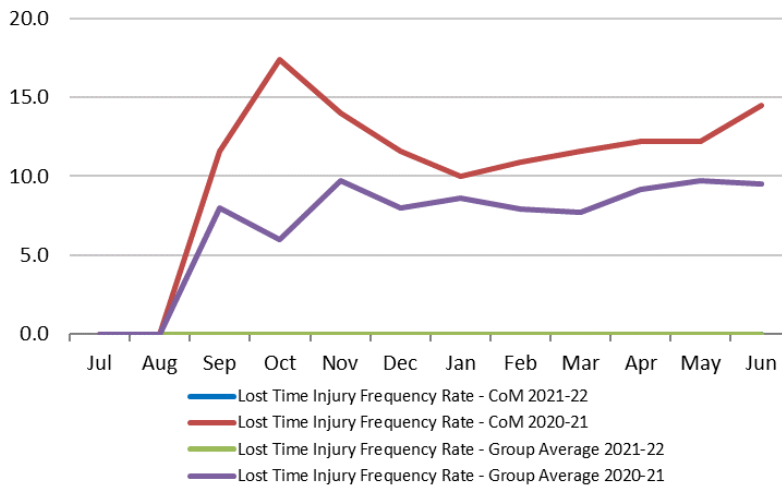


The current 12 month rolling TRIFR for the City of Marion is **17.4** which represents no change over the previous 12 months.

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

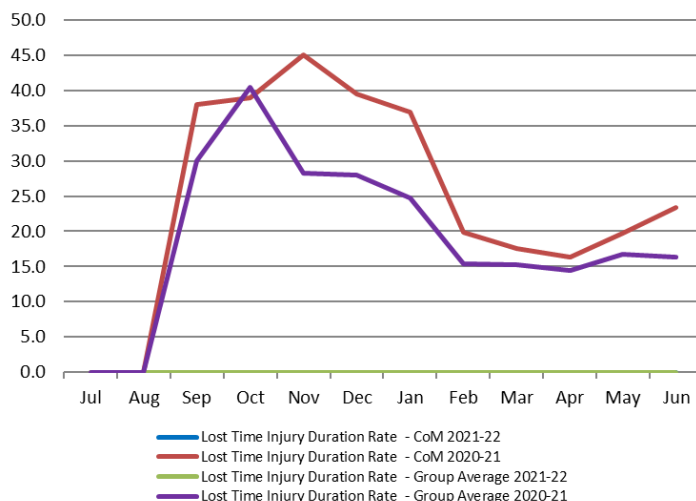


The current LTIFR for the City of Marion (which would be represented in blue) is **0**, compared to GaCs recording **0**, with no claims being recorded this year to date.

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 (which would be represented in blue) is **0**, compared to GaCs recording **0**, with no claims being recorded this year to date.

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

12.3 Development expiations

Report Reference	GC210824R12.3
Originating Officer	Team Leader Building – Stephen Zillante
Corporate Manager	Manager Development and Regulatory Services - Warwick Deller-Coombs
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

To inform Council of the Development and Regulatory Services Department's intention to issue expiations for offences committed under the Planning, Development and Infrastructure Act 2016.

EXECUTIVE SUMMARY

- The Planning, Development and Infrastructure Act 2016 (PDI Act) became operational on 19 March 2021.
- A key feature of the new system is the provision for a range of new expiable offences and penalty levels designed to improve compliance and provide greater deterrence to potential offenders.
- Staff will begin issuing development expiations from September 2021; this will be the first time the City of Marion expiates for breaches of development legislation.
- Decisions to expiate will be made in line with the objectives of Council's Enforcement Policy.
- Expiations may be used for high volume contraventions or as an alternative to prosecution/civil court proceedings for an offence.
- The initial expiation approach will target building work notifications, high risk/life safety matters and repeat offenders.
- Expiations will be issued with the aim of deterring future contraventions, improving standards and acting in the community interest.
- Staff have engaged with key stakeholders to educate and advise of Council's plan to expiate.

RECOMMENDATION

That Council:

1. **Note this report.**

Background

A key feature of the new system created by the PDI Act is the provision for a range of new enforcement sanctions, expiable offences and penalty levels designed to improve compliance and provide greater deterrence to potential offenders.

In transitioning to the new system expiable offences and penalty levels were reviewed by the State Government and were amended so that they are more consistent in their application across like offences, and generally reflect appropriate levels given the nature of offending and the need to deter contraventions. In addition to existing enforcement rights continued from the Development Act, the PDI Act provides for higher expiation penalties better aligned with the rest of the State's penalty regimes.

Building and planning staff have reviewed the new penalties to implement a program of development expiations from September 2021. This will be the first time the City of Marion expiates for breaches of development legislation.

The power to expiate is delegated to building and planning staff under the Expiation of Offences Act (existing delegation). Whilst the changes to the PDI Act introduced new offences and penalties, these offences in themselves are not a power that requires delegation under the PDI Act.

Enforcement approach

Expiations will provide Council with an effective method for dealing with certain breaches of the law.

Under current enforcement processes, most matters are resolved by negotiation. Where negotiations fail Council must consider whether to seek (and often pay for) a determination from the Environment, Resources and Development Court (rarely resulting in full cost recovery). Expiations may be typically used as an alternative to prosecution for an offence and to court proceedings for a civil penalty order, for high volume contraventions.

In line with existing enforcement practices, the decision to expiate will consider the objectives of the City of Marion Enforcement Policy. Staff will now have greater capability to action expiations previously not available to staff.

Where a breach of the PDI Act occurs staff will continue to consider whether informal or formal action can be undertaken. Formal action includes enforcement notices/ directions, expiations or court proceedings. Informal action may include a verbal/written warning or a request for action.

In considering whether an offence warrants an expiation, staff will take into account the following:

- The nature and seriousness of the breach;
- Whether the matter involves a first or repeat offence;
- Whether the breach was deliberate or an honest oversight;
- Whether alternative enforcement action or education would be more viable;
- Whether an expiation will deter future contraventions and lead to improved standards.

An internal process to manage expiations, including review of decisions, has been developed. One key feature of the process is the collection of expiation data which will be used to identify trends and determine the effectiveness of the new approach.

Types of offences

There are 26 expiable offences under the PDI Act (Attachment 1) attracting penalties of up to \$750, which can be grouped into four main categories:

- Failure to provide building work notifications to Council
- Failure to provide mandatory documentation to Council (e.g. insurance/fire safety certificates, builder's statements, prescribed checklists etc.)
- Illegal occupation/use of a building
- Life and building fire safety matters.

Instances where Council may expiate

Failure to provide building work notifications to Council

The PDI Act requires builders to notify Council that a site is ready for inspection at various construction stages. From 2017-2020 notification rates averaged 74%, meaning 26% of buildings were not notified and could not be inspected before completion. These figures have been compared with and found to be similar to other metropolitan councils.

Under the previous regime, staff would periodically audit missed notifications and send warning letters to builders. Unfortunately, this approach saw little change in the number of notifications received.

Under the new regime, staff will have the option to expiate as a means of improving the number of notifications received. The planned approach will see known repeat offenders expiated, whilst still assessing whether other builders are provided with warning letters in advance of expiations.

Failure to provide mandatory documentation to Council

Builders must take out a policy of building indemnity insurance for new dwellings/dwelling additions to protect the building owner (and future owner) from incomplete/faulty work, or if the builder dies/declared bankrupt.

From 2017-2020 an average of 830 dwellings/additions were approved per year. Staff estimate that approximately 5-10% of these were commenced without insurance having been obtained, leaving building owners exposed to potential loss. In such cases, staff would issue the builder with a warning letter and direct them to obtain insurance prior to undertaking further work. If the builder did not comply, staff would issue a formal stop work direction until the matter could be resolved. This approach, whilst often successful in obtaining certificates, saw staff spend considerable time following up with little increase in compliance.

Staff will now have the option to expiate as a means of increasing the level of compliance, thereby ensuring homeowners and residents have better consumer protection. Staff may also apply this approach to obtaining other mandatory documentation such as fire safety certificates, signed builder statements and construction certificates

Illegal use of buildings and threats to life safety

Most matters relating to illegal use/unsafe buildings are resolved informally via verbal or written direction and negotiation. There are however instances involving serious threats to life safety where expiation (or threat of expiation) can be used as a tool to resolve the situation as an alternative to prosecution or civil court proceedings.

Engagement

Staff have written to key stakeholders advising of Council's intention to expiate and have met with regular volume builders to educate and inform them of their obligations.

Over the next year, Council will write to builders, developers and owner builders at time of approval reminding them of their obligations and the potential expiation fees that apply. Staff will also use enforcement and expiation data to proactively identify opportunities to educate key stakeholders, with a view to improving standards and minimising the number of expiations.

Conclusion

- Development expiations will provide Council with an effective method for dealing with certain breaches of the law and as an alternative to prosecution or civil court proceedings.
- Development expiations will be issued with the aim of deterring future contraventions and improving standards.
- The initial expiation approach will target building work notifications, high risk/life safety matters and repeat offenders.
- Prior to expiating, staff will consider whether alternative enforcement action or education would be more viable.
- Staff will continue to engage with key stakeholders to educate and improve standards.

ATTACHMENTS

1. summary of expiable offences [**12.3.1** - 2 pages]

Summary of Expiable Offences

Planning, Development and Infrastructure Act 2016 and Planning, Development and Infrastructure (General) Regulations 2017

<i>Planning, Development and Infrastructure Act 2016</i>		
Section	Description	Fee
151(5)	Permit the occupation of a building where the building is constructed, maintained or operated other than in accordance with the classification appropriate to its use	\$750
152(1)(a)	Occupy a building without a certificate of occupancy	\$750
152(1)(b)	Occupy a building in contravention of a certificate of occupancy	\$750
155(8)	Failure to notify authorised officer in writing on completion of work required to be carried out by an emergency order	\$200
156(3)(a) and 156(4)	Failure to ensure that designated (swimming pool) safety feature(s) are installed and maintained in accordance with prescribed requirements	\$750
156(3)(b)(i) and 156(4)	Failure to ensure that designated (swimming pool) safety features are installed, replaced or upgraded before, or on the occurrence of, a prescribed event	\$750
157(5)	Failure to provide report to the appropriate authority on the work or other measures necessary to ensure that the fire safety of a building is adequate within 2 months (or such longer period as the appropriate authority allows)	\$225

<i>Planning, Development and Infrastructure (General) Regulations 2017</i>		
Regulation	Description	Fee
36(3)	Commence domestic building work without lodging a certificate of insurance	\$500
47(7)	Damage, destroy, obscure or remove a notice placed on land during the relevant public notification period	\$500
93(1)(a)	Failure to provide one business day's notice – intended commencement of building work	\$750
93(1)(b)(i)	Failure to provide one business day's notice – intended commencement of specified stage – building work within Metropolitan Adelaide	\$750

93(1)(b)(ii)	Failure to provide two business day's notice – intended commencement of specified stage – building work outside Metropolitan Adelaide	\$750
93(1)(c)	Failure to provide one business day's notice – intended completion of stage specified on development approval	\$750
93(1)(d)	Failure to provide one business day's notice – building work - stage specified on building consent	\$750
93(1)(e)	Failure to provide one business day's notice – intended commencement of installation of a designated building product	\$750
93(1)(f)	Failure to provide one business day's notice – intended completion of building work	\$750
93(4)	Failure to provide duly completed prescribed supervisor's checklist relating to the installation of designated building product	\$750
94(8)	Failure to provide certificate of compliance within 20 business days of installation of essential safety provision(s)	\$750
94(9)	Permit the use of a building without carrying out annual maintenance and testing of essential safety provision(s)	\$750
94(10)	Failure to provide adequate proof of maintenance and testing of essential safety provision(s) within 60 days of the end of the calendar year	\$750
94(11)	Failure to provide proof of maintenance and testing of essential safety provision(s) in the prescribed form	\$750
94(15)	Failure to provide written proof of maintenance and testing of essential safety provisions to an authorised officer within 48 hours	\$500
95(5)	Failure to install compliant smoke alarm(s) – Class 1 and 2 buildings	\$150
104(3) and 104(9)	Failure to provide duly completed Statement of Compliance in the prescribed form	\$750
104(5) and 104(9)	Failure to provide certificates, reports or other documents as required to accompany a Statement of Compliance	\$750
104(6) and 104(9)	Failure to complete Statement of Compliance	\$750

12.4 DAIP Implementation Report 2020-21

Report Reference	GC210824R12.4
Originating Officer	Social/Cultural Sustainability Planner – Melissa Batt
Corporate Manager	Acting Manager People and Culture – Rachel Read
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

To provide Council a 2020-2021 Disability Access and Inclusion Plan (DAIP) Implementation report.

An annual implementation report is required by State Government by 30th September.

EXECUTIVE SUMMARY

The City of Marion endorsed the first Disability Access and Inclusion Plan 2020-2024 (DAIP), in line with State legislation (Disability Inclusion Act, 2018) in September 2020 (Attachment 1)

An annual implementation report is required under South Australian State legislation (Attachment 2).

The first year of DAIP implementation is complete, with 33 of the 35 DAIP actions delivered.

Implementation for the 2021-22 DAIP actions has commenced.

RECOMMENDATION

That Council:

- 1. Note the DAIP 2020-2021 Implementation Report**
- 2. Note the DAIP implementation report for State Government**

DISCUSSION

The DAIP is reported on annually and reviewed every 4 years. The City of Marion DAIP will be reviewed and updated during 2023.

The DAIP shows how the City of Marion:

- Promotes the rights of people living with a disability, working towards ensuring all people enjoy the same access and inclusion experience within our community.
- Delivers annual actions to reduce access and inclusion barriers for people living with a disability
- Puts the Equity, Access and Social Inclusion Policy into practice.

2020-21 Implementation - Challenges and Successes

The City of Marion successfully delivered 33 of the 35 DAIP actions during 2020-21.

Unfortunately, 2 DAIP actions were not delivered, as planned in 2020-21.

