His Worship the Mayor
Councillors
CITY OF MARION

NOTICE OF SPECIAL GENERAL COUNCIL MEETING

Wednesday, 29 July 2020 at 06:30 PM

Council Chamber, Council Administration Centre
245 Sturt Road, Sturt

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

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

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



Adrian Skull
Chief Executive Officer

CITY OF MARION

TABLE OF CONTENTS

OPEN MEETING **4**

KAURNA ACKNOWLEDGEMENT **4**

DISCLOSURE **4**

ELECTED MEMBERS DECLARATION OF INTEREST (if any) **4**

ADJOURNED ITEMS **4**

Cover Report - Marion Sports and Community Club Landlord Consent - Adjourned Item 4

Marion Sports and Community Club - Landlord Consent - Adjourned Item 5

Cover Report - Edwardstown Creative Industries Co-working Hub Tender report - Adjourned Item 6

Edwardstown Creative Industries Co-working Hub Tender report - Adjourned Item 7

DEPUTATIONS **8**

Deputation - Aleppo Pines Rescission Motion 8

CORPORATE REPORTS FOR DECISION **9**

Marino Hall Redevelopment - Feasibility options 9

Marion Historic Village Museum - Final Report 135

Public Art Guidelines Community Consultation 185

Carbon Neutral Plan 205

Representation Review Options Paper 253

Local Government Association Annual General Meeting 2020 282

Statutes Amendment (Local Government Review) Bill 2020 298

Naming of Woodend Path 468

CORPORATE REPORTS FOR INFORMATION/NOTING **470**

Leases and Licences update 470

Work Health & Safety - Monthly Performance Report - June 2020 472

Questions Taken on Notice Register 477

WORKSHOP / PRESENTATION ITEMS **480**

QUESTIONS WITH NOTICE **480**

Council Verges - Reported Use of Plastic Grass 480

Westfield Marion Area - Residential Parking Scheme Exemptions 483

Elected Members Code of Conduct During Elections 484

Spinnaker Crescent Reserve 485

MOTIONS WITH NOTICE **486**

Genetically Modified (GM) crops - consultation 486
Rescission Motion - Removal of Lower Field River Pines (Aleppo Pines) 492
X Convenience Service Station Development Application 585
MOTIONS WITHOUT NOTICE 586
QUESTIONS WITHOUT NOTICE 586
OTHER BUSINESS 586
MEETING CLOSURE 586

OPEN MEETING

KAURNA ACKNOWLEDGEMENT

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

DISCLOSURE

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

ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

ADJOURNED ITEMS

Cover Report - Marion Sports and Community Club – Landlord Consent - Adjourned Item

Originating Officer	Property Leasing Officer - Chloe McDonald
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis
Report Reference	SGC200729F01

RECOMMENDATION

That pursuant to Section 90(2) 3(d) (i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Thuyen Vi-Alternetti, Jaimie Thwaites, Victoria Moritz and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the Marion Sports and Community Club - Landlord Consent, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential relating to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business.

Marion Sports and Community Club - Landlord Consent - Adjourned Item

CONFIDENTIAL

Reason For Passing This Resolution:

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

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

Originating Officer	Unit Manager Community Cultural Development - Marg Edgecombe
Corporate Manager	Manager City Activation - Greg Salmon
General Manager	General Manager City Development - Ilia Houridis
Report Reference	SGC200729F02

RECOMMENDATION

That pursuant to Section 90(2) and (3)(k) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Jaimie Thwaites, Marg Edgecombe, Greg Salmon, Victoria Moritz and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to the Edwardstown Creative Industries Co-working Hub Tender report, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Edwardstown Creative Industries Co-working Hub Tender report - Adjourned Item

CONFIDENTIAL

Reason For Passing This Resolution:

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

CITY OF MARION

DEPUTATIONS

Deputation - Aleppo Pines Rescission Motion

Originating Officer	Unit Manager Governance and Council Support - Jaimie Thwaites
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference:	SGC200729D01

SPEAKER:

Mr Ross Morriss

ORGANISATION:

Resident and Member of the Friends of the Lower Field River (FoLFR).

COMMENTS:

Mr Morriss has requested to give a deputation to Council supporting the rescission of the resolution passed on 26 May 2020 in relation to the Aleppo Pines (GC200526P01).

CITY OF MARION

CORPORATE REPORTS FOR DECISION

Marino Hall Redevelopment - Feasibility options

Originating Officer	Registered Architect, Strategic Projects - Birgit Stroeher
Corporate Manager	Manager City Activation - Greg Salmon
General Manager	General Manager City Development - Ilia Houridis
Report Reference	SGC200729R01

REPORT OBJECTIVE

The purpose of this report is to present to Council for further consideration, the feasibility report on options for the redevelopment of the Marino Hall and adjacent Council owned land.

EXECUTIVE SUMMARY

Council's recent acquisition of the allotment at 2 Bakewell Cresent presents an opportunity to explore options for the future development of Marino Hall and adjoining land.

The Marino Hall is an aging facility with the condition being rated as average at the last building assessment in 2016. The 2016 assessment estimates useful life of the facility is 25.5 years should no replacement or upgrade works be undertaken by Council in the future.

The community facility continues to provide a unique range of services to the local community of Marino, that are not being offered at nearby centres within both the Cities of Holdfast Bay and Marion. The proposals accommodate existing services offered by creating fit for purpose spaces that can also accommodate the key themes from the community engagement process completed in 2019.

The two feasibility options presented sit within the endorsed target budget of $1-5 million.

Option 1 comprises of new building work, refurbishment of the existing main hall and development of the adjacent vacant site.

Option 2 is a full redevelopment of the facility and adjacent vacant site.

Analysis of the options and costs are included in Attachment 1.

RECOMMENDATION

That Council:

1. **Notes the feasibility report completed by Studio Nine.**
2. **Endorses Option 2 for a full redevelopment of Marino Hall and commits $2.5 million (50%) to the project subject to receiving a matching external funding commitment.**
3. **Endorses to proceed to further refine the endorsed proposal and undertake stakeholder consultation, with consultancy fees capped at $18,000.**

DISCUSSION

The overall condition of the existing building is average and there is a requirement to address sustainability and building non-compliance issues. (disabled access, fire services and egress)

Marino Hall is a well located community facility that provides a space for various services including art and sewing groups, dance groups, martial arts, yoga, performances and the Philadelphia Church of God. The facility is currently hired at approximately 40% capacity.

The building comprises of two halls, kitchen and public amenities and was constructed in stages over the 1940s-50's. Sections of the smaller hall and adjacent structures were structurally stabilised in 2019 and have a medium-term stability period. The existing floor area is in the order of 555sqm.

An extensive community engagement process was conducted in 2019 and the feedback themes assist in informing the current feasibility proposals for the site. Discussion with the Marino Hall Committee, research undertaken in regards to the projected population until 2036, demographic analysis and review of the outcome of the Making Marion Youth survey conducted in 2019 have identified that within the catchment area there is a capacity to increase the community value through offering a further range of community services to the area.

This included:

- volunteer operated coffee shop
- Gallery and studio spaces
- playground area
- men's shed workshop
- flexible meeting/activity spaces
- youth facilities
- activities for older people
- school arts/cultural projects
- markets.

Feasibility Options

The guiding principles of the proposals are:

1. Inclusive and accessible
2. A space for the community which fosters well-being
3. Incorporating Environmentally Sustainable design principles
4. Multi purpose and adaptable, to meet evolving community needs

The key drivers for the proposals are:

- Consideration of the impact on existing structures, views and levels
- Assessment of existing structure and capacity of existing services infrastructure
- Consideration of redevelopment wide sustainable initiatives
- Consideration of the spatial and relationships of those areas that support efficient and compliant use
- Identification of opportunities to increase the activation and visibility of the facility within the neighbouring context
- Identification of the extent of the car parking available on site
- Identification of the capital required for redevelopment
- Comparison of the two options presented, in regard to the building running costs, maintenance and life cycle

Option 1 - Refurbishment, additions and redevelopment of the existing facility and site.

This option includes:

- Addressing the structural integrity of the building to prevent future cracking
- Improving public amenities including provision of additional toilet facilities
- Provision of modern kitchen facilities serving the complex
- Provision of flexible meeting, activity spaces and storage
- Consideration of an upper level addition to maximise views and site topography
- Opening the front entrance of the hall (on BakewellCresent) to provide informal community run cafe type facilities with seating, whilst creating a welcoming entrance to the facility
- Provision of glazed openings along the Newland Avenue facade to activate the facility and provide a presence.
- A large space divisible into two to ensure existing users can continue to host fitness, yoga, social and community events.

Total project cost to deliver this option is $4.1M

Option 2 - Full redevelopment of the site, including all new building works.

This option includes:

- Replacement of the building in its entirety
- Development of a new sustainable and efficient building specifically designed for the site and community
- Consideration of the best location for the facility entry point and maximising coastal views.
- Consideration of the facade of the building along Newland Avenue.
- Making it an inviting place for the community with a civic presence yet residential scale.
- A large space divisible into two to ensure existing users can continue to host fitness, yoga, social and community events.

Total project cost to deliver this option is $5M

The table below outlines the scope of the two options, value of each offering and any additional identified opportunities or excluded scope which is outside the current identified project budget.

Scope	Option 1 refurbishment and additions	Option 2 All new building work
Landscape/car park area	1975	1874
Building area (ground)	811	881
Building area (first)	71	0
Deck area	274	26
Car parking on site	37	37
Cost	$4.1M	$5M
Solar Panel system extension to existing battery ready 3kW system	15kW	15kW
Solar battery included	No	No
Electric Vehicle Charging Station	No	No
Ability of Markets on car park area	Yes	Yes

Roof garden	No	Excluded from cost, but possible at additional cost

Both options have a similar briefed building area, car parking allowance on site and standard of internal fit out.

The anticipated running costs would be similar.

The new building components would have a useful life of 50 years. The existing sections of building in option 1 would have an anticipated life of 25 years plus any time added as a result of repairs or additions. Maintenance costs of Option 1 is anticipated to be higher than Option 2 where the building fabric is new.

Both options have 37 car parks allocated on site which enables an area of soft landscaping to be achieved. Further consultation on car parking requirements may require additional car parking to be constructed by extending the existing car parking area across Newland Avenue to meet the required number prescribed in the Development Plan.

The roof garden is shown as a potential extension to the option 2 design is currently a below the line items as it sits outside the $5M target budget and does not form part of the core brief. The additional cost of $450,000 to provide this space is made up of the required stair, lift, roof slab, soft and hard landscaping elements and projection surface.

Any AV to project on this surface is excluded from the current below the line allowance. The cost of such an AV system would be significant.

The inclusion of the roof garden would be an extension of the sustainability initiatives for this site, enable coastal views and provide a further natural landscape buffer component which would also become a visual relief to the views across the site from properties to the rear.

Conclusion

The two solutions offer like for like designs in regard to amenity and the cost estimate notes:

- Option 1 (additions and alterations) at $4.1M + GST; and,
- Option 2 (demolish and redevelop) at $5.0M + GST.

Based on the similarity between the costs we note the following for Option 2:

- Opportunity to start from first principles for the design regarding siting, orientation, views and the relationship of spaces
- Not working with the existing building and its condition
- Not working with the existing building and its constraints
- Less ongoing maintenance issues
- Better amenity in the function spaces

Whilst we believe both options have merit in how they respond to their brief and are strong as individual concepts, based on the similarity in costs we would recommend the option to fully redevelop the site, including all new building works.

Attachment

#	Attachment	Type
1	Attachment 1_Marino Feasibility Study 080720	PDF File

STUDIO NINE ARCHITECTS

Marino Community Hall Feasibility Study

Client

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Project Number

0919-014

Date

08 July 2020

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Contents

Introduction	03
Site	08
Option 1	17
Option 1 — Architectural Statement	20
Option 1 — Precedent Imagery	23
Option 1 — Concept	26
Option 1 — 3d Visualisations	32
Option 1 — Consultant Advice	39
Option 2	49
Option 2 — Architectural Statement	52
Option 2 — Precedent Imagery	55
Option 2 — Concept	58
Option 2 — 3d Visualisations	63
Option 2 — Consultant Advice	70
Appendix	81

Introduction

Following a request from The City of Marion, Studio Nine Architects have compiled a Feasibility Study for the Marino Community Hall Redevelopment.
The aim of this feasibility study is to:

— Establish a clear community vision for the redevelopment
— Understand and respond to community need and demand for relevant community services and facilities and provide a plan for development that is realistic and achievable
— Consider the impact to existing structures, views and levels.
— Assessment of existing structure and capacity of existing services infrastructure
— Consider the spatial and relationships of those spaces that will support efficient and compliant use
— Provision for spaces internally and externally that can provide for an array of user groups, with an emphasis on adaptability of fit out and redevelopment wide- sustainable initiatives
— Identify opportunities to increase the activation and visibility of the facility within the neighbouring context
— Establish whether the options are viable
— Identify the extent of car parking available on site
— Identify the capital required for redevelopment

The feasibility study is to investigate two options for the site:

1. Redevelopment/additions/alterations of existing Marino Hall and car park development on vacant allotment

2. Demolish existing buildings and redevelop a new community facility utilising both parcels of land

Project Team

Role	Organisation	Personnel
Client	City of Marion	Birgit Stroeher
Architect	Studio Nine	Tony Zappia
Architect	Studio Nine	Justin Cucchiarelli
Senior Designer	Studio Nine	Jason Semanic
Services Engineer	Trinamic	Michael Clarke
Traffic Engineer	Cirqa	Tom Wilson
Cost Manager	Rider Levett Bucknall	Simon Howlett
Structural Engineer	MLEI	Thomas Ha
ESD Consultant	D Squared	Jacob Potter
Land Surveyor	Alexander Symonds	Brenton Carn
Building Certifier	Trento Fuller	Luke Trento

Background

The Marino Community Hall is an aging facility with the condition being rated as average at the last building assessment in 2016. The assessment estimates useful life of the facility is 25.5 years should no replacement or upgrade works be undertaken by Council in the future. A section of the facility was unstable and has been stabilised in the short term.

The community facility continues to provide a unique range of services to the local community of Marino that are not being offered at nearby centres within both the Cities of Holdfast Bay and Marion. The Marino Hall Committee would like to see an extension of existing services offered complemented with a community café, which is currently not available within the suburb of Marino and will provide a draw card for new and existing visitors to the centre and address the 2019 community engagement.

In mid-2018, Council acquired the land at the rear of the Marino Hall located at 2 Bakewell Crescent, Marino. The purchase of the additional land facilitates the opportunity to expand Marino Hall to provide additional services to the community. There is an existing shortfall of onsite car parking which could be partially addressed by sealing and line marking the rear allotment, considering the fall of the site.

Project Snapshot

Item	Option 1 (Additions & Alterations)	Option 2 (Demolish & Redevelop)
Site Area	2950	2950
Landscape/Car Park Area	1975	1874
Building Area (Ground Floor)	811	881
Building Area (First Floor)	71	0
Deck Area	274	26
Car Parks (on site)	37	37
Cost	$4.1m	$5m
Solar (15kW)	Yes	Yes
Battery Charging	No	No
EV Charging	No	No
Markets on Car Park	Yes	Yes

Note: Roof Garden to Option 2 is excluded

Executive Summary

In regard to the Marino Community Hall Development Options we note the following:

— Both options had a similar yet individual brief
— Both options have a near identical built area
— Both options provide the same number of on-site car parks
— It is envisaged running costs would be similar
— Option 1 has more deck space and protected landscaping off Bakewell Crescent
— Option 2 has more perimeter landscaping but less space for a future playground
— The new build components have a predicted lifecycle of 50 years
— The existing hall has a current lifecycle of 25.5 years plus any time added as a result of repairs through additions and alterations.

The two solutions offer like for like designs in regard to amenity and the cost estimate notes Option 1 (additions and alterations) at $4.1m + GST and Option 2 (demolish and redevelop) at $5.0m + GST. Based on the similarity between the costs we note the following:

— Opportunity to start from first principles for the design regarding siting, orientation, views and program (location and relationship of spaces)
— Not working with the existing building and its condition
— Not working with the existing building and its constraints
— Less on going maintenance issues
— Better amenity in the function spaces

Whilst we believe both options have merit in how they respond to their brief and are strong as individual concepts, based on the similarity in costs we would recommend the new build option should budget permit.

Site

Site

The Marino Community Hall is located at 44 Newland Ave, Marino, SA 5049. It is currently leased by the following groups:

— Marion Art Group
— Kat Kow Yoga
— Budokai Martial Arts
— Splashout Art Studio
— Tweens and Teens Yoga
— Baby Sensory with Alison
— Jigfit and Groove
— Pilates with Kerry
— Philadelphia Church of God

The facility includes the hall building with lean to, off-street car park for 22 vehicles (with a current shortfall of 35 car parks to meet the current development plan requirements) and a storage shed.

The vacant land at the rear of the Marino Community Hall located at 2 Bakewell Crescent, Marino is also included in the project scope.

Site Site Plan 8



Budget

The total project budget for redevelopment/additions/alterations of existing Marino Hall and car park development on vacant allotment or to demolish the existing buildings and redevelop a new community facility utilising both parcels of land is $1m-5m for each option.

Development in the order of $1m-3m will not meet the current scope of works and be predominantly be a fit out solution not incorporating infrastructure upgrades for compliance.

Consultation

Due to Covid-19 and the current circumstances regarding social distancing we have not completed our consultation in the traditional way and face to face discussions with the end users have not occurred for health and safety reasons.

We have conducted the consultation and meetings via Zoom and sent presentations and drawings via email.

Community Vision

The City of Marion Community Vision has four key themes:

1. Foster community well-being
2. Create cultural vitality
3. Build a dynamic economy
4. Grow a healthy environment

Guiding Principles

1. Inclusive and accessible
2. A space for the community which fosters wellbeing
3. Incorporating Environmental Sustainable Design Principles
4. Multipurpose and adaptable to meet evolving community needs

Key Project Drivers

1. Establish a clear community vision for the redevelopment
2. Understand and respond to community need and demand for relevant community services and facilities
3. Ensure that development is realistic and achievable
4. Consider the impact to existing structures, views and levels
5. Assessment of existing structure and capacity of existing services infrastructure
6. Consider the spatial and relationships of those spaces that will support efficient and compliant use
7. Provision for spaces internally and externally that can provide for an array of user groups, with an emphasis on adaptability of fit out
8. Consider redevelopment wide sustainable initiatives
9. Identify opportunities to increase the activation and visibility of the facility within the neighbouring context
10. Establish whether the options are viable
11. Identify the extent of car parking available on site
12. Identify the capital required for redevelopment

Car Parking

The proposal comprises the redevelopment of the Marino Community Hall located at 44 Newland Avenue, Marino. The site currently comprises a 570 m2 building and is serviced by a 22-space parking area. Vehicle access to the site is provided via separate ingress and egress crossovers on Bakewell Crescent and a single width crossover on Newland Avenue.

The City of Marion's Development Plan identifies a parking requirement of 10 spaces per 100 m² for development classified as Community Centre. On the basis of an existing floor area of 570 m², the existing site would have a theoretical requirement for 57 parking spaces. Given that only 22 spaces are currently provided on-site, the site would have an existing shortfall in the order of 35 parking spaces. Such spaces would currently be accommodated on Bakewell Crescent and Newland Avenue within the vicinity of the site.

There has been a conscious decision in this Feasibility Report to balance the car parking requirements against the building area and landscaping area to create a facility with outdoor amenity that is not just a car park creating a heat island.

It should be noted that the above scenarios assume that all components of the proposed Marino Community Hall will be used simultaneously. The Community Hall will be hired to different user groups with only small portions (or individual rooms) of the facility being used simultaneously. As such, the site's anticipated parking demand is expected to typically be lower than that identified above. While it is acknowledged that occasional large-scale events may be held at the Community Hall, such scenarios would be very irregular and infrequent. On-street parking demands would be high during such times, however, would be accommodated via the use of the broader surrounding road network.

It is also noted that a Council-owned parking area is provided on the western side of Newland Avenue. Given the relatively flat terrain and availability of area on the western side of Newland Avenue, consideration could be given to extending the existing parking area to accommodate the increase in shortfall. The parking area could also be made available to commuters utilising train services operating from the Marino Railway Station. Such an arrangement would ensure maximisation of the parking area.

Car Parking

	Current	Option 1	Option 2
Area	570m	882	881
Car Park Requirements	57	80	75
Car Parks on Site	22	37	37
Shortfall	**35**	**43**	**38**
Potential New Car Park	24	24	24
Revised Shortfall	11	19	14



Existing Community Hall



Existing Car Park



Existing Community Hall



Existing Site Conditions

Option 1

Brief

The brief developed included the following:

1. Address the structural integrity of the building to prevent future cracking
2. Improve public amenities including the provision of additional toilet facilities
3. Provide modern kitchen facilities serving the complex
4. Provide flexible meeting, activity spaces and storage
5. Consider an upper level addition in relation to views and site topography
6. Open the front entrance of the Hall (off Bakewell Crescent) to provide informal café type facilities with seating whilst creating a welcoming entrance to the facility
7. Provide glazed openings along the building facade to Newland Avenue

Option 1

Functional Brief

Option 1	**Proposed Area m²**
Internal	
Public Amenities 1 (refurbish existing)	25
Public Amenities 2	0
Kitchen (learning)	34
Meeting Spaces	45
Workshop	36
Stage	
Storage	21
Café	45
Reception & Administration	10
Studio (First Floor)	41
Main Hall Existing (exercise, karate, kinder gym)	255
Small Hall (youth, elderly, school arts)	73
Sub-Total	**585m²**
Circulation Space (inc. Gallery & Entry)	297
Total	**882m²**
External	
Decks (Ground)	240
Deck (Level 1)	35
Future Playground	TBA
Markets (on car park)	

Option 1 Architectural Statement

Program

This option sought to remove the structurally unsound parts of the building noted in the structural report (lean-to and wall) and open the building to better engage with the street. The façade line was pushed into the site to provide an undercover external space which connects to the main hall.

The two-storey mass is placed on the corner to emphasise the entry and give the building a street identity with branding opportunities. The café on the corner is again to activate the site. A new curved spine wall provides an entry and divides the new from the old and in the process creates the gallery and circulation space.

The existing entry was relocated further up Bakewell Crescent with dual visitor entries from the street and car park and a ramp guides visitor from the car park to the entry space. There is an external courtyard which can be accessed from the car park or gallery space. It connects inside and outside and acts as a congregation space.

The main hall is punctuated with meeting room pods. The main hall can be divided in two through an operable wall to give the facility greater functionality. A new hall commercial kitchen and workshop are added to the rear of the building.

A first-floor studio and deck accessed via lift or stair provide views to the ocean and add mass to the corner of the building.

Narrative

This concept takes inspiration from the idea of the beacon which can be seen during the day and glow at night. The idea of the beacon or lighthouse provides refuge and safety to the boating community. In the same way this building is envisaged to provide a refuge to the community for enjoyable activities for mental and physical well being as well as socialising.

The approach to the adaptive re-use is one of honesty. There is minimal work done to the existing Hall with only new openings and painting of the block being completed externally. There is a separation between the new and the old through introduction of the spine wall.

Passive design natural ventilation and light are a key driver and take inspiration from the Australian beach shack. The materials reference the nearby shoreline and beaches.

Materiality

The materials used include:

— Painting the existing block Community Hall white
— Contrasting red brick to the two-storey corner node
— Sandstone / light coloured block to pick up on the beach locality
— Light coloured timber cladding to reference the beach and driftwood

Option 1
Precedent Imagery

















Option 1
Concept



AREA BREAKDOWN

SITE AREA: 2950m2

CARPARK/ CIRCULATION/ LANDSCAPING: 1975.7m2

BUILDING INTERNAL AREA (GROUND): 811m2
BUILDING INTERNAL AREA (1ST FLOOR): 71m2
DECK (1ST FLOOR): 35.5m2
CIRCULATION AREA (EXTERNAL): 163.35m2

37 CARPARKS

SITE PLAN
SCALE 1:500

0 5 10 20 50

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PROJECT
Marino Community Hall

DRAWING TITLE
SITE PLAN

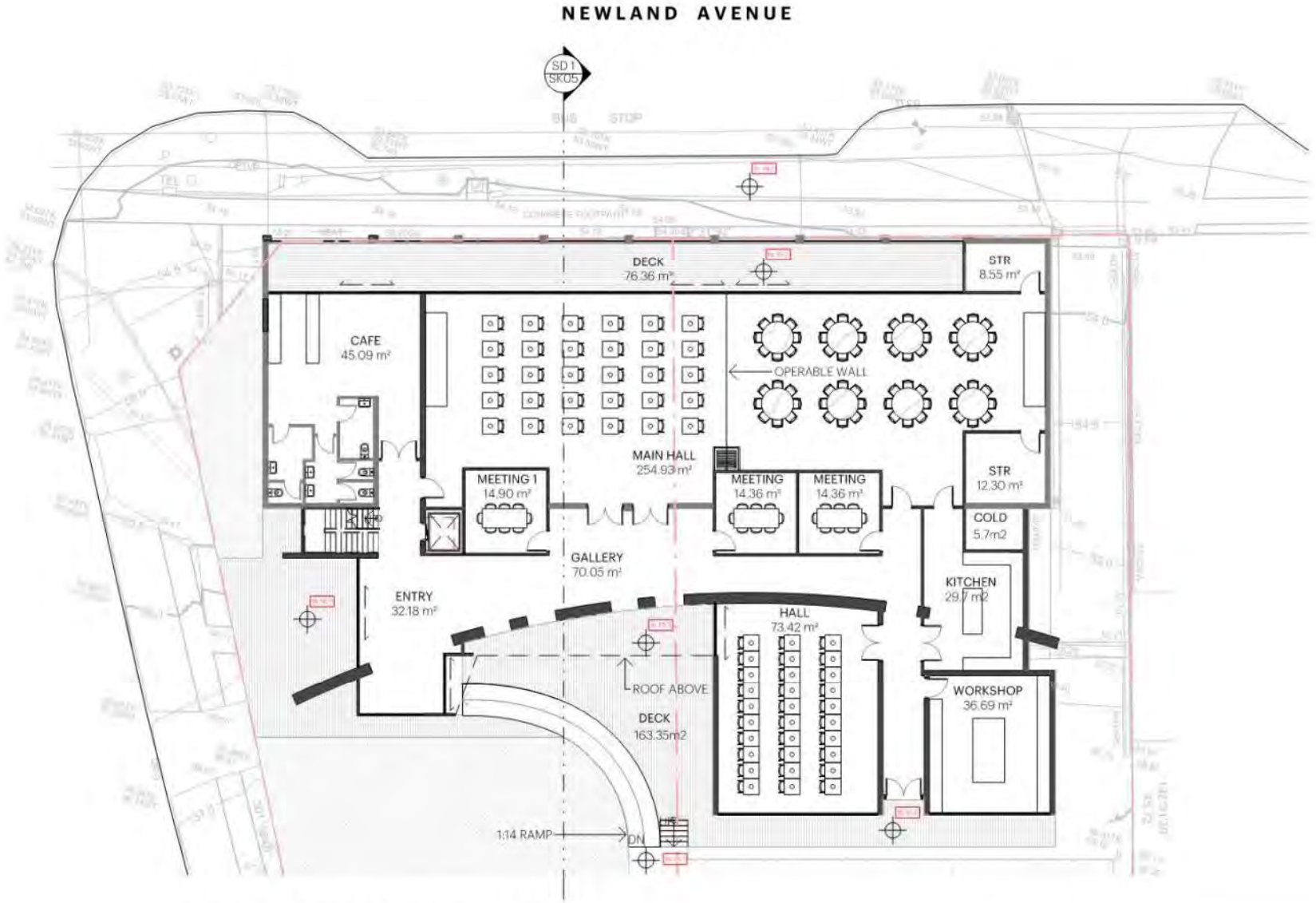
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SK01

ISSUE
PRELIMINARY

DATE
15/04/2020

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GROUND FLOOR PLAN

SCALE 1 : 200

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PROJECT: Marino Community Hall

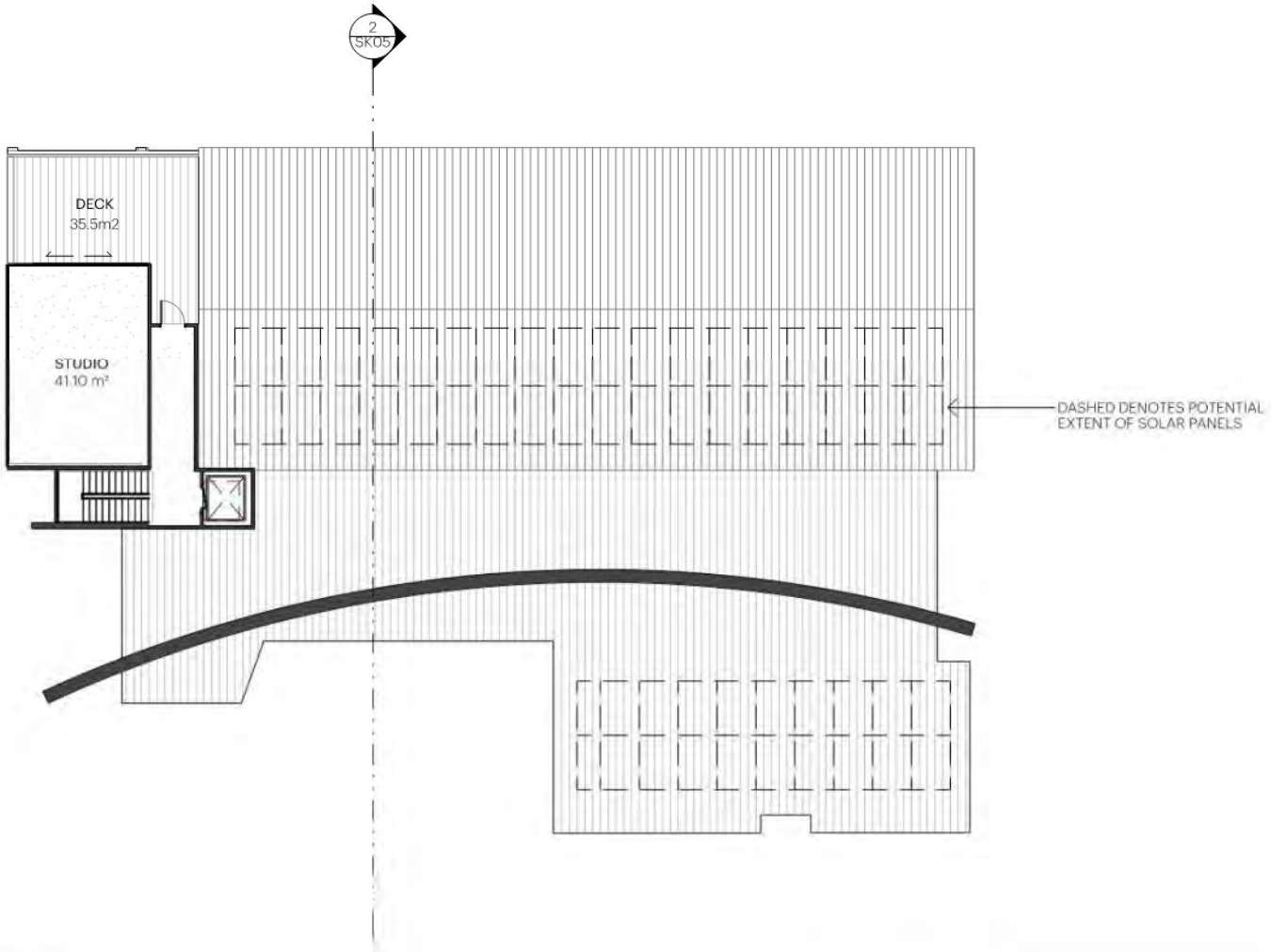
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PROJECT NUMBER: 0919-014

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ISSUE: FOR APPROVAL

DATE: ##.##.2018



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STUDIO NINE ARCHITECTS

PROJECT
Marino Community Hall

DRAWING TITLE
LEVEL 1 PLAN

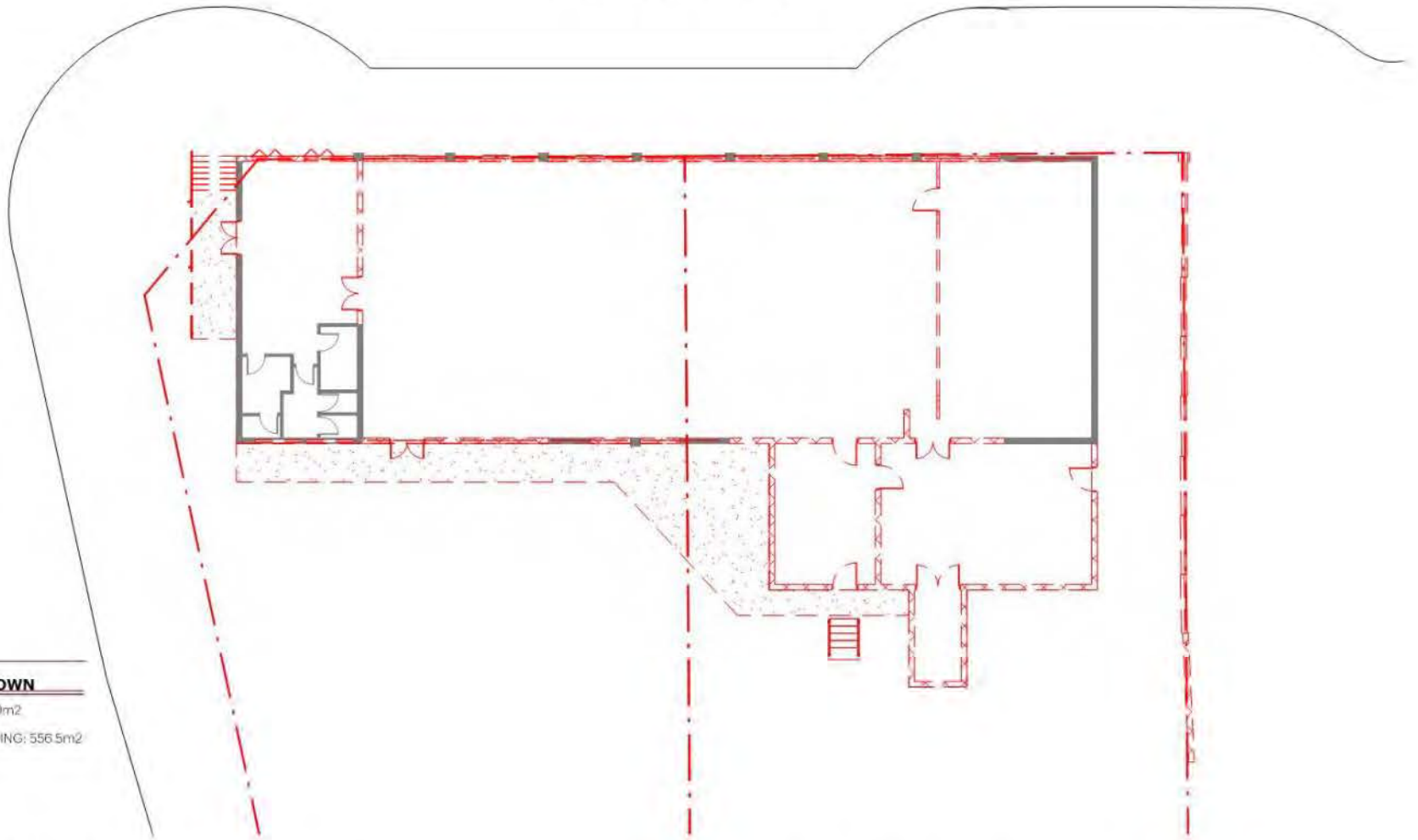
PROJECT NUMBER
0919-014

DRAWING NUMBER
SK03

ISSUE
FOR APPROVAL

DATE

NEWLAND AVENUE



AREA BREAKDOWN

SITE AREA: 2950m2

EXISTING BUILDING: 556.5m2

DEMOLITION PLAN

SCALE 1:200

0 1 5 10 20

STUDIO NINE ARCHITECTS

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Australia

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PROJECT
Marino Community Hall

DRAWING TITLE
DEMOLITION PLAN

PROJECT NUMBER
0919-014

DRAWING NUMBER
SK04

ISSUE
FOR APPROVAL

DATE
2018



SECTION
SCALE 1:200





SITE SECTION
SCALE 1:250

STUDIO NINE ARCHITECTS

PROJECT
Marino Community Hall

DRAWING TITLE
SECTION

PROJECT NUMBER
0919-014

DRAWING NUMBER
SK05

ISSUE

DATE
06/19/20

Option 1
3d Visualisations



View from Newland Avenue



View from Newland Avenue



View from Bakewell Crescent



View from Proposed Car Park



View from Proposed Car Park



View from Proposed Car Park

Option 1
Consultant Advice

Environmentally Sustainable Design

In the pursuit of sustainable development, communities have much to gain from adaptively reusing existing buildings. Eliminating the wasteful processes of demolition and reconstruction alone sells environmental benefits of adaptive reuse. Environmental benefits combined with energy savings and social advantage of recycling existing buildings make adaptive reuse an essential component of sustainable development.