These are:

1. Explore opportunities with sporting clubs to increase diversity and number of members living with a disability (DAIP Action 4)

- The City of Marion is very committed to high quality sporting facilities and is making significant investment in sports infrastructure. The improved facilities will have the ability to attract an increased diversity in membership.
- 2. Deliver training to Council employees and contractors on access, inclusion and universal design (DAIP Action 21)
 - Awaiting development and publication of State Government Universal Design guideline prior to running training.

Amongst the 33 DAIP actions delivered there are a few stand out actions worthy of celebrating.

- Disability Access and Inclusion Traineeship
The City of Marion Traineeship Program was recognised and awarded at the Local Government 2020 Awards. Our Traineeship program offers 12-month placements with the City of Marion for people living with disability, or from culturally diverse and Aboriginal and Torres Strait Islander backgrounds.
- Accessible and inclusive events checklist
The City of Marion developed and now use the accessible and inclusive checklist when planning and delivering events.
- DAIP advocacy and networks
The City of Marion has played an active role in advocating for the development of and coordinating the State's first Access and Inclusion Advisory Board. A City of Marion resident is a member of this board.
- Accessible play spaces
The City of Marion continues to show access and inclusion considerations are included in space planning and development.
- Accessible buildings
The City of Marion has listened to the community and prioritised access improvements in areas where accessibility barriers have existed.

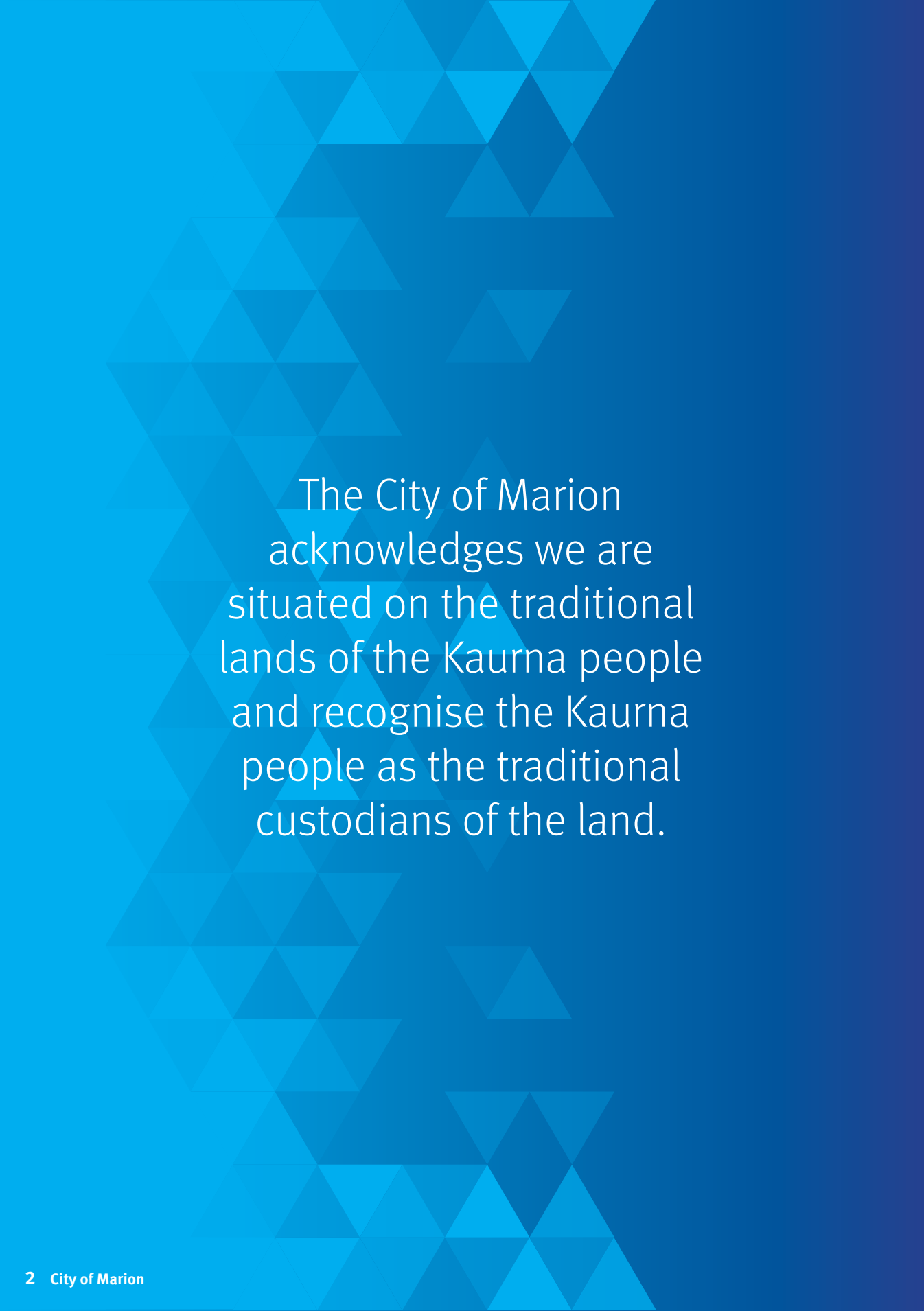
As the City of Marion progressively implements the DAIP, more access and inclusion considerations are included in our business-as-usual offering. This proves the positive impact DAIPs are having for our communities.

ATTACHMENTS

1. Disability Access & Inclusion Plan July 21 [**12.4.1** - 20 pages]
2. CoM DAIP-reporting-template-status-key-updated DRAFT [**12.4.2** - 12 pages]

City of Marion Disability Access & Inclusion Plan 2020-2024





The City of Marion
acknowledges we are
situated on the traditional
lands of the Kurna people
and recognise the Kurna
people as the traditional
custodians of the land.

Contents

City of Marion
Disability Access
and Inclusion Plan
2020-2024

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Mayor's Foreword

Welcome to the City of Marion Disability Access and Inclusion Plan 2020-2024.

This plan outlines how Council aims to improve access to facilities and services for people living with a disability.

The plan is based on four themes:

- Inclusive communities for all
- Leadership and collaboration
- Accessible communities
- Learning and employment

Actions we have committed to range from installing more kerb ramps to harnessing the latest technology to improve safety for pedestrians. We will also review accessibility of our libraries, community and cultural centres.

Marion Council is committed to creating an accessible and inclusive city, based on fairness and respect, while also providing a safe and welcoming environment for everyone.

Yours faithfully

Kris Hanna
Mayor, City of Marion



Marion Council is committed to creating an accessible and inclusive city, based on fairness and respect, while also providing a safe and welcoming environment for everyone.

Vision

City of Marion
Disability Access
& Inclusion Plan
2020-2024



Hendrie Street Inclusive Playground, Hendrie Street Reserve in Park Holme is a regional playground with the first accessible playground in the region

The City of Marion is committed to our purpose: To improve our residents' quality of life; continuously, smartly and efficiently.

The City of Marion is also committed to creating an accessible and inclusive City based on fairness, respect and providing a safe and welcoming environments for all users, outlined in our Equity Access and Social Inclusion Policy.

This Disability Access and Inclusion Plan (DAIP)

demonstrates how we deliver on our purpose and our policy, promoting the rights of people living with a disability.

The City of Marion contributes to improved access and inclusion through the implementation of a variety of plans:

- The Smart City of Marion Strategic Plan
- The City of Marion Walking and Cycling Strategy
- The Open Space Framework

Strategic Context

Strategic Context

The South Australian Government introduced the Disability Inclusion Act 2018 (the Act) in June 2018. The Act supports the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) acknowledging that people living with disability have the same human rights as other members of the community.

The Act also establishes a framework to support a whole-of-Government (State and Local) approach to improving the inclusion of all South Australians living with disability. To achieve this, the Act requires all South Australian Councils to:

- prepare a DAIP in consultation with the community
- lodge their DAIP with State Government by 31 October 2020
- report (to State Government) on the DAIP annually
- review the DAIP at least once in each 4-year period

The City of Marion's DAIP, along with all other State authorities' DAIPs will together support South Australia's implementation of the National Disability Strategy (NDS), which is a coordinated plan across all levels of government within Australia to improve the lives of people living with disability, their families and carers.

Inclusive SA, South Australia's first State Disability Inclusion Plan, was published on 31 October 2019.

The City of Marion's DAIP sets out the actions to be taken over the next four years to achieve a more inclusive city together with documenting actions that are already being undertaken by Council.

DAIPs are also important for raising access and inclusion awareness in the community and promoting the social and economic benefits of a more accessible and inclusive city. The City of Marion is proud to play its role.



Hendrie Street Inclusive Playground

We continually celebrate community diversity ensuring that our place can be anyone's place.

Defining disability

City of Marion
Disability Access
& Inclusion Plan
2020-2024

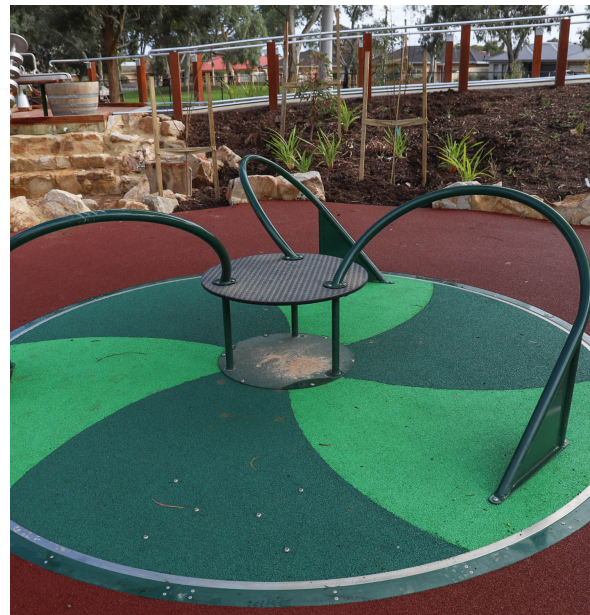
Defining disability

The City of Marion acknowledges Section 3 of the Act: defining disability, in relation to a person, as including long-term:

- physical
- psychosocial
- intellectual
- cognitive
- neurological or
- sensory impairment,
- or a combination of any of these impairments,

Which in interaction with various barriers may hinder the person's full and effective participation in society on an equal basis with others. Reference

Further to the above, the DAIP also supports people with short term experiences with disability.



Hendrie Street Inclusive Playground, Hendrie Street Reserve in Park Holme is a regional playground with the first accessible playground in the region



Hendrie Street Inclusive Playground

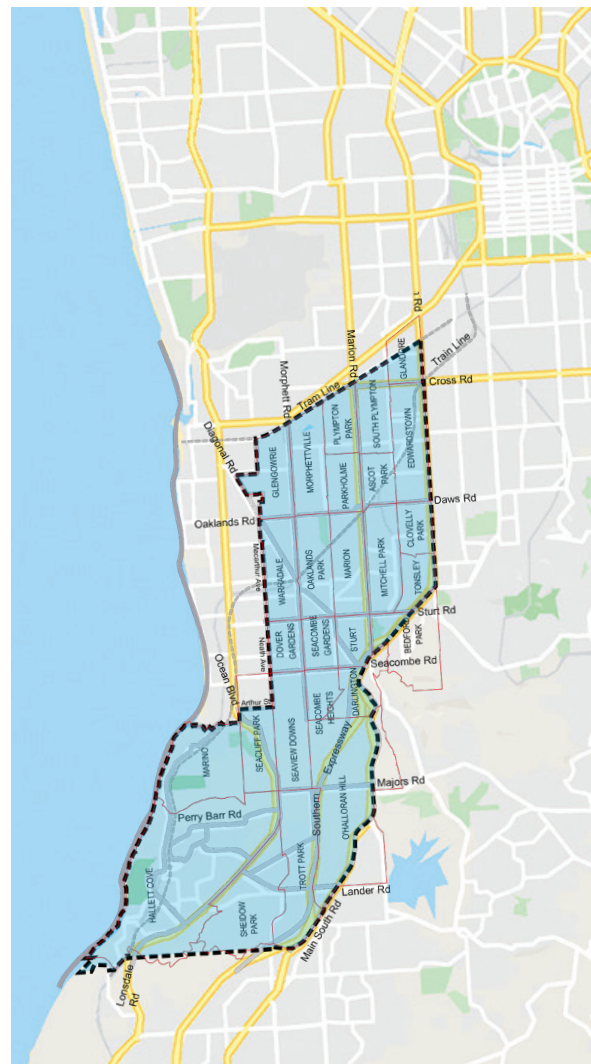
City of Marion

The City of Marion is a 55km² Local Government area, located ten kilometres south west of the Adelaide city centre and neighbours the Cities of Holdfast Bay, Mitcham, Onkaparinga, Unley and West Torrens.

The City of Marion is responsible for and committed to the delivery of a broad range of facilities, services, activities and programs for our community, such as:

- Libraries, neighbourhood and recreational centres
- Community and cultural events, services and programs
- Open space maintenance
- Environmental and waste management
- Road and street works including footpaths and street trees
- Community health and safety
- Building and development services
- Leasing of facilities to community groups

The delivery of these facilities, services, activities and programs, combined with strategic projects, play a key role in improving the quality of life for all our residents, taking into account the imperative to provide programs and services that meet the needs of a diverse range of people such as people from all countries of origin and abilities.



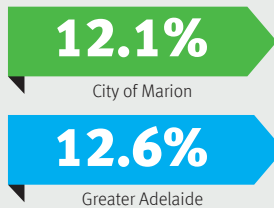
Resident profile

City of Marion
Disability Access
& Inclusion Plan
2020-2024

Resident profile The future challenges, opportunities and key statistics

Demographic data (ABS) for Disability Access and Inclusion Plan 2016

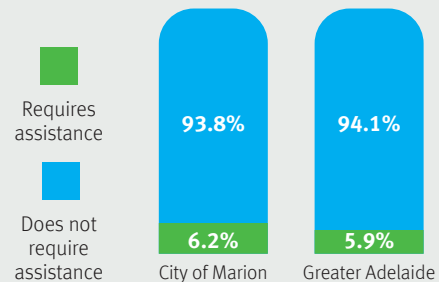
Provision of unpaid assistance to a person(s) with disability



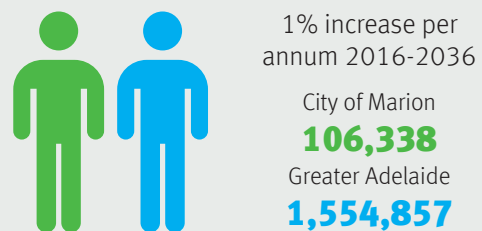
Median age 2016



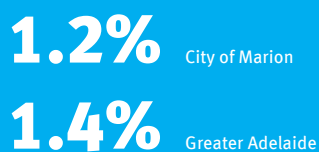
Require assistance with core activities



Projected Population Growth



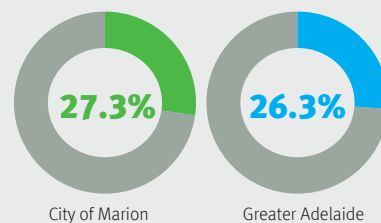
Aboriginal and Torres Strait Islander



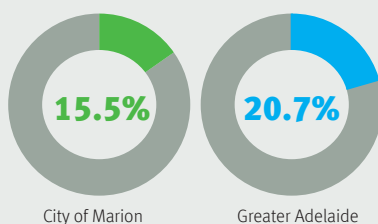
Older Residents (aged 65 years and older) 2016



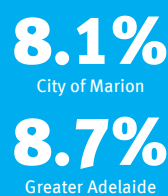
Population born overseas 2016



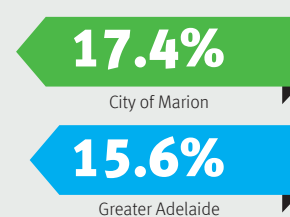
Dwellings without Internet access



Job Seeker 2021



Health care and Social Assistance is the highest Industry Sector employer



Employee and volunteer disability profile

Our inclusive culture empowers all of us to connect, belong, and grow.



Employee and volunteer disability profile

The City of Marion actively supports employees via an internal group, specifically trained to promote diversity and inclusion amongst the workforce and provide support to employees and volunteers where required. We actively promote the hiring of people from a wide variety of backgrounds, which makes our organisation stronger. Our inclusive culture empowers all of us to connect, belong, and grow.

18% of City of Marion volunteers surveyed identified as living with a disability.

3% of City of Marion employees surveyed identified as living with a disability.

What our Community has told us

City of Marion
Disability Access
& Inclusion Plan
2020-2024

What our Community has told us

Significant and meaningful consultation, including those with and who represent community members living with a disability was crucial in developing the DAIP, to ensure a deep understanding and empathy of the needs of all is factored into the design of services. COVID19 physical distancing restrictions interrupted face to face engagement activities, therefore consultation has occurred online and via telephone.

Two stages of online public consultation were undertaken to ensure our DAIP is relevant and supported.

- **Stage 1** – we sought feedback for inclusion into the Draft DAIP.
- **Stage 2** – we sought feedback on the Draft DAIP. Public consultation revealed the following top 3 priorities:
 - Accessibility of footpath and road network
 - Accessibility of buildings and facilities
 - Accessibility of information

The DAIP includes actions which reflect the feedback received during consultation activities and demonstrates the City of Marion's continued commitment to further enable equity, access and inclusion considerations to be applied across our business operations, including our footpath and road network, facilities, planning and development services, programs, information and public spaces.

The DAIP includes contributions made, as well as identifying new opportunities to improve access and inclusion within our City.



There are several actions which will be delivered by the City of Marion Disability Access and Inclusion Plan between 2020 and 2024. Some example actions include:

- We will deliver a kerb ramp improvement schedule across the city to improve accessibility of our footpaths
- We will install smart technologies to improve pedestrian safety
- We will review the accessibility of libraries, community and cultural centres

Delivering on the commitments within this plan will ensure all aspects of work is considered through the lens of people living with disability and that access and inclusion is at the forefront of our thinking.

COVID19 physical distancing restrictions interrupted face to face engagement activities, therefore consultation has occurred online and via telephone.

Monitoring and Reporting

Monitoring and Reporting

The DAIP will be monitored and reported on internally via the City of Marion project management tool.

In addition, a report will be presented to Council each September, outlining the previous financial

years' contribution towards access and inclusion. The report will outline steps taken, tasks completed, and projects undertaken to deliver the outcomes of the plan including evidence of achievements and progress made.

In order to meet the State legislative requirements for reporting Council will also submit the progress report to the State Government Minister in October each year.



DAIP Actions

City of Marion
Disability Access
& Inclusion Plan
2020-2024

Inclusive communities for all

Priorities

- 1:** Involvement in the community
- 2:** Improving community understanding and awareness
- 3:** Promoting the rights of people living with disability



DAIP ACTIONS	Responsibility	Timeframe	Measurable Target	State Plan Priority Number
1 Integrate disability access considerations in public realm, place making, project planning and delivery	City Activation	2020/2021 2021/2022 2022/2023 2023/2024	Accessibility improvements investigated and delivered where applicable	2
2 Deliver accessible and inclusive programs at City of Marion centres	City Activation Community Connections	Ongoing	Programs are delivered at community and cultural centres for improved accessibility	1
3 Explore opportunities to increase the involvement of children with disability in sports, for example: VACSWIM at Marion Outdoor Pool	City Property	Ongoing	Number of children with a disability participating in VACSWIM	1
4 Explore opportunities with sporting clubs to increase diversity and number of members living with a disability	City Property	Ongoing	Sporting clubs reporting increase in membership base	1
5 Actively seek external funding (e.g. Federal Government SA-HACC) to deliver programs that meet community needs	Community Connections	Ongoing	Grant applications made	3
6 Advocate for access and inclusion improvements with stakeholders involved in the Marion Community Forum	Community Connections	Ongoing	Active participation at Marion Community Forum meetings	1

DAIP Actions



DAIP ACTIONS	Responsibility	Timeframe	Measurable Target	State Plan Priority Number
7 Be actively involved in the Local Government Access and Inclusion Network (LGAIN) and other relevant disability networks	Community Connections	Ongoing	LGAIN meeting attendance	3
8 Deliver programs and initiatives to better equip people living with a disability and those who are elderly that improve their quality of life and that is reflective of our grant funding contractual obligations	Community Connections	Ongoing	Number of programs offered Number of participants completing programs	2
9 Maintain networks with other service providers to maximise awareness of access and inclusion barriers and advocate for improvements	Community Connections	Ongoing	Networks maintained Partnerships formed	1
10 Provide adequate and versatile seating options and program times at Libraries, Community Centres and Council Offices for low lighting and quiet spaces for people with sensory needs	Community Community	2021/2022	Survey customer needs and implement changes where required	2
11 Develop a toolkit to promote accessible and inclusive practices for community events	Customer Experience	2020/2021	Toolkit developed	1
12 Facilitate accessible and inclusive planning and development in the private sector through advocacy and information provision and potential incentives	Development and Regulatory Services	Ongoing	Provision of information	3
13 Undertake employee and volunteer surveys to evaluate attitudes to and awareness of Council's disability inclusion aspirations	People and Culture	Annually	Survey is administered	2

DAIP Actions

City of Marion
Disability Access
& Inclusion Plan
2020-2024

Leadership and Collaboration

Priorities

- 4:** Participation in decision-making
- 5:** Leadership and raising profile
- 6:** Engagement and consultation



DAIP ACTIONS	Responsibility	Timeframe	Measurable Target	State Plan Priority Number
14 Collaborate with members of the community who have lived experience of disability to form a list of community members who can be contacted to provide advice and guidance on request	Community Connections	Ongoing	Reference group established and maintained	4
15 Identify access and inclusion improvement opportunities through consultation with young community members on the City of Marion Youth Collective Committee (YCC) and aged community members through relevant groups	Community Connections	Ongoing	Consultations held with City of Marion Youth Collective Committee and actions identified for improved connection	4
16 Evaluate Hendrie Street Reserve Inclusive Playground to understand community value of this space and opportunities for accessibility improvements within other open space projects	City Activation	2020/2021 2021/2022 2022/2023 2023/2024	Evaluation complete Opportunities identified	6
17 Conduct relevant social/demographic research that informs evidence base - continue to share findings across team and wider City of Marion	Community Connections	Ongoing	Research undertaken	5

DAIP Actions

Accessible Communities

Priorities

7: Universal Design across South Australia

8: Accessible and available information

9: Access to services



DAIP ACTIONS	Responsibility	Timeframe	Measurable Target	State Plan Priority Number
18 Identify accessibility opportunities for Coastal Walkway upgrade Stage 1 and 2 (recognising that it is not feasible to make the entire walkway accessible)	City Activation	2020/2021 2021/2022 2022/2023 2023/2024	Accessibility improvements investigated and delivered where applicable for Stage 1 and 2	9
19 Install smart technologies to improve pedestrian safety	City Activation	Ongoing	Improvements installed	9
20 Use the State Government Inclusive Play Guidelines to guide the development of accessible and inclusive playgrounds and open spaces within the City of Marion	City Activation	Ongoing	Inclusive Play Guidelines utilised	7
21 Deliver training to Council employees and contractors on access, inclusion and universal design	People and Culture	Ongoing	Training/induction delivered	7
22 Develop and apply access and inclusion checklist in all project and infrastructure planning, delivery and facility maintenance (new and minor renewals)	City Activation City Property	Ongoing	Checklist developed, communicated and utilised	7

DAIP Actions

City of Marion
Disability Access
& Inclusion Plan
2020-2024



DAIP ACTIONS	Responsibility	Timeframe	Measurable Target	State Plan Priority Number
23 Investigate the development or application of a universal access guideline – to advocate for best practice in designing dwellings (recognising limitations under the Act and Building Code of Australia)	City Activation Development and Regulatory Services	2020/2021	Demonstrated use of guideline	7
24 Review provision of on-street and off-street accessible car parking to ensure it continues to balance the needs of a range of users including drivers, carers and modified vehicles	City Property Engineering, Assets and Environment Development and Regulatory Services	2021/2022	Review completed	7
25 Ensure equitable access to Community Development funded programs and initiatives are maintained	Community Connections	Ongoing	Number of grants provided to Not for profit organisations, community groups or voluntary associations aligned to the City of Marion Equity, Access and Social Inclusion Policy	9
26 Improve the curated library collections specific to the access and inclusion needs within our community, including dyslexia collection, large print and literacy collections as well as visual and e-resources	Community Connections	Ongoing	Increased collection resources	8
27 Monitor and review City of Marion recharge points for mobility scooters and identify new potential recharge installation locations	Community Connections	2021/2022	Review undertaken Additional sites identified Additional recharge points installed	9

DAIP Actions



DAIP ACTIONS	Responsibility	Timeframe	Measurable Target	State Plan Priority Number
28 Review accessibility of libraries, community and cultural centres	Community Connections	2020/2021	Review completed and improvement opportunities identified, and implementation scheduled	9
29 Include accessibility requirements question in event bookings (online and other)	Community Connections Customer Experience	Ongoing	Ongoing Question included at time of booking	9
30 Promote the State Government access and mobility app (once developed) to assist people navigate our City e.g. accessible playgrounds, parking, accessible toilets and changing places sites	Customer Experience	2022/2023	Access and mobility app promoted	9
31 Ensure design standards consider technical specifications that meet Australian Standards for all new and renewal projects	Engineering, Assets and Environment	Ongoing	Review and maintain standards	7
32 Deliver kerb ramp improvement schedule across the city	Field Operations	2021/2022 2021/2022 2022/2023 2023/2024	Schedule delivered (this schedule is likely to extend beyond 2024)	9
33 Install, activate and maintain hearing loop in the Council Chamber, Administration Customer Service and Cove Civic Centre. Consider installation of hearing loops in any new buildings or refurbishment projects	Governance	2020/2021	Hearing loop installed, activated and maintained	8

DAIP Actions

City of Marion
Disability Access
& Inclusion Plan
2020-2024

Learning and Employment

Priorities

10: Better supports within educational and training settings

11: Skill development through volunteering and support in navigating the pathway between learning and earning

12: Improved access to employment opportunities and better support within workplaces



DAIP ACTIONS	Responsibility	Timeframe	Measurable Target	State Plan Priority Number
34 Review Life Skills Program to ensure relevant to community need, and provides opportunity for people with disabilities to develop skills to enhance their ability rather than their disability	Community Connections	2020/2021	Increased skill development for participants, numbers attending	11
35 Provide Disability Traineeship opportunities to people living with a disability	People and Culture	2020/2021 2021/2022	Completion of qualification	10
36 Continue to develop meaningful volunteer and work experience opportunities for people living with disability	People and Culture	Ongoing	Proportion of people living with disability, who volunteered or undertook work experience	11
37 Ensure employment and volunteer policies and processes maximise opportunities for people with disability	People and Culture	Ongoing	Survey Volunteers every 3 years	11 & 12
38 Promote employment practices that support reducing barriers to employment for people with a disability	People and Culture	Ongoing	100% of Leaders attending training	12



Disability Access & Inclusion Plan 2020-2024

City of Marion Administration Centre
245 Sturt Road, Sturt, SA 5047

marion.sa.gov.au

 **council@marion.sa.gov.au**  **8375 6600**

Disability Access and Inclusion (DAIP)

DAIP 2020-21 Implementation Report

(DHS Template accessed 6/7/21)

Reporting period: 2020-21

Report due date: 31 October 2021

State Authority's Details

Name: City of Marion

Contact person: Melissa Batt

Phone: 08 7420 6520

Email: melissa.batt@marion.sa.gov.au

Date DAIP published on website: October 2020

Link to published DAIP

[Microsoft Word - CoM DAIP 2020-2024 CoM branded template V9Feb21 \(marion.sa.gov.au\)](#)

Important notes:

- The *Disability Inclusion Act 2018* (SA) requires the Chief Executive of the Department of Human Services to prepare an annual report summarising the reports from State authorities on their DAIPs and an annual report against the State Disability Inclusion Plan.
- From 2021 these two reports will be combined.
- The combined report will include an analysis and summary of State authorities' DAIP reports. This will include:
 - the percentage of State authorities who have a published DAIP and who have reported against the DAIP
 - a list of the State authorities who provided a report against their DAIP
 - statistics on the number of activities completed, in progress and not started relevant to the reporting period
- The information you provide in response to the questions below will assist in demonstrating progress against the State Disability Inclusion Plan and our collective continuous improvement approach to disability access and inclusion planning.