The refurbishment design incorporates adaptive reuse of the existing built form while significantly improving natural light, views to the outdoors and integrating additional landscaping and vegetation around the facility.

One key element of the refurbishment design which has enabled this is the deck area to the west which has opened the facility up to the street while ensuring western windows are protected from the afternoon sun by a deep set back and shading. Additional landscaping and vegetation throughout the design, including a green wall to the exterior, will increase a connection to nature with additional benefits for heat load effect and wellbeing.

Structural Engineering

The structural design completed by MLEI includes for a concrete slab sitting on strip footings for the new portion of the building. There is a new strip footing for the new extent of glazing along Newland Avenue and retaining walls are included along the south east facades.

Wall and roof framing are a combination of structural steel and light gauge cold rolled steel stud and purlins. The first-floor structure has been designed as concrete slab. Deck framing is LOSP treated timber. Feature walls are blockwork which can either be sandstone or block.

We would expect that the new portion has a complete design life of 50 years and that subject to the extent of remedial works to the refurbished portions these would generally have renewed design life but as a result of age may require a higher rate of maintenance.

We note the Marino Community Hall – Building Assessment Summary Report completed by GHD in March 2016 and provided as part of the project brief noted the estimated remaining useful life as 25.5 years.

Civil Engineering

MLEI have undertaken concept design for car park design and stormwater.

Refer to Appendix

Cost Estimate

Rider Levett Bucknall have prepared a Cost Estimate Report for this option.

Refer to Rider Levett Bucknall Appendix for details.

The current cost for this option is $4.1M + GST.

Traffic

With regard to the proposal, two redevelopment options have been prepared by Studio Nine Architects. Option 1 comprises the refurbishment of the existing community hall to create a total internal area of 882.0 m2. Both options are proposed to be serviced by a new 37-space parking area, with access provided solely via Bakewell Crescent by a single two-way crossover.

Based upon the parking rate identified in Council's Development Plan, Option 1 would have a theoretical requirement for 80 parking spaces.

Building Services

The building service scope determined by Trinamic Consultants for this option is as follows.

Refer to Appendix for drawing mark ups and budgets

Site Infrastructure

- SA Power Networks (SAPN) charges for disconnection of existing overhead electrical supply and installation of new 400V, three phase, 125A “over-under” supply
- Incoming consumer’s mains cabling in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil
- Site main switchboard (MSB) with metering cubicle
- Carpark lighting
- Incoming NBN supply in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil
- Site and façade feature lighting
- SA Water charges for disconnection of existing redundant 20mm water meter, and provision of new 25mm metered water connection from the street
- Water and sewer mains including trench excavation, pipe bedding and backfill with excavated soil
- 2,500L grease arrestor for kitchen and café trade waste
- New metered natural gas supply and gas main including trench excavation, new pipe bedding and backfill with excavated soil

Electrical Services

— Electrical distribution and power outlets
— Internal lighting
— Limited feature lighting to foyer Emergency and exit lighting
— External security lighting
— Security system with intruder alarm and electronic access control system to main entrance doors only
— Telecommunications cabinet, horizontal wiring and outlets
— Public address system to main hall only
— Master Antenna TV (MATV) system

Vertical Transportation

— Electric traction, 10 passenger, 800kg, DDA compliant lift

Mechanical Services

- Reverse cycle split ducted air conditioners to main hall, gallery and second hall. Condensing units installed on roof
- Reverse cycle split cassette air conditioners to café, meeting rooms, workshop and studio. Condensing units installed on roof
- Outdoor air introduced to reverse cycle split ducted and cassette air conditioners for the supply of ventilation air
- Evaporative cooling to kitchen
- Commercial kitchen exhaust hoods for kitchen and café
- Ducted exhaust systems for toilets

Hydraulic Services

- Sanitary plumbing and drainage
- Trade waste drainage
- Cold and hot water reticulation
- Warm water supply to basins with local thermostatic mixing valves
- Sanitary fixtures, fittings and tapware, including new fixtures in existing positions in existing toilets
- Hot water systems with high efficiency natural gas continuous flow hot water units on roof
- Gas reticulation to hot water units and kitchen cooking equipment

Fire Services

— Internal fire hose reels, connected to metered water supply

— Portable fire extinguishers

— Automatic smoke detection and occupant warning system

Certification

We note the following regarding preliminary certification advice from Trento Fuller, refer to Appendix for drawings:

— 2 storey class 9b Building, Type B construction, assume no change in classification

— Rapid Seismic assessment required under Ministers Specification

— All external walls to be constructed to comply with BCA C1.9 and be of non-combustible construction throughout, including internal linings

— The doors leading from the main hall and through and including the final required exit doors must be fitted with panic bars

— If the upper floor intends to accommodate more than 50 persons, then it will be necessary to provide a second exit to comply with BCA D1.2

— Emergency lighting and exits signs to comply with A2293-2017

— All external walls to comply with BCA FP1 for weather proofing

— Fresh air to comply with BCA-F4

Certification (cont.)

- Building to be designed to comply with Section J 2019
- Note: If toilets are not being upgraded then they can remain as they are. Otherwise you will need to comply with AS1428.1-2009. Facilities required for the building must be to accommodate the persons to comply with BCA table F2.3. If the cafe's area is to accommodate seating this should be taken into consideration. If the numbers calculated require more toilets, then it is likely that the existing accessible toilet will need upgrading unless it complies with AS1428.1-2001
- Fire hose reel coverage and hydrant coverage required for the building to comply with BCA E1.3 & E1
- The building will be of Type B construction and the following fire resistance applies Ground floor internal columns and internal load bearing walls 120/-/-. First floor supporting beams & floor 30/30/30
- External load-bearing walls and any incorporate columns that are measured within 18m of the adjoining property boundary must be fire rated in accordance with Table 4 of BCA Spec C1.1 to achieve and FRL of 120/30/30
- All external walls required to be non-combustible throughout the external wall including the internal lining to be non-combustible to comply with BCA C1.9
- Consideration to any ancillary items that are attached to external wall required to be non-combustible to comply with BCA C1.14
- Access required through 50% of the pedestrian entrances
- Access required to the deck areas
- Car park and path of travel appears to comply except for the ramp
- Check all doorways have the required doorway circulation space with a minimum 850mm clear opening
- Lift to comply with BCA E3.6 and AS1735.12
- Ramps to comply with AS1428.1-2009 incorporate landings handrails and kerb rails, tactile indicators, handrails extensions
- Stair must comply with AS1428.1-2009 clause 11, please review in entirety. Consideration of handrails extensions and internal walls to be given
- All automatic doors if any, are required to comply with BCA D2.19

Option 2

Brief

The brief developed included the following:

1. Due to the age of the existing building, Council may wish to consider the replacement of the building in its entirety

2. Develop a new sustainable and efficient building to be site specifically designed for the site and community use

3. Consider the best location for the facility entry point and maximising coastal views

4. Design to consider the façade of the building along Newland Avenue. Make it an inviting place for the community whilst incorporating café barista type facilities and a space for community art and culture projects

5. A large space would be required to ensure existing users can continue to host fitness, yoga, social and religious events

Option 2

Functional Brief

Option 2	**Proposed Area m²**
Internal	
Public Amenities	41
Kitchen (learning)	40
Meeting Spaces	36
Workshop	56
Storage	33
Café	25
Studio	44
Main Hall (exercise, karate, kinder gym, social, religious)	255
Small Hall (youth, elderly, school arts)	61
Workshop	57
Sub-Total	**648m²**
Circulation Space (including Entries)	234
Total	**882m²**
External	
Deck (Ground on Newland Ave.)	27
Roof Deck (Not in Scope, below line item)	180
Future Playground	25
Markets (on car park)	

Option 2 Architectural Statement

Program

This option sought to remove the existing building in its entirety and start again. The building was designed as two pavilions with generous circulation spaces for incidental meeting activities and interactions outside the hall spaces. The building opens and connects to the landscaping where possible. The circulation spaces have a mesh roof which will provide natural dappled light to the space.

The building is orientated longitudinally to the north west (towards Newland Ave) with the corner of the site on Bakewell Crescent providing a landscaping buffer. The new building includes for better circulation and multiple entry points. The floor level of the building is stepped to accommodate for the site topography and falls. The massing of the building is designed to sit gently on the site and within its predominantly residential context.

One of the key reasons to orientate the building in a north/west to south east orientation is to provide views to the sea from the raised hall and roof garden at the rear of the site. The roof garden provides additional views and activity spaces where it is envisaged people will congregate and linger.

Narrative

The narrative for this project again focuses on the beach shack tradition of Australia but plays that against the civic nature (yet relaxed) of the project.

The sense of arrival and the idea of framing views and connection to the landscape and sea is critical to this scheme.

Materiality

The materiality for this concept is minimal utilising three main materials:

— Brick for the civic or public side of the building

— Timber for the Function Space

— Perforated mesh roof for circulation spaces

Option 2
Precedent Imagery

Option 2

Precedent Imagery









Option 2

Precedent Imagery

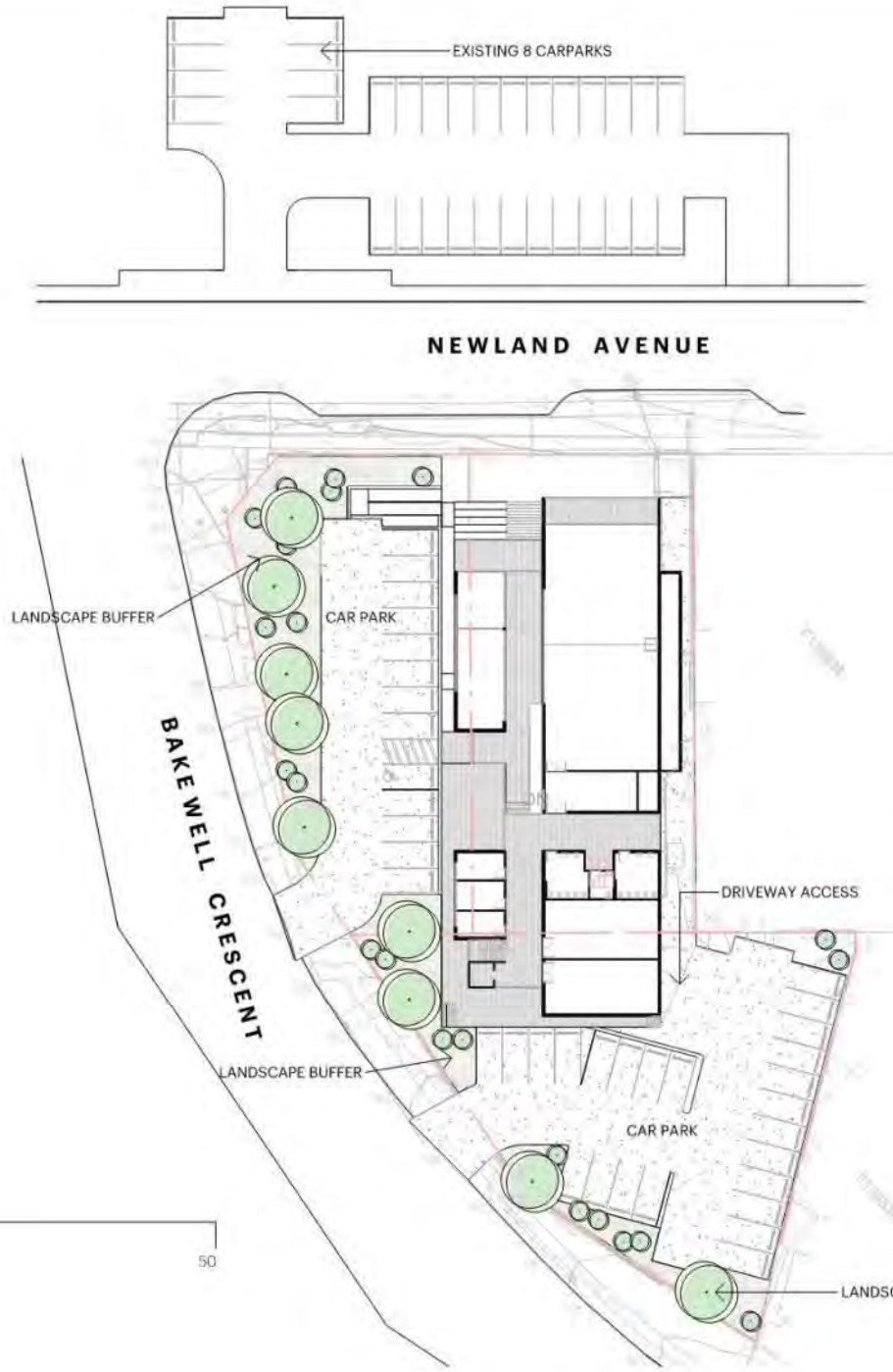








Option 2
Concept



AREA BREAKDOWN

SITE AREA: 2950m2

CARPARK/ CIRCULATION/ LANDSCAPING: 1874.4m2

BUILDING INTERNAL AREA: 881.5m2
CIRCULATION AREA (EXTERNAL): 194m2
GREEN ROOF: 180.0m2

37 CARPARKS

SITE PLAN
SCALE 1:500

0 5 10 20 50

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PROJECT
Marino Community Hall

DRAWING TITLE
SITEPLAN

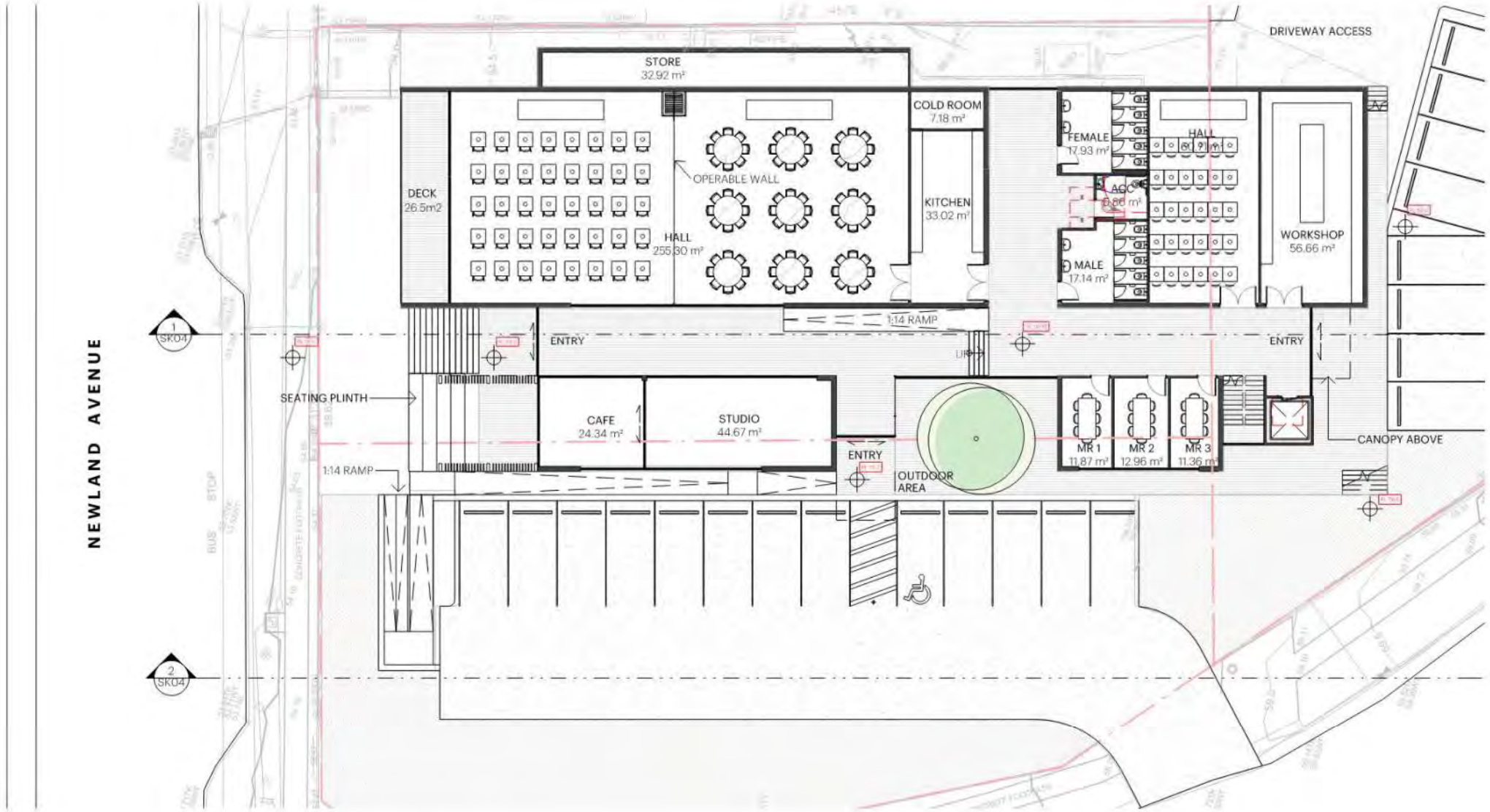
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0919-014

DRAWING NUMBER
SK01

ISSUE
PRELIMINARY

DATE
15/04/2020

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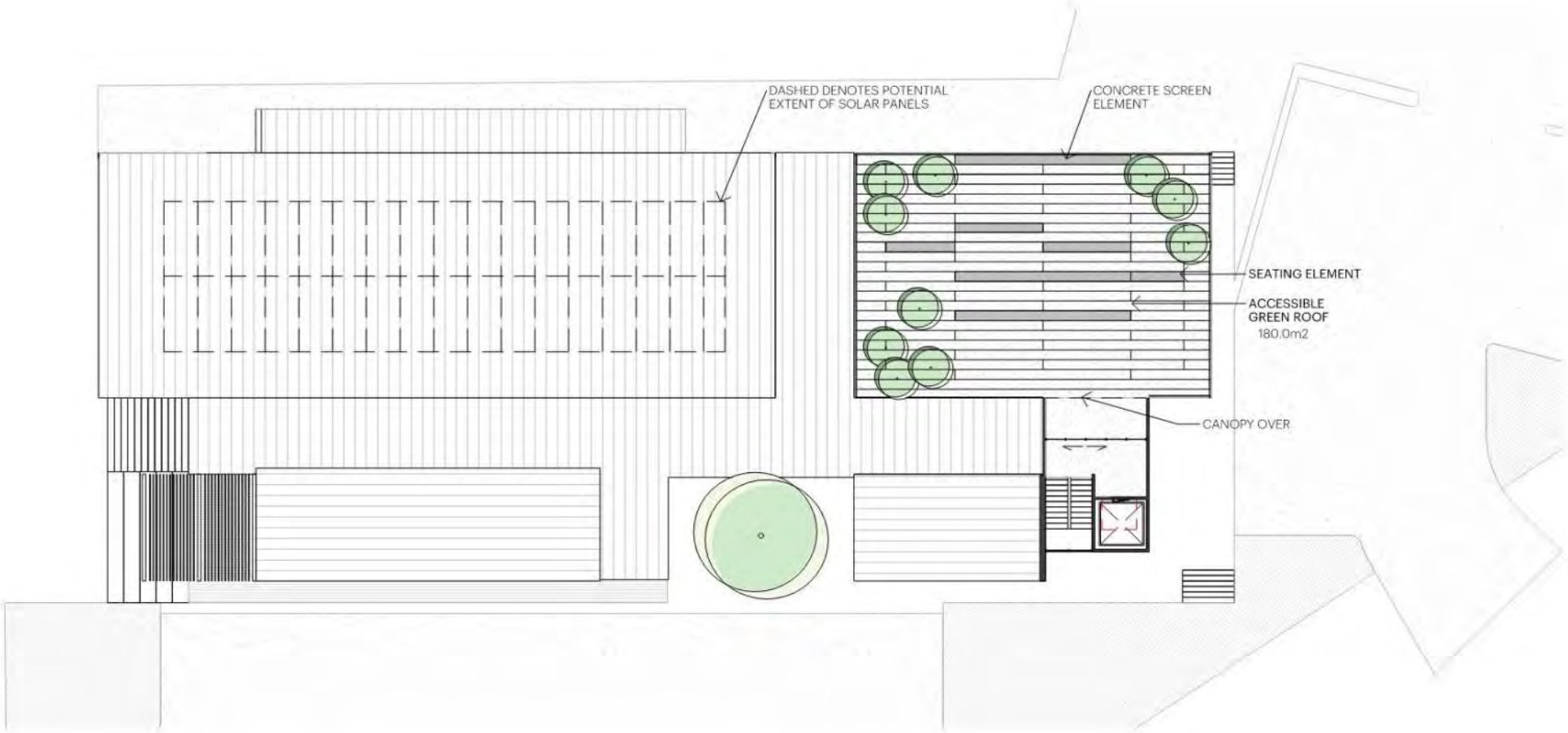
GROUND FLOOR
SCALE 1:200

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PROJECT: Marino Community Hall
DRAWING TITLE: GROUND FLOOR
PROJECT NUMBER: 0919-014
DRAWING NUMBER: SK02
ISSUE: FOR APPROVAL
DATE: ##.##.2018



LEVEL 1
SCALE 1:200

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PROJECT
Marino Community Hall

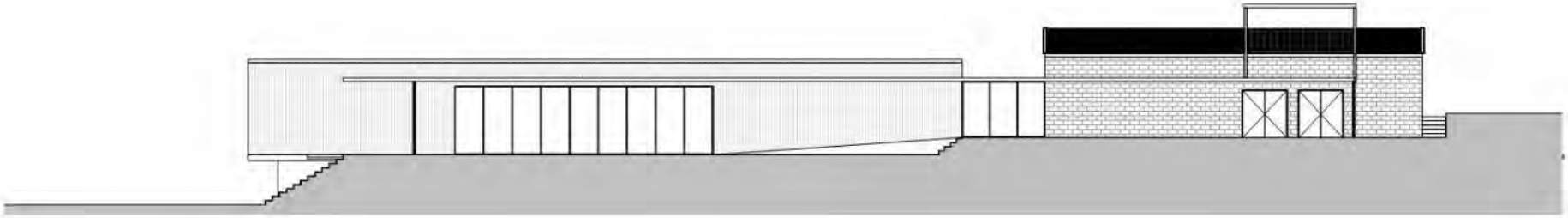
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PROJECT NUMBER
0919-014

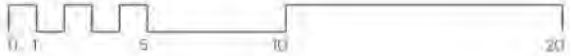
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SK03

ISSUE
FOR APPROVAL

DATE
2018



SECTION
SCALE 1: 200





SITE SECTION
SCALE 1: 250

STUDIO NINE ARCHITECTS

PROJECT
Marino Community Hall

DRAWING TITLE
SECTION

PROJECT NUMBER
0919-014

DRAWING NUMBER
SK04

ISSUE
FOR APPROVAL

DATE

Option 2
3d Visualisations



View from Newland Avenue



View from Newland Avenue



View from Newland Avenue



View from Proposed Car Park



Internal View



Green Roof View

Note: Not in scope, Roof Garden below line item in Cost Report and digital screen excluded

Option 2
Consultant Advice

Environmentally Sustainable Design

The new building design and building entrance has significantly improved connection to the main street and community which will take advantage of the bus stop, bike lane and train network by inviting the community into the facility.

The building has been orientated to north which will reduce afternoon heat load by reducing windows to the west, while maximise solar photovoltaic system potential. Where windows are present on the western façade, they are protected by deep vertical and horizontal shading which will reduce afternoon heat load. The building can be opened up and will benefit from coastal breezes.

In addition, the design has integrated landscaping and vegetation, along with the roof garden, which will increase a connection to nature with additional benefits for heat load effect and wellbeing.

Refer to Appendix for D Squared Report.

Structural Engineering

The structural design by MLEI includes for a perimeter reinforced concrete retaining wall with a stiffened raft slab on engineered fill with a concrete slab. Wall and roof framing are a combination of structural steel and light gauge cold rolled steel stud and purlins. The first-floor roof garden structure is a concrete slab.

We would expect that the new building has a complete design life of 50 years and will have less ongoing maintenance than the other option.

Civil Engineering

MLEI have undertaken concept design for car park design and stormwater.

Refer to Appendix

Cost Estimate

Rider Levett Bucknall have prepared a Cost Estimate Report for this option.

Refer to Rider Levett Bucknall Appendix for details.

The current cost for this option is $5.035M + GST excluding the roof garden.

The additional cost for the roof garden including lift and stair is $450,000 + GST

Traffic

Regarding the proposal, two redevelopment options have been prepared by Studio Nine Architects. The second option comprises the demolition of the existing building and the construction of a new community hall, creating a total internal area of 881.5 m2. Both options are proposed to be serviced by a new 37-space parking area, with access provided solely via Bakewell Crescent by dual two-way crossovers.

The proposal would have a theoretical requirement for 75 parking spaces (excluding consideration of circulation/entry/gallery, amenities and storage floor areas). Noting the existing 35-space shortfall and proposed 37-space parking area, Option 2 would increase the site's existing shortfall by 3 spaces.

Building Services

The building service scope determined by Trinamic Consultants for this option are as follows.

Refer to Trinamic Appendix for drawing mark ups and budgets.

Site Infrastructure

- SA Power Networks (SAPN) charges for disconnection of existing overhead electrical supply and installation of new 400V, three phase, 125A “over-under” supply
- Incoming consumer’s mains cabling in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil
- Site main switchboard (MSB) with metering cubicle
- Carpark lighting
- Incoming NBN supply in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil
- Site and façade feature lighting
- SA Water charges for disconnection of existing redundant 20mm water meter, and provision of new 25mm metered water connection from the street
- Water and sewer mains including trench excavation, pipe bedding and backfill with excavated soil
- 2,500L grease arrestor for kitchen and café trade waste
- New metered natural gas supply and gas main including trench excavation, new pipe bedding and backfill with excavated soil

Electrical Services

— Electrical distribution and power outlets
— Internal lighting
— Limited feature lighting to foyer Emergency and exit lighting
— External security lighting
— Security system with intruder alarm and electronic access control system to main entrance doors only
— Telecommunications cabinet, horizontal wiring and outlets
— Public address system to main hall only
— Master Antenna TV (MATV) system

Vertical Transportation

— Electric traction, 10 passenger, 800kg, DDA compliant lift

Mechanical Services

- Reverse cycle split ducted air conditioners to main hall, gallery and second hall. Condensing units installed on roof
- Reverse cycle split cassette air conditioners to café, meeting rooms, workshop and studio. Condensing units installed on roof
- Outdoor air introduced to reverse cycle split ducted and cassette air conditioners for the supply of ventilation air
- Evaporative cooling to kitchen
- Commercial kitchen exhaust hoods for kitchen and café
- Ducted exhaust systems for toilets

Hydraulic Services

- Sanitary plumbing and drainage
- Trade waste drainage
- Cold and hot water reticulation
- Warm water supply to basins with local thermostatic mixing valves
- Sanitary fixtures, fittings and tapware, including new fixtures in existing positions in existing toilets
- Hot water systems with high efficiency natural gas continuous flow hot water units on roof.
- Gas reticulation to hot water units and kitchen cooking equipment

Fire Services

— Internal fire hose reels, connected to metered water supply

— Portable fire extinguishers

— Automatic smoke detection and occupant warning system

Certification

We note the following regarding preliminary certification advice from Trento Fuller, refer to Appendix for drawings:

Site Plan

— Pad preparation of site fill to be compliant for level 1 supervised compaction or as per the design of the engineer with respect to the soil report

— FRL 90/90/90 to external wall where within 1.5m of the boundary fire source feature and then 60/60/60 where within 3m on the return walls

Floor Plan

— 2 storey class 9b Building, Type C construction

— 2.5m of aggregate exit width required as assessed under D1.13

— The doors leading from the main hall and through and including the final required exit doors must be fitted with panic bars

— The upper floor is considered as occupiable outdoor area BCA G6 needs to be reviewed for compliance as it relates to BCA requirements

Certification (cont)

- The outdoor space above however is not considered as a storey as it relates to calculating the rise in storeys, therefore the Type of construction can be of Type C construction in lieu of Type B
- If the outdoor space intends to accommodate more than 50 persons, then it will be necessary to provide a second exit from that areas to comply with BCA D1.2
- Emergency lighting and exits signs to comply with A2293-2017
- All external walls to comply with BCA FP1 for weather proofing
- Fresh air to comply with BCA-F4
- Building to be designed to comply with Section J 2019
- This area will required 2.5 m of exit width as a minimum and should not exit through a kitchen area. Also consider egress when operable wall is on place
- Ramp to comply with AS1428.1-2009 to include tactile indicators, handrails extensions, handrails and kerb rails and landings at 9m intervals
- Accessible toilet and ambulant toilets to be provided to comply with AS1428.1-2009 for circulation space and fitments
- Stair must comply with AS1428.1-2009 clause 11, please review in entirety. Consideration of handrails extensions and internal walls to be given
- Fire hose reel coverage and hydrant coverage required for the building to comply with BCA E1.3 & E1.4
- Access required through 50% of the pedestrian entrances. consider compliant accessible pathways to comply with AS1428.1-2009

Certification (cont.)

— Access required to the deck areas

— lift to comply with BCA E3.6 and AS1735.12

Roof Garden

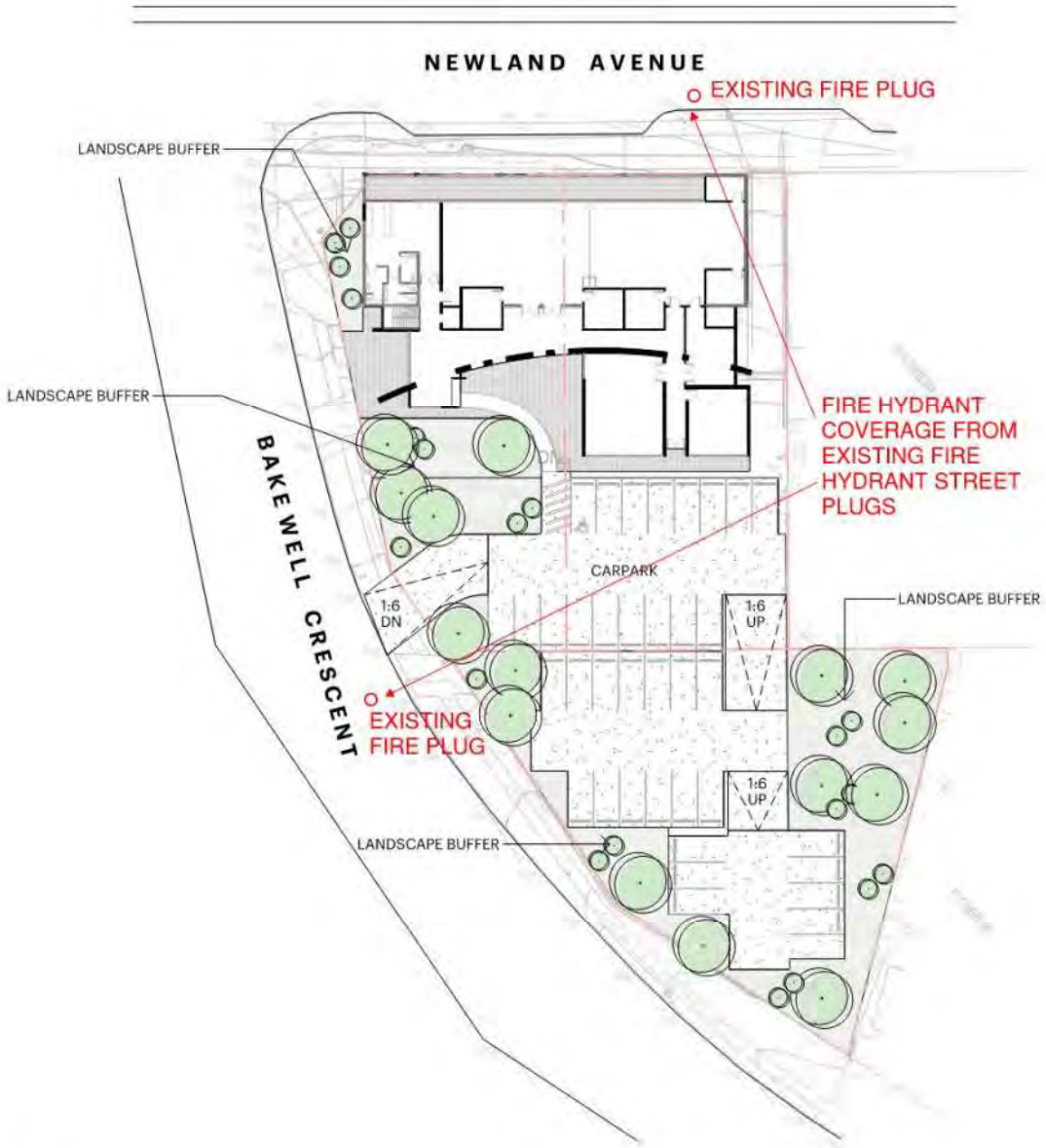
— Balustrades to comply with BCA D2 and AS1170.1 part 3.6

— Consider all BCA G6 Provisions

— Lining material or assembly to comply with BCA G6.2

— Lift to comply with AS1735.12 and BCA E3.6

Appendix Trinamic



SITE PLAN

SCALE 1:500

AREA BREAKDOWN

SITE AREA: 2950m2

CARPARK/ CIRCULATION/ LANDSCAPING: 1975.7m2

BUILDING INTERNAL AREA (GROUND): 811m2
BUILDING INTERNAL AREA (1ST FLOOR): 71m2
DECK (1ST FLOOR): 35.5m2
CIRCULATION AREA (EXTERNAL): 163.35m2