Government
of South Australia



City of Marion 2020-21 DAIP Implementation Report

Background

The City of Marion endorsed the first Disability Access and Inclusion Plan (DAIP), in line with State legislation (Disability Inclusion Act, 2018) in October 2020.

The first year of implementation is complete and detailed in this 2020-21 DAIP Implementation Report.

The DAIP demonstrates how the City of Marion:

- Promotes the rights of people living with a disability, working towards ensuring all people enjoy the same access and inclusion experience within our community.
- Delivers annual actions to reduce access and inclusion barriers for people living with a disability
- Puts the Equity, Access and Social Inclusion Policy into practice.

The DAIP will be reported on annually and reviewed every 4 years.

Provide a summary of the extent to which your DAIP has been implemented in the reporting period.

(This information is required by section 17 of the Disability Inclusion Act 2018 (SA) and could include a number of actions relevant to the period, percentage of those actions completed, in progress and not completed).

2020-21 DAIP Implementation

The City of Marion successfully delivered 33 of the 35 DAIP actions during 2020-21.

Which converts to 94% successful DAIP action delivery in our first year of implementation.

Two DAIP actions, originally scheduled for 2020-21 delivery were not delivered during 2020-21. These undelivered 2020-21 actions have been deferred to 2021-22 delivery,

- Increasing diversity of sports club membership (Action number 4) - the City of Marion is very committed to high quality sporting facilities and is making significant investment in sports infrastructure, which will likely attract an increased diversity of members.
- Universal Design training (Action number 21) - Awaiting development and publication of State Government Universal Design guideline prior to running training.

It is worth noting that three electric vehicle charging stations were installed within the City of Marion during 2020-21 (Action number 27). This action was scheduled for 2021-22 delivery but was delivered during 2020-21.

What activities were undertaken to raise awareness of your Disability Access and Inclusion Plan and/or general access and inclusion for people with disability?

(Raising awareness activities will be included in the report as South Australians with disability told us increasing community understanding and awareness was important to them)

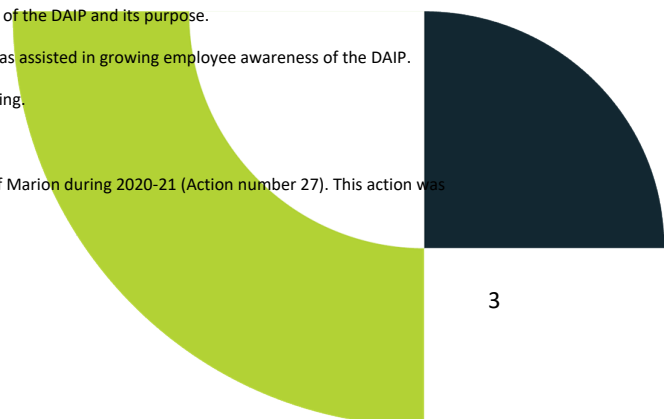
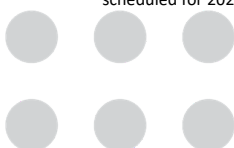
Engagement while the DAIP was being developed increased awareness of the DAIP and its purpose.

Championing DAIP at Staff meetings, lunchrooms, team meetings etc has assisted in growing employee awareness of the DAIP.

CEO communication regarding DAIP is always supportive and encouraging.

Feature stories in City of Marion publications.

Three electric vehicle charging stations were installed within the City of Marion during 2020-21 (Action number 27). This action was scheduled for 2021-22 delivery but was delivered during 2020-21.



List and describe your key DAIP achievements and their outcomes for people with disability.

(This information will be used to demonstrate progress against the State Plan's key priorities and highlight how activities are improving outcomes for people with disability)

DAIP Successes

Amongst the range of DAIP actions delivered there are a few stand out actions delivered, worthy of celebrating.

Disability Access and Inclusion Traineeship

The City of Marion Traineeship Program was recognised and awarded at the Local Government 2020 Awards. Our traineeship program offers 12-month placements with the City of Marion for people living with disability, or from culturally diverse and Aboriginal and Torres Strait Islander backgrounds.

Accessible and inclusive events checklist

The City of Marion developed and now regularly use the accessible and inclusive checklist when planning and delivering events.

DAIP advocacy and networks

The City of Marion has played an active role in advocating for the development of and coordinating the State's first Access and Inclusion Advisory Board. A City of Marion resident is a member of this board.

Accessible play spaces

The City of Marion continues to demonstrate access and inclusion considerations are included in space planning and development.

Accessible buildings

The City of Marion has listened to the community and prioritised access improvements in areas where accessibility barriers existed.

Business as usual

Each year more access and inclusion considerations are included in business as usual – indicating the positive impact DAIPs are having for our communities.

List and describe the key challenges in implementing your DAIP.

(This information will be used to demonstrate reflection and continuous improvement processes)

Resourcing the implementation of the DAIP (both human and financial) is challenging.

Feedback for the Department of Human Services

What could the Department of Human Services do to help your DAIP process?

Any other feedback?





DAIP Progress Report

To complete the DAIP progress report, provide a status update against each action in your DAIP. A suggested template is provided below, but you may be able to adapt your DAIP into a progress report by incorporating a status column.

Status key:

Report on the status of each action in your DAIP by using the key below.

Completed  In Progress  Not started 

Disability Access and Inclusion Plan 2020-2021 implementation Report					
Theme One: Inclusive communities for all					
Social inclusion is a priority for people living with disability as it affects all aspects of their lives. It is our aim that the contributions and rights of people living with disability are valued and understood by all South Australians and that their rights are promoted, upheld and protected. We also want to ensure that people living with disability are supported to advocate for their own rights.					
DAIP Action #	DAIP Action	State Plan Priority	Timeframe	Target	Status
1	Integrate disability access considerations in public realm, place making, project planning and delivery	2	2020/2021	Accessibility improvements investigated and delivered where applicable	



2	Deliver accessible and inclusive programs at City of Marion centres	1	2020/2021	Programs are delivered at community and cultural centres for improved accessibility	✓
3	Explore opportunities to increase the involvement of children with disability in sports, for example: VACSWIM at Marion Outdoor Pool	1	2020/2021	Number of children with a disability participating in VACSWIM	✓
4	Explore opportunities with sporting clubs to increase diversity and number of members living with a disability	1	2020/2021	Sporting clubs reporting increase in membership base	✗ defer to 2021-22
5	Actively seek external funding (e.g. Federal Government SA-HACC) to deliver programs that meet community needs	3	2020/2021	Grant applications made	✓
6	Advocate for access and inclusion improvements with stakeholders involved in the Marion Community Forum	1	2020/2021	Active participation at Marion Community Forum meetings	✓
7	Be actively involved in the Local Government Access and Inclusion Network (LGAIN) and other relevant disability networks	3	2020/2021	LGAIN meeting attendance	✓
8	Deliver programs and initiatives to better equip people living with a disability and those who are elderly that improve their quality of life and that is reflective of our grant funding contractual obligations	2	2020/2021	Number of programs offered Number of participants	✓



				completing programs	
9	Maintain networks with other service providers to maximise awareness of access and inclusion barriers and advocate for improvements	1	2020/2021	Networks maintained Partnerships formed	✓
10	Provide adequate and versatile seating options and program times at Libraries, Community Centres and Council Offices for low lighting and quiet spaces for people with sensory needs	2	2020/2021	Survey customer needs and implement changes where required	✓
11	Develop a toolkit to promote accessible and inclusive practices for community events	1	2020/2021	Toolkit developed	✓
12	Facilitate accessible and inclusive planning and development in the private sector through advocacy and information provision and potential incentives	3	2020/2021	Provision of information	✓
13	Undertake employee and volunteer surveys to evaluate attitudes to and awareness of Council's disability inclusion aspirations	2	2020/2021	Survey is administered	✓

Theme Two: Leadership and collaboration

People living with disability want to have a greater role in leading and contributing to government and community decision-making. It is our aim that the perspectives of people living with disability are actively sought and that they are supported to participate meaningfully in government and community consultation and engagement activities.



DAIP Action #	DAIP Action	State Plan Priority	Timeframe	Target	Status
14	Collaborate with members of the community who have lived experience of disability to form a list of community members who can be contacted to provide advice and guidance on request	4	2020/2021	Reference group established and maintained	✓
15	Identify access and inclusion improvement opportunities through consultation with young community members on the City of Marion Youth Collective Committee (YCC) and aged community members through relevant groups	4	2020/2021	Consultations held with City of Marion Youth Collective Committee and actions identified for improved connection	✓
16	Evaluate Hendrie Street Reserve Inclusive Playground to understand community value of this space and opportunities for accessibility improvements within other open space projects	6	2020/2021	Evaluation complete Opportunities identified	✓
17	Conduct relevant social/demographic research that informs evidence base - continue to share findings across team and wider City of Marion	5	2020/2021	Research undertaken	✓

Theme Three: Accessible communities

The accessibility of the built environment, quality services and information is key to ensuring people living with disability are included and have the opportunity to equally participate in all aspects of community life. It is our aim to increase accessibility to public and community infrastructure, transport, services, information, sport and recreation and the greater community.



DAIP Action #	DAIP Action	State Plan Priority	Timeframe	Target	Status
18	Identify accessibility opportunities for Coastal Walkway upgrade Stage 1 and 2 (recognising that it is not feasible to make the entire walkway accessible)	9	2020/2021	Accessibility improvements investigated and delivered where applicable for Stage 1 and 2	✓
19	Install smart technologies to improve pedestrian safety	9	2020/2021	Improvements installed	✓
20	Use the State Government Inclusive Play Guidelines to guide the development of accessible and inclusive playgrounds and open spaces within the City of Marion	7	2020/2021	Inclusive Play Guidelines utilised	✓
21	Deliver training to Council employees and contractors on access, inclusion and universal design	7	2020/2021	Training/induction delivered	✗ defer to 2021-22
22	Develop and apply access and inclusion checklist in all project and infrastructure planning, delivery and facility maintenance (new and minor renewals)	7	2020/2021	Checklist developed, communicated and utilised	✓
23	Investigate the development or application of a universal access guideline – to advocate for best practice in designing dwellings (recognising limitations under the Act and Building Code of Australia)	7	2020/2021	Demonstrated use of guideline	✓



24	Review provision of on-street and off-street accessible car parking to ensure it continues to balance the needs of a range of users including drivers, carers and modified vehicles	7	2021/2022	Review completed	n/a
25	Ensure equitable access to Community Development funded programs and initiatives are maintained	9	2020/2021	Number of grants provided to Not for profit organisations, community groups or voluntary associations aligned to the City of Marion Equity, Access and Social Inclusion Policy	✓
26	Improve the curated library collections specific to the access and inclusion needs within our community, including dyslexia collection, large print and literacy collections as well as visual and e-resources	8	2020/2021	Increased collection resources	✓
27	Monitor and review City of Marion recharge points for mobility scooters and identify new potential recharge installation locations	9	2021/2022	Review undertaken Additional sites identified Additional recharge points installed	✓ Delivered ahead of schedule
28	Review accessibility of libraries, community and cultural centres	9	2020/2021	Review completed and improvement opportunities identified, and implementation scheduled	✓
29	Include accessibility requirements question in event bookings (online and other)	9	2020/2021	Question included at time of booking	✓



30	Promote the State Government access and mobility app (once developed) to assist people navigate our City e.g. accessible playgrounds, parking, accessible toilets and changing places sites	9	2022/2023	Access and mobility app promoted	N/A
31	Ensure design standards consider technical specifications that meet Australian Standards for all new and renewal projects	7	2020/2021	Review and maintain standards	✓
32	Deliver kerb ramp improvement schedule across the city	9	2020/2021	Schedule delivered <i>(this schedule is likely to extend beyond 2024)</i>	✓
33	Install, activate and maintain hearing loop in the Council Chamber, Administration Customer Service and Cove Civic Centre. Consider installation of hearing loops in any new buildings or refurbishment projects	8	2020/2021	Hearing loop installed, activated and maintained	✓

Theme Four: Learning and employment

Workforce participation is fundamental to social inclusion. It provides economic independence and choice, social connections and friendships, value, identity and belonging. It is our aim that people living with disability have access to inclusive places of study and that education and training provides pathways to meaningful and inclusive employment and volunteering opportunities.

DAIP Action #	DAIP Action	State Plan Priority	Timeframe	Target	Status
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34	Review Life Skills Program to ensure relevant to community need, and provides opportunity for people with disabilities to develop skills to enhance their ability rather than their disability	11	2020/2021	Increased skill development for participants, numbers attending	✓
35	Provide Disability Traineeship opportunities to people living with a disability	10	2020/2021	Completion of qualification	✓
36	Continue to develop meaningful volunteer and work experience opportunities for people living with disability	11	2020/2021	Proportion of people living with disability, who volunteered or undertook work experience	✓
37	Ensure employment and volunteer policies and processes maximise opportunities for people with disability	11 and 12	2020/2021	Survey Volunteers every 3 years	✓
38	Promote employment practices that support reducing barriers to employment for people with a disability	12	2020/2021	100% of Leaders attending training	✓

Templates provided by Human Services

12.5 2020-21 Reconciliation Action Plan Implementation Report

Report Reference	GC210824R12.5
Originating Officer	Social/Cultural Sustainability Planner – Melissa Batt
Corporate Manager	Acting Manager People and Culture – Rachel Read
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

To provide Council a 2020-2021 Implementation Report for Reconciliation Action Plan (RAP) 2020-2023.

EXECUTIVE SUMMARY

The City of Marion is a committed contributor to Australia's reconciliation movement.

Demonstrated through the development and implementation of Reconciliation Action Plans (RAP) since 2013.

During 2020-2021 the City of Marion successfully implemented 77 RAP actions, with a further 15 actions started and continuing into 2021-22 implementation. Three actions were not implemented during 2020/21.

RECOMMENDATION

That Council:

1. **Note the 2020-21 RAP Implementation Report**
2. **Note the City of Marion response to Reconciliation Australia's 2020-21 RAP Survey (Attached)**

DISCUSSION

RAP Background

1. Reconciliation Australia

Reconciliation Australia is the national peak body responsible for developing and championing the Reconciliation Action Plan (RAP) Framework that provides organisations with a structured approach to advancing reconciliation within their sphere of influence.

2. Reconciliation Action Plans

The City of Marion has been a committed RAP organisation since becoming one of the first South Australian Councils to adopt a RAP in 2013 (GC120313R04).

The successful delivery of the inaugural RAP led to the development of a further 4 RAPs.

- 2013-2014, on 12 March 2013 (GC120313R04)
- 2014-2015, on 27 May 2014 (GC270514R03)
- 2016-2019, on 28 June 2016 (GC280616R16)
- 2020-2023, on 10 December 2019 (GC191210R05)

The intent of RAPs is to:

- Address the significant disparity in health and life opportunities between Aboriginal and Torres Strait Islander peoples and other Australians
- Improve relationships, respect, and intergenerational collaboration within our community
- Support the sustainability of cultural practice for Aboriginal and Torres Strait Islander peoples
- Affect social and cultural change by improving economic opportunities for Aboriginal and Torres Strait Islander Australians
- Provide rich opportunities for social interaction, artistic and cultural expression and shared enjoyment of Aboriginal and Torres Strait Islander heritage and culture
- Contribute to an inclusive social climate that embraces a variety of lifestyles and cultures
- Creation of a community of RAP orientated businesses and organisations – demonstrating public support and commitment towards a reconciled Australia
- There are four levels of RAP which organisations can develop, depending on their stage in their reconciliation journey:
 - Reflect, Innovate, Stretch or Elevate

2020-2021 Stretch RAP Implementation

The City of Marion's Stretch level RAP challenges us to embed RAP initiatives into our business-as-usual offering. The City of Marion's RAP 2020-2023 implementation of 2020-2021 actions is complete.

During 2020-21 the City of Marion successfully implemented 77 actions, while a further 15 actions are in progress (and continue into 2021-22 implementation). Three actions were not implemented during 2020/21.

This report illustrates the challenges and successes the City of Marion has experienced during 2020-21 Stretch RAP action implementation.

Three actions were not implemented during 2020/21, these include:

1. Investigate Supply Nation membership (*Action Opportunities 2.2*)
2. Promote procurement opportunities to Aboriginal and Torres Strait Islander owned businesses via Aboriginal and Torres Strait Islander media (*Action Opportunities 2.3*)
3. Promote the "Move it Marion" program to Aboriginal and Torres Strait Islander peoples over 55 years of age. "Move it Marion" is a program designed to increase sport and physical activity levels for older people (*Action Opportunities 4.3*)

These actions were not able to be delivered, as anticipated in 2020-21, due to limited resource availability. Actions 1 & 2 will be delivered during 2021-22.

Action 3 Promote "Move it Marion" to Aboriginal and Torres Strait Islander peoples, an externally funded program is now complete. It is anticipated that the new externally funded 2021-22 "Game On" program will be promoted to First Nation peoples in our community.

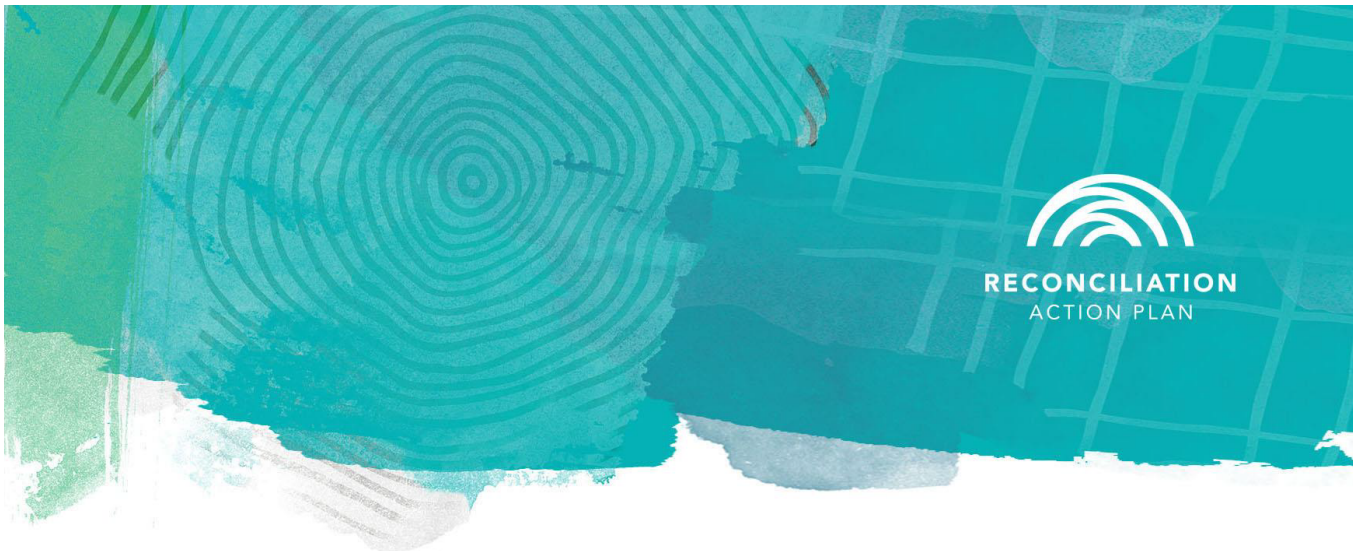
Highlights from the 2020-21 RAP implementation include:

- Display of Acknowledgement of Country within in Council buildings
- Delivery of a booked out National Reconciliation Week and NAIDOC (National Aboriginal and Islanders Day Observance Committee) Week program of community events
- Community and employee participation in First Nations arts projects
- Continued delivery of our Aboriginal & Torres Strait Islander Traineeship program – our 2020 candidate completed Certificate 3 Business and Government dual qualification and secured fulltime employment outside the City of Marion
- Negotiations for management of Living Kurna Cultural Centre (LKCC) are complete and LKCC is now under Kurna management

Implementation of the 2021-2022 RAP actions is underway.

ATTACHMENTS

1. GC210824R RAP Implementation Report Attachment 1 [JVJ8] [**12.5.1** - 12 pages]



RAP Impact Measurement Questionnaire 2021: questions and definitions

Below you will find a list of questions that will be asked this year. We have provided definitions to clarify the data required and assist with choosing the best responses. Please note that these questions are provided for you to collate your reporting data prior to completing the official online questionnaire.

NOTE: The questions in blue are applicable for all organisations, including organisations that launched their inaugural RAP between 1 July, 2020 and 30 June, 2021.

Question	Options	Definition
Organisation		
1. Total number of employees	Options: 381.45 FTE <input type="checkbox"/> Number of total employees in your organisation	Employees include any paid full-time, part-time or casual staff within your organisation.
2. If you are a peak body, please indicate the total number of members you represent	Options: N/A <input type="checkbox"/> Number of members (organisations) <input type="checkbox"/> Number of members (individuals)	This question is applicable for peak bodies and sporting clubs with a membership base. If this does not apply to your organisation, please enter '0'.
3. Total number of students	Options: 0 <input type="checkbox"/> Number of total students in your organisation	For tertiary education institutions only. If this does not apply to your organisation, please enter '0'.
4. Latest endorsed RAP type	Options: <input type="checkbox"/> Reflect RAP <input type="checkbox"/> Innovate RAP <input type="checkbox"/> Stretch RAP <input type="checkbox"/> Elevate RAP	Select the latest type of RAP your organisation developed that was endorsed by Reconciliation Australia.
5. Was your organisation's <u>very first</u> RAP endorsed in the last 12 months?	Options: <input type="checkbox"/> Yes <input type="checkbox"/> No	Select 'yes', if your organisation has joined the RAP program for the first time, having its first RAP

		endorsed between 1 July, 2020 and June 30, 2021.
RAP development		
Support from Reconciliation Australia 6a. <i>To what extent do you agree or disagree:</i> Reconciliation Australia provides your organisation with sufficient support, guidance, advice and direction to develop your RAP 6b. <i>To what extent do you agree or disagree:</i> Reconciliation Australia provides your organisation with sufficient support, guidance, advice and direction to implement your RAP	Options: <input type="checkbox"/> Strongly Disagree <input type="checkbox"/> Disagree <input type="checkbox"/> Neutral <input type="checkbox"/> Agree <input type="checkbox"/> Strongly Agree Options: <input type="checkbox"/> Strongly Disagree <input type="checkbox"/> Disagree <input type="checkbox"/> Neutral <input type="checkbox"/> Agree <input type="checkbox"/> Strongly Agree	
7. Indicate the frequency of contact your organisation has had with Reconciliation Australia	Options: <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Once every two or three months <input type="checkbox"/> More than once a year but less than once a quarter <input type="checkbox"/> Once a year or less	
RAP implementation 8. What level of commitment have your senior leaders demonstrated towards reconciliation and the implementation of your RAP?	Options: <input type="checkbox"/> Our leaders are instrumental in encouraging staff participation in the RAP <input type="checkbox"/> Our leaders are seen by staff as playing an active role in delivering on RAP commitments <input type="checkbox"/> Our CEO has made a public statement in support of our RAP <input type="checkbox"/> Our senior leaders are active members of our RAP Working Group <input type="checkbox"/> Our leaders are supportive but aren't always sure what they can do to support our RAP <input type="checkbox"/> Only a few of our leaders are supportive of our RAP <input type="checkbox"/> Our leaders have not demonstrated commitment to our RAP	Select all that apply. Senior leaders include: <ul style="list-style-type: none"> • CEO • Managing directors • Executive directors • General managers • Partners • Department heads
Relationships		

<p>Partnerships</p> <p>9. How many Aboriginal and Torres Strait Islander organisations have you formed or maintained a partnership with in the last 12 months?</p>	<p>Options:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Number of formal partners <input type="checkbox"/> Number of informal partners <p>18 partnerships have either been formed or maintained during 2020-2021</p>	<p>An Aboriginal and Torres Strait Islander organisation/business is one that is at least 50% owned by an Aboriginal and/or Torres Strait Islander person/s.</p> <p>A partnership is a mutually beneficial relationship where both parties have equal input into goal setting. This does not include a commercial relationship (eg. Service delivery, sub-contracted work, funding relationships, contracting services, or providing pro bono support).</p> <p>Formal partners refer to partnerships that have been formalised with a contract or memorandum of understanding (MOU).</p> <p>An Informal partnership may include those where there is an ongoing relationship between organisations however the scope and timeframe for working together has not been defined.</p>
<p>Collaboration and partnership</p> <p>10. To what extent were collaborations and partnerships formed in the last 12 months driven by your RAP commitments?</p>	<p>Options:</p> <ul style="list-style-type: none"> <input type="checkbox"/> None <input type="checkbox"/> A little <input type="checkbox"/> Some <input type="checkbox"/> Quite a lot <input type="checkbox"/> A great deal <input type="checkbox"/> Not applicable 	<p>This question seeks to understand the degree to which the RAP has influenced reconciliation actions relating to your organisation.</p>
<p>Partnerships with community</p> <p>11. We would really like to highlight the partnerships between RAP organisations and Aboriginal and Torres Strait Islander <u>peoples and communities</u>. Have you got a story to tell us that we can share?</p>	<p>A First Nations Men's group have a yarn circle, hosted on City of Marion land. The men's group have also been involved in sharing and developing cultural art and craft skills. Their works are now often incorporated into reserve and playground upgrades.</p>	<p>This question is specific to partnerships with people and community groups (not organisations).</p> <p>NOTE: The text box has a 250-word limit.</p>

Partnerships with Aboriginal and Torres Strait Islander organisations	<p>Options:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Difficulty identifying an appropriate Aboriginal and/or Torres Strait Islander organisation to partner with <input type="checkbox"/> Difficulty establishing a relationship with an Aboriginal and/or Torres Strait Islander organisation <input type="checkbox"/> Could not identify a mutually beneficial project, program or initiative to work on <input type="checkbox"/> Difficulty navigating the cultural differences between our organisation and the partner organisation <input type="checkbox"/> Either partner became disengaged <input type="checkbox"/> Unable to get buy-in from our leadership/executive team to establish a partnership <input type="checkbox"/> Lack of expertise, confidence and/or experience to manage and maintain a partnership with an Aboriginal and/or Torres Strait Islander organisation <input type="checkbox"/> Don't know what skills and capabilities that our organisation could offer in a partnership arrangement with an Aboriginal and/or Torres Strait Islander organisation <input type="checkbox"/> Other - resourcing to deliver 	<p>Select all that apply.</p> <p>This response should specifically focus on any barriers or challenges your organisation has faced in trying to partner with an Aboriginal and/or Torres Strait Islander organisation (not an individual or community group).</p>
<p>13. How did your organisation identify potential partners?</p>	<p>Options:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Staff have taken the initiative to identify potential partners <input type="checkbox"/> Senior leaders have asked the relevant teams to identify an appropriate partner <input type="checkbox"/> Driven by a commitment outlined in our current RAP <input type="checkbox"/> Driven by a project or task that was not in our current RAP <input type="checkbox"/> A partnership opportunity presented itself through an existing relationship <input type="checkbox"/> Your organisation was approached by an Aboriginal and/or Torres Strait Islander organisation <input type="checkbox"/> Other 	<p>Select all that apply.</p> <p>Select the responses which best reflects the process undertaken to identify mutually beneficial partnerships with an Aboriginal and/or Torres Strait Islander organisation.</p> <p>It might be helpful to reflect on where this activity is driven from i.e. bottom up or top down.</p>
<p>14. If relevant, please describe how your organisation successfully identified and established a partnership with an Aboriginal and Torres Strait Islander organisation in the past year.</p>	<p>Marion Council has appointed Southern Cultural Immersion to manage the Living Kurna Cultural Centre on its behalf. The Kurna owned and operated business will also manage the adjacent Fairford House and Coach House. Southern Cultural Immersion are an Adelaide-based owned and run Kurna company. They specialise in cultural tours, training, artworks, traditional ceremonies and engagement with Aboriginal culture.</p>	<p>Your response could include detail of how a partnership was identified and initiated. It may also include detail of how your organisation scoped and set project requirements.</p>