37 CARPARKS

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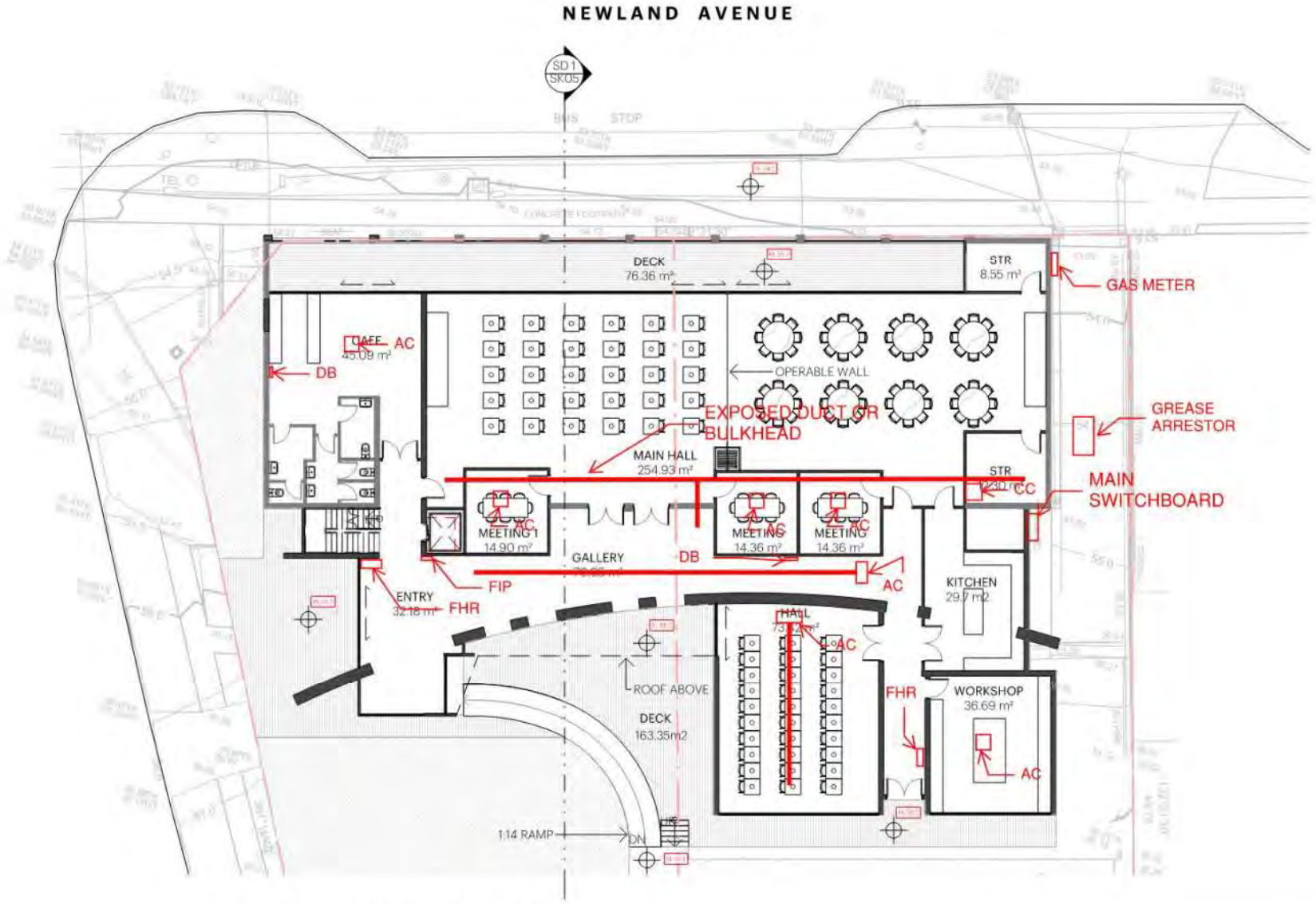
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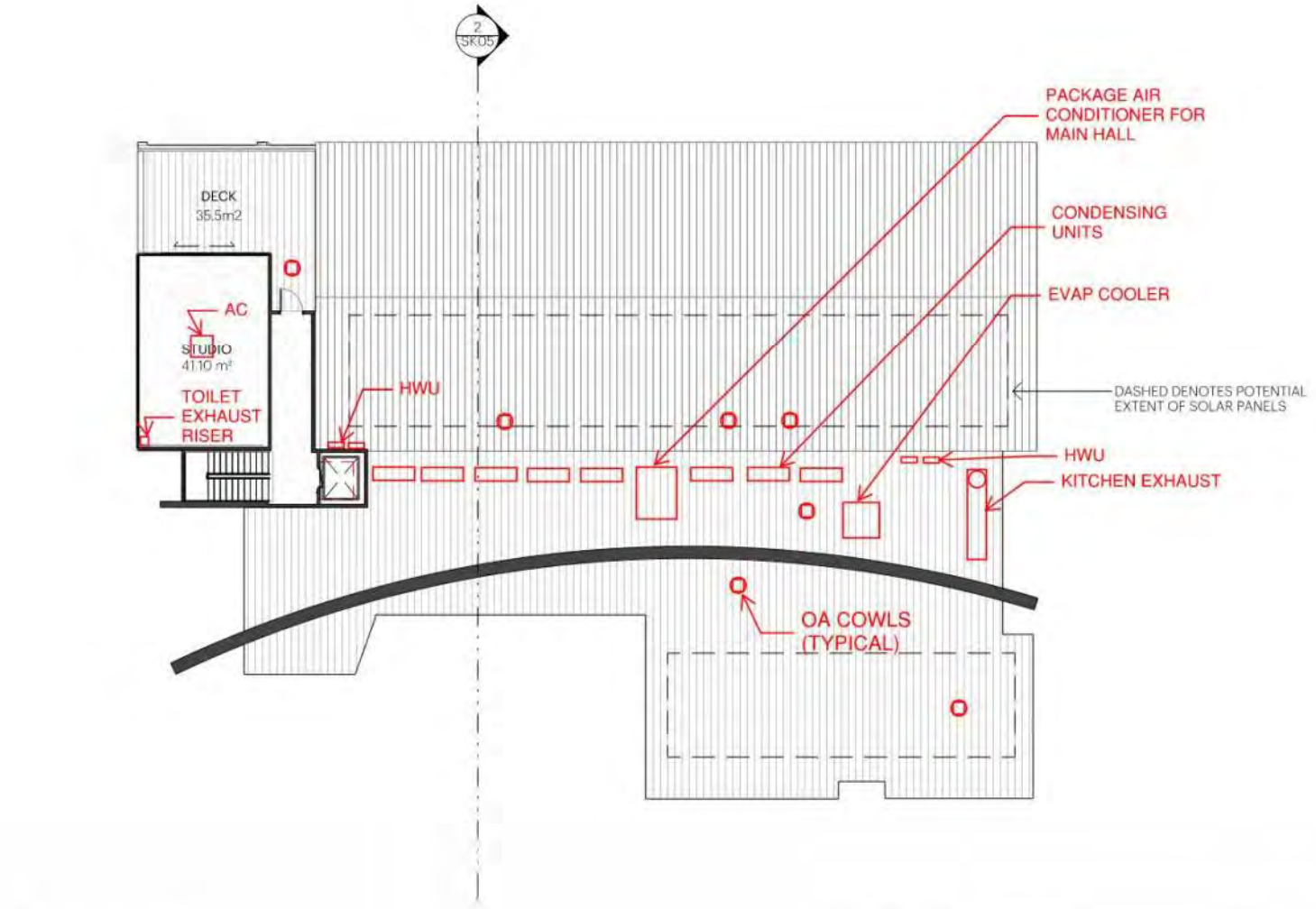
PROJECT NUMBER: 0919-014

DRAWING NUMBER: SK01

ISSUE: PRELIMINARY

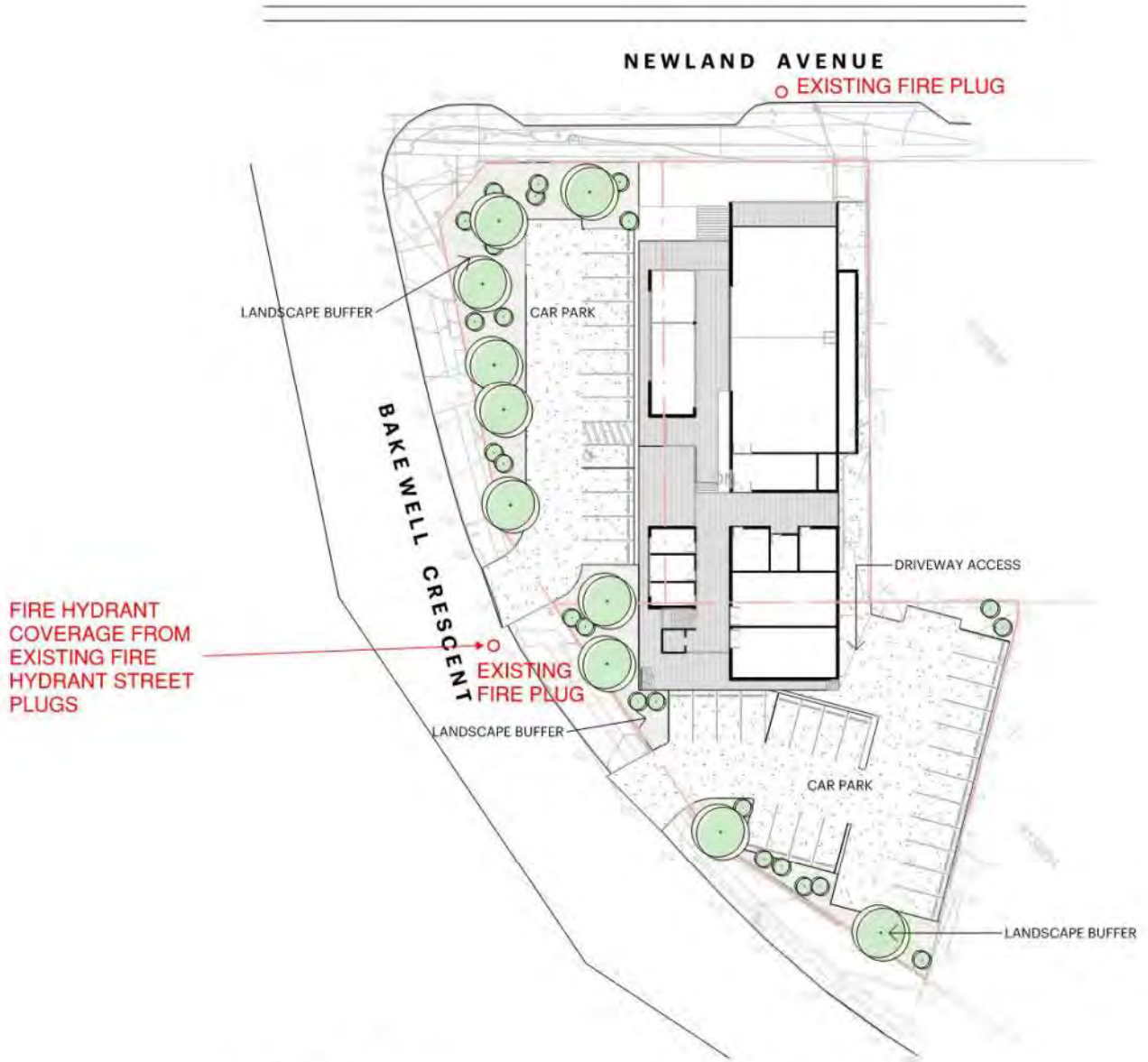
DATE: 15/04/2020


NEWLAND AVENUE
SD1
SK05
BUS STOP
DECK
76.36 m²
STR
8.55 m²
GAS METER
CAFE
45.09 m²
AC
DB
OPERABLE WALL
EXPOSED DUCT OR
BULKHEAD
GREASE
ARRESTOR
MAIN HALL
254.93 m²
STR
2.30 m²
CC
MAIN
SWITCHBOARD
MEETING 1
14.90 m²
MEETING
14.36 m²
MEETING
14.36 m²
GALLERY
DB
FIP
ENTRY
32.18 m²
FHR
KITCHEN
29.7 m2
HALL
AC
ROOF ABOVE
DECK
163.35m2
FHR
WORKSHOP
36.69 m²
AC
1:14 RAMP
DN
GROUND FLOOR PLAN
SCALE 1:200
0 1 5 10 20



LEVEL 1
SCALE 1:200

STUDIO NINE ARCHITECTS			PROJECT Marino Community Hall	DRAWING TITLE LEVEL 1 PLAN	PROJECT NUMBER 0919-014	DRAWING NUMBER SK03
					ISSUE FOR APPROVAL	DATE



AREA BREAKDOWN

SITE AREA: 2950m2

CARPARK/ CIRCULATION/ LANDSCAPING: 1874.4m2

BUILDING INTERNAL AREA: 881.5m2
CIRCULATION AREA (EXTERNAL): 194m2
GREEN ROOF: 198.5m2

37 CARPARKS

SITE PLAN
SCALE 1:500

0 5 10 20 50

STUDIO NINE ARCHITECTS

PROJECT
Marino Community Hall

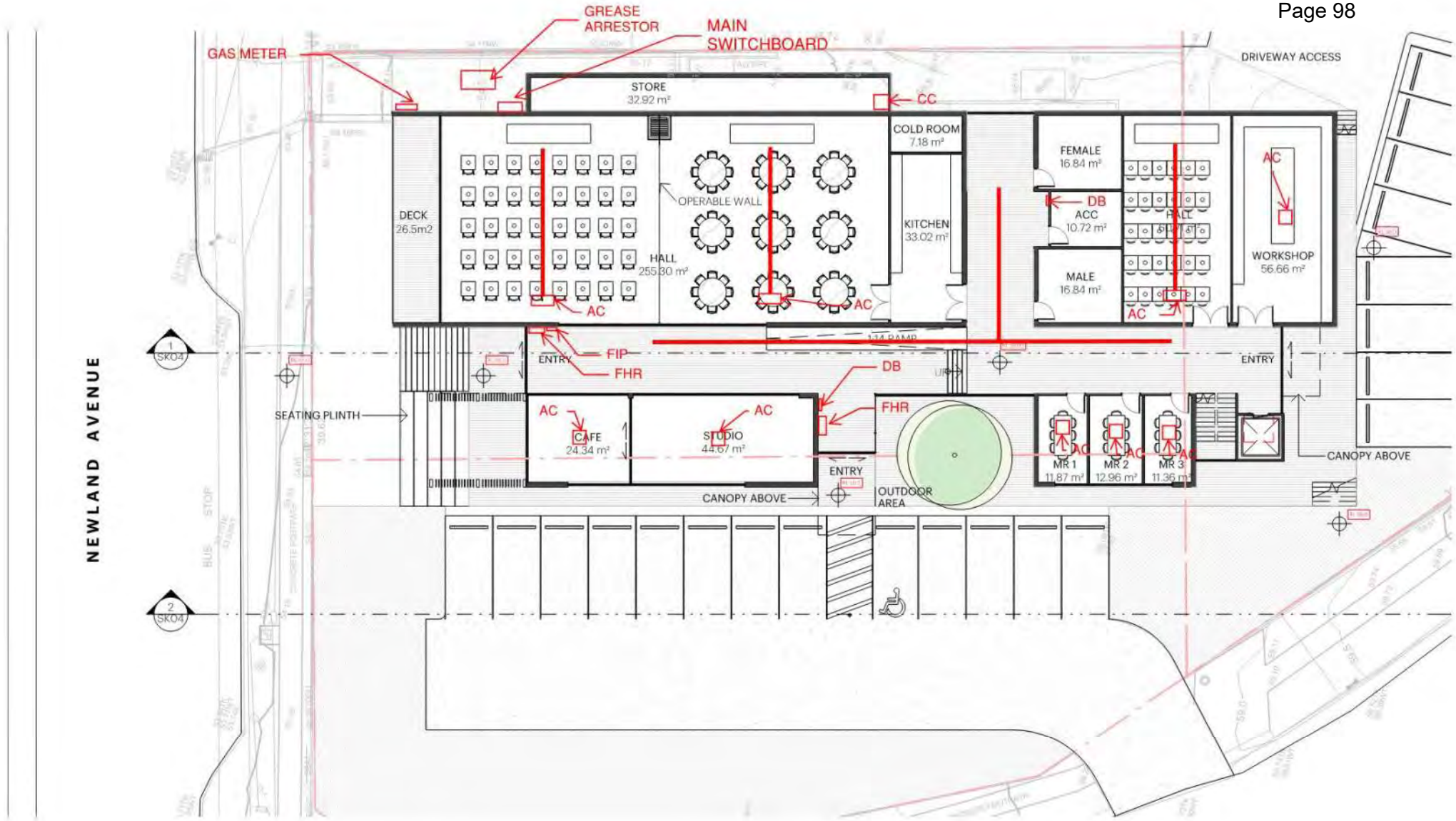
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PROJECT NUMBER
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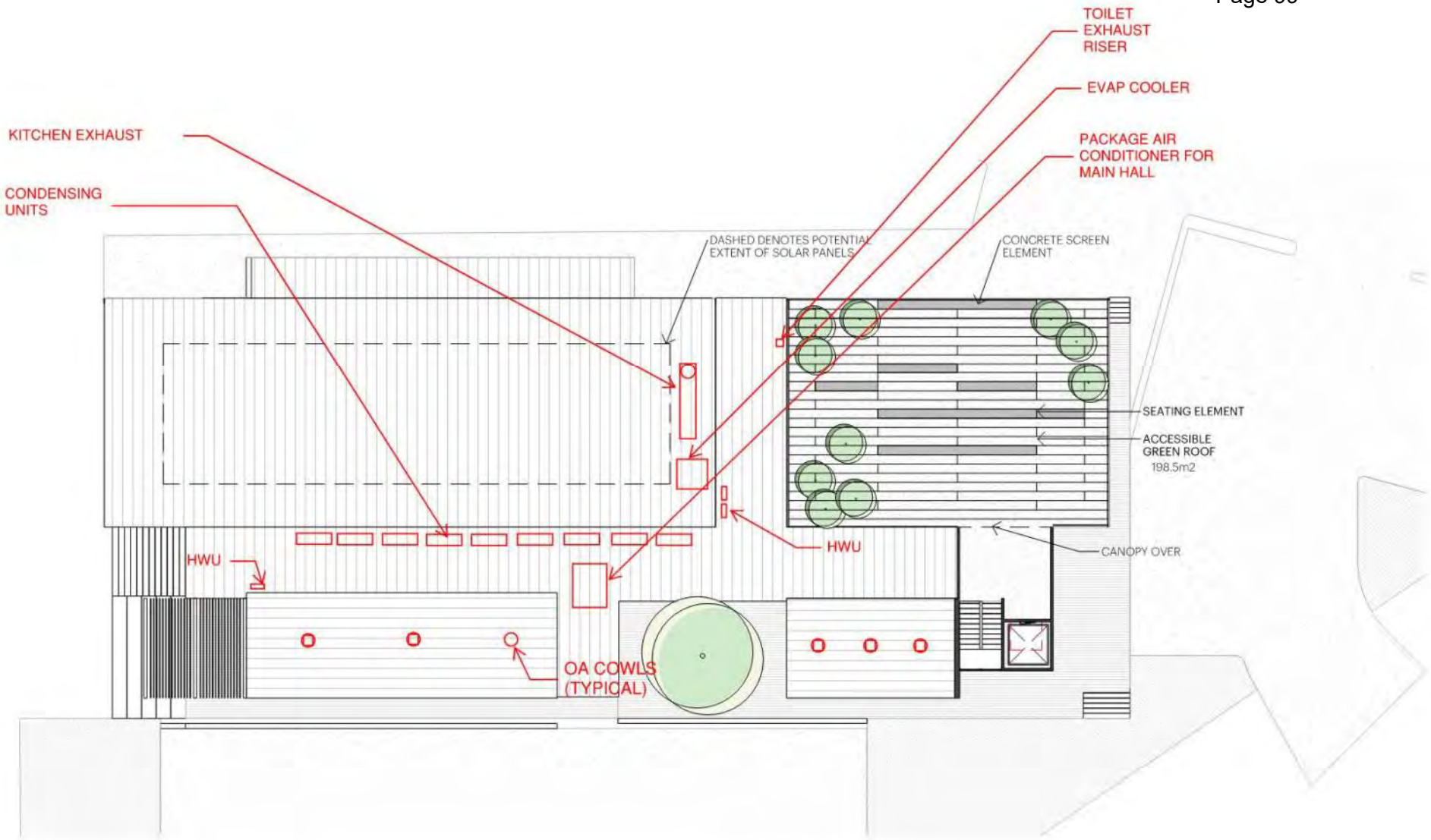


GROUND FLOOR
SCALE 1:200

0 1 5 10 20

STUDIO NINE ARCHITECTS
9 King William Street
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PROJECT: Marino Community Hall
DRAWING TITLE: GROUND FLOOR
PROJECT NUMBER: 0919-014
DRAWING NUMBER: SK02
ISSUE: FOR APPROVAL
DATE: ##.##.2018



LEVEL 1
SCALE 1:200

0 1 5 10 20

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PROJECT
Marino Community Hall

DRAWING TITLE
FIRST FLOOR

PROJECT NUMBER
0919-014

DRAWING NUMBER
SK03

ISSUE
FOR APPROVAL

DATE
##.##.2018

MARINO COMMUNITY HALL
44 NEWLAND AVENUE, MARINO
ELECTRICAL, MECHANICAL, HYDRAULIC AND FIRE SERVICES

SCOPE OF WORK AND BUDGETS

Based on Studio Nine drawings 0919-014 – OPTION 1 SK01 to SK02 and: 0919-014 - OPTION 2 SK01 to SK10, issued 22nd June 2020.

1 OPTION 1

1.1 ELECTRICAL SERVICES

Site infrastructure

- SA Power Networks (SAPN) charges for disconnection of existing overhead electrical supply and installation of new 400V, three phase, 125A "over-under" supply.

(Provisional sum) $20,000

- Incoming consumer's mains cabling in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil.
- Site main switchboard (MSB) with metering cubicle.
- Carpark lighting.
- Site and façade feature lighting.
- Incoming NBN supply in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil.

Budget: $50,800

Building

- Electrical distribution and power outlets.
- Internal lighting.
- Limited feature lighting to foyer.
- Emergency and exit lighting.
- External security lighting.
- Security system with intruder alarm and electronic access control system to main entrance doors only.
- Telecommunications cabinet, horizontal wiring and outlets.
- Public address system to main hall only.
- Master Antenna TV (MATV) system.

Budget: $171,000

1.2 LIFT SERVICES

Building

- Electric traction, 10 passenger, 800kg, DDA compliant lift.

Budget: $80,000

1.3 MECHANICAL SERVICES

Building

- Reverse cycle split ducted air conditioners to main hall, gallery and second hall. Condensing units installed on roof.
- Reverse cycle split cassette air conditioners to café, meeting rooms, workshop and studio. Condensing units installed on roof.
- Outdoor air introduced to reverse cycle split ducted and cassette air conditioners for the supply of ventilation air.
- Evaporative cooling to kitchen.
- Commercial kitchen exhaust hoods for kitchen and café.
- Ducted exhaust systems for toilets.

Budget: $220,800

1.4 HYDRAULIC SERVICES

Site infrastructure

- SA Water charges for disconnection of existing redundant 20mm water meter, and provision of new 25mm metered water connection from the street.
- Water and sewer mains including trench excavation, pipe bedding and backfill with excavated soil.
- 2,500L grease arrestor for kitchen and café trade waste.
- New metered natural gas supply and gas main including trench excavation, new pipe bedding and backfill with excavated soil.

Budget: $30,700

Building

- Sanitary plumbing and drainage.
- Trade waste drainage.
- Cold and hot water reticulation.
- Warm water supply to basins with local thermostatic mixing valves.
- Sanitary fixtures, fittings and tapware, including new fixtures in existing positions in existing toilets.
- Hot water systems with high efficiency natural gas continuous flow hot water units on roof.
- Gas reticulation to hot water units and kitchen cooking equipment.

Budget: $63,800

1.5 FIRE SERVICES

Building

- Internal fire hose reels, connected to metered water supply.
- Portable fire extinguishers.
- Automatic smoke detection and occupant warning system.

Budget: $27,500

2 OPTION 2

2.1 ELECTRICAL SERVICES

Site infrastructure

- SA Power Networks (SAPN) charges for disconnection of existing overhead electrical supply and installation of new 400V, three phase, 125A "over-under" supply.

(Provisional sum) $20,000

- Incoming consumer's mains cabling in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil.
- Site main switchboard (MSB) with metering cubicle.
- Carpark lighting.
- Site and façade feature lighting.
- Incoming NBN supply in underground conduit, including trench excavation, conduit bedding and backfill with excavated soil.

Budget: $59,500

Building

- Electrical distribution and power outlets.
- Internal lighting.
- Limited feature lighting to foyer.
- Emergency and exit lighting.
- External security lighting.
- Security system with intruder alarm and electronic access control system to main entrance doors only.
- Telecommunications cabinet, horizontal wiring and outlets.
- Public address system to main hall only.
- Master Antenna TV (MATV) system.

Budget: $173,000

2.2 LIFT SERVICES

Building

- Electric traction, 10 passenger, 800kg, DDA compliant lift.

Budget: $80,000

2.3 MECHANICAL SERVICES

Building

- Reverse cycle split ducted air conditioners to main hall, gallery and second hall. Condensing units installed on roof.
- Reverse cycle split cassette air conditioners to café, meeting rooms, workshop and studio. Condensing units installed on roof.
- Outdoor air introduced to reverse cycle split ducted and cassette air conditioners for the supply of ventilation air.
- Evaporative cooling to kitchen.
- Commercial kitchen exhaust hoods for kitchen and café.
- Ducted exhaust systems for toilets.

Budget: $234,000

2.4 HYDRAULIC SERVICES

Site infrastructure

- SA Water charges for disconnection of existing redundant 20mm water meter, and provision of new 25mm metered water connection from the street.
- Water and sewer mains including trench excavation, pipe bedding and backfill with excavated soil.
- 2,500L grease arrestor for kitchen and café trade waste.
- New metered natural gas supply and gas main including trench excavation, new pipe bedding and backfill with excavated soil.

Budget: $42,300

Building

- Sanitary plumbing and drainage.
- Trade waste drainage.
- Cold and hot water reticulation.
- Warm water supply to basins with local thermostatic mixing valves.
- Sanitary fixtures, fittings and tapware.
- Hot water systems with high efficiency natural gas continuous flow hot water units on roof.
- Gas reticulation to hot water units and kitchen cooking equipment.

Budget: $84,200

2.5 FIRE SERVICES

Building

- Internal fire hose reels, connected to metered water supply.
- Portable fire extinguishers.
- Automatic smoke detection and occupant warning system.

Budget: $27,500

3 EXCLUSIONS

- Photovoltaic panels and battery storage – refer separate report from ESD consultant.
- EV charging stations – refer separate report from ESD consultant.
- Computers, peripherals, active network equipment, wireless access equipment, or patching of same.
- Telephone system, telephone handsets or patching of same.
- Audio-visual presentation equipment or allowance for such equipment.
- Theatre lighting and associated dimmer racks, patch panels.
- Illuminated signage on road frontages and entries.
- White goods, kitchen equipment, cookers.
- Stormwater and roof drainage systems.
- Landscape irrigation.
- Rainwater tanks or rainwater reticulation to toilet cisterns.
- On-site fire hydrants or brigade booster – adequate coverage provided by existing street fire plugs.
- Upgrading or relocating existing sewer connection in Bakewell Crescent.

4 ASSOCIATED BUILDER'S WORKS

The following Builder's works associated with the Mechanical, Electrical, Hydraulic and Fire Protection Services may be required for this project and are not incorporated within our budgets above:

- Builders site power, water and amenities.
- Cranage and lifting of equipment.
- Structural support of roof mounted plant.
- Plant screening for roof mounted plant (if required).
- Fixed roof access, walkboards, anti-fall devices.
- Trimmed roof penetrations (for ductwork, electrical conduits, pipework etc) including upstands and structural steel trimming where necessary (over-flashings to be provided by the relevant services trades).

- Trimmed penetrations in walls, floors, ceilings and the like, as required for ductwork, pipework, electrical conduits etc.
- Framing of ceilings and insulation trimmed around ceiling mounted services such as air registers, grilles, light fittings and the like.
- Painting and prep work for structure, services, underside of roof and other building features where no ceiling is being installed.
- Cutting and chasing of building elements for conduits and pipework as required.
- Patching and making good to building elements after installation of the services including building in of conduits, pipework and the like.
- Hinged access panels to provide access to serviceable components within false ceilings, walls, bulkheads, service risers and the like.
- Installation of door air relief grilles (Grilles supplied by Mechanical Services Contractor).
- Grading of floors to 'wet areas'.
- Lift shafts with structural reaction load capacity, and pockets, rebates, lifting eyes, shaft ventilation openings, etc. to lift contractor's requirements.
- Additional linings to dry walls to achieve specific fire and/or acoustic rating around concealed pipework and tapware.
- Termite barriers for penetrations through on-ground slabs.
- Making good surfaces for underground services.
- Supply and installation of special equipment.

5 BASIS OF BUDGETS

Budgets are at current day rates, based on work in the Adelaide metropolitan area, but exclude:

- Goods and Services Tax
- Associated builder's work and attendance
- After-hours work
- Staged construction allowance
- Design or construction contingency
- Professional fees

Appendix RLB

CONCEPT ESTIMATE - OPTION 1

June 2020

MARINO COMMUNITY HALL

RLB Rider Levett Bucknall

RLB Rider Levett Bucknall

MARINO COMMUNITY HALL
Concept Estimate - Option 1

Project Details

Description

Basis of Estimate

This estimate is based upon measured quantities to which we have applied rates and conditions we currently believe applicable as at June 2020. We assumed that the project will be competitively tendered under standard industry conditions and lump sum form of contract.

This cost estimate is based on the documentation listed under the "Documents" section and does not at this stage provide a direct comparison with tenders received for the work at any future date. To enable monitoring of costs this estimate should be updated regularly during the design and documentation phases of this project.

Our estimate reflects the conditions observed during our site visit in conjunction with yourselves on May 2020 and notes taken during our briefing and review meetings.

Limitation of Estimate

This estimate should be viewed as a Concept Cost Plan for use in strategic master planning review and options analysis. It should **not** be used for decision making analysis to commit to a project (including acquisition, finance approval, equity approval or the like). We recommend that a more detailed elemental cost plan be prepared before such commitment is to be considered.

COVID-19 Impact

Our estimate has been prepared on the basis of normal economic and industry circumstances. The full impact of COVID-19 is unknown at this stage and changing daily. Our estimate makes no provision for the impacts of COVID-19 virus and we advise that an impact on the estimate is probable and could vary considerably depending on the extent of a variety of issues. These may include but are not limited to the following issues, which are intended as a guide as opposed to a comprehensive list:

- Economy, industry and society shut down
- Exchange rate fluctuations (our estimate reflects pricing as at the US$0.70 market exchange rate at Q1 2020 and not the current rates).
- Off shore manufacturing capacity and delivery timing
- On shore site deliveries of plant, materials and equipment
- On site staff to manage productivity of the works
- On site labour to implement the works

RLB has observed that, for key construction components, there is an increasing reluctance by contractors to commit to a definitive programme or cost for future projects. This estimate does not consider increased project costs due to potential programme delays, alternative procurement methods of materials and/or labour nor the wider potential impact of COVID-19 on construction activities.

Items Specifically Included

This estimate specifically includes the following:

Contingencies & Escalation

The estimate includes the following contingency allowances:

- Design Development Contingency which allows for issues that will arise during the design and documentation period as the design team develops the design through to 100% documentation
- Construction Contingency which allows for issues that will arise during the construction period including for latent conditions, design errors and omissions, design changes, client changes, extension of time costs and provisional sum adjustments.

MARINO COMMUNITY HALL
Concept Estimate - Option 1

Project Details

Description

Items Specifically Excluded

The estimate **specifically excludes** the following which should be considered in an overall project feasibility study:

Project Scope Exclusions

- Stormwater storage tanks
- Work outside site boundaries
- ESD initiatives beyond solar panels (batteries, EV chargers etc.)

Scope Exclusions for works by others

- Cafe Fitout
- Decanting and Relocation Costs
- Council Direct Costs such as Operational Budgets

Risk Exclusions

- Relocation and upgrade of existing services
- Repair to any damage caused to unidentified services during the performing of the works
- Contaminated ground Removal and Reinstatement
- Removal and Reinstatement of any soft, wet and weak spots in subgrade
- Asbestos and Hazardous Materials Removal
- Piled foundation systems
- Underpinning or propping existing structures
- Rock excavation
- De-watering
- Staging / Phasing costs
- Escalation in costs if construction beyond mid-2020 (program unknown)

Other Project Cost Exclusions

- Land costs
- Legal fees
- Goods and Services Taxation
- Holding costs and finance charges

Documents

The following documents have been used in preparing this estimate:

ARCHITECTURAL Documents prepared by Studio Nine

- SK01 - Site Plan
- SK02 - Ground Floor Plan
- SK03 - Level 1 Plan

RLB Rider Levett Bucknall

MARINO COMMUNITY HALL
Concept Estimate - Option 1

Project Details

Description

- SK04 - Demolition Plan

Rider Levett Bucknall

MARINO COMMUNITY HALL

Concept Estimate - Option 1

Location Summary

GFA: Gross Floor Area
Rates Current At May 2020

Location		GFA m²	Cost/m²	Total Cost
A BUILDING WORKS		**867**	**3,166**	**2,744,767.00**
B EXTERNAL WORKS AND DEMOLITION				**666,731.97**
C FF&E				**46,501.03**
ESTIMATED NET COST		**867**	**$3,988**	**$3,458,000.00**
MARGINS & ADJUSTMENTS				
Construction Contingency	7.5%			$259,000.00
Professional Fees	10.0%			$372,000.00
Statutory Fees & Charges	0.5%			$21,000.00
Escalation beyond mid-2020				Excl.
Goods and Services Taxation				Excl.
TOTAL PROJECT COST		**867**	**$4,740**	**$4,110,000.00**
Additional cost to remove and replace existing roof sheeting	0.6%			$25,000.00
ESTIMATED TOTAL COST		**867**	**$4,769**	**$4,135,000.00**

CONCEPT ESTIMATE - OPTION 2

June 2020

MARINO COMMUNITY HALL

Rider Levett Bucknall

MARINO COMMUNITY HALL

Concept Estimate - Option 2

Project Details

Description

Basis of Estimate

This estimate is based upon measured quantities to which we have applied rates and conditions we currently believe applicable as at June 2020. We assumed that the project will be competitively tendered under standard industry conditions and lump sum form of contract.

This cost estimate is based on the documentation listed under the "Documents" section and does not at this stage provide a direct comparison with tenders received for the work at any future date. To enable monitoring of costs this estimate should be updated regularly during the design and documentation phases of this project.

Our estimate reflects the conditions observed during our site visit in conjunction with yourselves on May 2020 and notes taken during our briefing and review meetings.

Limitation of Estimate

This estimate should be viewed as a Concept Cost Plan for use in strategic master planning review and options analysis. It should **not** be used for decision making analysis to commit to a project (including acquisition, finance approval, equity approval or the like). We recommend that a more detailed elemental cost plan be prepared before such commitment is to be considered.

COVID-19 Impact

Our estimate has been prepared on the basis of normal economic and industry circumstances. The full impact of COVID-19 is unknown at this stage and changing daily. Our estimate makes no provision for the impacts of COVID-19 virus and we advise that an impact on the estimate is probable and could vary considerably depending on the extent of a variety of issues. These may include but are not limited to the following issues, which are intended as a guide as opposed to a comprehensive list:

- Economy, industry and society shut down
- Exchange rate fluctuations (our estimate reflects pricing as at the US$0.70 market exchange rate at Q1 2020 and not the current rates).
- Off shore manufacturing capacity and delivery timing
- On shore site deliveries of plant, materials and equipment
- On site staff to manage productivity of the works
- On site labour to implement the works

RLB has observed that, for key construction components, there is an increasing reluctance by contractors to commit to a definitive programme or cost for future projects. This estimate does not consider increased project costs due to potential programme delays, alternative procurement methods of materials and/or labour nor the wider potential impact of COVID-19 on construction activities.

Items Specifically Included

This estimate specifically includes the following:

Contingencies & Escalation

The estimate includes the following contingency allowances:

- Design Development Contingency which allows for issues that will arise during the design and documentation period as the design team develops the design through to 100% documentation
- Construction Contingency which allows for issues that will arise during the construction period including for latent conditions, design errors and omissions, design changes, client changes, extension of time costs and provisional sum adjustments.

MARINO COMMUNITY HALL
Concept Estimate - Option 2

Project Details

Description

Items Specifically Excluded

The estimate **specifically excludes** the following which should be considered in an overall project feasibility study:

Project Scope Exclusions

- Stormwater storage tanks
- Work outside site boundaries
- ESD initiatives beyond solar panels (batteries, EV charging etc.)