	They will continue to provide Aboriginal education and environmental programs and take bookings for venue hire, cultural tours and events. Council made the decision to outsource management of the centre to a Kaurna business as it will be best placed to deliver the service.	NOTE: The text box has a 250-word limit.																											
15. What type of support does your organisation need/want to support the development of successful partnerships with Aboriginal and Torres Strait Islander peoples, communities and/or organisations?	Options: <input type="checkbox"/> Workshops offered by Reconciliation Australia <input type="checkbox"/> Resources and supporting documents of best practice and case studies from Reconciliation Australia <input type="checkbox"/> An accredited partnership broker to support partnership development <input type="checkbox"/> Other (please specify)	Select all that apply.																											
National Reconciliation Week (NRW) 16. Did your organisation participate in NRW this year?	Options: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know																												
17. How did your organisation participate in NRW this year? a. <u>Activity led/ hosted primarily by your organisation</u> b. <u>Attended or minor supporter of external activity</u>	<table border="1"> <thead> <tr> <th></th><th><u>Activity led/ hosted primarily by your organisation</u></th><th><u>Attended or minor supporter of external activity</u></th></tr> </thead> <tbody> <tr> <td>Launched our RAP</td><td></td><td></td></tr> <tr> <td>Launched a new program or initiative</td><td></td><td></td></tr> <tr> <td>Invited guest speakers to attend our events</td><td></td><td></td></tr> <tr> <td>Distribution of information, resources and promotional material to staff or public</td><td>Yes</td><td></td></tr> <tr> <td>Raised awareness through social media or on our website</td><td>Yes</td><td></td></tr> <tr> <td>Unveiled a plaque or named a facility</td><td></td><td></td></tr> <tr> <td>Learning seminars, workshops, documentary screenings or training sessions</td><td>Yes</td><td></td></tr> <tr> <td>Reconciliation event, presentation, meeting, forum such as a tea, lunch or dinner</td><td>Yes</td><td></td></tr> </tbody> </table>		<u>Activity led/ hosted primarily by your organisation</u>	<u>Attended or minor supporter of external activity</u>	Launched our RAP			Launched a new program or initiative			Invited guest speakers to attend our events			Distribution of information, resources and promotional material to staff or public	Yes		Raised awareness through social media or on our website	Yes		Unveiled a plaque or named a facility			Learning seminars, workshops, documentary screenings or training sessions	Yes		Reconciliation event, presentation, meeting, forum such as a tea, lunch or dinner	Yes		Please select all that apply.
	<u>Activity led/ hosted primarily by your organisation</u>	<u>Attended or minor supporter of external activity</u>																											
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	Held an online event Attended an online event Cultural event or exhibition involving dance, language, art, music, film, food or a tour Organised Welcome to Country or other traditional ceremonies Participated in commemorative events or campaign such as a Sea of Hands, Sorry Day events, marches or walks Raised awareness through flags, posters, banners and displays Ran activities for children and families Reconciliation Awards Collaborated or supported other organisations for local events Ran quizzes, competitions or giveaways Did not officially participate this year Other (please specify) Don't know	Yes Yes Yes Yes		
18. How many NRW events did your organisation host this year?	Options: <input type="checkbox"/> Number of events: 6 across multiple sites	A NRW event could be a small morning tea with staff, online learning forums, or a large public gathering in commemoration of reconciliation. An event specifically refers to convening individuals to connect and raise awareness of reconciliation.		
Respect				
Cultural learning 19. Does your organisation have an Aboriginal and Torres Strait Islander cultural learning strategy document?	Options: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know			
20. What cultural learning target did your organisation set for this reporting period?	Options: <input type="checkbox"/> Target number 10	This question is specific to the number of employees that the organisation committed would participate		

		<p>in a structured cultural learning program.</p> <p>Target number is the actual number of employees (not calculated on an FTE basis).</p>
21. How many staff have undertaken a cultural learning program during the reporting period?	<p>Options:</p> <p><input type="checkbox"/> Overall number – 86</p> <p>Breakdown:</p> <p><input type="checkbox"/> E-learning cultural program - 61 Employees</p> <p><input type="checkbox"/> Face-to-face cultural program - 25 Employees</p> <p><input type="checkbox"/> Cultural immersion program</p>	A cultural immersion program refers to a cultural experience on Country, guided by a local Traditional Owner.
<p>Cultural protocols</p> <p>22. Does your organisation have an Aboriginal and Torres Strait Islander cultural protocols document?</p>	<p>Options:</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Don't know</p>	
23. How did your organisation celebrate NAIDOC Week last year?	<p>NAIDOC Week events held at libraries and cultural centres included Nunga screen and art workshops were booked out.</p> <p>Events were incredibly popular in 2021</p>	NOTE: The text box has a 250-word limit.
24. How has your organisation increased visibility of Aboriginal and Torres Strait Islander cultures this year?	<p>Text box to provide information on activities.</p> <p>Developed an Acknowledgement of Country postcard for employees to have on hand or on display at their workstation. This postcard explains the importance of Acknowledgement of Country and provides Acknowledgement of Country in Kurna and English. This has been enthusiastically received and used by many employees.</p>	<p>This could refer to increasing visibility in the workplace and/or in the public sphere.</p> <p>NOTE: The text box has a 250-word limit.</p>
25. Have you changed any of your core and/or external facing services and practices as a result of your RAP?	<p>Options:</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	Select 'yes' if your RAP has influenced how your organisation operates on a daily basis (beyond RAP specific activities).
<p>Culturally appropriate services and practices</p> <p>26. Have you noticed any changes for your customers/clients/supporters/other stakeholders due to the way you</p>	<p>Options:</p> <p><input type="checkbox"/> Very negative</p> <p><input type="checkbox"/> Negative</p> <p><input type="checkbox"/> No change</p> <p><input type="checkbox"/> Positive</p> <p><input type="checkbox"/> Very positive</p> <p><input type="checkbox"/> Not applicable</p>	

operate with more culturally appropriate services or practices?		
27. To what extent were activities and changes relating to cultural competency driven by your RAP commitments?	Options: <input type="checkbox"/> None <input type="checkbox"/> A little <input type="checkbox"/> Some <input type="checkbox"/> Quite a lot <input type="checkbox"/> A great deal	
Opportunities		
Aboriginal and Torres Strait Islander employment 28. <i>To what extent do you agree or disagree with the following statement:</i> Your organisation is maximising the value it gets from the unique skills, competencies and opportunities that Aboriginal and Torres Strait Islander employees bring with them.	Options: 12 months ago: <input type="checkbox"/> Strongly Disagree <input type="checkbox"/> Disagree <input type="checkbox"/> Neutral <input type="checkbox"/> Agree <input type="checkbox"/> Strongly Agree <input type="checkbox"/> Not Applicable Now: <input type="checkbox"/> Strongly Disagree <input type="checkbox"/> Disagree <input type="checkbox"/> Neutral <input type="checkbox"/> Agree <input type="checkbox"/> Strongly Agree <input type="checkbox"/> Not applicable	For example, value may include new cultural perspectives, new market opportunities or guidance on specific programs. Only select ' <i>Not applicable</i> ' if your organisation does not have any Aboriginal and/or Torres Strait Islander employees.
29. Does your organisation have an Aboriginal and Torres Strait Islander employment and retention strategy document?	Options: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	
30. What is your target for Aboriginal and Torres Strait Islander employment in this reporting period?	Options: <input type="checkbox"/> Target number <input type="checkbox"/> Not applicable	
31. How many Aboriginal and Torres Strait Islander staff does your organisation currently employ (as of June 30, 2021)?	Options: <input type="checkbox"/> Overall number <input type="checkbox"/> We don't collect this information Breakdown: <input type="checkbox"/> Permanent full-time <input type="checkbox"/> Permanent part-time <input type="checkbox"/> Casual <input type="checkbox"/> Apprentices <input type="checkbox"/> Traineeships <input type="checkbox"/> Internships <input type="checkbox"/> Cadetships <input type="checkbox"/> Contractors	Only select ' <i>We don't collect this information</i> ' if you do not know whether you may have <u>any</u> Aboriginal and/or Torres Strait Islander employees. It is better to record the <u>minimum known number</u> of First Nations employees, even if this may not be indicative of the total number of employees.

	<input type="checkbox"/> Secondees <input type="checkbox"/> Non-ongoing full-time <input type="checkbox"/> Non-ongoing part-time	<p>Permanent employment refers to employees that have been engaged in ongoing employment or that have been employed for longer than 12 months.</p> <p>Non-ongoing employment refer to staff that have been employed for a specific project, or short term contract (less than 12 months).</p>
32. Please indicate the number of Aboriginal and Torres Strait Islander staff that are in:	Options: <input type="checkbox"/> Board positions - 0 <input type="checkbox"/> Executive roles - 0 <input type="checkbox"/> Other management/senior positions - 0 <input type="checkbox"/> Entry level or junior roles 3	The City of Marion's target First Nations employee increase is 0.5%-1%
33. How many Aboriginal and Torres Strait Islander staff did you retain in your organisation throughout the reporting period?	Options: <input type="checkbox"/> Number 1 <input type="checkbox"/> Not applicable	
34. Did your organisation provide professional development opportunities to Aboriginal and Torres Strait Islander people?	Options: <input type="checkbox"/> Yes – pre-employment training <input type="checkbox"/> Yes – progression within current role training <input type="checkbox"/> Yes – mentorship programs <input type="checkbox"/> Yes – employment pathway programs <input type="checkbox"/> Yes – collaboration with other RAP organisations <input type="checkbox"/> No	Please select all that apply.
35. To what extent were employment changes driven by your RAP commitments?	Options: <input type="checkbox"/> Not at all <input type="checkbox"/> A little <input type="checkbox"/> Some <input type="checkbox"/> Quite a lot <input type="checkbox"/> A great deal	Attribution seeks to understand the degree to which the RAP has influenced reconciliation actions relating to business.
36. Please describe highlights, and key learnings that improved the effectiveness of your employment strategy.	Text box to provide information on RAP activities.	NOTE: The text box has a 250-word limit.
Aboriginal and Torres Strait Islander procurement 37. Does your organisation have an Aboriginal and Torres Strait Islander procurement strategy document?	Options: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	
38. What is the dollar value of procurement from Aboriginal and	Options:	We consider Aboriginal and Torres Strait Islander

Torres Strait Islander businesses in the reporting period?	<input type="checkbox"/> Dollar value of goods and/or services procured from Aboriginal and Torres Strait Islander businesses <input type="checkbox"/> Dollar value of spend from businesses certified by Supply Nation We are not able to calculate this figure	<p>businesses to be those businesses which are at least 50% Aboriginal and Torres Strait Islander owned.</p> <p>If this does not apply to your organisation, please enter '0'.</p>
39. How many Aboriginal and Torres Strait Islander businesses did you enter a contract with, during the reporting period?	Options: <input type="checkbox"/> Number of all Aboriginal and Torres Strait Islander businesses <input type="checkbox"/> Number of businesses certified by Supply Nation <input type="checkbox"/> Unknown	<p>If this does not apply to your organisation, please enter '0'.</p>
40. Is your organisation a Supply Nation member?	Options: <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Select 'yes' if your organisation was a member of Supply Nation any time during the reporting period (1 July 2020 - 30 June 2021).</p>
41. To what extent were procurement changes driven by your RAP commitments?	Options: <input type="checkbox"/> None <input type="checkbox"/> A little <input type="checkbox"/> Some <input type="checkbox"/> Quite a lot <input type="checkbox"/> A great deal	
Donations, contributions, and pro-bono services 42. What is the dollar value of donations made to Aboriginal and Torres Strait Islander organisations in the reporting period?	Options: <input type="checkbox"/> Dollar value of spend <input type="checkbox"/> Unknown	<p>If this does not apply to your organisation, please enter '0'.</p>
43. What is the dollar value of contributions to Aboriginal and Torres Strait Islander education scholarships in the reporting period?	Options: <input type="checkbox"/> Dollar amount for direct funding of scholarships 0	<p>An example of a scholarship includes your organisation funding or partially funding a place at a university or in a TAFE course for Aboriginal and Torres Strait Islander students.</p> <p>If this does not apply to your organisation, please enter '0'.</p>
44. What is the dollar value of contributions to organisations that	Options:	<p>An example of a contribution would be your</p>

support Aboriginal and Torres Strait Islander students?	<input type="checkbox"/> Dollar amount of contributions to organisations that support Aboriginal and Torres Strait Islander students 0	organisation providing funds to an organisation which supports Aboriginal and Torres Strait Islander students to complete study. If this does not apply to your organisation, please enter '0'.
45. What is the value of pro bono services provided to Aboriginal and Torres Strait Islander individuals, organisations, or communities in the last 12 months?	Options: <input type="checkbox"/> Hours of pro bono services provided <input type="checkbox"/> Dollar value of pro bono services provided Unknown	Pro bono service is professional work undertaken voluntarily and without payment. If this does not apply to your organisation, please enter '0'.
COVID-19 and the RAP network		
46. Please indicate the level of financial impact COVID-19 has had on your organisation?	Options: <input type="checkbox"/> None <input type="checkbox"/> Minimal (less than 10% decrease in business or hours) <input type="checkbox"/> Significant (some job loss and/or reduced salary for existing employees, loss of business revenue of more than 10%) - add that interest rates <input type="checkbox"/> Severe (significant job loss or stand downs and significant business revenue loss)	RAY provided advice email M19/7
47. Please indicate the level of operational impact COVID-19 has had on your organisation?	Options: <input type="checkbox"/> None <input type="checkbox"/> Limited (relatively few changes in workload and business activities) <input type="checkbox"/> Significant (some increased demand for services) <input type="checkbox"/> Extreme (increased demand for services, need to hire additional employees or bring in secondees)	RAY provided advice email M19/7
48. Please tell us how your organisation has adapted your reconciliation commitments to address community needs during COVID-19?	Text box to provide information on RAP activities.	NOTE: The text box has a 250-word limit.
Case studies and testimonials		
49. Please tell us about how your organisation has worked towards advancing any of the five dimensions of reconciliation?	Text box to provide information on RAP activities.	Five dimensions of reconciliation include: Race Relations, Equality and Equity, Institutional Integrity, Historical Acceptance and Unity.

		NOTE: The text box has a 250-word limit.
50. We'd really like to hear about stories that highlight challenges, key learnings or successes when delivering on your organisation's RAP commitments this year.	Text box to provide information on RAP activities.	<p>Including information around challenges and key learnings will help Reconciliation Australia to better tailor its support to RAP organisations in the future.</p> <p>NOTE: The text box has a 250-word limit.</p>
Testimonial (Optional) Please provide a short testimonial regarding the impact that your RAP has had within your organisation. Please note that this may be included in Reconciliation Australia publications.	Text box to provide information on RAP activities.	NOTE: The text box has a 250-word limit.
Attachments (Optional) Do you have any strategy documents or relevant files that you are happy for us to share with the wider RAP network?	Options: <input type="checkbox"/> Yes <input type="checkbox"/> No	You can also email us at RAP.reporting@reconciliation.org.au Documents could include: <ul style="list-style-type: none"> • Cultural competency strategy • Cultural protocols document • Employment and retention strategy • Procurement strategy
End of questionnaire		

PLEASE NOTE: In the spirit of reconciliation, we encourage the RAP network to work together and share key learnings in order to have the greatest impact. At the end of the questionnaire, you will have the opportunity to upload documents that have been instrumental to your organisation's reconciliation journey. By uploading documents through this portal, you are giving Reconciliation Australia permission to share the documents with the RAP network.

13 Workshop / Presentation Items

13.1 Local Government Reforms

Report Reference	GC210824R13.1
Originating Officer	Manager Office of the Chief Executive – Kate McKenzie
Corporate Manager	Manager Office of the Chief Executive - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

To inform the Council of the amendments to the *Local Government Act 1999* and associated regulations and to collate feedback in response to the current consultations released by the Local Government Association (LGA) in relation to:

- The preferred method for determining the winning candidate when a casual vacancy occurs within 12 months of a periodic election; and
- The preferred timing for the implementation of the commencement of the new Member Behavioural Framework

EXECUTIVE SUMMARY

The Statutes Amendment Local Government Review Act 2021 has now been enacted and proclamation on certain sections will occur in August and November 2021.

Consultation is now occurring with the sector on implementation dates and Councils are requested to provide feedback on the approach they would prefer by 21 September 2021 to inform the development of an LGA submission to the Office of Local Government (OLG) on behalf of the sector.

RECOMMENDATION

That Council:

1. **Notes the amendments to the *Local Government Act 1999* and further information will be presented to Council as it is made available.**
2. **Provides feedback to the Local Government Association that the Regulations for the *Local Government Election Act* support that when a casual vacancy occurs within 12 months of an election, the vacancy will be filled by the method of 'Next highest' or 'Preferred Candidate'. This method should apply to Mayoral and Councillor positions.**
3. **Provides feedback to the Local Government Association that the implementation date for new sections of the Local Government Act that relates to Member Behaviour commences in June 2022 or November 2022.**

DISCUSSION

Based on information currently available, and consistent with previous advice from the Minister for Local Government, the intention is that the first round of proclamations will occur in August 2021, with a number of those provisions due to commence on proclamation. A date has not been announced. Many of these amendments are minor in nature and do not require specific action to be taken, however the items to take note of include:

- Amend section 54 - Casual Vacancies (failure to submit a return)
- New section 55A - Leave of Absence - Council member contesting election
- Amend section 58 and 59 - specific role of principal member and Members of Council
- Delete section 78A - Obtaining Legal Advice (Council Members)
- New section 90A - Information or briefing sessions
- New section 99A - Remuneration of CEO

The reforms relating to Local Government Elections are also expected to be proclaimed in August, with a proposed commencement of November 2021.

Timing of the commencement of the balance of sections in the Amendment Act is less clear, although current advice indicates proclamation will occur towards the end of the calendar year. Commencement will be determined over the coming months ahead of proclamation and the LGA will be working closely with the OLG to ensure implications for councils are considered in timeframes.

It is proposed that the following sections commence around November 2021:

- Amend section 54 - Casual Vacancies (within 12 months of a periodic election)
- Amend section 70 - Inspection of registers
- Amend section 77 - Reimbursement of expenses
- Amend section 91 - Minutes and release of documents
- Amend section 97 - Vacancy in Office (CEO)
- Amend section 98 - Appointment procedures (CEO)
- Amend section 102A - CEO Performance Review
- Amend section 122 - Strategic Management Plans
- Amend section 123 - Annual Business Plan
- Amend section 131 - Annual Report
- Amend section 132 - Access to documents
- Amend section 270 - Procedure for review or decision
-

Some of the larger changes within the Act with proclamation and commencement timeframes still to be determined include:

- Section 50 - Public Consultation Policies
- Section 62 - General duties
- Section 75 - Conflict of interest
- Amend section 80A - training and development
- Section 80B - Suspension of a Member
- Section 86(6a) - Procedures at meeting (Member behaviour)
- Section 119 - Gifts and Benefits
- Section 120a - Behavioural standards (Employees)
- Section 125 - Internal Audit
- Section 126 - Audit Committee
- Sections 262, 263, 264 - Council to deal with Member behaviour.

A copy of a marked-up Act has been circulated to Council Members via email and made available on the Elected Member extranet. It has not been included in the agenda due to the size of the document.

Local Government (Elections) Act 1999

The new section 6(2)(c) of the Local Government (Elections) Act 1999 provides that a casual vacancy election will not need to be held, in most cases, if the elected member vacates the

position in the first 12 months after a periodic election. Instead, the replacement council member will be determined in accordance with the Regulations (yet to be drafted). Attachment 1 provides a discussion paper on two alternative countback methods being considered as the basis of the intended Regulations. The 'Next Highest' method has been proposed by the State Government. It is simple and easy to determine. The LGA Secretariat's advice is inclined towards the 'Preferred candidate' preferential system in use for local government casual vacancy elections in Tasmania and Victoria. Using this method, when an elected member resigns or passes away in the first 12 months after a periodic election, the ballots are re-examined. Those votes that previously went to the departing member are re-distributed according to the preferences indicated by the voters.

The Council needs to provide feedback on:

- If this should apply to all elections being Mayoral and Ward Councillors
- Which is Council's preferred model:
 - o Next highest
 - o Preferred Candidate.

Behavior Management Framework

Attachment 2 provides a discussions paper on the optimal commencement dates for the new behaviour management framework for council members. The new provisions are set out in new sections 75E, 75F and Chapter 13, Part A1—Member Behaviour of the Local Government Act 1999. The first option is to put in place all elements of the Framework as quickly as possible. If so, the Framework could commence in June or July 2022. The second option is for the Framework to commence after the November 2022 local government periodic elections. arguments for and against are set out in the discussion paper.

The Council needs to provide feedback on the commencement date of either:

- June 2022
- November 2022.

ATTACHMENTS

1. LGA Consultation - Casual Vacancy Elections Countback Systems Explanatory Paper [**13.1.1** - 3 pages]
2. LGA Consultation - Commencement of Behaviour Management Framework - Summary Paper [**13.1.2** - 3 pages]

Local Government Casual Vacancy Elections -Countback systems

The local government sector has been asked for feedback on two different 'countback' systems that could be used in the case of a casual vacancy occurring within 12 months of a council periodic election. The two options are described below, and councils are asked to provide feedback on their preferred alternative.

Background

New section 6(2)(c) of the *Local Government (Elections) Act 1999* (inserted by s 151 of the *Statutes Amendment (Local Government Review) Act 2021*) provides that a casual vacancy election will not need to be held, in most cases, if the elected member vacates the position in the first 12 months after a periodic election.

Instead, the replacement council member will be determined in accordance with the Regulations (yet to be drafted). This paper discusses two alternative countback methods being considered as the basis of the intended Regulations.

The 'Next Highest' method has been proposed by the State Government. It is simple and easy to determine. The LGA Secretariat's advice is inclined towards the 'Preferred candidate' preferential system in use for local government casual vacancy elections in Tasmania and Victoria.

'Next Highest' method

In the 'Next Highest' method, the Electoral Commission will examine who had the next highest number of votes, at the moment when the winning candidate was elected.

Benefits

- Simple and easy to determine the winning candidate without the need to recount ballots.
- Voting papers need to be stored until the results in the periodic election are declared by the Returning Officer (plus an additional 72 hours to allow for potential challenges), but not for a longer period or to be accessed for any recount.

Negatives:

- Could lead to the election of Members who were not supported by a majority of voters.

'Preferred candidate' method

The 'Preferred Candidate' method is an extension of the preferential system of voting upon which SA local government elections are based. This system is premised on the desire to elect a candidate who is preferred by the majority of voters, even though that candidate did not necessarily receive a majority of first preference votes.

Using this method, when an elected member resigns or passes away in the first 12 months after a periodic election, the ballots are re-examined. Those votes that previously went to the departing member, are re-distributed according to the preferences indicated by the voters.

This method avoids circumstances where one candidate receives a high number of first preference votes but is not supported by a majority of voters. This system is used in Tasmania¹ and Victoria².

Benefits:

- The successful candidate determined using this method will be preferred by the majority of voters.
- The votes of those people who originally voted for the departing member will still be counted in determining the replacement candidate.

Negatives:

- Voting papers would need to be stored for a longer period of time to be available for any recount and this may have a cost (albeit a much smaller cost than the cost of running a supplementary election)
- Recounting votes via this method is more complicated. ECSA will need to ensure they have access to staff with the requisite skills in the event of any recount.

Example

In the periodic election three candidates ran for one position. Candidate A and C have similar views and gave their preferences to each other. The votes were as follows: Candidate A 45%, Candidate B 30% and Candidate C 25%.

No candidate had more than 50% of the vote, so no one was elected after primary votes were counted. Candidate C had the lowest number of votes and so was eliminated and their preferences were distributed. Most of their second preferences flow to Candidate A. Candidate A now had more than 50% of the votes and was declared elected. At that point, Candidate B had the next highest number of votes.

Six months later, Candidate A resigns from council for health reasons. A countback of the votes cast at the periodic election is required. The table below describes the application of each countback method.

<i>'Next Highest' Method</i>	<i>'Preferred Candidate' Method</i>
<p>Elected Member (Candidate A resigns).</p> <p>The candidate with the next highest vote tally was Candidate B, who received 30% of the primary vote.</p> <p>Candidate B is declared elected, even though a majority of voters (70%) put candidate B last.</p>	<p>Elected Member (Candidate A resigns).</p> <p>The ballots are recounted. Any votes that previously went to Candidate A are distributed according to the voter's preferences.</p> <p>Almost all of Candidate A's preferences go to Candidate C.</p> <p>At this point, Candidate C has their original 25% of first preferences plus preferences from most of the 45% of votes distributed from Candidate A.</p> <p>As almost 70% of voters <i>preferred</i> Candidate C (in the absence of Candidate A), Candidate C is elected.</p>

¹ Section 107 of the *Tasmanian Local Government Act 1993*

² Section 225 of the *Local Government Act (Vic) 2020*

Summary

The views of the LGA are informed by the 2021 Rockhampton Mayoral election involving Chris “Pineapples” Hooper. Mr Hooper’s circumstances were similar to Candidate B, above³. He received the second highest number of first preference votes for Mayor. When the Mayor resigned, Mr Hooper would have become Mayor of Rockhampton, had the Queensland Government not rushed through emergency legislation to require a by-election following the resignation of a candidate, rather than allowing the ‘runner up’ to be declared elected. This legislation was supported by both sides of Parliament and LGA Queensland.

Those sections of the legislation and regulations, relating to local government election are expected to commence in November 2021, one year before the next periodic elections.

Feedback sought

The LGA intends to make a submission to the Office of Local Government regarding the proposed Regulations based upon the views of member councils. To assist in the preparation of that submission Councils are requested to provide views by **21 September 2021** regarding the preferred countback option to be used in the event of a casual vacancy occurring within 12 months of a periodic election.

Submissions and questions should be addressed to Andrew Lamb, Local Government Reform Partner on 8224 208 and andrew.lamb@lga.sa.gov.au

³ Note that in South Australia, a countback system will not be used for Mayoral by-elections.

Commencement of Member Behaviour Framework

The local government sector has been asked for feedback on the optimal commencement dates for the new behaviour management framework for council members (in this paper, referred to as 'the Framework') which is set out in new sections 75E, 75F and Chapter 13, Part A1—Member Behaviour of the *Local Government Act 1999* (inserted by s 38 and 126 of the *Statutes Amendment (Local Government Review) Act 2021*).

The first option is to put in place all elements of the Framework as quickly as possible. If so, the Framework could commence in June or July 2022. The second option is for the Framework to commence after the November 2022 local government periodic elections.

This paper set out the steps and the likely timeframe required to achieve implementation of both options.

Background

The *Statutes Amendment (Local Government Review) Act 2021* will make significant changes to the way council member behaviour issues are addressed. The current code of conduct for elected members will be repealed and replaced by 'Behavioural Standards' published by the Minister for Local Government. The date for commencement of this section is yet to be determined. The LGA will make submissions on the commencement date based on feedback from member councils.