Scope Exclusions for works by others

- Cafe Fitout
- Decanting and Relocation Costs
- Council Direct Costs such as Operational Budgets

Risk Exclusions

- Relocation and upgrade of existing services
- Repair to any damage caused to unidentified services during the performing of the works
- Contaminated ground Removal and Reinstatement
- Removal and Reinstatement of any soft, wet and weak spots in subgrade
- Asbestos and Hazardous Materials Removal
- Piled foundation systems
- Underpinning or propping existing structures
- Rock excavation
- De-watering
- Staging / Phasing costs
- Escalation in costs if construction beyond mid-2020 (program unknown)

Other Project Cost Exclusions

- Land costs
- Legal fees
- Goods and Services Taxation
- Holding costs and finance charges

Documents

The following documents have been used in preparing this estimate:

ARCHITECTURAL Documents prepared by Studio Nine

- SK01 - Site Plan
- SK02 - Ground Floor Plan

RLB Rider Levett Bucknall

MARINO COMMUNITY HALL
Concept Estimate - Option 2

Project Details

Description

- SK03 - First Floor

Rider Levett Bucknall

MARINO COMMUNITY HALL

Concept Estimate - Option 2

Location Summary

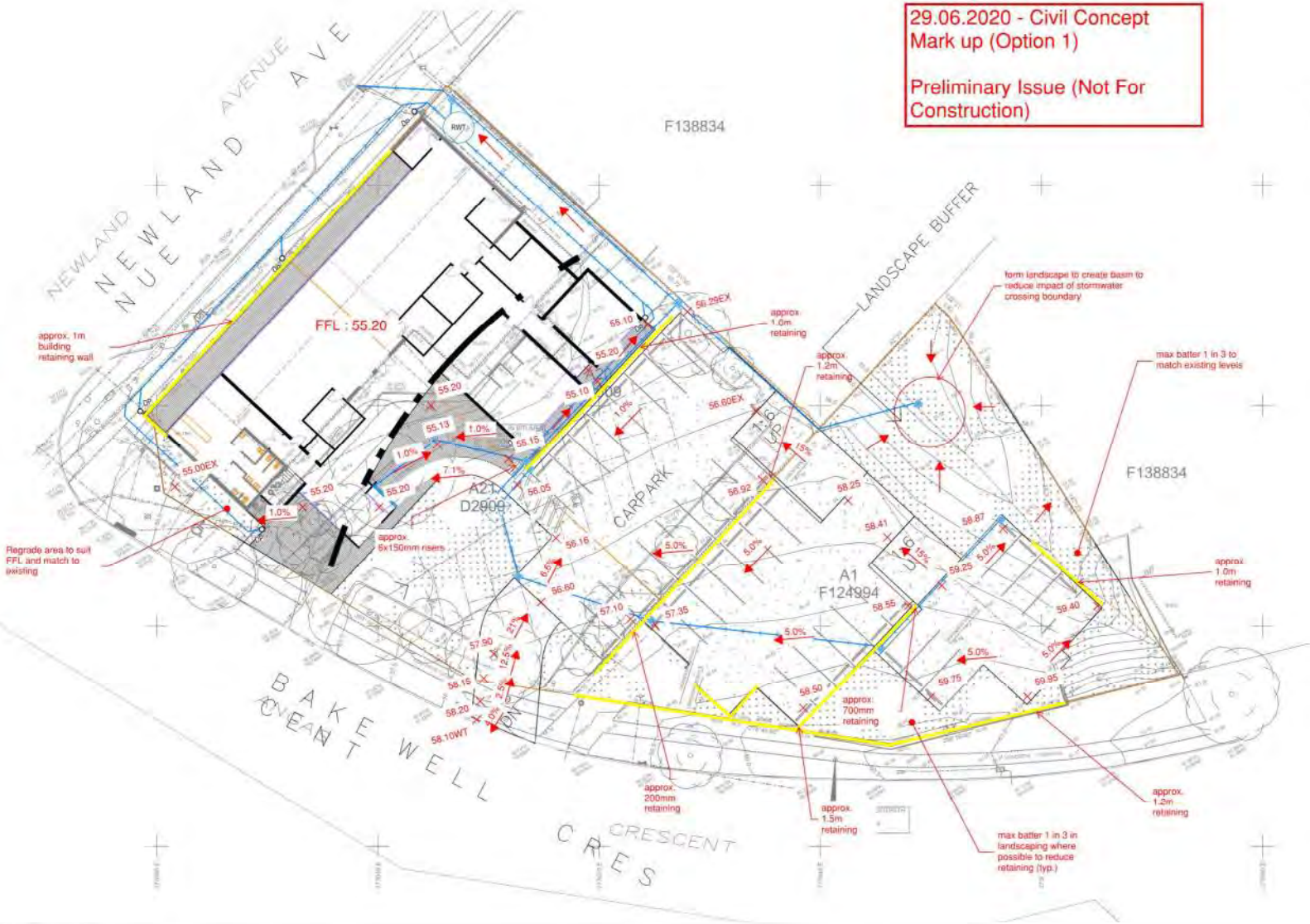
GFA: Gross Floor Area
Rates Current At May 2020

Location		GFA m²	Cost/m²	Total Cost
A BUILDING WORKS		**885**	**3,792**	**3,355,637.00**
B EXTERNAL WORKS AND DEMOLITION				**833,823.28**
C FF&E				**46,539.72**
	ESTIMATED NET COST	**885**	**$4,786**	**$4,236,000.00**
MARGINS & ADJUSTMENTS				
Construction Contingency	7.5%			$318,000.00
Professional Fees	10.0%			$455,000.00
Statutory Fees & Charges	0.5%			$26,000.00
Escalation beyond mid-2020				Excl.
Goods and Services Taxation				Excl.
TOTAL PROJECT COST		**885**	**$5,689**	**$5,035,000.00**
Rooftop Garden	8.9%			$450,000.00
	ESTIMATED TOTAL COST	**885**	**$6,198**	**$5,485,000.00**

Appendix MLEI

29.06.2020 - Civil Concept Mark up (Option 1)

Preliminary Issue (Not For Construction)



LEGEND

- X.X% — SURFACE GRADE AND DRAINAGE DIRECTION
- XX.XX × DESIGN SPOT LEVEL
- XX.XX EX. × EXISTING SPOT LEVEL
- XX.XX TK × EXISTING TOP OF KERB
- XX.XX BK × EXISTING BOTTOM OF KERB
- XX.XX WT × EXISTING WATERTABLE LEVEL

BUILDING

- FFL X.XX — FINISHED FLOOR LEVEL
- INDICATIVE 150mmØ DOWN PIPE (REFER ARCHITECTURAL DRAWING FOR SPECIFICATIONS)
- INSPECTION POINT
- 90mmØ PAVING INLET (CLASS-B LID IN TRAFFICABLE AREAS, CLASS-A ELSEWHERE.) PROVIDE MINIMUM GRADE OF 0.5% TOWARDS INLET
- 300 SQ JUNCTION BOX
- 300 SQ GRATED INLET PIT
- uPVC STORMWATER PIPE, SIZE AS SHOWN
- UPPER FLOOR OR ROOF OUTLINE
- DRIVEWAY PAVING (REFER ARCHITECTURAL DRAWING FOR SPECIFICATIONS)
- BLOCK PAVING (REFER ARCHITECTURAL DRAWING FOR SPECIFICATIONS)
- LANDSCAPE/GARDEN AREA
- RETAINING WALL: TW: XXX.XXX, BW XXX.XXX, H XX.XX — TW: TOP OF RETAINING WALL, BW: BOTTOM OF RETAINING WALL, H: HEIGHT (m)
- RETAINING WALL
- RWT — 10,000L RAINWATER TANK RETENTION ONLY. OVERFLOW TO BE DISCHARGED TO STORMWATER KERB SYSTEM (LOCATION & SIZE SHOWN INDICATIVE ONLY)
- 300 WIDE SPOON DRAIN
- BATTER SLOPE
- STRIP DRAINS
- UNDERGROUND DETENTION TANK - 10,000L CAPACITY. OUTLET RESTRICTED WITH ORIFICE PLATE AND DISHCARGE TO STORMWATER KERB SYSTEM (LOCATION & SIZE SHOWN INDICATIVE ONLY)

GENERAL NOTES

1. THESE DRAWINGS ARE NOT CADASTRAL PLANS AND MUST NOT BE USED IN DETERMINING PRECISE DETAILS WITH RESPECT TO BOUNDARIES.
2. ALL DIMENSIONS AND LEVELS SHALL BE VERIFIED ON SITE.
3. SPOIL TO BE STOCKPILED AS DIRECTED BY THE SUPERINTENDENT AND EXCESS NOT USED IS TO BE REMOVED FROM SITE BY CONTRACTOR.
4. ANY REQUIRED FILLING OF THE SITE IS TO BE CARRIED OUT IN ACCORDANCE WITH AS1289
5. SITES REQUIRING LEVEL 1 SUPERVISION ARE TO SATISFY AS3798.
6. THESE DRAWINGS ARE A SCHEMATIC REPRESENTATION OF SERVICES INFORMATION CONTAINED IN THE SITE SURVEY. OTHER SERVICES MAY EXIST, WHICH WERE NOT KNOWN OR IDENTIFIED AT THE TIME OF SURVEY. THE INFORMATION CONTAINED IN THESE DRAWINGS IS INDICATIVE ONLY, AND REFERENCE SHOULD BE MADE TO THE RELEVANT AUTHORITIES DOCUMENTATION TO CONFIRM ACCURACY AND COMPLETENESS. WHERE INFORMATION IS AVAILABLE, THE SUB-SURFACE SERVICES INSTALLED BY CONTRACTORS OTHER THAN THE AUTHORITIES HAVE BEEN SHOWN, BUT ADDITIONAL UNDOCUMENTED SERVICES MAY BE PRESENT. SHOULD THE CONTRACTOR BELIEVE THAT SUB-SURFACE SERVICES ARE AT RISK OF DAMAGE DURING CONSTRUCTION, THE CONTRACTOR SHOULD NOTIFY THE RELEVANT AUTHORITIES AND ESTABLISH THE EXACT LOCATION OF THE SERVICE.
7. FOOTPATHS TO BE LOCALLY REINSTATED WHERE REQUIRED AS A RESULT OF DRIVEWAY CROSSOVER WORKS TO THE SATISFACTION OF COUNCIL.
8. THE FINISHED SURFACE SHALL BE EVENLY GRADED BETWEEN DESIGN SURFACE LEVELS.
9. EXISTING SITE LEVELS TO BE MAINTAINED WHERE DESIGN LEVELS ARE NOT NOTED.
10. 50mm STEPDOWN HAS BEEN ALLOWED FOR, FROM GARAGE TO DRIVEWAY LEVEL.
11. PROVIDE CONCRETE PLINTH AT BOUNDARY WHERE REQUIRED UNLESS OTHERWISE SPECIFIED
12. DEMOLISH AND REMOVE ALL EXISTING INSTALLATIONS WHICH ARE TO BE AFFECTED BY NEW WORKS. EXTENT OF DEMOLITION TO BE CONFIRMED ON SITE WITH THE SUPERINTENDENT PRIOR TO WORKS.
13. CONTRACTOR TO ADJUST LIDS OF EXISTING SERVICE PITS TO MATCH FINISHED SURFACE LEVEL. PROVIDE HEAVY DUTY COVER IF IN PAVED AREA TO THE REQUIREMENTS OF THE RELEVANT AUTHORITY, IF APPLICABLE. RELOCATE SERVICES AS REQUIRED.
14. CONFIRMATION FROM COUNCIL MUST BE OBTAINED FOR THE REMOVAL OF ANY TREES THAT MAY BE OF SIGNIFICANCE.
15. ALL STORMWATER DRAINAGE TO BE IN ACCORDANCE WITH AS3500.
16. DRIVEWAY CONSTRUCTION TO BE IN ACCORDANCE WITH AS2890 PART 1: OFF-STREET CAR PARKING.
17. DRAWINGS TO BE READ IN CONJUNCTION WITH ARCHITECTURAL DRAWINGS AND ANY OTHER ASSOCIATED SERVICES DRAWINGS.
18. PROVIDE ADEQUATE PROTECTION OR COVER TO STORMWATER PIPES SUBJECTED TO VEHICULAR LOADING.
19. STORMWATER LAYOUT IS INDICATIVE ONLY AND MAY CHANGE TO SUIT SITE CONDITIONS HOWEVER THE INTEGRITY OF THE STORMWATER SYSTEM SHALL BE MAINTAINED AT ALL TIMES.

CHECK PRINT

	INITIAL	SIGNATURE	DATE
DRAWN			
DESIGNED			
APPROVED			

SCALE 1:200 @ A1

ISSUED AS PRELIMINARY
NOT FOR CONSTRUCTION

P1	29/06/20	ISSUED FOR PRELIMINARY	RD	MR	HP

STUDIO NINE

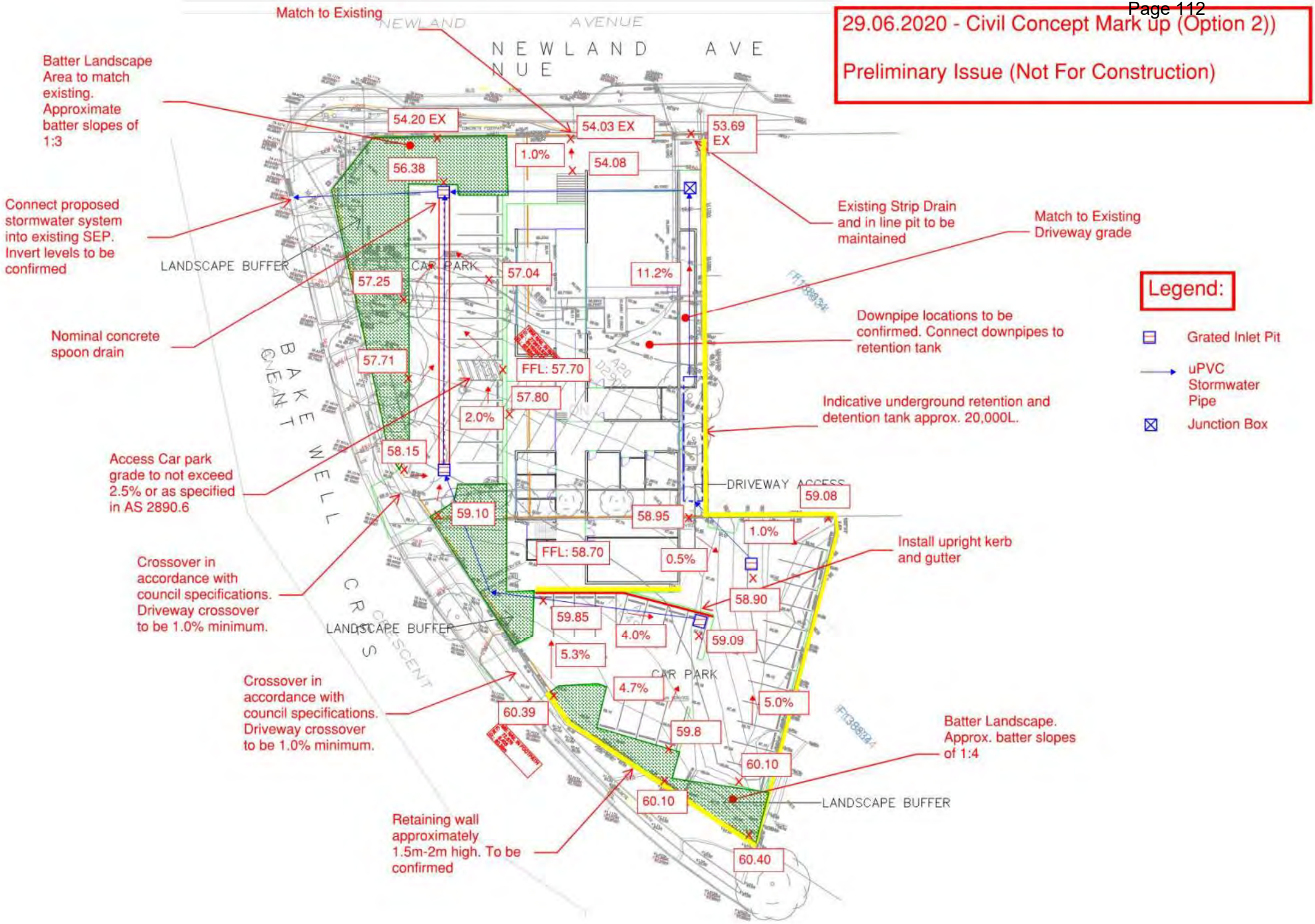
mlei CONSULTING ENGINEERS

MARINO COMMUNITY HALL
44 NEWLAND AVENUE
MARINO

RD MR HP 2020-10004 C01 P1

29.06.2020 - Civil Concept Mark up (Option 2))

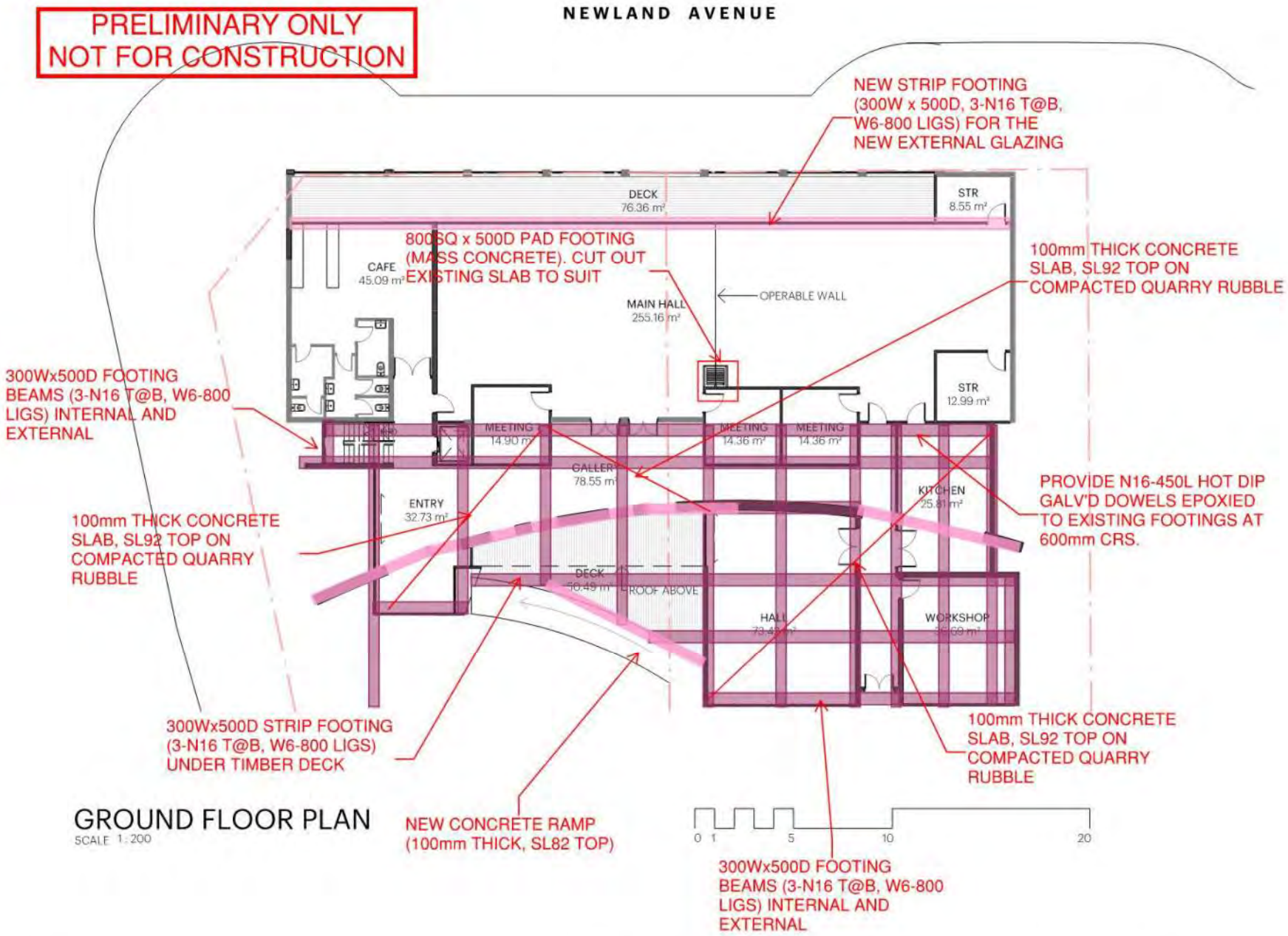
Preliminary Issue (Not For Construction)



mlei
CONSULTING ENGINEERS

2020-10004 - MARINO COMMUNITY CENTRE - OPTION 2
SK-01 - FOOTING PLAN
DATE: 25/6/2020
BY: TH

PRELIMINARY ONLY
NOT FOR CONSTRUCTION



GROUND FLOOR PLAN
SCALE 1:200

Plotted: 29/06/2020 2:41:45 PM File: Y:\Share\dy\Projects\0919\0919-014 Marino Community Hall\06 Drawings\02 Revit or CAD\0919-014 Marino_R5.rvt

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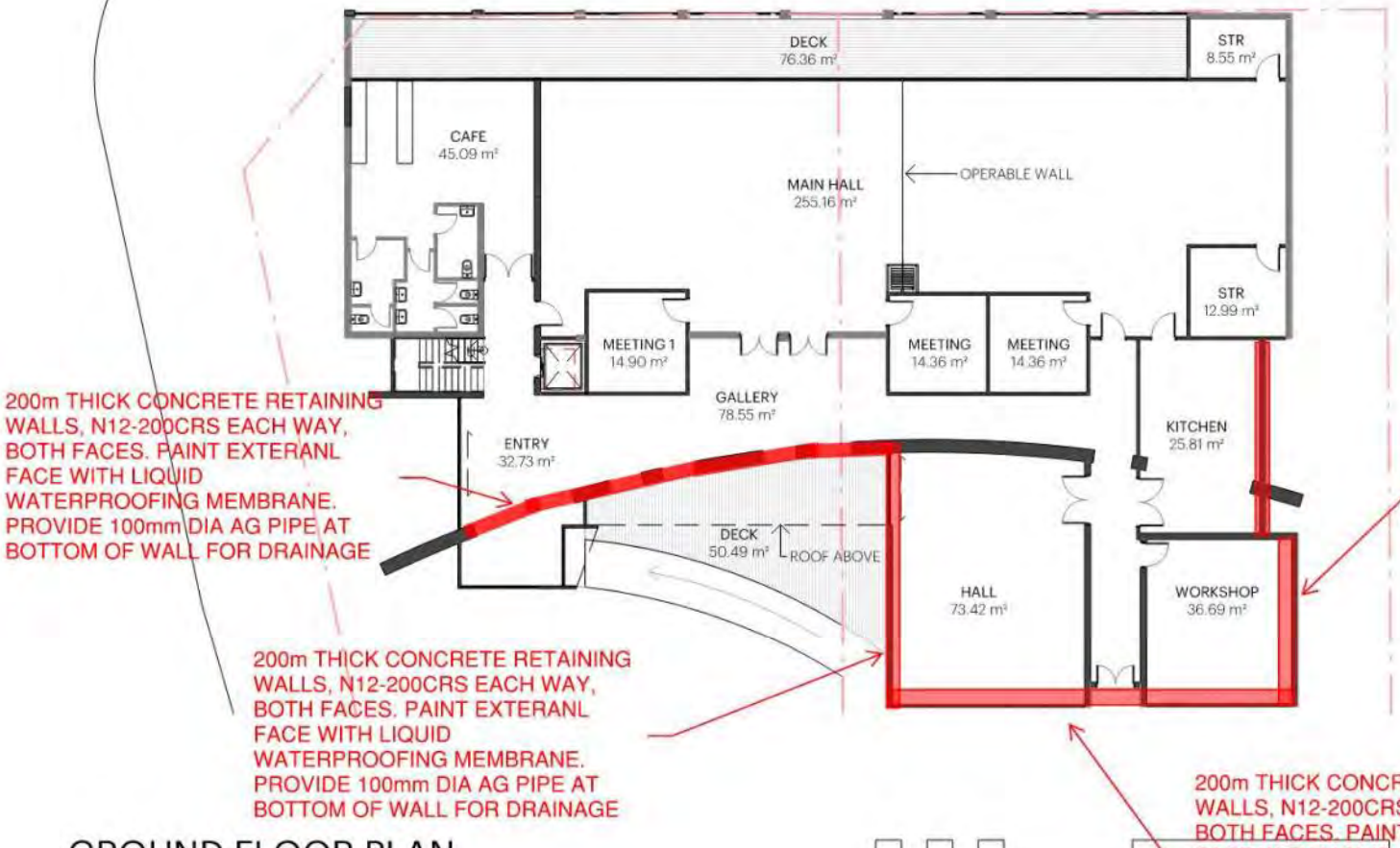
PROJECT: Marino Community Hall
DRAWING TITLE: GROUND FLOOR PLAN
PROJECT NUMBER: 0919-014
DRAWING NUMBER: SK02
ISSUE: FOR APPROVAL
DATE: ##.##.2018

mlei
CONSULTING ENGINEERS

2020-10004 - MARINO COMMUNITY CENTRE - OPTION 2
SK-02 - RETAINING WALL PLAN
DATE: 25/6/2020
BY: TH

PRELIMINARY ONLY
NOT FOR CONSTRUCTION

NEWLAND AVENUE



200m THICK CONCRETE RETAINING WALLS, N12-200CRS EACH WAY, BOTH FACES. PAINT EXTERANL FACE WITH LIQUID WATERPROOFING MEMBRANE. PROVIDE 100mm DIA AG PIPE AT BOTTOM OF WALL FOR DRAINAGE

200m THICK CONCRETE RETAINING WALLS, N12-200CRS EACH WAY, BOTH FACES. PAINT EXTERANL FACE WITH LIQUID WATERPROOFING MEMBRANE. PROVIDE 100mm DIA AG PIPE AT BOTTOM OF WALL FOR DRAINAGE

200m THICK CONCRETE RETAINING WALLS, N12-200CRS EACH WAY, BOTH FACES. PAINT EXTERANL FACE WITH LIQUID WATERPROOFING MEMBRANE. PROVIDE 100mm DIA AG PIPE AT BOTTOM OF WALL FOR DRAINAGE

200m THICK CONCRETE RETAINING WALLS, N12-200CRS EACH WAY, BOTH FACES. PAINT EXTERANL FACE WITH LIQUID WATERPROOFING MEMBRANE. PROVIDE 100mm DIA AG PIPE AT BOTTOM OF WALL FOR DRAINAGE

GROUND FLOOR PLAN
SCALE 1:200

Plotted: 29/06/2020 2:41:45 PM File: Y:\Current\Projects\0919\0919-014 Marino Community Hall\06 Drawings\02 Revit or CAD\0919-014 Marino_R.rvt

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PROJECT NUMBER: 0919-014
DRAWING NUMBER: SK02
ISSUE: FOR APPROVAL
DATE: ##.##.2018

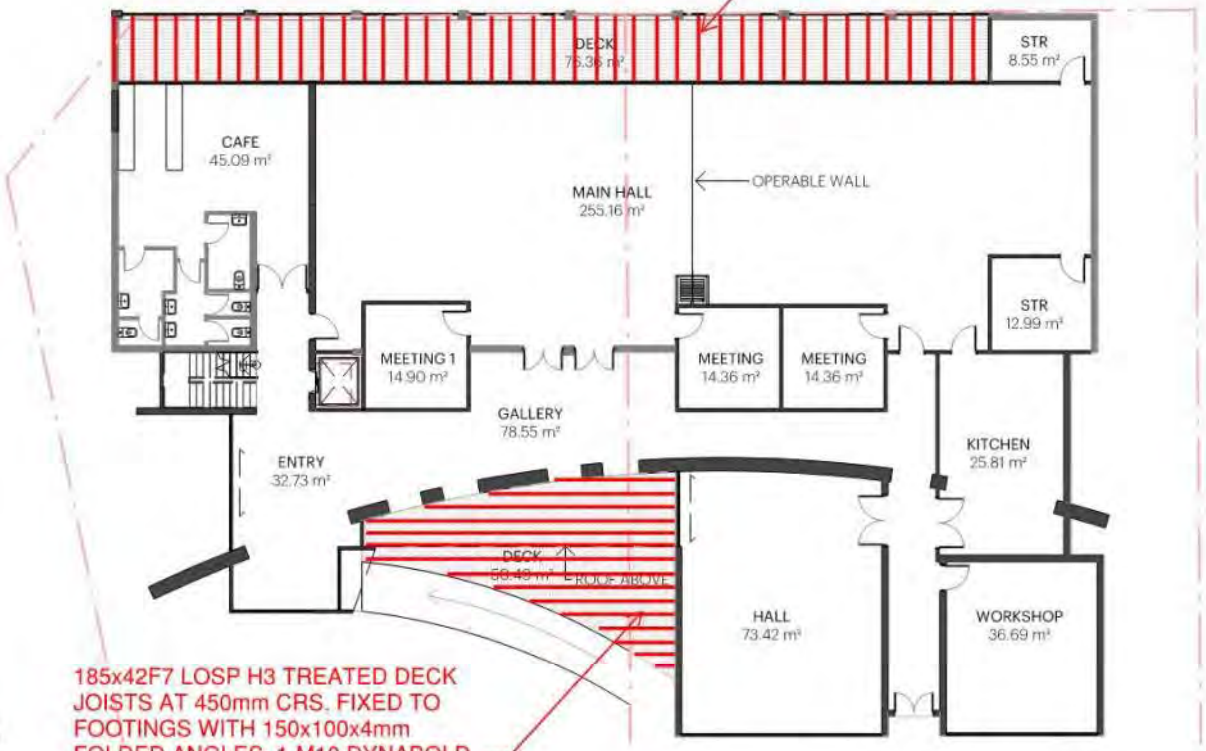
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2020-10004 - MARINO COMMUNITY CENTRE - OPTION 2
SK-03 - DECK FRAMING PLAN
DATE: 25/6/2020
BY: TH

PRELIMINARY ONLY
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NEWLAND AVENUE

185x42F7 LOSP H3 TREATED DECK JOISTS AT 450mm CRS. FIXED TO FOOTINGS WITH 150x100x4mm FOLDED ANGLES, 1-M10 DYNABOLD TO FOOTING, 2-14g TYPE 17 SCREWS TO TIMBER



185x42F7 LOSP H3 TREATED DECK JOISTS AT 450mm CRS. FIXED TO FOOTINGS WITH 150x100x4mm FOLDED ANGLES, 1-M10 DYNABOLD TO FOOTING, 2-14g TYPE 17 SCREWS TO TIMBER

GROUND FLOOR PLAN
SCALE 1:200

0 1 5 10 20

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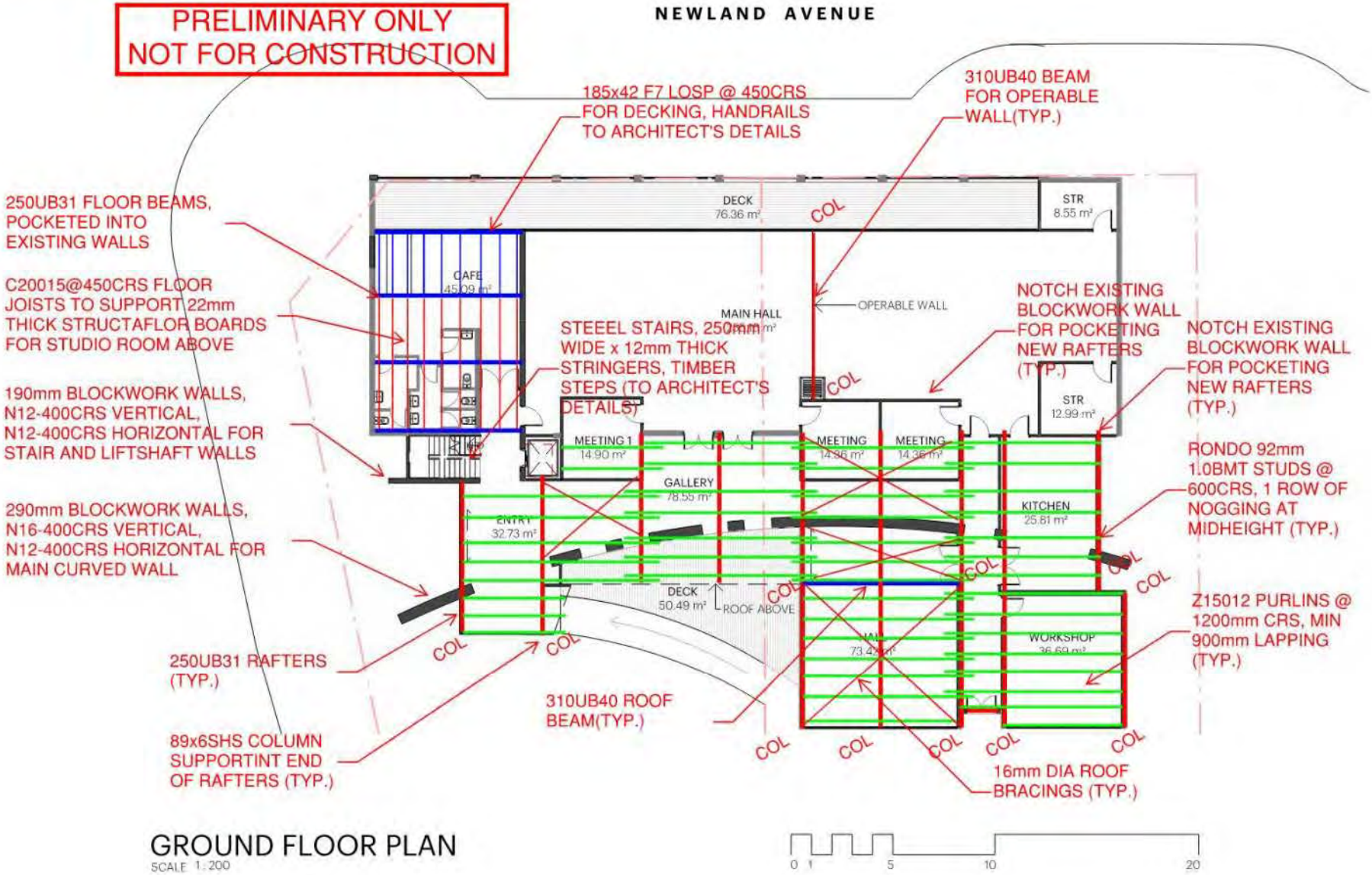
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2020-10004 - MARINO COMMUNITY CENTRE - OPTION 2
SK-04 - ROOF FRAMING PLAN
DATE: 25/6/2020
BY: TH

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GROUND FLOOR PLAN
SCALE 1:200

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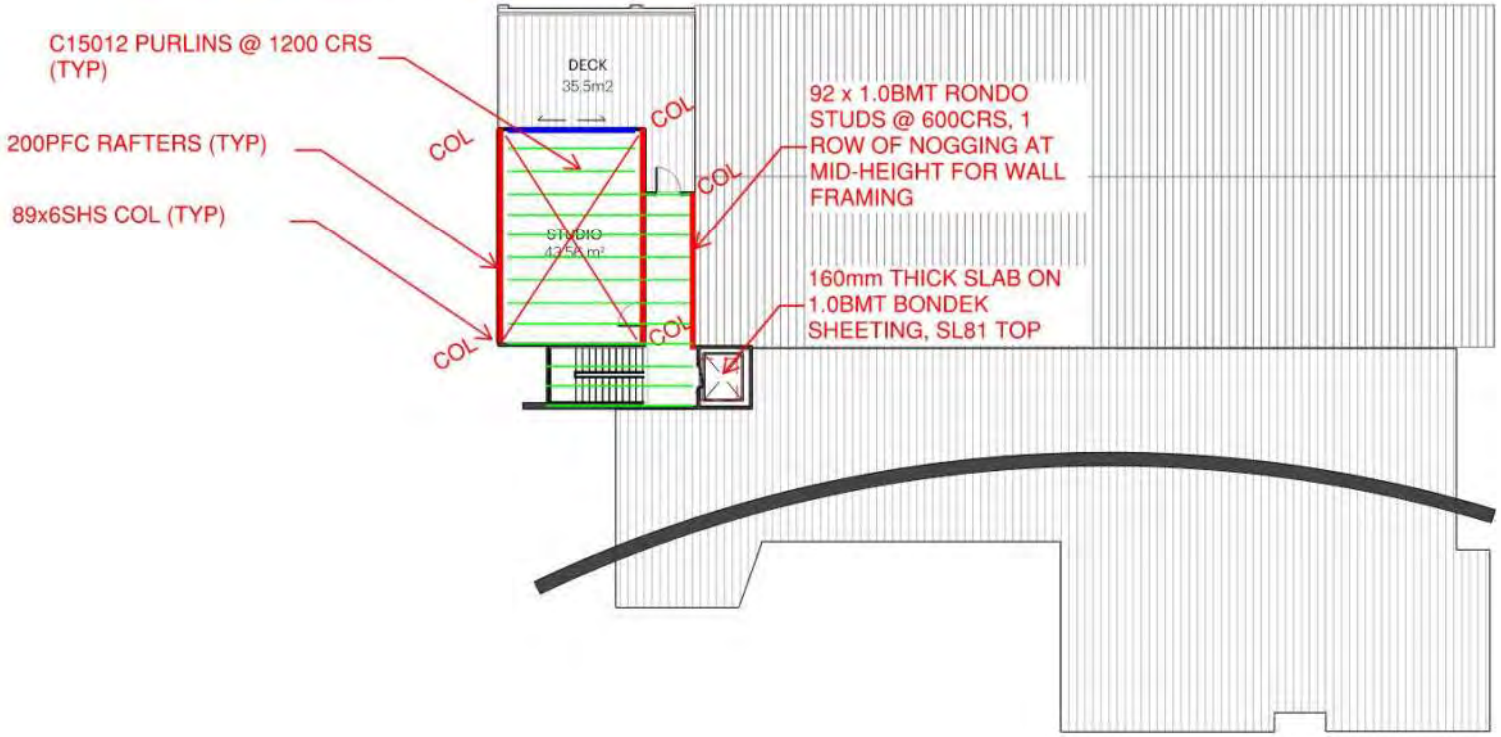
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2020-10004 - MARINO COMMUNITY CENTRE - OPTION 2
SK-05 - STUDIO ROOF FRAMING PLAN
DATE: 25/6/2020
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LEVEL 1
SCALE 1:200

0 1 5 10 20

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DRAWING TITLE
LEVEL 1 PLAN

PROJECT NUMBER
0919-014

DRAWING NUMBER
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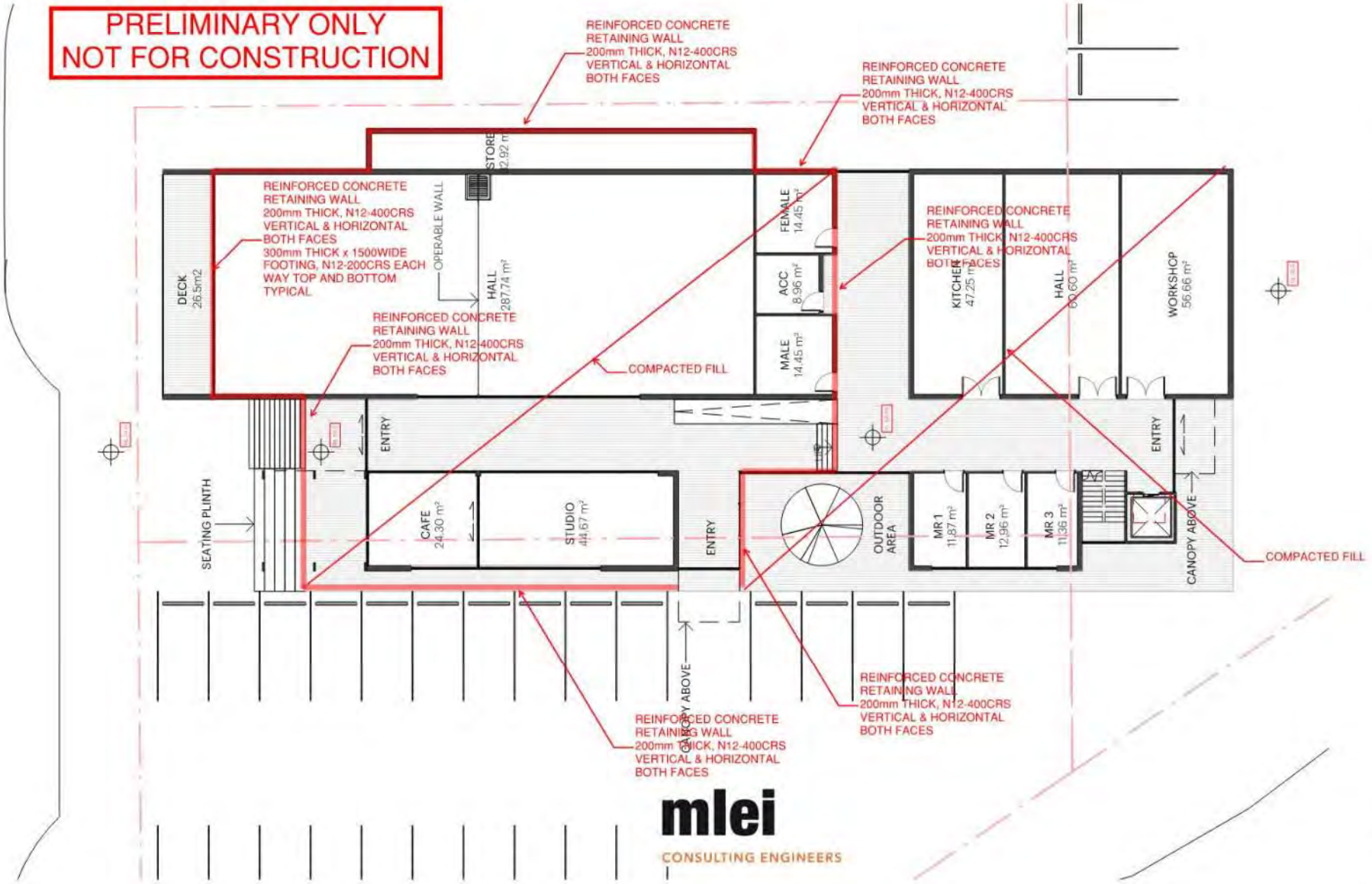
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SK-06 - RETAINING WALL PLAN
DATE: 25/6/2020
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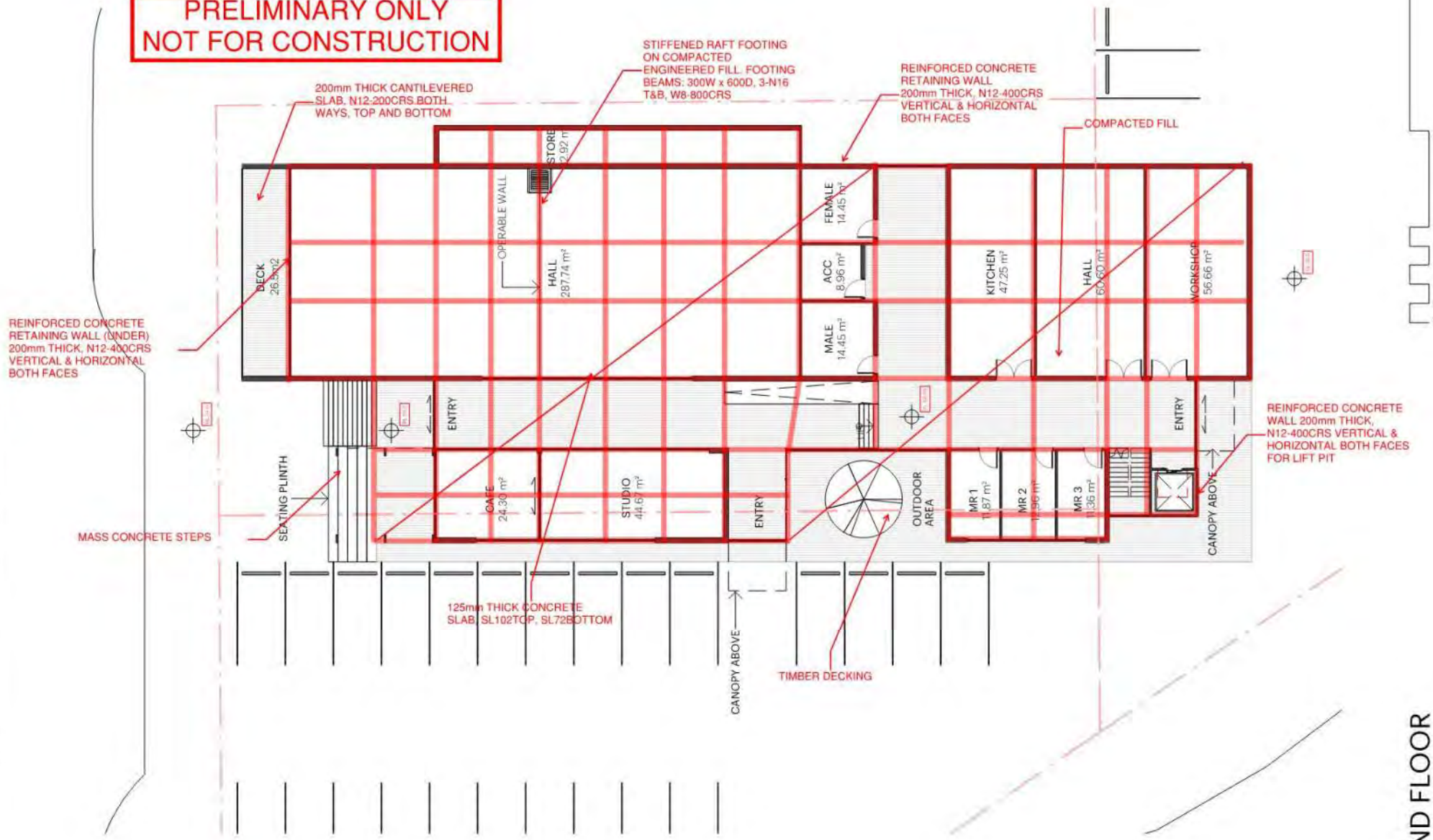
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2020-10004 - MARINO COMMUNITY CENTRE - OPTION 2
SK-07 - FOOTING PLAN
DATE: 25/6/2020
BY: TH

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GROUND FLOOR
SCALE 1:200

0 1 5 10 20

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PROJECT NUMBER 0919-014
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DRAWING TITLE GROUND FLOOR
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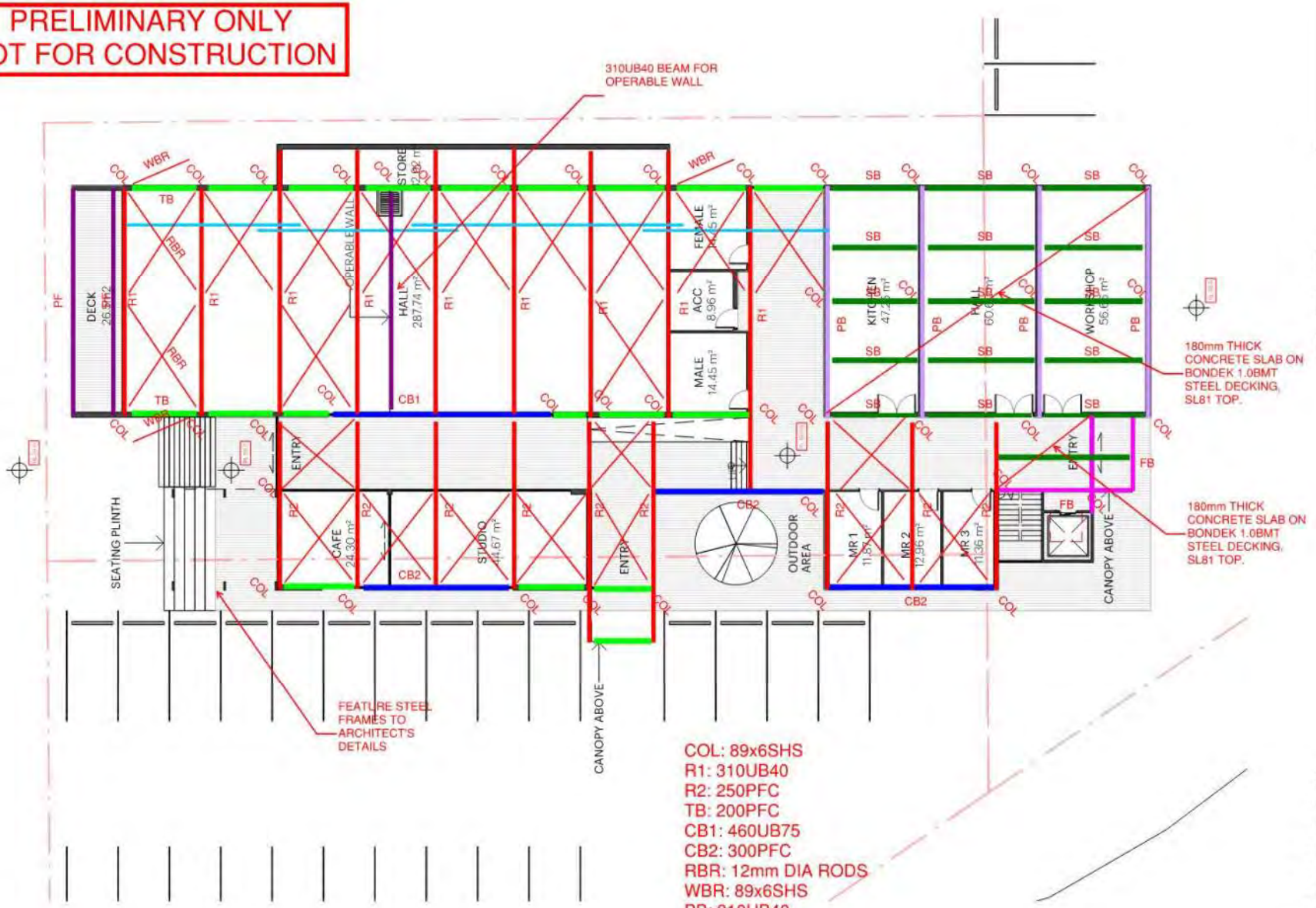
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2020-10004 - MARINO COMMUNITY CENTRE - OPTION 2
SK-08 - STEEL FRAMING PLAN
DATE: 25/6/2020
BY: TH

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NOT FOR CONSTRUCTION



COL: 89x6SHS
R1: 310UB40
R2: 250PFC
TB: 200PFC
CB1: 460UB75
CB2: 300PFC
RBR: 12mm DIA RODS
WBR: 89x6SHS
PB: 310UB40
SB: 250PFC
PURLINS: Z15019 @ 1200 CRS
WALL FRAMING: 92 BMT1.0 RONDOD STUDS @ 600mm SPACING, 1 ROW OF NOGGING AT MID-HEIGHT
PF: PORTAL FRAME: 200x100x9RHS

GROUND FLOOR
SCALE 1:200

0 1 5 10 20

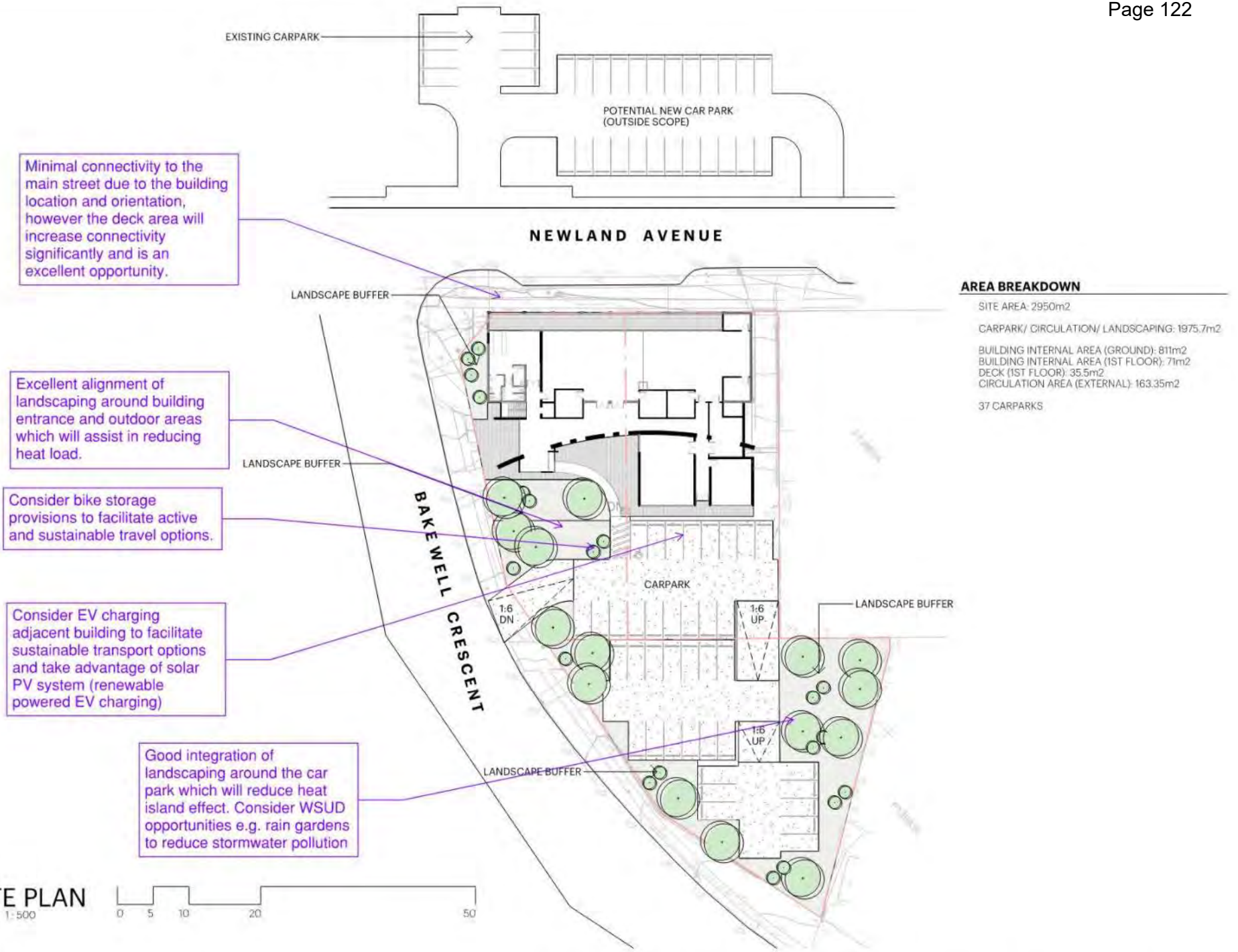
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PROJECT NUMBER 0919-014
ISSUE FOR APPROVAL
DRAWING TITLE GROUND FLOOR
PROJECT Marino Community Hall

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Appendix D Squared



AREA BREAKDOWN

SITE AREA: 2950m2

CARPARK/ CIRCULATION/ LANDSCAPING: 1975.7m2

BUILDING INTERNAL AREA (GROUND): 811m2
BUILDING INTERNAL AREA (1ST FLOOR): 71m2
DECK (1ST FLOOR): 35.5m2
CIRCULATION AREA (EXTERNAL): 163.35m2

37 CARPARKS

SITE PLAN

SCALE 1:500

0 5 10 20 50

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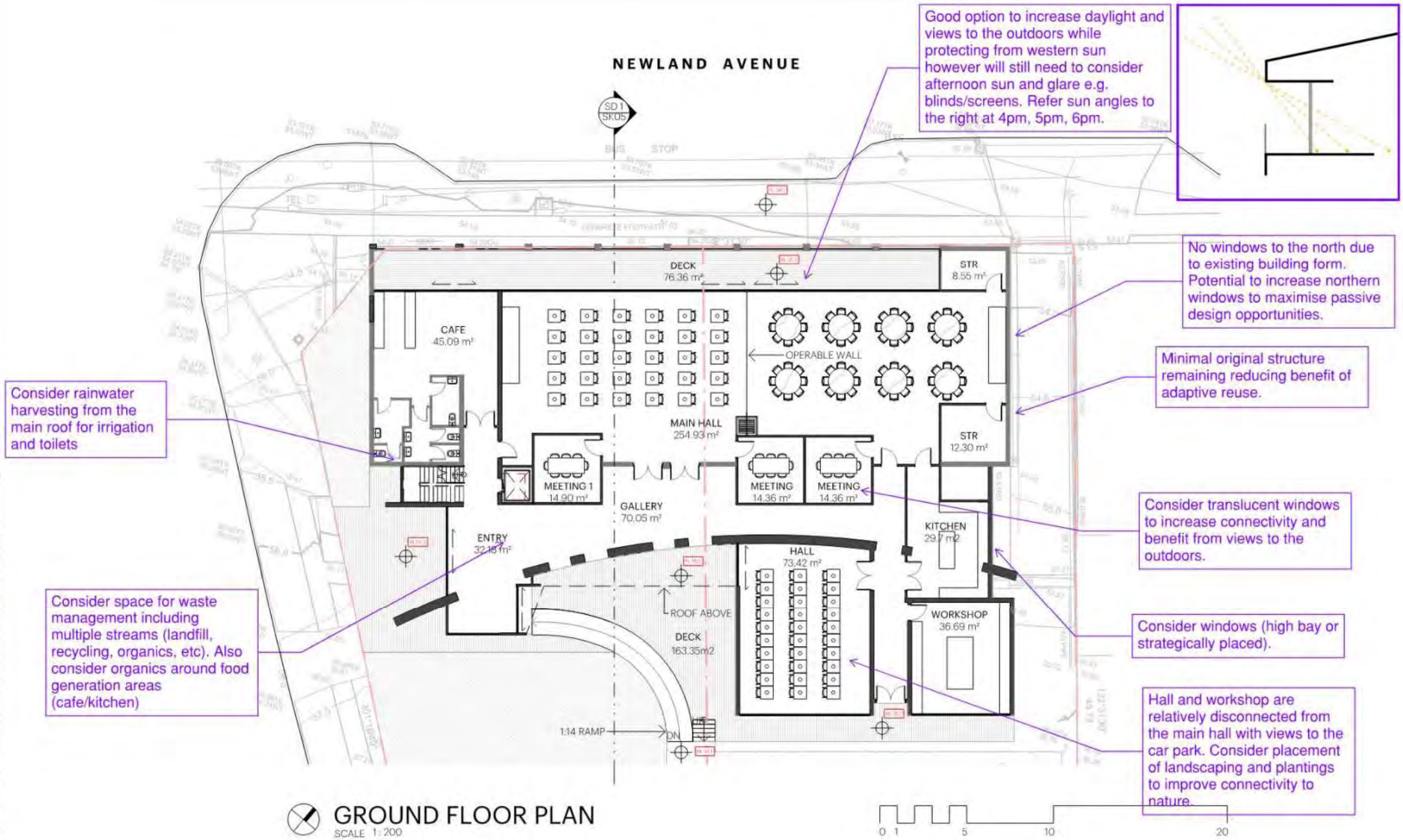
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DRAWING NUMBER: SK01

ISSUE: PRELIMINARY

DATE: 15/04/2020

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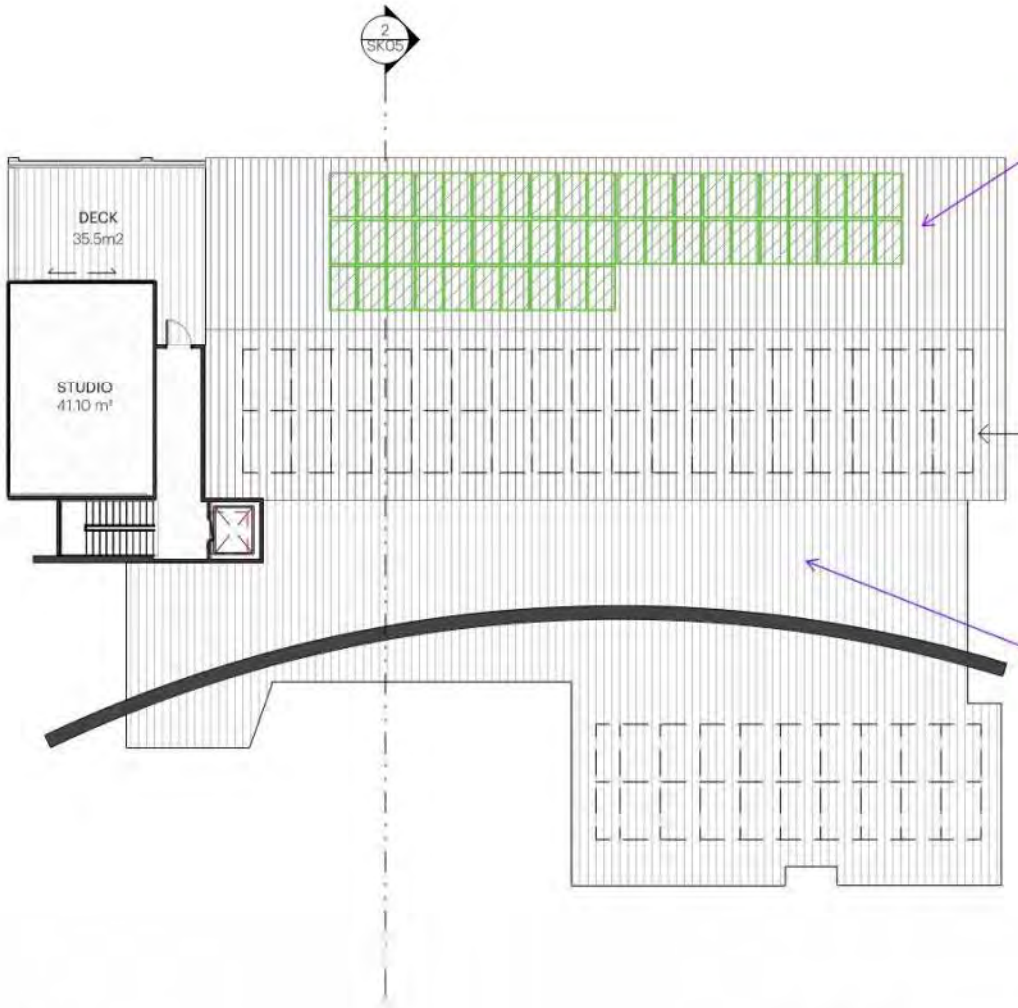


GROUND FLOOR PLAN
SCALE 1 : 200

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Existing solar PV system (approx. 3kW) installed. Age and condition should be confirmed and either retained if in good condition or replace with a larger system. Note that the cost of retaining the old system and expanding may not be viable compared to installing a new larger system.

15kW Solar PV system cost integrated into the design to increase renewable energy uptake and facilitate an energy positive model.

Battery storage opportunity identified to increase resilience, facilitate an energy positive model and provide a demonstration to the community.

Recommend solar panels are located on the western facing roof to maximise generation in the afternoon when community use is expected to increase.

DASHED DENOTES POTENTIAL EXTENT OF SOLAR PANELS

Ensure light coloured roof to reduce heat island effect. Roof solar absorptance value limited to 0.45 in the NCC 2019.

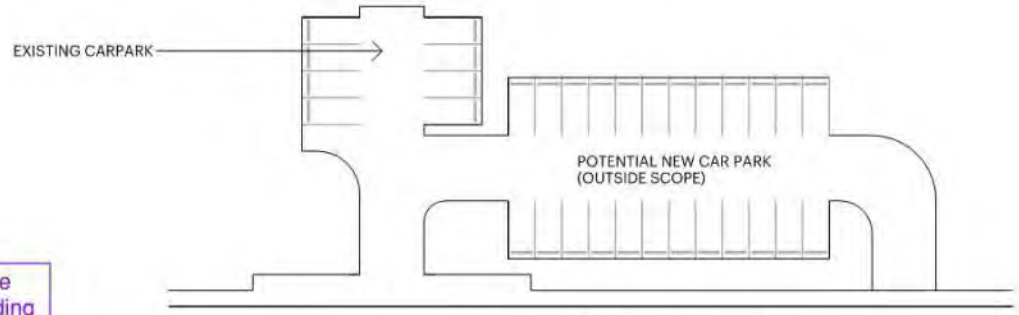
LEVEL 1
SCALE 1 : 200

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DRAWING TITLE: LEVEL 1 PLAN
PROJECT NUMBER: 0919-014
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ISSUE: FOR APPROVAL
DATE: 28.05.2019



NEWLAND AVENUE

Excellent connectivity to the main street due to the building location and orientation. This is a large improvement compared to the existing facility.

Excellent alignment of landscaping around car parks which will assist in reducing heat load and provide views to nature.

Consider bike storage provisions to facilitate active and sustainable travel options.

Consider EV charging adjacent building to facilitate sustainable transport options and take advantage of solar PV system (renewable powered EV charging)

Consider WSUD opportunities e.g. rain gardens to reduce stormwater pollution



AREA BREAKDOWN

SITE AREA: 2950m2

CARPARK/ CIRCULATION/ LANDSCAPING: 1874.4m2

BUILDING INTERNAL AREA: 881.5m2
CIRCULATION AREA (EXTERNAL): 194m2
GREEN ROOF: 180.0m2

37 CARPARKS

SITE PLAN
SCALE 1:500

0 5 10 20 50

dsquared

03/07/20

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DRAWING TITLE: SITEPLAN

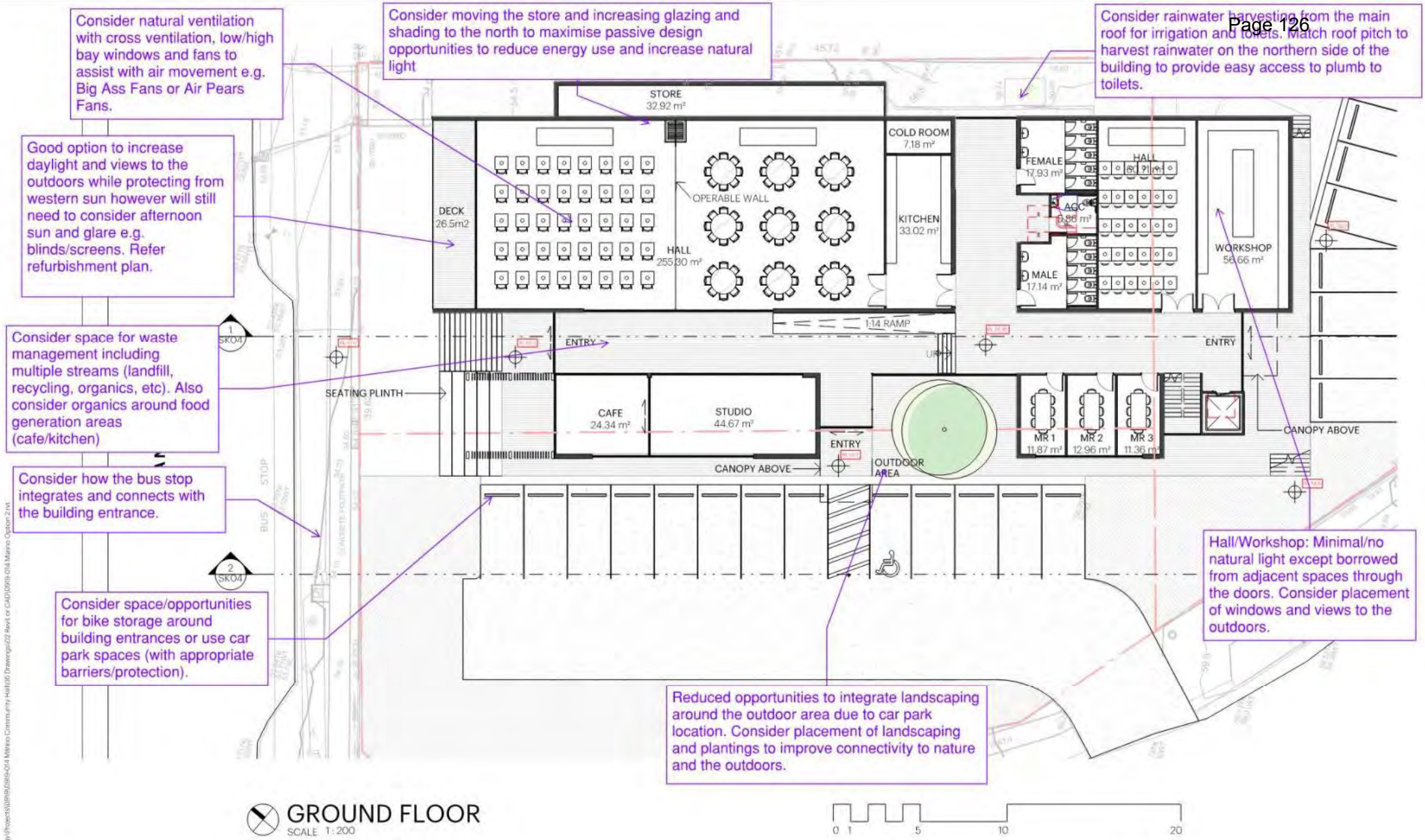
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DRAWING NUMBER: SK01

ISSUE: PRELIMINARY

DATE: 15/04/2020

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GROUND FLOOR
SCALE 1:200

0 1 5 10 20

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DRAWING TITLE: GROUND FLOOR

PROJECT NUMBER: 0919-014

DRAWING NUMBER: SK02

ISSUE: FOR APPROVAL

DATE: ##.##.2018

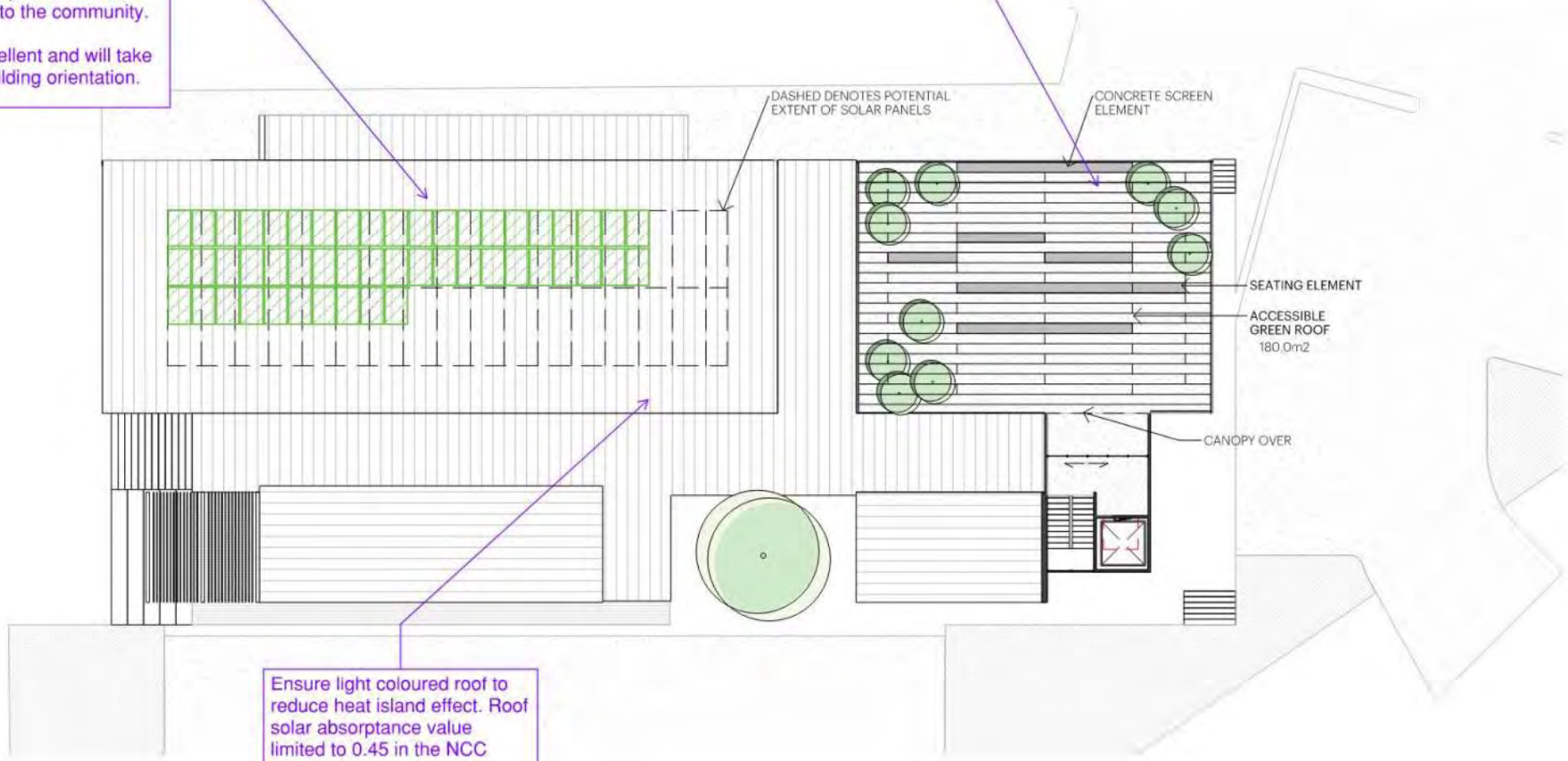
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15kW Solar PV system cost integrated into the design to increase renewable energy uptake and facilitate an energy positive model.

Battery storage opportunity identified to increase resilience, facilitate an energy positive model and provide a demonstration to the community.

Solar panel orientation is excellent and will take advantage of the northern building orientation.

Excellent option to integrate additional outdoor areas and vegetation, linking to landscaping and natural elements around the building



Ensure light coloured roof to reduce heat island effect. Roof solar absorptance value limited to 0.45 in the NCC 2019.

LEVEL 1
SCALE 1:200

0 1 5 10 20

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DRAWING TITLE
FIRST FLOOR

PROJECT NUMBER
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DRAWING NUMBER
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Please see below for pricing:

- **10-15kW Solar PV System -** Assuming quality components with safe roof access provisions, energy monitoring (generation, consumption, export) with a display.
    - 10kW: $13,000 to $15,000
    - 15kW: $19,500 to $22,500
- **Battery Storage** - Prices will depend on a number of factors including how long the council would want the centre to operate during a power outage, whether the entire facility will be operating or if only dedicated areas/services and the type (lithium ion, flow, advanced lead acid). As am example of the most well known:
    - **Tesla Powerwall 2:**
        - **Equipment:** $11,700 (battery and hardware - relies on compatible solar inverter).
        - **Install**: Approximately $4,000-5,000 (simple install)
        - **Size:** The Powerwall solution can be stacked so if a larger capacity is required, add another $10k for an additional battery pack.
- **EV Charging:** There are a number of charging types from slow/trickle chargers to fast chargers and everything in between. For a community centre where someone might be coming and charging for 1-2 hours I would recommend a faster charging type. There are also discussions regarding whether the council would want to be able to charge for use or just provide charging as a community service. As a guide, a couple recommended sizes/types:
    - **AC 22kW Charger with 2 sockets**: Most EVs can only charge up to 7kW except higher end such as Tesla
        - $6,500-7,500 + $1,500 install + Minor additional electrical works to be coordinated with engineer/electrical contractor.
    - **DC 25kW Charger with dual CCs/CHAdeMO plugs:** Almost all EVs on the market can charge using a DC charging so this option accommodates more vehicles and charges faster than the AC option for the majority of vehicles.
        - $15,000-$20,00 + $3,000 install + Minor additional electrical works to be coordinated with engineer/electrical contractor.