Before the new sections commence, councils must make a range of decisions including the development and adoption of behavioural management and support policies to meet the requirements of the new sections (these are referred to in the table below). Public consultation is required before a council can adopt them.

The LGA is preparing a range of training sessions (for both council members and employees) and model documents, to support councils' transition to the new legislative scheme.

Required Steps

Required step	Primary Responsibility	Commence quickly timeline	Commence Post-election timeline
LGA consults sector on template council 'Behavioural Support Policy' ¹ and template council 'Behavioural Management Policy' ² .	Sector	September 2021	September 2021
Minister publishes Behavioural Standards ³ .	Minister	October 2021	October 2021
Minister appoints Behavioural Standards Panel ⁴ , who can start determining their policies and procedures but who cannot yet hear matters.	Minister Behavioural Standards Panel	November 2021	July 2022

¹ s 75F *Local Government Act 1999* (s 38 *Statutes Amendment (Local Government Review) Act 2021*)

² s 262B *Local Government Act 1999* (s 126 *Statutes Amendment (Local Government Review) Act 2021*)

³ s 75E *Local Government Act 1999* (s 38 *Statutes Amendment (Local Government Review) Act 2021*)

⁴ Chapter 13, Part A1, Division 2—Behavioural Standards Panel, *Local Government Act 1999* (s 126 *Statutes Amendment (Local Government Review) Act 2021*)

Required step	Primary Responsibility	Commence quickly timeline	Commence Post-election timeline
LGA provides template policies and training programs.	LGA	From November 2021	From November 2021
Councils meet to deliberate on their 'Behavioural Support Policy' and 'Behavioural Management Policy'.	Council	Final months of 2021 (draft policy approved for consultation by end January 2022)	Post-election: December 2022-March 2023 (must be completed before May 2023).
Councils consult public on proposed 'Behavioural Support Policy' and 'Behavioural Management Policy'.	Council	February 2022	February-March 2023
Taking into account consultation with local communities, councils adopt 'Behavioural Support Policy' and 'Behavioural Management Policy'.	Council	March-April 2022	April 2023
Sections of the Act relating to the Framework commence.	Minister/LGA	July 2022	May 2023
Behavioural Standards Panel available to hear matters.	Behavioural Standards Panel	July 2022	May 2023

Arguments for and against commencing quickly

Arguments for commencing quickly

- Council member behaviour is an ongoing problem, resulting in sector-wide reputational damage.
- Some councils have critical issues that cannot be effectively solved under the existing laws. These issues present continuing risks of harm to council members and employees.
- This risk of harm exposes the sector to financial costs including legal fees and compensation payments made by the local government workers compensation and indemnity schemes.
- The new scheme increases the likelihood that members will conduct themselves in accordance with community expectations.
- Behavioural Standards Panel members can be appointed and commence development of operating procedures to enable prompt consideration of matters once the provisions commence.

Arguments against commencing quickly:

- Councils have a substantial body of work that must be undertaken before the sections can commence.
- There are a very large number of tasks required to implement the changes to the Local Government Act arising from passage of the *Statutes Amendment (Local Government Review) Act 2021*. The Framework is only one of several substantial projects.
- 2022 will already be a busy year of council governance (and other relevant) officers. Expected federal, state, and local government elections will all increase workloads.

- If the Framework commences quickly, the current council will need to develop the policies required by the legislation and related procedures for implementation. This process will need to be conducted again after the new council is elected.
- The Behavioural Standards Panel will not be available to hear matters, make determinations and impose penalties until mid 2023.

Summary

Both timeframes are available, however with the 'commence quickly' timeline, council will need to compress the required body of work into a shorter period. Some council deliberations will need to be repeated once a new council is elected.

On the other hand, council member behaviour is a serious systemic issue for the sector. These issues are difficult to resolve under the current laws. Behavioural issues and the inability to resolve breakdowns in Member relationships provide a major distraction from ordinary business, at many councils.

The LGA intends to make a submission on commencement dates for the Framework, based upon the views of member councils. Councils are requested to provide views by **21 September 2021**.

Submissions and question should be addressed to Andrew Lamb, Local Government Reform Partner on 8224 2081 and andrew.lamb@lga.sa.gov.au

14 Motions With Notice**15 Questions With Notice****15.1 New Residents' Kit**

Report Reference	GC210724Q15.1
Council Member	Mayor Kris Hanna

QUESTION

Has the New Residents Kit been distributed in accordance with Council's resolution of 12/3/19 and, if not, when did the practice cease and why?

SUPPORTING INFORMATION

Council resolved on 12/3/19 (confirmed 28/5/19) to distribute a New Residents' Kit to incoming residents either by email or hard copy.

Response Received From	Manager Customer Experience – Megan Bradman
Corporate Manager	N/A
General Manager	General Manager Corporate Services – Sorana Dinmore

STAFF COMMENTS

Following Council's resolution of 12 March 2019 (GC190312M06), a new process was implemented for new residents with a 'New Residents Kit' issued upon notification of a property Change of Ownership. In all, 2465 hard copy kits were sent to new residents. New Resident Kits were also made available on the City of Marion website.

In December 2019, the kits required revision due to changes in information/services and in early 2020 the provision of New Resident Kits ceased temporarily as a result of COVID-19 and the impact on some services.

In June 2021 work re-commenced on an updated Residents Kit. The updated kit is available on the website <https://cdn.marion.sa.gov.au/sp/Documents-Media/New-Residents-Kit-2021.pdf>. Hard copies of the updated Resident Kits are currently being printed to meet the expected demand during the full 2022 calendar year and the service will resume once the reprinted kits have been received.

15.2 Fraud and Corruption Matter - Investigation Status

Report Reference	GC210824Q15.2
Council Member	Councillor – Bruce Hull

QUESTION

“In terms of the Council fraud policy (Ensure timely reporting of fraud and corruption issues to Council (consideration will be given to the method of reporting in line with the nature of the incident and the confidentiality obligations ie ICAC). What is the status of the investigation of the former staff member Unit Manager, James O’Hanlon. If charges are pending or a prosecution/convictions have been made, can this be detailed to Council with a clear time line of any such findings?”

SUPPORTING INFORMATION

Nil

Response Received From	Chief Executive Officer – Tony Harrison
Corporate Manager	N/A
General Manager	N/A

STAFF COMMENTS

Council Members were informed verbally of this incident via a confidential Elected Member Forum in late 2020. This was confirmed via a confidential email to Council Members in December 2020 when Councillor Hull queried if the Fraud and Corruption Policy had been complied with. Members were notified that the matter was referred to SAPOL and was being investigated.

In March 2021, the Administration was formally advised that Mr O’Hanlon was arrested in November 2020 and charged with dishonest dealings with documents in relation to letters which were believed to be forged. Prosecution subsequently amended those charges laid at court to reflect a false statement in an application to a licensing authority.

Mr O’Hanlon pled guilty to those charges at the first opportunity and subsequently entered a good behaviour bond for a period of 12 months and to pay Court costs (without conviction). SAPOL did not progress with any other charges.

16 Motions Without Notice**17 Questions Without Notice****18 Confidential Items****18.1 Cover Report - Confirmation of the confidential minutes of the Special Review and Selection Committee meeting held on 20 August 2021**

Report Reference	GC210824F18.1
Originating Officer	Acting Manager People and Culture – Rachel Read
Corporate Manager	- N/A
General Manager	Chief Executive Officer - Tony Harrison

REASON FOR CONFIDENTIALITY***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)

RECOMMENDATION

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Manager People and Culture, Manager City Property, Unit Manager Governance and Council Support, Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Confirmation of the confidential minutes of the Special Review and Selection Committee Meeting held on 20 August 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 recruitment of independent members for the Warriparinga Advisory Team.

18.2 Cover Report - Appointment of Warriparinga Advisory Team Members

Report Reference	GC210824F18.2
Originating Officer	Manager City Property – Thuyen Vi-Alternetti
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis

REASON FOR CONFIDENTIALITY***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)

RECOMMENDATION

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the CEO, Manager People & Culture, Manager City Property, Unit Manager Cultural Facilities, Unit Manager Communications, Unit Manager Governance and Council Support, Governance Officer , be excluded from the meeting as the Council receives and considers information relating to Warriparinga Advisory Team, 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 appointment of two independent members.

18.3 Cover Report - Lot 707 Marion Road, Bedford Park

Report Reference	GC210824F18.3
Originating Officer	Manager Development and Regulatory Services – Warwick Deller-Coombs
Corporate Manager	Manager Development and Regulatory Services - Warwick Deller-Coombs
General Manager	General Manager City Development - Ilia Houridis

REASON FOR CONFIDENTIALITY

Local Government Act (SA) 1999 S 90 (2) 3

(m) information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the *Planning, Development and Infrastructure Act 2016* before the draft instrument or amendment is released for public consultation under that Act

RECOMMENDATION

That pursuant to Section 90(2) and (3)(m) 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 City Services, General Manager Corporate Services, Manager Office of the CEO, Manager Development and Regulatory Services, Team Leader Planning, Senior Policy Planner, Manager Finance, 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 Lot 707 Marion Road, Bedford 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 third party regarding future development of the site.

19 Other Business

19.1 Late Report - Statewide Super Board- nominations sought

Report Reference	GC21082419.1
Originating Officer	Executive Assistant to the Mayor – Tom Matthews
Corporate Manager	Manager Office of the Chief Executive - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

The purpose of this report is to seek a nomination for election to the Statewide Superannuation Pty Ltd Board.

EXECUTIVE SUMMARY

The Local Government Association (LGA) Board is currently seeking applications to fill one appointment to the Statewide Superannuation Pty Ltd Board.

Applications are requested from suitably qualified and experienced individuals to fill one appointment to the Statewide Superannuation Pty Ltd (SSPL) Board.

The SSPL Board is responsible for effectively managing superannuation investments to achieve great investment outcomes, ensure members' rights are protected and oversee the strategic direction of the Fund.

The LGA Board provides two appointments to the SSPL Board and is currently seeking applications from suitably qualified and experienced individuals to fill one of those appointments.

Additional Information about the role is included in **Attachment 1**.

Council Members were notified of the available appointment and requested any interest in nominating be forwarded to Administration. Mayor Hanna has registered his interest to be nominated for the position.

Applications responding to the requirements and including a current CV should be submitted to the LGA no later than 31 August 2021.

RECOMMENDATION

That Council:

1. **Notes the report.**
2. **Council nominates XXX to the LGA for the appointment on the Statewide Superannuation Board**
3. **Administration forwards the above nomination/s to the Statewide Superannuation Board by COB Tuesday 31 August**

ATTACHMENTS

1. LGA - Statewide Super Director - additional information [19.1.1 - 2 pages]

LGA Board Nominee to Statewide Superannuation Pty Ltd Board

The Statewide Superannuation Pty Ltd Board (the Statewide Board) is responsible for effectively managing superannuation investments to achieve great investment outcomes, ensure members' rights are protected and oversee the strategic direction of the Fund.

The LGA Board provides two appointments to the Statewide Board and is currently seeking applications from suitably qualified and experienced individuals to fill one of those appointments from 1 January 2022.

About the Role

The Statewide [Board Charter](#) sets out the role, objectives and responsibilities of the Board. In summary, the Board's key responsibilities are:

- Formulating the Fund's overall strategy, approving objectives and monitoring the implementation of the strategy
- Making available to management the resources to achieve the strategic plan
- Appointing the Chief Executive Officer (CEO) and ensuring a succession plan is in place
- Ensuring that directors and senior management, collectively, have the full range of skills needed for the effective and prudent operation of the Fund's business operations, and that each director has skills that allow them to make an effective contribution to Board deliberations and processes
- Monitoring the Fund's financial and operational performance against its strategic plan and targets.
- Ensuring that there are adequate processes in place to comply with legal and accounting requirements and to discharge obligations under the Trust Deed and relevant laws
- Establishing, implementing and overseeing the Fund's Governance Framework
- Setting the Fund's risk appetite and ensuring that the risks to which the Fund is exposed are clearly identified and that suitable processes, controls and mitigation strategies are in place to manage those risks.
- Ensuring that proper accountability and systems are in place so that members and other stakeholders are informed in accordance with legislated disclosure obligations

Prior to being appointed by the Statewide Board any candidate will be required to meet a "Fit and Proper Person" test and provide their written consent to act as a director.

Time Commitment

Directors of the Board are expected to prepare for, attend and participate in Board meetings, of which there are approximately ten per year or more depending on need. Board meetings typically run for approximately six hours. In addition, Board Members are expected to become members of at least one sub committee of the Board. Current sub committees are Investment Committee, Risk Committee, Audit and Governance Committee, Member Services Committee and Remuneration and Nomination Committee. Committees meet quarterly or more often as needed.

Term of Office

The Statewide Board Charter provides that a Director may be appointed for a term of up to four years and in circumstances where a vacancy arises during the term of office of a director, the term of office of the director appointed to fill the vacancy is the remainder of the departing director's term. In relation to this vacancy, the appointment is for a term concluding 30 June 2025.

In this context, interested applicants are encouraged to provide details of their experience against the following attributes:

- Financial and risk management skills at a senior level, relevant to the responsibilities of the Statewide Board; and/or
- Communications and marketing skills, relevant to the responsibilities of the Statewide Board;
- Capacity and willingness to meet the obligations, term of office and time commitments associated with the role; and
- A willingness to undertake the required training and capacity to meet the suitability requirements of a Board Director

The successful applicant will need to demonstrate their capacity to apply the required skill sets in a strategic setting. In accordance with the Statewide Super Board's diversity targets, applications from suitable female candidates and suitable candidates from culturally diverse backgrounds are encouraged.

Remuneration

The base remuneration for this position is \$57,915 p.a. plus super.

Applications responding to the requirements and including a current CV should be submitted by **31 August 2021** and be marked to the attention of:

Ms Lisa Teburea
Acting Chief Executive Officer
Local Government Association
GPO Box 2693
Adelaide SA 5001
Email: nominationscoordinator@lga.sa.gov.au

20 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.