Maintenance:

- **Solar PV:** Annual maintenance of the solar PV system is recommended and should only cost $500-$1,000 depending on the scope (cleaning recommended due to being close to the sea).
- **Battery:** Tesla does not list any maintenance requirements for the Powerwall but you could have this checked as part of the solar PV inspection.
- **EV chargers:** Annual inspection with similar costs to solar PV - $500-$1,000

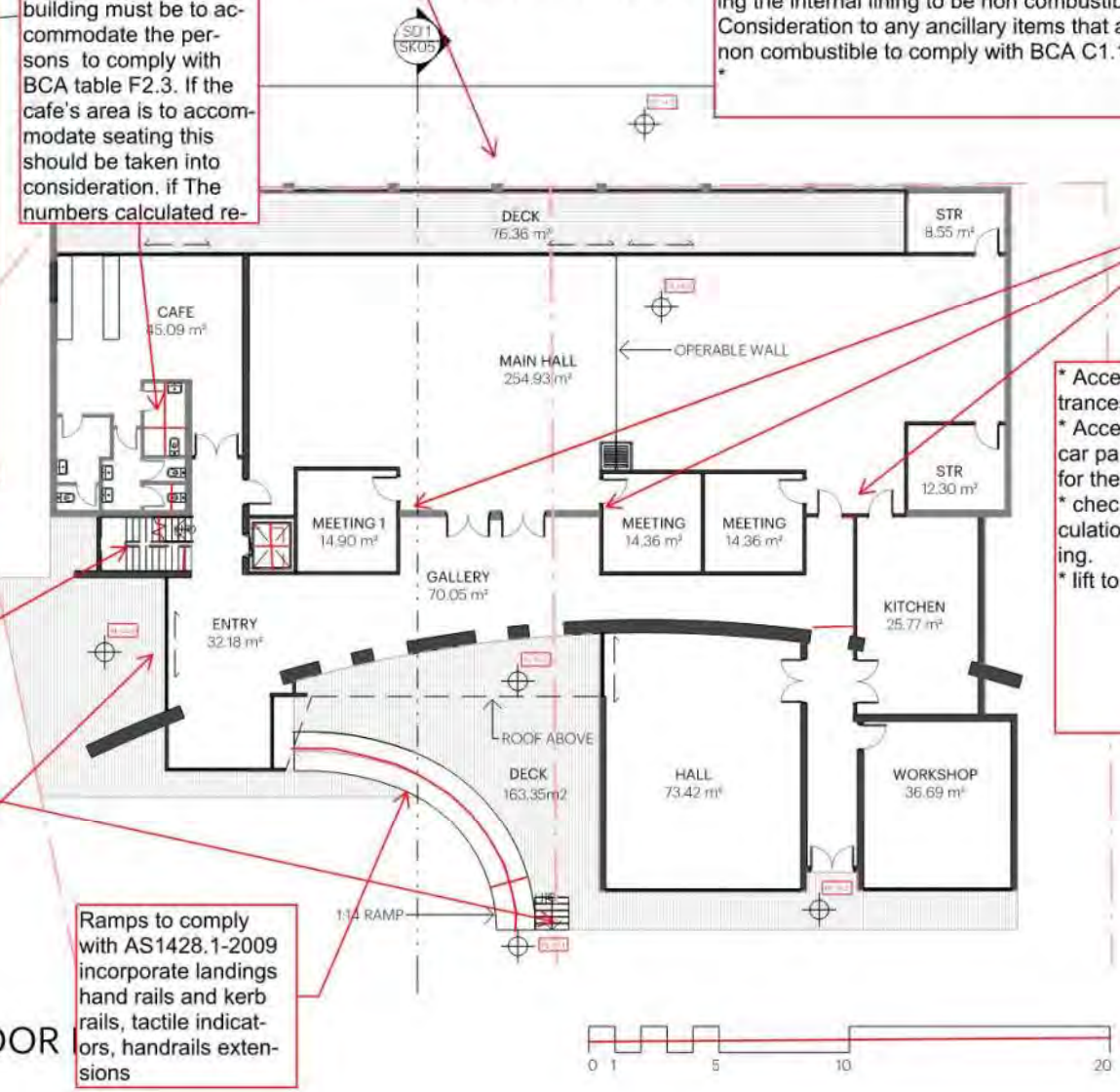
Appendix
Trento Fuller

* 2 storey class 9b Building, Type B construction, assume no change in classification.
* Rapid Seismic assessment required under Ministers Specification.
* All external walls to be constructed to comply with BCA C1.9 and be of non combustible construction through out, including internal linings.
* 2.5 m of aggregate exit width required as assessed under D1.13, complies.
* The doors leading from the main hall and through and including the final required exit doors must be fitted with panic bars.
* If the upper floor intends to accommodate more than 50 persons, then it will be necessary to provide a second exit to comply with BCA D2.1.2.
* Emergency lighting and exits signs to comply with A2293-2017.
* All external walls to comply with BCA FP1 for weather proofing.
* Fresh air to comply with BCA-F4
* Building to be designed to comply with Section J 2019.

Note, if toilets are not being upgraded then they can remain as they are. Otherwise you will need to comply with AS1428.1-2009. Facilities required for the building must be to accommodate the persons to comply with BCA table F2.3. If the cafe's area is to accommodate seating this should be taken into consideration. if The numbers calculated re-

Fire hose reel coverage and hydrant coverage required for the building to comply with BCA E1.3 & E1.4

The building will be of Type B construction and the following fire resistance applies,
* Ground floor internal columns and internal load bearing walls 120/-/-
* first floor supporting beams & floor 30/30/30
* External load-bearing walls and any incorporate columns that are measured within 18m of the adjoining property boundary must be fire rated in accordance with Table 4 of BCA Spec C1.1 to achieve and FRL of 120/30/30.
* All external walls required to be non combustible throughout the external wall including the internal lining to be non combustible to comply with BCA C1.9.
Consideration to any ancillary items that are attached to external wall required to be non combustible to comply with BCA C1.14.
*



Latch-side clearance required.

* Access required through 50% of the pedestrian entrances.
* Access required to the deck areas
car park and path of travel appears to comply except for the ramp.
* check all doorways have the required doorway circulation space with a minimum 850mm clear opening.
* lift to comply with BCA E3.6 and AS1735.12

Stair must comply with AS1428.1-2009 clause 11, please review in entirety. Consideration of handrails extensions and internal wall s to be given.

All automatic doors if any, are required to comply with BCA D2.19

Ramps to comply with AS1428.1-2009 incorporate landings hand rails and kerb rails, tactile indicators, handrails extensions

GROUND FLOOR

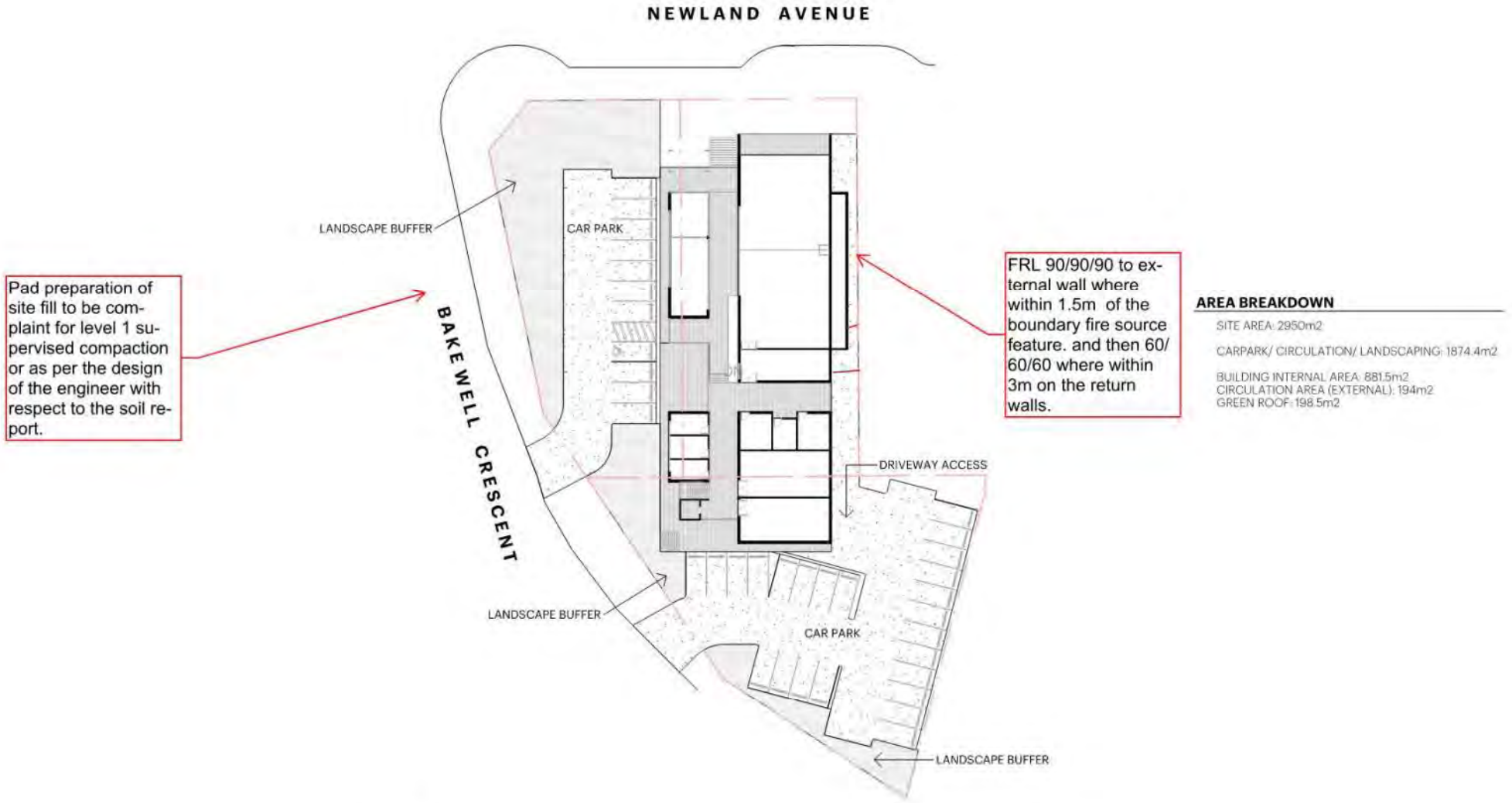
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PROJECT NUMBER: 0919-014
DRAWING NUMBER: SK02
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DATE: ##.##.2018



SITE PLAN
SCALE 1:500

0 5 10 20 50

STUDIO NINE ARCHITECTS

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DRAWING TITLE
SITEPLAN

PROJECT NUMBER
0919-014

DRAWING NUMBER
SK01

ISSUE
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DATE
15/04/2020

* 2 storey class 9b Building, Type C construction.
* 2.5 m of aggregate exit width required as assessed under D1.13.
* The doors leading from the main hall and through and including the final required exit doors must be fitted with panic bars.
* The upper floor is considered as occupiable outdoor area BCA G6 needs to be reviewed for compliance as it relates to BCA requirements.
* The outdoor space above however is not considered as a storey as it relates to calculating the rise in storeys, therefore the Type of construction can be of Type C construction in lieu of Type B.
* If the outdoor space intends to accommodate more than 50 persons, then it will be necessary to provide a second exit from that areas to comply with BCA D1.2.
* Emergency lighting and exits signs to comply with A2293-2017.
* All external walls to comply with BCA FP1 for weather proofing.
* Fresh air to comply with BCA-F4
* Building to be designed to comply with Section J 2019.

This area will required 2.5 m of exit width as a minimum and should not exit through a kitchen area. Also consider egress when operable wall is on place.

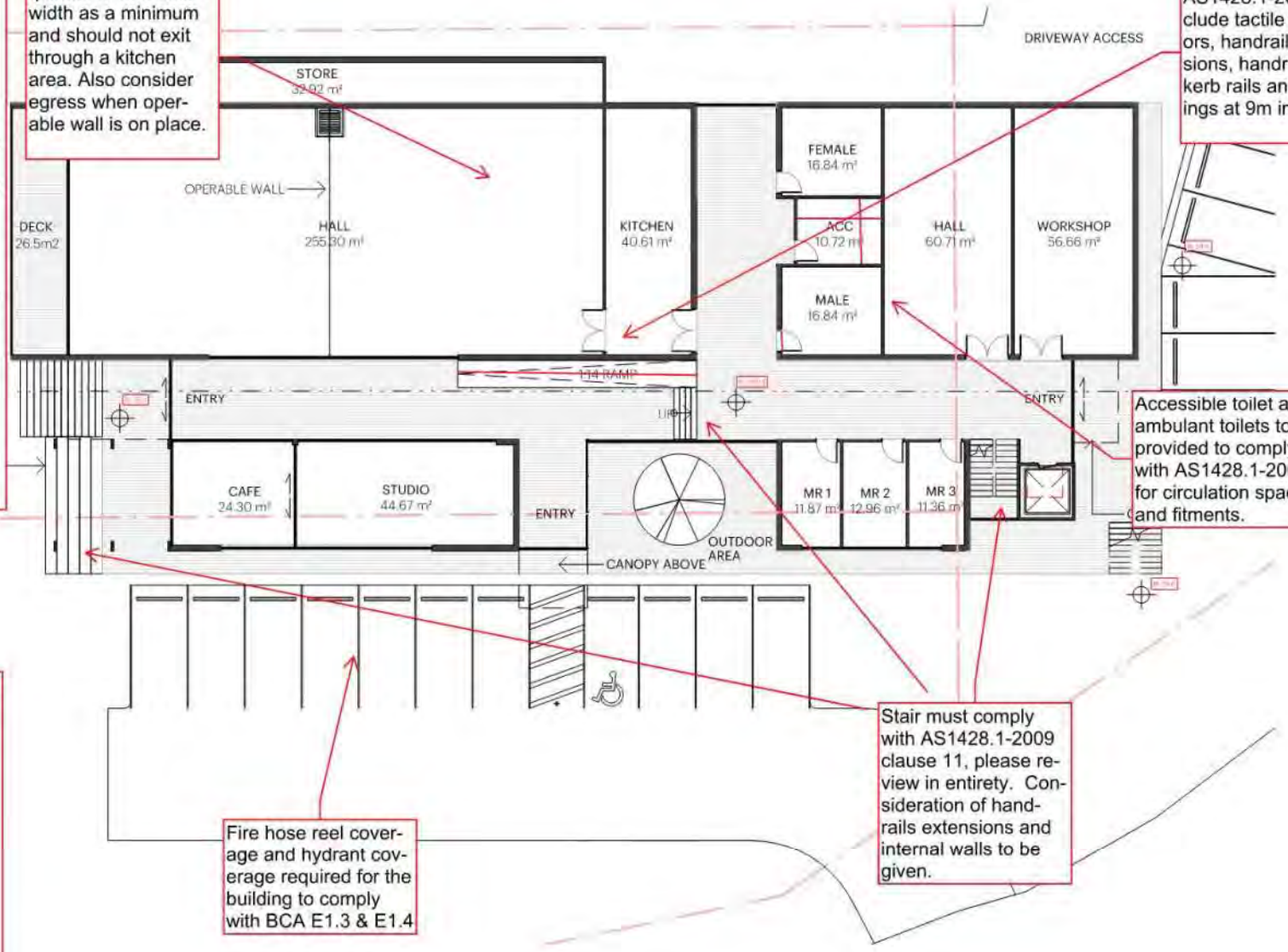
Ramp to comply with AS1428.1-2009 to include tactile indicators, handrails extensions, handrails and kerb rails and landings at 9m intervals.

Accessible toilet and ambulant toilets to be provided to comply with AS1428.1-2009 for circulation space and fitments.

Stair must comply with AS1428.1-2009 clause 11, please review in entirety. Consideration of handrails extensions and internal walls to be given.

Fire hose reel coverage and hydrant coverage required for the building to comply with BCA E1.3 & E1.4

* Access required through 50% of the pedestrian entrances. consider compliant accessible pathways to comply with AS1428.1-2009.
* Access required to the deck areas
* lift to comply with BCA E3.6 and AS1735.12



GROUND FLOOR

SCALE 1:200

0 1 5 10 20

STUDIO NINE ARCHITECTS

PROJECT: Marino Community Hall

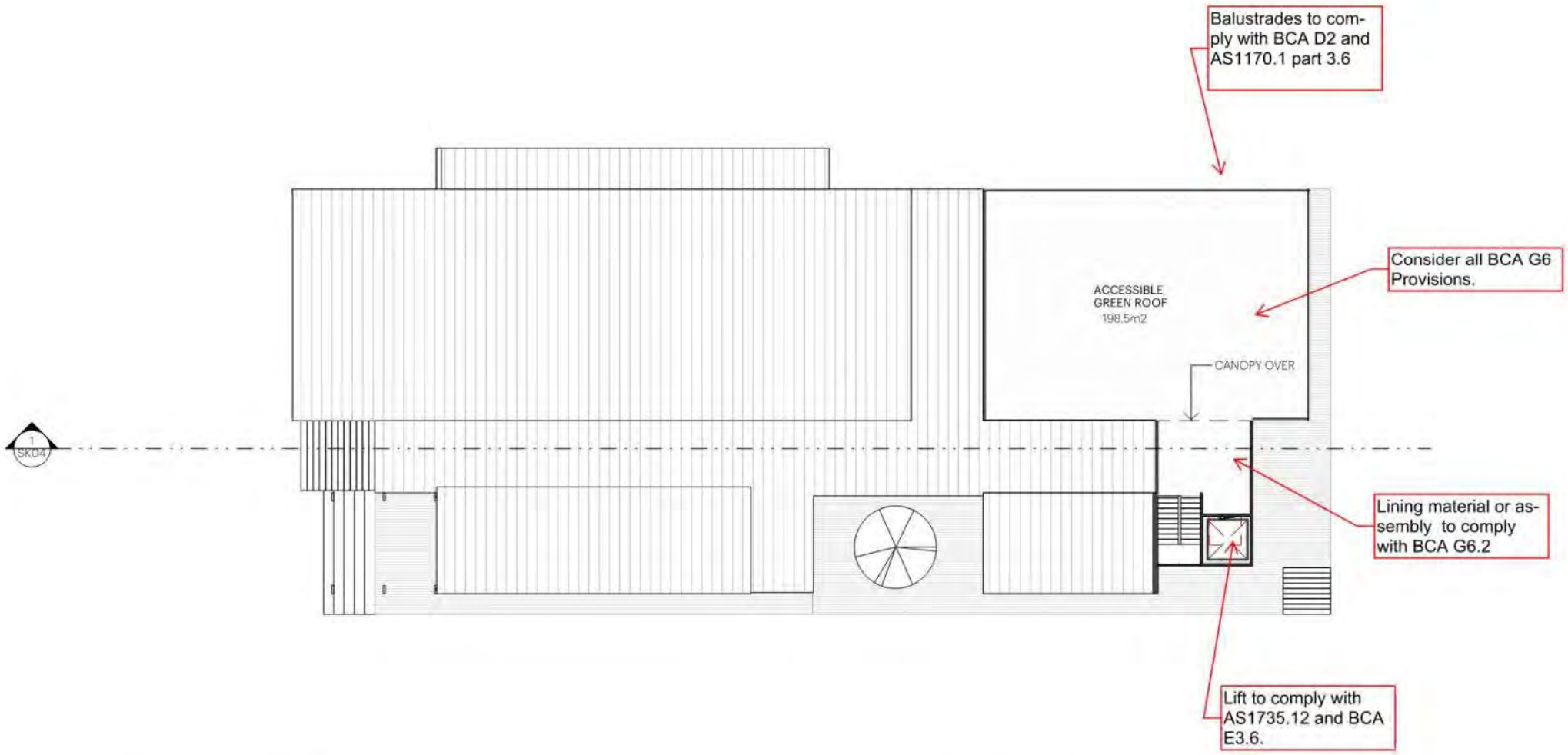
DRAWING TITLE: GROUND FLOOR

PROJECT NUMBER: 0919-014

DRAWING NUMBER: SK02

ISSUE: FOR APPROVAL

DATE: 26.09.2018



LEVEL 1
SCALE 1:200

0 1 5 10 20

STUDIO NINE ARCHITECTS

PROJECT
Marino Community Hall

DRAWING TITLE
FIRST FLOOR

PROJECT NUMBER
0919-014

DRAWING NUMBER
SK03

ISSUE
FOR APPROVAL

DATE
06.08.2018

Thank you.

CITY OF MARION

Marion Historic Village Museum - Final Report

Originating Officer	Manager Community Connections - Liz Byrne
Corporate Manager	Manager Community Connections - Liz Byrne
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R02

REPORT OBJECTIVE

To provide (i) a Feasibility Report for a City of Marion Museum and (ii) details of the significance and future of the Marion Historic Village Museum's (MHVM) collection, such that Council can consider a future City of Marion Museum.

EXECUTIVE SUMMARY

A Motion with Notice to explore a City of Marion Museum was considered and endorsed by Council on 29 January 2019. A report on museum options was tabled on 23 April 2019, resulting in a resolution to engage a qualified curator to work with the volunteer group that operates the MHVM. A status report on the curator's work was brought to Council on 10 March 2020 (GC200310R08).

Further consultation with the MHVM volunteer group has subsequently been undertaken and the final Feasibility Report (Attachment 1) is now presented for Council's consideration. The report includes various options for the long-term preservation of our local heritage. Options include new builds through to mixed site approaches to maintaining the status quo.

This report also contains a Significance Assessment report (Attachment 2) of the collection items contained at the MHVM, a brief summary of the activities undertaken by the Curator during her employment contract, and a Museum concept proposal paper prepared by the Chairperson of the MHVM Committee (Attachment 3).

RECOMMENDATION

That Council:

1. **Notes the report.**
2. **Endorses option X [insert description] as the preferred option for a City of Marion Museum.**
3. **Allocates $30,000 to undertake preliminary scoping and costing of the preferred Museum option (Options 1-4 only).**
4. **Receives a report on the preliminary scoping and costing of the preferred Museum option by December 2020 (Options 1-4 only).**
5. **Notes that staff will update the 2011 Cultural Heritage Plan to align with the above decisions.**

DISCUSSION

Museum Curator

A Motion with Notice to explore a City of Marion Museum was considered and endorsed by Council on 29 January 2019. A report on museum options was tabled on 23 April 2019, resulting in a resolution to engage a qualified curator to work with the volunteer group that operates the MHVM. Consequently the City of Marion employed a Museum Curator for a short-term contract (ending 30 June 2020). While some of this work was interrupted due to COVID-19, the Curator produced two documents:

1. City of Marion Museum Feasibility Study (Attachment 1)
2. Significance Assessment of the collection items contained at the MHVM (Attachment 2)

The Feasibility Study investigates various building options, owned by the City of Marion or other government entities, for a possible location of a City Museum to preserve our local heritage.

The study also refers to the benefits of a Cultural Heritage Plan. The last known Cultural Heritage Framework was adopted by Council in 2011. Staff plan to update this Cultural Heritage Plan to align with the preferred museum approach.

Options for City Museum and local heritage
The Feasibility Study proposes six models for developing a Museum for the City of Marion or to celebrate heritage throughout the community. The costings contained within the report are estimates only. Should one option be preferred by Council then a more accurate costing will need to be determined with appropriate engineers and heritage consultants.

Options	Estimated Cost
1. Establish a heritage/cultural precinct at Warriparinga. Develop Warriparinga as a cultural precinct with LKCC and a newly developed Marion Museum in the Coach House. Move the Red House function to Fairford House (may present a commercial opportunity for the Red House). MHVM could operate as a satellite site or (later) transfer to Warriparinga.	$300 k on top of existing expenditure commitments ($1 million + total)
2. Build a custom new museum space at location TBA. New building providing space for all heritage functions at one central location, permanent museum gallery, changing exhibition space, family history/research room and storage space. Move the Red House function to the new facility (may present a commercial opportunity for the Red House). MHVM could operate as a satellite site or (later) transfer to the new site.	$1 million + (excluding any land acquisition costs)
3. Build a custom museum space at MHRC. Develop and expand the Marion Heritage Research Centre (MHRC or Red House) to accommodate a permanent exhibition gallery. MHVM could operate as a satellite site or (later) transfer to the MHRC site.	$0.5 million +
4. Provide a mixed heritage approach across the City. MHRC remains the collecting facility and depository. Fairford House becomes a museum with an emphasis on the settlement of South Australia. Other significant local sites (e.g. Glandore, Perry Barr Farm and Glenthorne) are improved as satellite heritage sites. MHVM could operate as a satellite site or (later) transfer to another site. Offsite storage will be required.	$0.5 million +

5. Provide a mixed heritage approach through exhibitions. MHRC remains the collecting facility and depository. Annual history exhibition at Gallery M coinciding with History Festival month (May). MHVM would operate as a satellite site. Offsite storage will be required.	$20k - $50k +
6. Maintain the status quo. No change to what activities are now occurring. MHRC remains the collecting facility and depository. MHVM would operate as a satellite site. Offsite storage will be required.	$15k

Heritage Trails may be developed across Marion for all options, with interpretative signs at various sites (say $10,000).

Regardless of the option preferred by Council, storage issues for both the MHRC and the MHVM remain an issue and is a matter that requires attention in the next 12-18 months.

Marion Heritage Village Museum (MHVM)
The MHVM is run by a passionate group of volunteers who are committed to sharing with others the early history and origins of the Marion district. The MHVM is located on Township Road in an old Sunday School building behind the Marion-Warradale Uniting Church.

For over ten years this group has been relatively self-sufficient with the occasional support from Council. The committee is an incorporated group and the volunteers are not part of the Council volunteer program.

The MHVM committee has been proactive and developed a concept proposal for a City Museum that is provided for Council's information (Attachment 3).

The Significance Assessment for the MHVM collection (Attachment 2) utilised the National Library of Australia's Community Heritage Grants criteria as assess the collection significance. While most of the collection is accordingly rated as low to no significance, it does provide a very meaningful story of the early Marion community. A museum by definition is not only committed to the tangible care of artefacts but is also an educational institution that communicates and conserves intangible heritage: "A museum is a non-profit, permanent institution in the service of society and it's development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment". As such the MHVM is entirely consistent with many other South Australian community museums in providing very meaningful heritage education.

The MHVM group recently submitted their application to the History Trust of SA for their museum to become accredited. The group has since received a letter from History SA confirming that their application for registration as a member of the Museums Accreditation Program (MaC) has been successful. Among some very positive comments, their letter says, "The museum's clear purpose, positive attitude, passion for history, community collaboration and desire to develop further, really stood out in the self review." History SA also commends "the museum's focus on collections management, the database system, planning for better storage and aiming for high standards with modest resources."

This new membership will permit MHVM to engage in the History Trust's projects and programs.

Further to its accreditation, the MHVM volunteers plan to continue operating the museum at its current site. They hope that it could become a satellite site to a future city-wide Museum, and share in administrative processes and programs, etc.

Attachment

#	Attachment	Type
1	Attachment 1 - City of Marion Museum Feasibility Study v.3	PDF File
2	Attachment 2 Significance Assessment final v.5	PDF File
3	Attachment 3 - A concept proposal for CITY MUSEUM Version 2 17 June 20	PDF File

City of Marion Museum Feasibility Study

An investigation into current government owned buildings and potential heritage options



Courtney Barry

Museum Curator

July 2020

Contents

Introduction 3

Background 3

Other Council Museums 3

Cultural Heritage Plan 5

Museum Model Options 6

Possible Museum Sites Matrix 8

Council Owned Facility Options 9

Non Council Site Options 16

Recommendations 18

References 18

Introduction

This report will evaluate the potential of City of Marion sites that may be utilised as a museum of Marion, storage facility or a combined heritage space.

Background

Presently the Marion Heritage Research Centre (MHRC) is the focus of heritage within the Marion district. The centre opened in 2013 after years of community petitioning. Today the Research Centre is the public face of heritage at Marion. The Centre actively supports the community by conducting historical research enquiries including family history whilst preserving documents and photographs associated with Marion. The Centre also houses the City of Marion's art collection when it is not on display alongside the local history library collection and small historical displays. The Centre further supports heritage within the City of Marion by presenting historical displays across council sites and an annual span of public events including historical talks. MHRC also works collaboratively with internal staff members and members of the community to develop historical signage as recently seen at Oakland Reserve and Light Square.

Heritage within the wider Marion region is also championed by community groups. These community groups include:

- The Marion Historical Society
- The Marion Village Display Group who operate the Marion Historic Village Museum
- Lions Club of Hallett Cove and Districts
- Friends of Glenthorne
- Friends of Warriparinga
- Marion RSL
- Plympton Glenelg RSL

Other Council Museums

Unley Museum



The Unley Museum operates from a historic building that previously served as the Unley Fire Station. Today the building houses five galleries/exhibition spaces, two of which are permanent. The Storage room is a mixture of open shelving, compactuses and archival boxes that are at capacity. Overall the museum houses over 15,000 pieces including an estimated 9,000 photographs. The space also has an office for the Curator, a family history research room with public computers and a volunteer office. The museum was founded in 1971 and opened to the public in 1989 at an unknown cost. The 2017/2018 operating expenditure was $133,000 with the 2019/2020 operating expenditure projected at $142,000.[1] This includes $5,000 of state government grant money and a permanent part time Curator at 4 days a week. In the 2017/2018 financial year the Unley Museum had 2,240 visitors across the exhibitions and events program.[2]

[1] City of Unley, Annual Business Plan', p. 34
[2] City of Unley 'Annual Report 2017/2018', p. 17

Winner of two MAPDA (Museums Australasia Multimedia & Publication Design Awards) national awards for the best exhibition nationally, the Unley Museum utilised local Adelaide interpretation and design company Synthetic Creative Service.

Bay Discovery Centre/Holdfast Bay History Centre



Heritage under the City of Holdfast Bay is facilitated across the Holdfast Bay History Centre and the Bay Discovery Centre. The History Centre has a full time History Coordinator and the Bay Discovery Centre (BDC) has a part time exhibitions manager and administration officer. The total expenditure across both sites is $400,000 a year with a projected 55,000 visitors annually. The initial fit out costs of the museum is unknown. The BDC's location in Glenelg has positioned it as a key tourist location and a successful local history museum due to Glenelg's importance in the settlement of South Australia. The BDC and the History Centre have been successful due to broad community support and pride in their collective history. The 2030 Strategic Plan states that Council will celebrate and diversity by '*Increase community engagement with culture and heritage and Aboriginal cultural programs through participation in events and activities: target – at least 200 participants annually*[3].

City of Gawler



The City of Gawler's Cultural Heritage Centre is the newest museum space to be developed by a local council. Officially opened in April 2019, the heritage centre forms a part of the broader $14.3 million redevelopment of the Gawler Civic Centre.[4] Denise Schumann of Schumann and Associates led the Town of Gawler Civic Centre redevelopment project from 2012. Denise Schumann also curated the first heritage exhibition 'Into the Light' for the heritage gallery. The gross cost of the exhibition was $66,000.[5] An estimated $40,000 was also budgeted for the online digitisation of collection items and $2,600 for storage costs in the 2019/2020 financial year. The projected ongoing costs are $138,000 annually including the appointment of a staff member at an estimated $69,289.[6] It must be noted that the new cultural centre has limited storage capacity and this will be an ongoing issue. The heritage centre is also guided by the Gawler Heritage Collection Committee which has been operational since 2016. From April 2019, the heritage gallery had a recorded 8,560 visits to the heritage gallery & 500 people access the research centre or special programs.

[3] City of Holdfast Bay 'Strategic Plan 2020, p.9
[4] Town of Gawler '2017/2018 Budget Business Plan, p. 7
[55] Town of Gawler 'Budget Business Plan', p. 50
[6] Town of Gawler, p. 50

Cultural Heritage Plan

At present the City of Marion does not have an identified cultural heritage and arts strategy. A cultural heritage plan or strategy governs the management of heritage based activities in order to fulfil goals from the 10 year strategic plan.

'L4 We will celebrate our rich cultural diversity and heritage through artistic, cultural and communities activities and vibrant destinations'

This strategic document identifies cultural heritage across the City and appoints responsibility for their preservation under workflows, objectives and recommendations. The plan will set out how staff across the MHRC, LKCC, art community/neighbourhood centres work to deliver cultural heritage and art projects over a five to ten year period. Such a plan will contextualise community needs and identify shortcomings. The cultural heritage plan will also so be guided by the Reconciliation Action Plan. A cultural heritage plan will also determine how a Museum of Marion would fit in with present heritage strategies and determine which museum model (below) is the most appropriate in meeting the plan's objectives.

Other councils with heritage plans include:

City of Gawler – Currently developing a new cultural development plan for 2020 - 2025

City of Holdfast Bay – Creative Holdfast Arts and Culture Strategy 2019 - 2024

Adelaide Hills Council – Arts Action Plan 2018 - 2021

City of Adelaide – Cultural Strategy 2017 - 2023

City of Burnside – Heritage Policy 2019 – 2021 and presently developing new policies

Museum Model Options

The six proposed heritage models suggest different methods of developing a Museum of Marion or how to alternatively celebrate heritage throughout the community. The costing suggested are estimates with accurate costing to be determined by a team of engineers, builders and heritage consultants.

1. Establishment of heritage/cultural precinct – highest cost ($1,000000 +)

Developing the Laffer triangle to be a cultural precinct with the Living Kaurna Cultural Centre alongside a newly developed museum of Marion in the former Fairford Coach House. This aligns to the Business Plan of 2019 – 2023, Project No. 39 - Develop and deliver a plan for the restoration of the Living Kaurna Cultural Centre Coach House. The Fairford Homestead would be utilised to conduct family research, store the collection and staff offices which will be shared with LKCC, the red house would no longer be in use but instead its functions served by Fairford House. By having the museum here it can facilitate the conversation of settlement and how it affected the Kaurna People, both the Living Kaurna Cultural Centre and Coach House working together to create a holistic experience for school groups. Would need to work with Kaurna community groups to ensure they do not think that European history is taking prevalence/superiority at the site. The Marion Historic Village Museum would continue operating as a subsidiary site.

2. Custom new museum space – higher cost ($1,000000 +)

Custom built museum facility that allows all heritage functions to be served from one site. This would have the space for a permanent museum gallery, a changing exhibition space, a family history/research room that would be utilised by the volunteers (allowing up to 3 to work at a time), office for 2 staff members, and storage facilities. One custom storage room is temperature controlled to look after textiles and the art collection. Recommended that it is built on Council owned land in an accessible location close to the Marion Village and Marion Cultural Centre.

3. Custom museum space – higher cost ($500,000 +)

The Marion Heritage Research Centre (Red House) is redeveloped similar to the Unley Museum's operation. The present office space (front room) becomes a permanent exhibition gallery. The library room is adapted into a family research room which is where the volunteers operate from, welcome guests and manage the library resources. Additional rooms for office space and storage would need to be added, potentially built on to the western side of the building.

4. A mixed heritage approach – higher cost ($500,000 +)

- The MHRC remains as the collecting facility and facilities public enquiries.
- Fairford Coach House becomes a museum to the settlement of the greater Marion region. Includes the story of Fairford House, Oaklands Estate, Perry Barr, Glenthorne, Marion and Sturt Village by focusing on the market gardens aspect of the region and rural /village life. This would create an emphasis on the settlement of South Australia until the 1960's/1970s and would try to have 80% of the permanent collection on display.
- This feeds into the Business Plan of 2019 – 2023 Project No. 39 Develop and deliver a plan for the restoration of the Living Kaurna Cultural Centre Coach House.
- Offsite storage at Depot/Park Holme/Mitchell Park

5. A mixed heritage approach – lower cost ($20,000 – $50,000 +)

- Maintain MHRC as is - continues to be a public space.
- Offsite storage at the City Services Depot/Park Holme/Mitchell Park for oversized collection pieces not needing specific interventions and climate control, stored in custom warehouse racks.

- History exhibition in May each year at Gallery M for History Festival. This allows historical broad topics representative across all Marion wards. Could also include different community groups working in partnerships to present exhibitions and be community led.
- Banner exhibitions developed for Admin Centre, Cultural Centre and Libraries which are easily transportable between sites.
- Virtual exhibitions utilising the council's website, collaborate with local communities to create community driven stories and content
- Heritage trail developed across the City of Marion with interpretation signs at different sites and a app/audio/interactive map available on the City of Marion website this includes signage at the Coach House and Glandore Community Centre.

6. Maintain the status quo (current model) – no additional costing

- MHRC remains as main public facility
- Self-walking tours of Marion Village accessible through the City of Marion Website
- Public history talks managed by the MHRC
- MHVM offered ongoing support from Council (if requested) but remain autonomous
- Storage issues not rectified – could be developed at City Services for $2000 - $5000

ATTACHMENT 1

Possible Museum Sites Matrix

	Museum Sites										Storage only	
	Marion Heritage Research Centre	Fairford Coach House	Perry Barr Farm Barn	Glandore Community Centre	235 Sturt Road (Former Housing SA)	Marion Village Museum Township Rd	Glenthorne	Gallery M temporary exhibitions	Mitchell Park Community Centre	Park Holme Hall	City Service Depot	Resthaven Gym Township Rd
Council owned facility	✓	✓	✓	✓	×	×	×	✓	✓	✓	✓	×
Building has history	✓	✓	✓	×	×	×	✓	✓	×	✓	×	×
Building valued by community	✓	✓	✓	✓	×	✓	✓	✓	✓	✓	×	×
Located close to public transport	✓	✓	×	✓	✓	✓	×	✓	✓	✓	✓	✓
Located close to metropolitan areas	✓	✓	✓	✓	✓	✓	×	✓	✓	✓	✓	✓
Accessibility	✓	×	✓	✓	✓	✓	×	✓	✓	✓	✓	×
Onsite Parking	✓	✓	✓	✓	✓	✓	✓	✓	✓	×	✓	✓
Bus Parking	✓	✓	✓	✓	✓	×	×	✓	✓	×	×	×
Onsite storage	✓	✓	✓	✓	✓	×	×	×	×	×	✓	✓
Space for storage over next 10 years	×	×	×	×	✓	×	×	×	×	×	✓	✓
Exhibition space	×	✓	✓	✓	✓	✓	✓	✓	✓	✓	×	×
Meets business plan	✓	✓	×	×	×	×	×	×	×	×	×	×
Site available in next 5 years	✓	✓	✓	✓	?	×	×	✓	✓	✓	✓	?
Min. intervention to bldg and layout	×	×	×	✓	×	✓	×	✓	✓	✓	✓	✓

Key

Green (✓) – site meets parameter set by right column
Red (x) – site does not meet the parameter set by right column

Council Owned Facility Options

Fairford Coach House

History



Today Fairford House and the Coach House form part of the broader Kaurna Living Cultural Centre (LKCC). The overall site encompassing the home, coach house and the grounds are state heritage protected. This site is one of fourteen state heritage listed sites across the City of Marion.[7]

The land was first settled by Europeans in 1843 by William Henry Trimmer. Trimmer rented the land from the South Australia Company. Prior to European settlement, the Kaurna people lived throughout this region for thousands of years. The Warripari was and is an important cultural site to the Kaurna People.[8] Section 78 was leased to Trimmer from 1843 until 1861 after which he bought the land outright, the area would subsequently be known as Fairford and a house of 6 rooms was built in 1852.[9] The first vines were planted in 1859 and by 1861 Trimmer was producing his own wine onsite.[10] Subsequently a coach house was built in the 1860's to aid the wine making process. Upon Trimmer's death in 1867 the land and house were purchased by Henry Laffer in 1878. The area would be known as Laffer's triangle in homage to the Laffer family who retained the property until 1989, making it one of the longest occupied homes by a single family in South Australia.

Interpretation

The Coach House could be utilised to tell the broader story of settlement in the Marion area and the strong connection with agriculture and market gardens throughout the region. The Coach House could also touch on the history of the impact of settlement of the Kaurna people as a direct link to the LKCC and significance of the site. Other themes could include historical farms and families through the area, linking with individual wards throughout Marion.

Strengths

- Meets Business Plan 2019 – 2023, *No.39 - Develop and deliver a plan for the restoration of the Living Kaurna Cultural Centre Coach House*
- Strong interpretation opportunities
- Utilising a heritage building
- Can form a cultural precinct with strong ties to school curriculum and the wellbeing of community
- Council has already committed to the upkeep of the building
- Is available immediately and over the next 4 years
- Infrastructure such as toilets and parking are already pre-existing next door in the LKCC
- Eligible for government grants under SA Heritage Grants, National Library of Australia Community Heritage Grants, History Trust of South Australia and Commonwealth Department of Environment Heritage Grant Program

Weaknesses

[7]Department for Environment and Water 'South Australian Heritage Database', http://maps.sa.gov.au/heritagesearch/SearchResultPage.aspx?p_searchtype=LOCATION&p_suburb=ALL&p_lga=Marion&p_class=ALL, accessed 24 March 2020

[8] City of Marion 'Warripari' https://www.marion.sa.gov.au/services-we-offer/history-and-heritage/stories-of-the-sturt-river/warripari-an-important-travel-route-for-the-kaurna-people, accessed 31 March 2020

[9] Donovan and Associates, Marion Heritage Survey, 1990, p 51.

[10] 1862 'OUR VINEYARDS AND ORCHARDS.', *The South Australian Advertiser (Adelaide, SA : 1858 - 1889)*, 9 June, p. 2. , viewed 24 Mar 2020, http://nla.gov.au/nla.news-article31811369

- Major community consultation required to ensure that the development of a museum focusing on European settlement is not insensitive to the importance of the area to Kaurna culture
- The Coach House needs a lot of intervention on the interior to make it fit for purpose
- Original fruit packing tables are still present, these should be retained for heritage purposes but will make using the space more difficult/more expensive. Creative design could incorporate these tables into the exhibition design
- Could potentially outgrow the space quickly

Costing

At present, Council has spent $145,000 on the coach house with another $150,000 expected to complete the conservation works. Council has estimated a total $600,000 for the upkeep of the Coach House, this amount will go towards maintaining the heritage façade and conserving the building and preparing the interior for the fit out. In addition to $450,000 above, an additional investment minimum of $200,000 would be required to develop and install a permanent exhibition within the space alongside costs for fitting out the space. This would still not address the storage issues. If Fairford House was utilised to store the collection, another $50,000 would be required for its fit out. Overall a commitment of $1 million would be required to develop the site into a cultural precinct.

Alternative option

Combine Fairford House and the Coach House to be a custom experience. The barn operating as the museum section on role of agriculture in the settlement of South Australia and the Marion district. The house could be utilised to house the collection, have a staff office and still offer a meeting room with interpretation signs. The house could be co-habited and utilised by both the LKCC and the Museum of Marion, forming a cultural precinct which would feed into education programs and combine resources between the two sites. The house could continue to be used for art workshops.





Recommendation

Consider utilising both the Coach House and Homestead in a new cultural precinct under Museum Model 1.

Perry Barr Barn and former homestead land

History



The Perry Barr Farm and associated land were settled by Europeans from 1849.[11] Originally known as Hillside, the homestead would be renamed Perry Barr by 1892, after an English Town that is now in Northern Birmingham. Perry Barr in Latin roughly translates to small hill. The homestead was continuously occupied until the 1970's. In 1989 the homestead, stone shearing shed and other farm buildings making up Lot 526 were acquired by the City of Marion.[12] The house was subsequently bulldozed in 2005. The remaining buildings, in particular the barn, have been utilised by the community since the 1990's.

Interpretation

An interpretative trail was developed at the site in 2006, with community consultation. The varying artwork tells the story of farming and the families who lived in the area. The artwork has succeeded in highlighting the heritage of the region, further heritage is not necessary. If the site were to become a museum the main interpretation would form around the agricultural settlement of the Marion region.

Costing

To develop a museum at this site would require a minimum investment of $500,000.

Strengths

- Land already developed with car parking
- Brings visitors to Hallett Cove and might facilitate higher usage of Marion Coastal Walkway and Library
- Ideal location for exploring agricultural settlement of the Marion region
- Existing heritage interpretation at the homestead site
- Utilises a heritage building

Weaknesses

- Strong community connection as a facility, losing this space could affect the local community negatively
- The building would require internal interventions including potentially building internal walls
- There is still not enough space for the collection to be stored
- Located away from City Administration, Marion Cultural Centre and the Marion Village

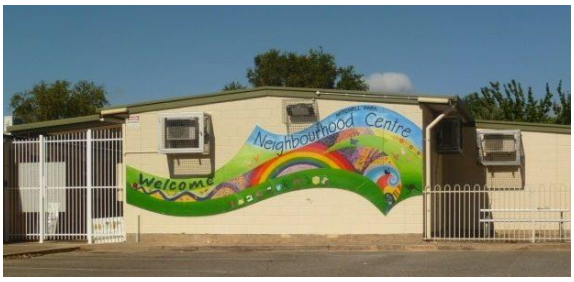
Recommendation

Do not invest as a museum due to the location and the negative loss of the community losing shared facility. The interpretation already gives background to the history of the site.

[11] Pamela A. Smith and Richard M. Smith 'Bricks and Mortar: A Method for Identifying Construction Phases in Multistage Structures' *Historical Archaeology* Vol. 43, No. 2 (2009), pp. 41

[12] Smith, 2009, p. 43

Mitchell Park Neighbourhood Centre



History

The Mitchell Park Neighbourhood Centre opened in 1987.

Interpretation

The main hall of the Centre would act as a large permanent gallery space with 80% of objects on display. Due to there being no distinguishing features of the hall, it offers a blank space for varying stories of Marion to be told. Settlement of the area and different family stories from different wards could make up the majority of the display.

Costing

$100,000 for the development of the ongoing exhibition. This would include a designer and the purchase of display cases/fit out. An external storage facility would be required. Estimated establishment in another Council owned facility would be $5,000.

Alternatively the centre could be used for storage only until another permanent solution is sought. This would cost an estimated $2,000 - $5000.

Strengths

- Blank space
- Existing car park
- Connected to a park, ideal for school visits
- Local train and bus nearby
- Close proximity to Living Kaurna Cultural Centre for combined visits

Weaknesses

- Not a heritage building/has no connection to the history of the area
- Building has no interesting features
- Hidden in an inner suburb
- Site shared with local kindergarten including car parking space
- Car park is small
- Unavailable until 2022
- No security – will need to be alarmed and monitored

Recommendation

Not suitable for the development of a museum or for the long term storage of the collection

Park Holme Community Hall



History

The Park Holme Community Hall was built in 1929 after public consultation. Built for the Independent Order of Rechabites, the hall was designed by Frederick William Hocart, a prominent South Australian architect who is also responsible for the Paringa Building at 13 Hindley Street, The Brecknock Hotel on King William St and Rechabite halls in in Tailem Bend, Moonta and Port Lincoln[13]. The initial plan shows that a later addition was made to the front on Marion Road.

Interpretation

The main hall of the building would act as a large permanent gallery space with 80% of objects on display. Due to there being no distinguishing features of the hall, it offers a blank space for varying stories of Marion to be told.

Costing

$100,000 for the development of the ongoing exhibition. This would include a designer and the purchase of display cases/fit out. An external storage facility would be required. Estimated establishment in another Council owned facility would be $5,000.

Strengths

- Blank space
- Utilises a under-developed building
- Close to public transport
- Accessibility infrastructure already in place

Weaknesses

- Lack of storage and office space
- Limited history – doesn't utilise a heritage listed building which has to be maintained
- Loss of a space for the community
- No off street parking
- Doesn't promote visits to other council facilities such as the Libraries
- Lack of security – will need to be alarmed and monitored

Recommendation

Not suitable for the development of a museum or for the long term storage of the collection

[13] The Advertiser, 1928, p. 18

Glandore Community Centre



History

The site of the Glandore Community Centre was first developed in 1890 as the Girls Reformatory. 66 girls were housed in the cottages on site after transferring across from The Destitute Asylum and Magill.[14] From 1898 the site was reopened as the Edwardstown Industrial School for boys. This was operational under a few name changes until 1979 when it was known as the Glandore Boys' Home.[15] The site opened as the Glandore Community Centre in 1989.

Interpretation

1. An interpretative trail around the buildings and outside could examine the history of the site as the Industrial School, the institutionalisation of children and make comparisons with life for children throughout the Marion region.
2. One of the buildings could be set up as the dedicated gallery space with another building as the offices and home of the museum collection. Alternatively there may be enough space in a building as large as the Slate building to house it all under one roof
3. A history room already exists onsite which has been successfully facilitated by the Centre Coordinator and the community. This room could be expanded. The wonderful research and brochures they have produced could be utilised to develop the interpretation trail with the history room as a small museum with permanent text panels and photos to the sites history only.

Costing

As the facilities are well maintained limited money would need to be spent, the development of one building or a room into a permanent display would cost around $20,000 to $50,000 based on the size of the development. For an additional $5,000, a room could be converted into a storage facility.

Strengths

- Historical site of national and state significance
- Multiple buildings onsite – possible one for a museum and one for storage
- Potential to tell a broader South Australian story with City of Marion at the heart
- One building could be developed into a museum offering programs alongside the other community buildings
- Off street parking and developed facilities
- Accessible

Weaknesses

- The community centre is a thriving hub and home to many groups and Coast FM, the loss of these facilities would be felt throughout the community and would likely outweigh the benefits of a museum
- Importance of the site as the former Industrial School could override the broader City of Marion stories in interpretation

Recommendation

Glandore is significant to both South Australia and the City of Marion, the site would serve well for a museum if two buildings could be made available. One as the museum, the other housing the collection,

[14] Geyer, Reformatories, 2020

[15] Find and Connect, 2020

offices and meeting spaces. If the vacating of two buildings is detrimental to the local community, then the History Room presently on site should be maintained and given further funding and interpretation sites placed in front of each building to develop a heritage trail.

City Services (Depot) – storage only

The Depot is only suitable for the offsite storage for inorganic collection items such as agricultural equipment and items made of wood and metal. The main issue with storage within the depot is making the chosen area secure and not accessible to all. Potential storage solutions include open racking build along a wall, plastic pallets to raise objects off of the floor and Tyvek covering to protect each item from the elements.





Examples of museum open storage in a warehouse

Estimated costing:

Long span shelving	$278 per bay (2 bays recommended)	
Pallet wire racking	$438 per rack (2 recommended)	
Wooden Pallets	$50 per pallet (10 recommended)	
Tyvek Covering	$298.75 per 100 metres (2 recommended)	

Total Estimate Cost: $2,091.50

Recommendation

City Services is the best solution for the ongoing storage issues. If a secure room could be made available, then the collection could be securely stored for years to come at an initial cost of $2,000 - $5000 and low ongoing costs.

Non Council Site Options

235 Sturt Road (former Housing SA Building)





Strengths

- Next to MHRC – heritage all together
- Space for storage onsite and next to MHRC
- Existing car parking and infrastructure
- Blank canvass to develop
- Prominent location on Sturt Road and diagonal to Marion Shopping Centre
- Close to Marion Village

Weaknesses

- Not council owned
- High renting costs
- Potential for building to be sold/lease ended

Costing

The rent for the last occupant was based on 285 m² at commercial leasing rates which equates to approximately $275,000 per annum in 2019. Rents are assessed at market value by independent valuation prior to the commencement of any new leasing arrangement. There are currently no plans for the site and DPTI would welcome the City of Marion submissions. A further $100,000 + would be required for the fit out.

Recommendation

Whilst the location of the building is advantageous and meets all the museum parameters, the cost involved with renting or potentially purchasing the site makes it inferior to developing council owned heritage building such as Fairford Coach House.

Resthaven Gym at Township Road – storage only





The Gym located at Township Road is owned and managed by Resthaven. Presently Resthaven is using the gym for storage and has no intentions of leasing the site out. However they would be open to leasing opportunities for the community.

Strengths

- Located close to Marion Historic Village Museum
- Could be made available in next 6 months
- Large blank space
- Onsite parking shared with Resthaven
- Already has power, water and toilets onsite

Weaknesses

- Not owned
- Additional money has to be spent on rent
- Lack of control over commercial leasing rules
- Does not have air-conditioning – would potentially need to be installed
- There is no clear path from the carpark to the gym, landscaping would be required for accessibility
- Not a long term solution
- Not secure – monitoring would be required

Costing

Resthaven has not stated how much a commercial lease would be but they would determine appropriate rent based on the proposed lessee and purpose. The cost of developing the space into a storage facility would be around $2,000 plus the additional costs of overheads such as electricity. Overall an estimated minimum cost of $10,000 annually would need to be considered.

Recommendation

The money spent on developing the Resthaven Gym would be better spent on a storage room at City Services and additional saving spent on heritage in the community. As this is a short term solution, a long term solution would still need to be sought.

Recommendations

That Council:

1. Notes the minimum cost in establishing a dedicated museum/gallery space ranges from $100,000 to $1 million
2. Notes that an ongoing annual estimate of $120,000 would be required to facilitate the museum (including staff cost)
3. Prepares a cultural heritage plan for the next ten years by engaging a qualified heritage consultant to gain greater understanding of heritage that needs to be preserved and strategies to be employed including community consultation
4. Engages a qualified heritage consultant to undertake a detailed museum and heritage plan for the preferred option at a cost of $30,000
5. Develops an offsite storage solution at the depot for collection items that do not require climate control at an estimated initial cost of $5,000
6. Offers the Marion Historic Village Museum the use of the custom storage room for storing collection items only (items with proven significance to Marion and has provenance) with access facilitated by Council
7. Develops an interpretation plan for the Glandore Community Centre that acknowledges the importance of the site to the history of South Australia and considers the development of an interpretation trail and long-term signage

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Marion Historic Village Museum

Significance Assessment

March 2020

with clarifications added June 2020



Prepared by Courtney Barry

For the City of Marion

Part I – Introduction p.3

i. Introduction
ii. Methodology
iii. History of the Marion Historic Village
iv. History of the Marion Historic Village Museum
v. Community Outreach

Part II – the collection p.6

i. History of the Collection
ii. Relationship between building & contents
iii. Condition of the collection
iv. Comparative collections
v. Statement of significance for entire collection

PART III – Key findings p. 11

i. Museum Statement of significance
ii. Detailed assessments of most important items in the collection

Part IV – Recommendations p. 16

i. Short term recommendations
ii. Long term recommendations
iii. Collection recommendations

Conclusion p.18

Part I - Introduction

i. Introduction

This report assesses the significance of the Marion Historic Village Museum by examining its collection and community outreach whilst contextualising its purpose and place across heritage, local history and museums throughout South Australia and Australia.

A Significance Assessment is designed to 'explain the meaning and value of a collection' in order to determine a museum's future policies and procedures around collection management, objectives and interpretation plans.[1] Significance Assessments are integral to promoting standards for the care of a collection. A Significance Assessment is standard practice within the heritage industry and is underlined by museum professionals' need for a national benchmark.[2] Significant Assessments are a professional requirement for consideration in the Community Heritage Grants administered by the National Library of Australia. It must be noted that this is an internal significance assessment and therefore cannot be used when seeking funding allocations under the National Library Heritage Grant. All opinions and recommendations are based on the author's professional experience as a museum specialist. This report is intended to only assess the collection and the position of the museum in relation to its collection. It is not a business assessment that evaluates financial decision making and the role of finances in the museum but purely how a collection should be governed.

ii. Methodology

This significance assessment was conducted over the course of three months (October 2019 – February 2020). Amendments have also been made in June 2020.

In October 2019, Courtney Barry was appointed by the City of Marion on contract as Museum Curator, to assist the Marion Historic Village Museum with collections management, documentation and to consult in museum best practice. Courtney was granted access to historical documentation, the collection and to the knowledge of the volunteers and committee members. The intent was for the Curator to work in the Museum for three hours every Tuesday morning, although COVID-19 and other circumstances prevented this from happening every week. As the museum had limited recorded donation and object information and (at that time) had not catalogued the majority of the collection, the Curator was reliant on working with the team of volunteers and committee members to gain an understanding of each collection item.

Utilising this knowledge and historical research; individual provenance and significance were determined for key objects. Due to the collection size, it was determined that significance assessments would only be undertaken on objects that the museum had acquired for their historical importance and provenance as opposed to be representative of a particular time, aesthetic or place. The significance of an object was determined by evaluating its provenance, condition and its history and comparing this to the museums objectives and recommended collection policy. A significance rating was then determined based upon the items' relevance to the Marion Village, the City of Marion and the state of South Australia.

The following ratings have been utilised.

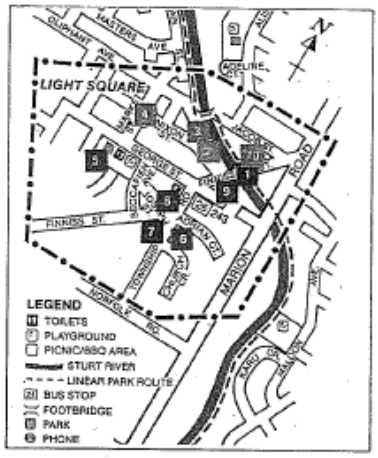
[1] National Library of Australia

[2] Russell & Winkworth, Significance 2.0, 2009

Exceptional - Rare or outstanding item of state or national significance; high degree of intactness/ authenticity; item can be interpreted relatively easily
High - Outstanding item of local or state significance; high degree of original fabric; alterations do not detract from significance
Moderate - Item of important local significance; may have altered or modified elements
Low - does not fulfil criteria for local significance, alterations detract from significance
Intrusive - conflicts with museum's collection policy and purpose

iii. History and Significance of the Marion Historic Village

The Marion Historic Village Museum is dedicated to sharing the stories of the '*village life of Marion*'. The Village of Marion was incorporated as a settlement in 1838 on Lot Number 117 of Light's Survey plan for South Australia, Under Land Grant No. 455. This grant was conferred to Henry Nixon and Boyle Travers Finniss of Adelaide. The surveying of the village was undertaken by Light, Finniss & Co in November 1838 and advertised for sale in the *South Australian Gazette* and the *Colonel Register*. Today the Village of Marion still resembles the original allotment plans. Over the course of this time, the village has been continually occupied. The Village of Marion was one of 140 private towns established across South Australia from 1839 to 1860 including the nearby villages of Sturt and Darlington. Marion is known to be one of the earliest villages surveyed across South Australia.[3] It is unknown if Marion was personally surveyed by Colonel William Light.[4]





iv. Marion Historic Village Museum

The Marion Historic Village Museum (known previously as Marion Historic Village Display Centre) is a not-for-profit museum ran by a group of passionate, diligent and committed volunteers. In 2006 the City of Marion collaborated with local members of the Marion community to develop a historical walking tour of the village and to consult on a City of Marion Community Capacity Building Project. Subsequently, the Marion Historic Village Display Group Incorporated were established in 2010 to develop a public display of photographs to provide further historical context to the walking tours. The display opened in 2011 within a 1920's Sunday school building belonging to the Marion United Church on Township Road. In July 2016 the group changed their public name to Marion Historic Village Museum to align with their strategic direction of accepting and interpreting objects alongside photographs and documents, namely:

[3] Donovan & Associates 'City of Marion Heritage Survey', 1990, P 8
[4] Dolling 'The history of Marion on the Sturt', 1981, p 12

"To collect, record and preserve historical and cultural objects, photographs and documents relevant to the historic Village of Marion, and to interpret and display selected items from our collection for the education and enjoyment of the public"[5]

v. Community Outreach

The Marion Historic Village Museum operates as a repository for local knowledge of the Marion region. The primary function of community outreach is undertaken by the team of volunteers to deliver public programs. Presently, the main form of outreach is the engagement of pre-booked tour groups on walks around the village. Beginning and ending within the museum, volunteer tour guides share stories of the village, the people and the places of historical importance. Often these groups will engage with a talk before and after to give further context. School children are also given the opportunity to learn about the early 20th century in a hands on, interactive manner by engaging with the exhibitions. Individual members also give historical talks on a range of subjects from policing to childhood, both on and offsite. Most research enquiries are passed on to the Marion Heritage Research Centre.



[5] Taken from the Forward Plan completed by the museum on the 29th of October 2019

Part II – The Collection

i. History of the Collection

When the Marion Historic Village Display Centre group was first incorporated, it intended to only display images. Over time, it has developed a museum collection through donations from the general public. As no policies and procedures governing the management of a collection were established, the collection has grown based upon individual tastes and based upon the items' interpretability. Today the museum has amassed thousands of photos, documents, costumes, art and objects. The majority of the collection is on display within the museum with larger pieces stored offsite in committee member's private facilities, in the Marion Uniting Church, and in an offsite gym.

ii. Relationship between the museum building and its contents

The Marion Historic Village Museum presently occupies a building behind the Marion Wesleyan Chapel on Township Road. The building itself dates from 1927 and is managed by the Marion-Warradale Uniting Church. Whilst the building is located within the village boundaries and would have been used by those residing in the village, there is presently limited interpretation/signage acknowledging the building's former use as a Sunday School. The building itself is conveniently located and has some relevance to the broader story that the museum is conveying (settlement, pre 1900 life, historic buildings, people, village life, etc.), however the museum could be located in any available building within the village to continue telling these stories.

The museum is somewhat compromised by its present location, with limited visibility from the street front, limited parking (carpark is shared with the church and Resthaven employees), and limited accessibility for coach buses. While the Marion Historic Village Museum is well placed within the village for walking tours, it could be housed within any building within the village in order to meet its objectives, and therefore the building is of low significance to the overall museum.

iii. Condition of the Collection

The Marion Historic Village Museum's collection is overall in fair to good condition. The majority of the collection is housed within the museum space, ensuring there is no risk from light exposure. The building is not climate controlled. The collection is vast and encompasses varying objects of differing mediums. Items on display such as bricks and farming equipment will be fine within this environment but items such as textiles and paintings will deteriorate over time.

Presently the farm equipment is stored within Westminster School and miscellaneous items in private sheds, and this exposes the objects to light and unfavourable temperatures. Whilst these objects are hardier by nature, the exposure to light will overtime be detrimental. The storing of objects within sheds should only be a temporary measure.

The other issue that will mainly affect the textile collection are pests and poor storage; the present environment is favourable for carpet beetles and moths.

Presently there are no archival quality storage solutions. Documents and photos are all copies and are stored in ordinary plastic sleeves. Objects have identification numbers marked on them with stickers. One item (a brick) has been marked with a pen which is irreversible.

Due to the nature of the collection, the above mentioned environmental issues will have minimal short term impacts but will need to be rectified in the future.

iv. Comparative Collections

Due to the vast collecting principles and interpretation plans of the Marion Historic Village Museum, similar collections can be found across Australian museums. To gain an understanding of the Marion Historic Village Museum's place within the entire heritage industry, other examples of small to medium sized museums that are community based and explore living in the 19th and 20th century are provided below.

Hall School Museum and Visitor Centre – Hall (Canberra, ACT)

The Hall School Museum and Visitor Centre opened in 2007 after the closure of the school in 2006. Due to the museum being opened in the same building it occupied, the vast collection of school paraphernalia was automatically transferred to the museum collection. Thus there is a strong significance and provenance of their collection with the building the museum resides within. Similarities can be drawn between the Marion Historic Village Museum and the Hall School Museum based on their focus on village life in the early 20th century and the size/structure of both museums.

The museum is operated by a volunteer community group of 25 under the local Hall and District Progress Association Incorporated which works closely with government agencies to advocate for local interests for the village of Hall (north of Canberra). They presently open Thursday mornings and Sunday afternoons and by appointment; similar to the Marion Historic Village Museum. In the 2018 – 2019 financial year their visitor numbers were 2,000, 738 made up of school visits. Their website is visited an estimated 300 times per day as people engage with their virtual exhibitions and online school curriculum. This is in comparison to the Marion Historic Village Museum's average 500 annual visitors. The Hall Museum operates with a budget of $7,000 annually, which is derived from donations and shop sales. Visiting groups contributed an estimated $1,846 of this budget. Further grants have been received from DVA and ACT Heritage Grants Association. Presently the operating budget for the Marion Historic Village Museum is unknown but it has received similar grants from the History Trust of South Australia and for WW1 celebrations. The Hall Museum also has a strong relationship with the *Canberra and District Historical Society*, akin to the Marion Historic Village Museum's ongoing association with the Marion Historical Society.

In January 2018 the Hall School Museum adopted a new Collection Policy to ensure it minimises becoming a '*repository for unwanted items needing a home'*[6] and have specified a strategic scope and purpose for collection management and interpretation alongside having criteria for new acquisitions. The Marion Historic Village Museum does not have any strategic policies and procedures or collection policy, thus no formal process of selecting new acquisitions (as at March 2020). Since March 2020, a Miscellaneous Collection Management Policy, a Significant Collection Management Policy, a Donation of Objects Form, and a Donation of Photographs and Documents Form have been developed and implemented.

Tea Tree Gully Heritage Museum (Adelaide, SA)

The Tea Tree Gully Heritage Museum is managed by volunteer members under the National Trust of South Australia's Tea Tree Gully Branch. Operating as a not-for-profit, the museum is directly

[6] '*Hall School Museum and Heritage Centre Annual Report 2018 – 2019*', 2019 p. 5

financed by entrance fees, shop sales and government grants. Open since the 1930s, the museum has amassed a large collection of personal ephemera, photographs, documents, home décor and historical objects that help tell the story of life in Tea Tree Gully in the early 19th century. Through accreditation with the History Trust of South Australia in 2012, the museum has been able to obtain grant funding for storage, collection management software, a preservation needs assessment, interpretation plans and upgrading displays. Unlike the Marion Historic Village Museum, there is a direct relationship between the museum building and the collection it houses. A permanent exhibition examining food and home life in Tea Tree Gully during the 19th and 20th centuries also has similar collection pieces to the Marion Historic Village Museum.

Gawler Old Telegraph Station Museum (SA)

The Gawler Old Telegraph Station Museum utilises its historical collection to explore the history of settlement in Gawler from 1837. Housed in an original colonial building, the display today has little interpretation associated with the buildings original use as a telegraph station. Managed by volunteers with limited resources, the Gawler Old Telegraph Station Museum is of a similar size to the Marion Historic Village Museum. However Gawler is open to the public 4 days a week and has an established school curriculum for excursions. Both museums have similar collecting practices of accepting donations from the public relevant to the time period regardless of provenance or significance. The Gawler Museum does have a few key collection pieces such as the explorer John McKinley's travelling chests and local musical instruments. This museum also features an example of a general store with similar collection items and themes as the Marion Historic Village Museum display. Comparisons can be drawn with the Marion Historic Village Museum as Gawler was another rural town to be surveyed and planned by Light, Finniss & Co. Both Gawler and Marion during their time would have been considered rural towns, thus have similar historical themes interpreted throughout the two museums.

Winn's Bakehouse Museum (SA)

The Winn Bakehouse was built in the 1870s and operated as a bakehouse for 80 years. Located in Coromandel Valley, today the building is owned by the City of Mitcham but managed by the Coromandel and District National Trust under volunteers. Open to the public one Sunday a month, the social history museum explores everyday life for residents of Coromandel Valley from the 1850s to the 1950s. It is estimated that they have around 400 photographs and 500 items of local history, a comparative size to the Marion Historic Village Museum. The collection has developed since the 1960s through donations to the Coromandel Valley Historical Society and later the Coromandel and District National Trust. The collection includes tools, domestic items and memorabilia of early pioneers which aligns closely with the Marion Historic Village Museum's collection. Both museums are also dedicated to using their collections to interpret the early history of their respective villages, with strong focuses on the early 20th century. As the vast majority of the collection has been donated, provenance and significance for many of their objects would be limited which also aligns with the Marion Historic Village Museum.

Marion Heritage Research Centre (Adelaide, SA)

The Marion Heritage Research Centre is the main collecting body for the archiving of historical documents and photographs for the City of Marion. The day to day cataloguing is managed by volunteers, who are overseen by the centre's coordinator, a professional archivist. Presently, the

Marion Heritage Research Centre and the Marion Historic Village Museum have overlapping collections of oral history, photographs and paper documents. However, the Marion Heritage Research Centre has a collection policy of not accepting objects as donations. Therefore the historical objects present within the Marion Historic Village Museum are not represented within the Marion Heritage Research Centre making the Marion Historic Village Museum the only collecting institute for items specifically related to the village of Marion.

v. Entire Collection Significance

The Marion Historic Village Museum's collection is representative of life within a South Australian village during the 19th and 20th century. The vast majority of the collection has been acquired for interpreting stories and showcasing particular time periods as opposed to the preservation of knowledge and material artefacts inherent to the heritage of the Marion Village. The bulk of the collection is made up of homewares such as health goods, kitchen wares, groceries and trade material which would have been utilised nationally and internationally. The vast majority of these collection pieces have no direct connection to the Village of Marion and therefore are of low significance on a state and national level. Furthermore many of the items can be seen throughout community, state and national collections across Australia.

Collection objects pertaining to agriculture and trade convey the distinct Australian narrative of colonial towns transitioning from rural to the urban. This collection provides insight into the development of South Australia and is therefore relevant to national and state discourse, but as most items have no provenance and no direct relationship to the Village of Marion, they can only be rated of low to moderate importance. The exception to this is a rotary hoe which was used within the market gardens of Marion and bricks made in local village kilns and used to build local houses. The rotary hoe and bricks are of high significance due to their connection to people and places within the Marion Village, proven provenance and being irreplaceable.

The photographic collection explores the social and architectural changes that took place across the Village and the surrounding suburbs. As the images represent the people and places of Marion, they are of local and state importance. However the majority of the collection is not legally owned by the Marion Historic Village Museum, and many of the images are taken from other collecting institutes such as the State Library of South Australia and The Art Gallery of South Australia. A vast majority of the originals and digital copies reside within the Marion Heritage Research Centre. The photographic collection would have been considered of high importance if they were not copies (from other institutes) and had ownership documentation. Therefore the photographic collection – while of interest – is of low significance and considered as reference material.

The Oral History Collection contains copies of transcripts and tapes held jointly by the Marion Heritage Research Centre and David Jarman. Historic recordings in the Oral History Collection have not included an authorisation agreement and are therefore reference material rather than official collection items. If the oral histories were to be conducted by the Marion Historic Village Museum and not present in any other institution, then they would be of high significance but this cannot be taken into account at this time. Since March 2020, an Agreed Terms of Use for Oral History Recordings Form has been developed and implemented.

Due to its representational nature, the entire collection is determined to be of low state and national significance and of moderate significance to local heritage. The nature of objects and photographs

which explore Marion's transition from village to urban centre, including the impact of trade and agriculture within the village on wider South Australia, ensures that the collection has interpretative opportunities. However as the vast majority of the collection cannot be deemed historically relevant to the City of Marion, their retention minimises the entire collection's significance. This ensures that 99% of the collection does not need to be preserved for future generations and therefore should not be treated as collection items but as business assets or props for display purposes. This is consistent what how many community museums operate.

Part III - Key Findings

i. Museum Statement of Significance

The collection statement of significance on page 10 determines that 99% of the present collection residing in the Marion Historic Village Museum is of low to no significance (based on the Community Heritage Grants criteria as referenced on the National Library of Australia website). However a museum by definition is not only committed to the tangible care of artefacts but is also determined to be an educational institution that communicates and conserves intangible heritage.

> *"A museum is a non-profit, permanent institution in the service of society and it's development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment"*[7]

Therefore the Marion Historic Village Museum's significance should not only be determined by the collection it curates. Within present museology, there is scholarly debate around the roles of collections and whether their authenticity and significance is inherent to the museum experience. Many international museums are stepping away from objects to tell historical stories and focus broadly on interpretation through other means. For instance, a museum without an authentic collection is nevertheless positioned to provide meaningful heritage education for a community.

The Marion Historic Village Museum's strength lies in its educational walking tours and exhibitions. Presently within the entire Marion district there are limited opportunities for the public to engage with heritage activities. The Marion Heritage Research Centre provides research facilities and an annual roster of talks and movie screenings. However, neither of these provide a display or interpretative space, where the community can engage with the history of Marion on a changing basis. The Marion Historic Village Museum is uniquely positioned within Marion to provide educational visits that meet the primary school curriculum, a service not offered by the Research Centre. Should the Marion Historic Village Museum cease to exist, there will be lost opportunities for local school groups and communities to engage with their own specialised local history within the village of Marion.

Prior to 2013, the Marion Historic Village Museum was the only history centre fostering research, education and public engagement with heritage in the Marion area. However the opening of the Marion Heritage Research Centre (the Red House) by the City of Marion has seen the Council undertake a greater ownership of local heritage. The Red House has become the local area's main source of education and research, thus reducing the need for a separate display centre. Likewise, the Marion Historic Village Museum's determination to explore a generalised history of village life in the late 19th and early 20th century is explored in numerous other museums across Adelaide and South Australia. The significance of the museum as a whole could be strengthened with a narrower statement of purpose, collection policies and procedures (many now in place since March 2020) and increasing community outreach by adapting tours to the national school curriculum. The Marion Historic Village Museum could strengthen its position as a museum and rationalise its existence by developing more specialized exhibitions with a narrower focus on Marion, and by doing this they would not be competing with other local museums and private collections.

[7] International Committee Of Museums

Overall the Marion Historic Village Museum is of moderate significance to the City of Marion.

ii. Significance Assessment of Key Items in the Collection

Nine Assorted Bricks
On display





These bricks were all produced locally within the historic Village of Marion ensuring they are of high local importance and of significance to the state of South Australia. Brickmaking first emerged in the village in the 1860s (wider Marion in the 1840s) and had ceased by the 1950s. These bricks were all produced to be sold to the wider public, the vast majority would have been utilised to build local housing within Marion. With sweeping housing changes over the past fifty years, the vast majority of bricks utilised would now be lost. This determines that these bricks are unique and cannot be replaced. As these bricks' provenance and use can be easily determined and provide a primary resource to the local story of trade and housing, they should be retained for future generations.

Many of the bricks have maker's marks relevant to the specific kiln, which enables authenticity to be established alongside a specific date range. One brick imprinted with Wade provides provenance that the brick was made by the Wade Brickworks located near George Street pre 1927. Another brick has handwritten in pen 'Hersey House, 15 Finniss Street, Marion, 2015'. This brick was taken after the demolition of Hersey House in 2015; the Hersey Family settled in the village of Marion on Finniss Street in the early 1910s, their cottage was built during this time. The Hersey Family were owners of many of the market gardens and glass houses of the Marion area, eventually owning the entire land between Marion Road, Finniss Street and George Street.

Metal Wheel Barrow
On display



This metal wheelbarrow (pictured with bricks) belonged to the Elsegood family. Ellen Elsegood ran the Sturt Post Office on Sturt Road from 1874. The post office had been operating since the 1850's. The Elsegood family would continue to operate the post office until 1969. The use of the wheelbarrow is unknown and therefore can be only linked to the family, not the Post Office. As the wheelbarrow was not utilised within the Village (the village had its own Post Office from 1877), this wheelbarrow is of low significance to the village and of moderate significance to the wider City of Marion. The wheelbarrow appears to be in average to good condition but it should be handled with care to ensure it does not deteriorate further. Stabilisation of the metal from corrosion is not advisable due to the expense in comparison to the low significance of the item.

Two pieces of Balustrade from Oaklands Homestead (one shown below)
On display



The Oaklands Estate bordered on the Village of Marion, with the homestead located alongside the Sturt River on the now Oaklands Estate Reserve next to the wetlands. All the materials for the building of the house were brought out from England, it is reported that the wood for the staircase came from the schooner the 'Joseph Albino'. These pieces of the Balustrade from the homestead were saved during the estate's demolition in 1967 by a member of the Marion Historical Society. As some of the few objects relating to the Oaklands Estate, they are of high significance to the wider City of Marion and of low significance to the Village of Marion. They are of low significance to the Village as although the residents of Oaklands Estate visited the village regularly, the house was not located within it. However, because the building of the house and the materials used aid the narrative of how pioneers emigrated and settled within South Australia, the pieces of balustrade are of State significance. Few personal, household or building items brought by the first immigrants still exist. They should therefore be preserved in a climate controlled environment to ensure moisture and extreme temperatures do not deteriorate the wood further and it attracts pests. As the Marion Heritage Research Centre already has an almost identical piece of balustrade from the Oaklands Estate, it is recommended that these items be donated to the Migration Museum under the History Trust of South Australia if the Marion Historic Village Museum ever decides to release them.

Sturt Primary School seating
On display



The Sturt Primary School was opened in 1878 as the main district school serving the Marion Village, Sturt Village and Darlington area. Located at 280–284 Sturt Road, the school was located geographically in Lot 118, so therefore outside of the historical village's boundaries. As Sturt Primary School was the designated school for mandatory attendance for the Marion area, all children would have utilised it. Based on the iron and wooden style of these desks alongside the inkwells, these two desks most likely date to the early 20th century. As these desks were utilised at Sturt Primary School their significance to the Marion Village, Greater Marion and the state is moderate to high. The desks should therefore be handled by two people and according to museum manual handling procedures, they should be stored in a climate-controlled environment and should not be sat on by the public.

Sturt Primary School Patch
On display



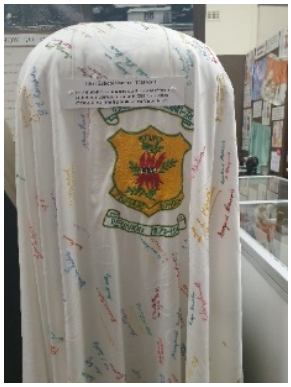
See above for the history of Sturt Primary School. This badge from the 1950's is the school logo that would have been sewn onto the blazer pocket. As with the school seating, this badge would have been adorned on the uniform of students residing throughout the Marion district, furthermore this patch has direct provenance to a former student, who resided within the village, making it of high significance to the Marion Village. It is recommended that the badge be taken off of the backing paper (if safe to do so) and that it is removed from the current display case and frame. As the frame is not museum quality glass, it will refract the light directly onto the fabric of the patch. Furthermore it is positioned in front of a door permitting natural light which could exacerbate the refractive index bouncing off of the display case and the frame. Whilst the frame is fine for temporary display, it should not be on display within the frame or in front of a light source for more than six months.

Rotary Hoe
On Display



This rotary hoe belonged to the Woolven family. The family owned and operated market gardens within the village from the early 1900s near the corner of Marion and Norfolk Road. The hoe was utilised by the family until 1962, when the land was developed as housing. As this item has a proven provenance it is of high significance to local and state heritage.

Other items of significance such as the wedding dress and a signed tablecloth, are all on long term loan from members of the public. Therefore they have not been included in this assessment.



Part IV – Recommendations

Below is an itemised list of recommendations determined during the research for this assessment.

i. Short Term Recommendations

1. Read the National Standards for Australian Museums and Galleries. (completed April 2020)
2. Consider if the Marion Historic Village Museum should retain the title of museum and implement national standards or choose to revert to a display/visitor centre which would enable less strict procedures and the below would not need to be implemented. However the significant historical items should be offered to another collecting institute such as the Marion Heritage Research Centre. The Marion Historic Village Museum could then continue with their present exhibitions and retain their broader focus on life in the 19th and 20th centuries. (completed, the volunteers have decided to maintain it as a museum and become accredited, application was submitted to History SA in June 2020 and accreditation granted in July 2020)
3. Consider amalgamating with the Marion Historical Society and utilizing the museum as the headquarters, providing another purpose for the Marion Historic Village Museum's current site and doubling resources. (completed, and decided to stay a separate entity due to having a different geographic focus)
4. Develop a strategic purpose based upon the above recommendations with a clear focus for the museum and ongoing goals.

ii. Long Term Recommendations

5. Develop training programs for volunteers to ensure they have the correct skills to be successful within their roles. This will also make it easier to identify appropriate volunteers in the future.
6. As necessary, apply for grant funding for storage solutions such as Archival Survival Photo folders and object storage boxes.
7. Undertake training in Australian copyright law specific to museums, galleries, historical societies' and collecting institutes.
8. Become a member of Museums Accreditation Program (MaC) under History Trust of South Australia. (application submitted June 2020)
9. Work with the City of Marion to establish a permanent city Museum in conjunction with the Marion Historic Village Museum.

iii. Collection Recommendations

10. Implement a Collection Policy. Without this, the museum will continue to collect and exhibit generalized history which will diminish the overall significance of the collection and the museum.
11. Implement new accessioning procedures.
12. Maintain donation forms and keep accurate records, maintaining legal ownership.
13. Physically number items to improve the tracking of the collection.
14. Record the provenance and significance of every collection item.
15. Key items in the collection need to be rotated off display to ensure their preservation.
16. Original photographs and art should not be on display unless closely monitored, not on display for more than 6 months, and displayed in a manner that is not detrimental to the item.
17. Establish cleaning routines that monitor light, dust, mould and pests for the collection both on and off display.
18. Historical collection items should not be touched and handled by the public (this will mean the changing of present displays).

19. Develop a database to maintain all cataloguing data.
20. Purchase archival quality boxes and sleeves to store any significant photographs, historical documents and objects.
21. Determine provenance to Marion for all significant collection items.
22. Deaccession items that do not comply with the collections policy and will not be used for interpretation.

Conclusion

The Marion Historic Village Museum is well placed to explore the establishment of a South Australian rural village from the initial surveying and settlement of South Australia. However there were more than 140 private towns established during this time, many of which were absorbed into the Adelaide metropolitan area over time. Thus the Marion Historic Village Museum does contribute to the greater South Australian story, but is not exceptional to the state of South Australia and the history of Australia.

When the Marion Historic Village Museum was first established, there was no other repository of local history and knowledge that could be shared with the wider public in the City of Marion. Since 2013, the Marion Historic Village Museum and the Marion Heritage Research Centre have both been working to document the history of Marion and consequently have somewhat overlapping though complementary purposes. Based upon the importance of Marion within a wider historical context, it is not necessary to have two separate institutes dedicated to the area's history.

The museum has limited objects of historical importance, ensuring that they have developed a generalised museum of social history in the 19th and 20th century. The museum could be refined and developed by utilising digital mediums. The present stories that are interpreted are reliant on photographs and not collection objects, therefore the museum does not need to be a physical entity but could develop digital exhibitions and publications utilising websites such as history pin, YouTube and developing their own website in collaboration with council.

Moving into the future, the Marion Historic Village Museum needs to determine if it wishes to operate as a museum and therefore implement national standards. Presently the museum collection is of low to moderate significance; it has minimal impact on the wider community and its loss could be absorbed by the Research Centre. It would therefore be useful for the Marion Historic Village Museum and the Research Centre to merge in a purpose built facility, although this is unlikely to be possible within the Village itself. By merging the two, a wider audience could be reached across a range of educational programs that celebrate the cultural and historical identity of Marion. A custom facility could continue managing and storing a historical collection for the entire Marion region, have a small temporary and permanent gallery display for visitors and facilitate the guided walks throughout the village.

Overall the Marion Historic Village Museum has dedicated the last ten years to celebrating local history and making it accessible to the wider community. It is this community outreach that needs to be preserved for future generations.

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A conceptual proposal for the establishment and management of

A CITY OF MARION COMMUNITY MUSEUM

Prepared by Peter Stretton
with assistance from
the Committee of the
Marion Historic Village Museum
(Revised --- 17 June 2020)

TABLE OF CONTENTS

TOPIC	PAGE
FOREWORD	1
EXECUTIVE SUMMARY	2
MISSION THE NEED THE REMEDY	3
USING COMMUNITY RESOURCES	4
SITE ESSENTIALS FOR A MUSEUM RELATIONSHIP WITH HERITAGE CENTREa	5
FUTURE OF THE VILLAGE MUSEUM ATTRACTING & ENGAGING VOLUNTEERS	6
ENGAGING COMMUNITY GROUPS CONCLUSION	7

1.
FOREWORD

In 2011, a group of local volunteers established a small museum in an empty, rundown Sunday school building behind the Marion Uniting Church at Township Road in the Marion Village. This was in response to requests from participants completing the official Heritage Walk in the Marion Village, many of whom were asking to see photographs of the Village as it used to be.

There being no such place with photos on show, these local volunteers set about registering an incorporated association, negotiating a lease, repairing and painting empty premises, then collecting and displaying some photos. With all these developments, the community now had a place to show off its history. It was officially opened by the (then) Mayor of Marion (Felicity-ann Lewis) on 9 October 2011. Since then, it has been open for two hours every Sunday and, more recently, for two hours every Tuesday morning. Additionally, we open at other times by request. Generally, the museum attracts between 450 to 500 visitors a year, including local school classes. It is the only museum anywhere in the City of Marion.

Almost 10 years have now passed since we first opened the Village Museum and we are now an ageing group (most of us are in or near our eighties) who, although still being enthusiastic about history, are no longer as active and sprightly. The question of how long we will be able to continue is now often raised and discussed, and we have recently had retirements from two inaugural committee members.

We are reluctant to close our museum's doors and simply walk away, especially as the Village museum's activities have been praised frequently by the City of Marion as one of its successful "Community Capacity Building" projects. It saddens us too, to think our efforts and those of many community members over the past decade might all be leading to nothing.

If the City of Marion decides to establish a city museum, which also includes the village museum as a subsidiary, we would be pleased to contribute to its early stages by offering photographs and artefacts whenever we can.

Peter Stretton
Chairman,
Marion Village Museum.

2.
EXECUTIVE SUMMARY

The Marion Historic Village Museum Committee believes councillors and staff of the City of Marion should be planning to finance, establish and administer a city museum that embodies history relevant to the whole City.

Our proposal envisages a City of Marion Museum which …..

1. Showcases Marion's historic events, stories, and people,
2. Covers history embracing all of the City's vast territory,
3. Is established and managed by the City of Marion,
4. Has its research undertaken by the Marion Heritage Research Centre,
5. Is operated by a manager/curator paid by the City of Marion,
6. Is assisted by volunteer researchers, illustrators and cataloguers.
7. Has interactive, interesting displays with light, sound and movement,
8. Subsumes the present Marion Village Museum as its subsidiary.

Our preferences are for a City Museum site that …..

9. Is situated close to the Marion Historic Research Centre ('Red House'),
10 Is adjacent to a main road for maximum presence and visibility,
11 Has its access and adjacent parking facilities close to a main road,
12 Has clearly identifiable signage that is visible to passers-by,
13 Has ample storage space (also for archiving Council records if desired),
14 Has external floodlighting and electronically monitored security systems.

That's our vision – a City Museum, centrally situated in premises close to the council chambers and the 'Red House' and operated using research done by staff and volunteers of the Heritage Research Centre. The Research Centre sits perfectly within the Council's administration complex and has excellent record-keeping facilities, but negligible space for display or storage.

Our proposal does not call for newly constructed buildings, in the short term. The recently vacated premises, situated alongside the 'Red House', would appear to be an ideal location to begin a preliminary City Museum, while considerations of other site options continue for the longer term.

This report also emphasizes that the overall management of the current Marion Village Museum should transfer to the City of Marion as a subsidiary to a City Museum.

3

OUR CONCEPT REGARDING THE ESTABLISHMENT AND MANAGEMENT OF A COMMUNITY MUSEUM BY THE CITY OF MARION

An idea, a vision, a plan, a project, a reality!!!

MISSION:

1. Our mission is to promote to the Marion City Councillors that:
   "It is time to establish a City of Marion Museum, funded and administered by the City of Marion, managed by the Marion Heritage Research Centre and operated daily with the assistance of dedicated volunteers from the community."

THE NEED:

2. Presently, there is no museum representing the entire area covered by the City of Marion. Therefore, it may be deduced that there are many stories of people, places and events concerning Marion's history that are neither recorded nor displayed anywhere. How sad it is then that historic photos, writings and artefacts, in attics and sheds of younger generations, might well be discarded or destroyed. to be lost forever because no-one wants them.

THE REMEDY:

3. We propose a Marion City Museum should be established to generate a new awareness of the City's history.
4. We recommend an existing site be found in proximity to the 'Red House', so that the Heritage Research Centre and the new City museum can work closely together.
5. We intend that displays will represent historic events and timelines relating to each segment of the City.
6. Topics, in no particular order, could include:

Hallett Cove glacial striations	Glandore Industrial School
Glenthorne Farm	Windana Boys' Home
Worthing Copper Mine	Brighton Cement Works
Flying Fox (Hallett Cove to Marino)	Club Marion & sports areas.
Morphettville Racecourse	Kaurna People and cultures

4.

The Sheidow Family	History of Marion Council
Southern Vineyards	Old railway to Willunga
Stagecoaches to Willunga	Edwardstown Oval
Hallett Cove Foreshore Reserve	Mitchell Park Reserve
The Field River and Linear Trail	Marino Rocks Lighthouse
'Oaklands Estate' & homestead	The River Sturt
Oaklands Wetlands and reserve	Rocks/fossils (Hallett Cove)
Kingston House (Marino)	Slate and Limestone mining
Prominent persons and families	The old Marion Village

USING THE COMMUNITY'S RESOURCES:

7. The City museum we propose would be a community museum, on a site owned or leased by the Council. It would have at least one City of Marion salaried employee managing and coordinating the activities of a team of volunteer assistants.

8. We envisage many day-to-day museum activities could be undertaken by volunteer planners, display artists, door openers and others, aided by the Council's policies and guidelines. Our recent visits to four somewhat similar museums at Strathalbyn, Moonta, Unley and Milang, have strengthened our resolve that a community's volunteers should be intimately involved.

9. Our objective is for a museum that comes to life through the efforts of the community; and therefore is 'of the community'. It is not intended it be established and run entirely by an external body merely for the 'community' to visit without active participation.

10. No longer will the community at large be just the faceless people who live somewhere nearby. Throughout the whole City of Marion anyone with interests and ideas will be welcome to come together to share their background stories, photos and items of the past – it will be an enterprise that passionate people will ensure is a self-sustaining resource of on-going benefits for every Marion citizen to enjoy. That is why we're sharing our plan and our passion to bring about this change -- a change that incites support for a Museum that will develop and grow in ways never thought possible just a few years ago.

11. Within the museum, tasks will be undertaken that explore, discover and showcase the City's historic foundations as a means of strengthening the City's culture. The current-day's challenges of light, sound and movement will need to be met, by the creation of interactive displays. Younger generations look for more than rambling arrays of still photographs affixed to walls.

SITE ESSENTIALS FOR A CITY MUSEUM:

12.The considerable expense that would be incurred in designing and erecting a new building may not be necessary if suitable existing premises were to be modified. To be an effective museum, the following features are considered necessary:

12.1 The premises must be closely situated to the Marion Historic Research Centre (The 'Red House') in order to facilitate day-to-day liaison between the two entities,

12.2 The premises must be close to a main road, giving visitors clear visibility and easy access.

12.3 The premises must be sufficiently large for preparing and compiling displays, besides having spaces for secure storage of historic collections and (perhaps) Council archives.

12.4 There must be an adjacent carpark.

12.5 There must be multiple entrances that facilitate the delivery and removal of display materials and cabinets, plus photo screens of varying sizes.

12.6 The premises must also be on a public bus route and preferably close to dining, refreshment and toilet facilities.

12.7 The premises must be appropriately secure, with floodlighting and monitored security alarms providing 24-hour coverage.

RELATIONSHIP WITH MARION HERITAGE RESEARCH CENTRE:

13. Having a City museum that is close to the Heritage Research Centre will facilitate:

13.1 Research Centre staff and volunteers developing strong working relationships with the museum,

13.2 Research Centre staff having some administrative responsibilities over the museum's operations (if considered appropriate),

13.3 The Heritage Research Centre assuming responsibility for researching data for the museum's displays.

14. Because they are the means to generating a continuing awareness of our heritage, modern museums are a process, rather than a product. They should have a changing, progressive collection of displays that come to life in the mind of the beholder.

15. Thus, museums become 'of the people' rather than a just a place people might visit when there is nothing much else to do on a rainy day.

16. Our experience with the Village Museum has shown members of the community often hold many varied and interesting photographs, stories and artifacts, which they gladly bring forward to share or donate, sometimes without really knowing their items' history. The backgrounds of these donations, however, are what give the exhibits their credibility.

FUTURE OF THE VILLAGE MUSEUM

17. The Marion Village Museum may be small, but it is unique and there can be no doubt about its success over nearly a decade. We recommend strongly that it should continue to operate under the leadership of a City of Marion.

18. To close it down would likely have devastating effects on maintaining historic features within the Village – Light Square, Little Marion statuettes, pavement tiles with captions, special art and street signs and the Heritage Walk with 24 marked sites. Closure would have serious implications for guided heritage walks in the village, which start and finish at the Village Museum. We appeal for the Village Museum to be permitted to remain open, eventually as a sub-site to the City Museum we are proposing.

19. This would mean the Village Museum's committee would eventually hand-over its control to the council, with its committee members continuing to provide volunteer assistance for as long as they choose.

ATTRACTING AND ENGAGING VOLUNTEERS:

20. There are fundamentally three recruiting stages for the main types of volunteers:

20.1. First is the initial stage, which 'captures' those volunteers who are content to be allocated simple responsibilities and activities aimed at contributing generally to the running of the museum, e.g., cleaning glass cabinets, vacuuming floors, filing documents or just being present to supervise during opening hours.

20.2. The second is a creative stage during which existing community organisations involved in history are canvassed for their knowledge, skills and inventiveness regarding how they might contribute to producing attractive and interesting displays.

20.3. Thirdly, a specialist stage must be used to attract volunteers with robotic and electronics skills that make exhibits come 'alive'. These people are often serious hobbyists who dabble in movement, sound and lighting effects, which may be generated by voice commands or the pressing of buttons. Volunteers having special skills in r image projection should also be welcomed. These specialists aim to satisfy younger visitors to museums, who shun the task of viewing row upon row of static photos in black and white tones.

ENGAGING COMMUNITY ORGANISATIONS

21. Attracting community organisations with an interest in local history should be a priority:

21.1. They are a fundamental link in laying the basis for a museum's connections to the community.

21.2. The City of Marion has previously been strong in promoting 'Community Capacity Building' projects so as to work successfully with communities,

21.3. Some of these organisations have been:

21.3.1 Marion Historic Village Museum,

21.3.2. Marion Historical Society,

21.3.3 Friends of Glenthorne Farm,

21.3.4 Friends of Hallett Cove Conservation Park,

21.3.5 Friends of the Lower Field River,

21.3.5 Friends of the Sturt River Land-care, and

21.3.7 Marion Historic Village Project Group.

21.4 Representatives of prominent families who once had vineyards, market gardens, brick-kilns, homes etc., should also be invited to contribute their stories and artefacts to the museum.

CONCLUSION:

22. We believe the Council has an obligation to create a museum that helps to re-discover the historic foundations laid by hard-working citizens of the past and to present this information in an educational, yet interactive fun-filled environment.

23. Doing nothing will almost certainly be putting at risk the chances of salvaging, preserving and displaying hundreds of photographs, artefacts and stories about human endeavour that have shaped the City's history so far. We believe future generations are owed much more than that.

24. This report is submitted with our earnest hopes for meaningful discussions with, and considerations by, elected members in conjunction with Marion council staff.

Peter Stretton
Chairman,
Marion Historic Village Museum.
17 June 2020.

CITY OF MARION

Public Art Guidelines Community Consultation

Originating Officer Unit Manager Community Cultural Development - Marg Edgecombe

Corporate Manager Manager City Activation - Greg Salmon

General Manager General Manager City Development - Ilia Houridis

Report Reference SGC200729R03

REPORT OBJECTIVE

The purpose of this report is to seek Elected Member endorsement to consult with the community on the draft Public Art Guidelines.

EXECUTIVE SUMMARY

The City of Marion Public Art Guidelines 2020 - 2028 (The Guidelines), provides a high level outline for commissioning public art across the City. The Guidelines align to Council's organisational purpose and the Community Vision, particularly around the Liveable theme. Public art contributes to a sense of place and it is often an indicator of a thriving cultural environment.

The Guidelines have been developed through consultation with Elected Members at a Forum in February 2019 (EMF190219R02) and via email, consultation with internal staff involved in projects and through sector best practice.

The Guidelines provide an overarching outline for all projects including public art and defines types of public art, potential sites for public artwork, how it is commissioned in various situations and the processes involved in managing the artwork through its life cycle.

RECOMMENDATION

That Council:

1. **Endorse the Public Art Guidelines 2020-2028 for community consultation.**
2. **Note that a further report will be brought to General Council meeting on 27 October 2020, reporting on community feedback and seeking final endorsement of the Public Art Guidelines.**

Liveable: L3 and L4: Public artworks can help to creative a more attractive urban environment which reflects local character, community pride, ownership, sense of place and community identity and interpreting a range of meaning in the urban environment.

Valuing Nature: Some public art can complement natural settings in our public spaces and reflect elements of nature proven to enhance health and wellbeing in the built environment.

Engaged: Some public art encourages opportunities for community involvement, increased community expression and awareness and assist the community to express and interpret issues facing them through research, communication and express of artists.

Innovation:	Public art may increase an appreciation of art more broadly thorough equitable accessibility. It can complement the work of urban design professionals such as architects, landscape architects and urban designers.
Prosperous:	Public art can assist in creating vibrant destinations attracting tourists and visitors to places whilst attracting and retaining talent and trade to the City.
Connected:	Public art influences or directs how people use or move through a space, including walking, cycling or driving vehicles.
Organisational Excellence:	Guidelines provide a framework for operating.

DISCUSSION

The Public Art Guidelines provide a framework for the life cycle of public art at the City of Marion. The commissioning of public art addresses many of the themes of the Community Vision, involves rigorous processes to ensure relevance to the community and consideration of whole of life costs.

The Guidelines have been developed through consultation with Elected Members at a Forum in February 2019 (EMF190219R02) and via email, consultation with internal staff involved in projects that include public art and through sector best practice.

The Guidelines provide an overview of processes used to develop and manage public art including:

- types of public art;
- applicable sites for public art across the City;
- related Council strategies and documents;
- development and commissioning processes including Elected Member engagement;
- themes for public art;
- the life cycle of public art including maintenance, removal or relocation of artwork.

Community Consultation

To ensure this area of Council service delivery remains relevant to the local community, the Guidelines will be placed on the Making Marion community consultation website from 30 July to 17 September 2020. Feedback will be collated and brought back to the General Council meeting on 27 October 2020 with the finalised Guidelines for endorsement.

Attachment

#	Attachment	Type
1	Public Art Guidelines draft design blue cover V2_19-06-2020	PDF File

City of Marion Public Art Guidelines 2020-2028 Draft



CONTENTS

Contents

1.	Definition of public art	3
2.	Benefits and Values of public art; Strategic Alignments	4, 5
3.	Types of public art	6
4.	Sites for public art	7, 8
4.1	Potential sites for development of public art	7
4.2	Related strategies and documents	9
4.3	Application of public art guidelines	9
5.	Development and commissioning of public art	10
5.1	Elected Member engagement	10
5.2	Commissioning processes for open or limited tender and direct commission	11, 12
5.2.1	Project assessment panel	12
5.3	Artwork produced from a community arts and cultural development program	12
5.4	Purchase of existing artwork	12
5.5	Artist initiated project	12
5.6	Donations and gifts	13
5.7	Community initiated works i.e. Stobie poles and murals	13, 14
5.8	Utility boxes	14
5.9	Developed through collaborative partnerships	14
6.	Themes for public art	15
7.	Life Cycle of Public Art	16
7.1	Maintenance and repair of damaged artwork	16
7.2	Removal	16
7.3	Relocation of artwork	16

Appendix 1 – Related Council Policies, Strategies and Guidelines 17



Aurelia Carbone, *Wirltu*, Hallett Cove Foreshore, 2017, Hallett Cove

DEFINITION OF PUBLIC ART

1. Definition of public art

The City of Marion Community Vision 2040 describes a shared vision of a city that is liveable, valuing nature, engaged, innovative, prosperous and connected. Public art contributes to this vision and can make a city memorable, stimulating and engaging, thus attracting visitors and locals alike. Public art contributes to a sense of place and it is often an indicator of a thriving cultural environment. Art in public places can be chanced upon by accident, enriches our everyday experience, and can be accessed free as a shared experience in public places.

The City of Marion acknowledges that it is situated on the traditional land of the Kaurna people. As such it acknowledges that public space already carries long-held stories and meaning. When developing public art, Council will be sensitive to the on-going cultural significance and stories of the land.



Greg Johns, *Horizon to Horizon,* 2002, Marion Cultural Centre, Oaklands Park.
Photo: Sam Oster

BENEFITS AND VALUES



COMMUNITY VISION › TOWARDS 2040

2. Benefits and Value of Public Art

Art in public places can be commissioned for a number of reasons. The benefits to the community are broad and wide reaching and address many of the themes in the Community Vision including:

Liveable: By 2040 our city will be well planned, safe and welcoming, with high quality and environmentally sensitive housing, and where cultural diversity, arts, heritage and healthy lifestyles are celebrated.

Strategy L3: We will create a series of streetscaped avenues to improve the amenity of our neighbourhoods.

- Public art works can help to create a more attractive urban environment which reflects local character, community pride, ownership, sense of place and community identity.

Strategy L4: We will celebrate our rich cultural diversity and heritage through artistic, cultural and community activities and vibrant destinations.

- Public art can be commemorative, interpretive, educative, celebratory, illustrative, functional, decorative, conceptual, experimental, innovative, entertaining, playful, or surprising creating and interpreting a range of meaning in the urban environment.

Valuing Nature: By 2040 our city will be deeply connected with nature to enhance people's lives, while minimising the impact on the climate, and protecting the natural environment.

- Some public art can complement natural settings and reflect elements of nature proven to enhance health and wellbeing in the built environment.

STRATEGIC ALIGNMENTS

Engaged: By 2040 our city will be a community where people are engaged, empowered to make decisions, and work together to build strong neighbourhoods.

- Some public art and community art in public places encourages opportunities for community involvement and participation through creative and practical skills development,
- Some public art increases community expression and awareness,
- Some public art assists the community to express and interpret issues facing them through the research, communication and expression of artists.

Innovation: By 2040 our city will be a leader in embracing and developing new ideas and technologies to create a vibrant community with opportunities for all.

- Public art may increase an appreciation of art more broadly through equitable accessibility,
- Public art can complement the work of urban design professionals such as architects, landscape architects and urban designers.

Prosperous: By 2040 our city will be a diverse and clean economy that attracts investment and jobs, and creates exports in sustainable business precincts while providing access to education and skills development.

Strategy P4: We will seek to activate our city through quality streetscapes and placemaking initiatives to deliver vibrant and prosperous business precincts.

- Public art can assist in creating vibrant destinations attracting tourists and visitors to places whilst attracting and retaining talent and trade to the City,

Connected: By 2040 our city will be linked by a quality road, footpath and public transport network that brings people together socially and harnesses technology to enable them to access services and facilities.

- Public art influences or directs how people use or move through a space, including walking, cycling or driving vehicles.

TYPES OF PUBLIC ART

3. Types of public art

Artists working in the public realm can approach the work in many different ways, from a literal or illustrative approach to abstract, conceptual or metaphorical. Artwork can take many forms including sculpture, murals, paste-ups, photography, projections, performances, music and sound.

Public art may be:

- permanent and long lasting (usually a minimum of 15 years) using durable material;
- temporary, remaining for a fixed and specified time;
- ephemeral, in place for a very brief span or using non-durable materials, performative arts, projections or sound;

Public art can be stand alone and iconic or integrated into the public realm, architectural projects (both inside and outside), streetscapes, walking and cycling trails, playgrounds and reserves. It can be:

- site specific, designed specifically for and responsive to, a particular site in regards to scale, material, form, and concept;
- commemorative, acknowledging a specific event or person important to the local community, tell the history of place and connection to country;
- functional art or design elements integrated into the built or natural environment with a practical purpose such as seating, lighting, furniture, bollards, signage, rubbish bins, landscaping elements, etc. Inside buildings these elements could include building foyers or reception desks, window treatments, door handles, flooring, signage, lighting, furniture, or façade treatments;
- community art which provides the opportunity for the community to participate in the conceptualising and making of a work of art. This is an empowering process that can contribute to connecting communities and individuals and give voice to and provide a sense of belonging to diverse cultural groups, children, young people, older people or those disadvantaged by circumstance. Community art highly values the relationships built in shared creative processes as well as artistic outcomes.



Stephen Whittington et al, *Hallett Cove: One Million Years*, 2015, Cove Civic Centre, Hallett Cove

SITES FOR PUBLIC ART

4. Public art projects by the City of Marion

Public art may be considered as a component of the planning stages of any new development or the refurbishing of existing sites. In the City of Marion, the City Activation Public Art and Placemaking team work with public artists, in collaboration with architects, landscape architects and designers, engineers, urban planners and project managers as part of a creative, professional team in consultation with the local community.

4.1 Potential sites for development of public art

The scope of these guidelines focuses on artworks in public spaces (or occasionally on private sites), that impact on the public domain. This includes any area in a public space that is deemed appropriate by City of Marion.

The following list outlines examples of places for the development of public art (subject to budget constraints).

Strategic projects and new builds

- Public artwork to be incorporated into the building and/or precinct development.

Major projects working with external partners

- This includes projects such as rail or road developments working in partnership with the State Government. Council can assist in the development of artwork to ensure the community identity and stories are represented in the wider and regional story.

Streetscapes

- major thoroughfares
- streets of cultural or heritage significance
- traffic calming opportunities
- integrated design elements such as drain holes, tree surrounds etc.
- significant intersections
- near public transport sites i.e. adjacent to railway stations



Aurelia Carbone, *Locally Indigenous,* 2018, Coast to Vines Rail Trail, Hallett Cove

SITES FOR PUBLIC ART

Walking and Cycling Trails

- markers linking and highlighting key transport nodes and places of interest, interpreting local cultures and natural characteristics
- narrative elements connecting different parts of the network
- integration of art in street furniture and directional signage

Entry Statements

- to the City of Marion at council boundaries
- to neighbourhoods of community, cultural or heritage significance
- to business precincts

Reserves & Playgrounds

- Regional level – significant public art or integrated play piece
- Neighbourhood level –potential for public art
- Local level - could include community arts approach with community working with artists

Other existing Council buildings or assets

- community halls
- sports centres
- neighbourhood centres
- libraries
- outdoor pool

and could include artwork integrated into:

- foyers
- wall decorations
- glass window and door decals
- flooring
- furniture
- car parks
- wayfinding and signage
- garden designs and landscaping elements
- fencing
- bus stops shelters
- pergolas
- BBQ surrounds
- toilet surrounds

Other Open Spaces including:

- plazas
- wetlands
- commemorative sites
- historic places of interest
- leading to local schools

RELATED STRATEGIES AND DOCUMENTS

4.2 Public artwork will be developed in line with other Council guidelines, frameworks and strategic documents:

- Open Space and Recreation Framework
- Walking and Cycling Guideline 2018 - 2022
- Streetscape Guidelines
- Public Lighting Guidelines 2019 – 2024
- Asset Management Policy

See Appendix 1 for reference.

4.3 The Public Art Guidelines apply to projects that are:

- developed by Council on land owned or managed by Council;
- developed by non-council parties on areas owned or managed by Council;
- included in the construction of new public buildings, extensions, refurbishing/upgrading, or fit-out of public buildings;
- upgrading/enhancing of public amenity or space;
- developed in a community arts program with outcomes in the public realm.

The Guidelines do not apply to buildings or land for private and domestic purposes.



project2project, *Making Tracks* (detail), 2019, Oaklands Railway Station, Oaklands Park. Photo: project2project

DEVELOPMENT AND COMMISSIONING

5. Development and commissioning of public art

In developing and commissioning public art Council will ensure that it is conceptually relevant, aesthetically pleasing and contributes to social and cultural sustainability principles. There are several different ways in which public art will be commissioned or acquired.

Public art contributes to the goal of a Liveable city when it is harmonious, proportionate and compatible with its setting.

Public art should not:

- convey commercial advertising;
- convey a political or ideological message; or
- be likely to offend a significant section of the local community.

When developing, installing, maintaining, repairing or removing public art, Administration will adhere to all relevant Council policies and procedures including Work Health and Safety, Procurement and Contractor Management, Asset Management and Development Act and Regulations.

5.1 Elected Member engagement

Elected Members will be consulted on the commissioning and/or procurement of public art as follows:

- Local/neighbourhood projects - liaise with Elected Members on the selected preferred concept at relevant Ward Briefings;
- Major projects - public art elements will be presented to Elected Members through EM Forums or as part of project reports at General Council meetings;
- External Partnership projects - while the preferred concepts will be determined by the external commissioning agent, relevant Ward Councillors will be consulted. Should the Ward Councillors consider the concepts to be contentious in any way, the Infrastructure and Strategy Committee will be consulted for comment.



Beach Road Artworks and community, 2005, Light Square, Marion

DEVELOPMENT AND COMMISSIONING

5.2 Commissioning process for open or limited tender and direct commission

For artworks developed through the open tender, limited tender and direct commission processes an Artist Brief is developed. The Artist Brief outlines the objectives and context of the project and guidelines to which artists must respond. This includes:

- introduction to project and commissioning agent (City of Marion);
- project schedule;
- project site and context for artwork including suggested themes;
- practical considerations such as safety, maintenance, materials and fabrication;
- copyright and moral rights;
- budget;
- stakeholders;
- commissioning process and timelines;
- assessment criteria and expectations for all commissioning steps i.e. expression of interest, concept design, design development, commissioning and installation;
- project management process and timelines;
- project advisory panel and the roles of all parties involved and contact details;
- relevant site drawings and project information.



Dave Court and Matt Fortrose, *Woodlands Tower*, 2019
Woodlands Park Railway Station, Edwardstown

DEVELOPMENT AND COMMISSIONING

For projects utilising public money, the open competitive commissioning process is the preferred model. For all three commissioning processes and following the development of a project specific artist brief (see above), the stages include:

- Expression of Interest (EOI) – a call to artists to respond in principle to the project site and aspirations and to provide details of previous relevant work. Note: at this stage no concepts are being asked for;
- Concept Development – from the EOI up to three artists/ artist teams are selected to develop concepts in response to the artist brief, from which a preferred concept is selected;
- Design Development of preferred concept;
- Fabrication and installation.

At each stage following the EOI, the artist/artist team is engaged via contract.

This process also applies to the limited commission tender. An artist engaged for a direct commission will still respond to an artist brief and work with the project manager to reach an agreed and relevant outcome.

5.2.1 Project assessment panel

Submissions from artists through the EOI, concept development and design development process will be reviewed against criteria outlined in the artist brief by an assessment panel for each project. The project assessment panel will comprise appropriately qualified people from a range of areas such as arts, engineering, funding body (if applicable), relevant cultural or community groups (if applicable), project or site manager and other relevant stakeholders.

5.3 Artwork produced from a community arts and cultural development program

Public art can sometimes be produced during community arts and cultural development programs, mural programs and community arts in local reserve developments. In this model the community are guided by professional artists who assist with concept design, fabrication and installation of the work. The professional artist is engaged by council through a contract outlining the project brief and theme for the project. The artist is able to work with council on issues such as suitability of content, work health and safety, engineering and installation, and maintenance requirements. Community participants enrol in the project and agree to be joint collaborators in the production of the artwork. The artwork is developed to be relevant to the community involved and the site of installation.

5.4 Purchase of existing artwork

Occasionally the opportunity may arise to purchase an already existing artwork for placement in the public realm. Artwork, in this circumstance, would need to undergo various assessments such as safety, on-going maintenance, financial, cultural and site relevancy.

5.5 Artist initiated project

Artists may want to initiate a public art project in the City of Marion. In considering an application, Council will take into account the best interests and safety of the local community as well as the criteria for all public art commissions. The artist's proposal will need to include a budget plan and on-going maintenance requirements and costs. As there are many stakeholders to consider in the public realm, assessment of submission will take time.

DEVELOPMENT AND COMMISSIONING

5.6 Donations and gifts

Council may be offered donations, gifts or loans of artwork for acquisition or display in public places on a long-term or temporary basis. Short-term or temporary installations may require the artist to insure the work. If the artist is installing the work they must be covered for public liability. If the work is installed on a more permanent basis, Council will be responsible for installation, maintenance, public liability and property insurance.

In accepting potential acquisitions the City of Marion will consider the following factors:

- enduring artistic merit and quality of the work as deemed by an assessment panel consisting of staff from City Activation, Engineering and Risk and other relevant council staff;
- whole of life costs including cost of installation, management and long-term maintenance of the work;
- degree to which the artwork reflects City of Marion's heritage and/or contemporary priorities and culture or Community Vision themes;
- diversity represented in the public art collection e.g. artistic medium, artists represented, cultural diversity, gender diversity, age and representation of constituent groups;
- durability and/or safety of artworks;
- public safety.

5.7 Community initiated works i.e. Stobie poles and murals

Community members are able to develop artwork on the Stobie Poles in their street.

Guidelines are set by SA Power Networks. Residents are required to submit their designs to Council for approval and then apply for a permit from SA Power Networks.

The commissioning of public art on stobie poles can be considered when developing streetscape designs, cycling and walking trails and precinct developments. The number of stobie pole treatments will vary depending on the design.



Blake Lovas, Utility Boxes, Marino, 2019.
Photo courtesy of Department of Planning, Transport and Infrastructure

DEVELOPMENT AND COMMISSIONING

For instance, a precinct may include treatment on all of the poles in the area, based on a theme or simply 'bookend' the development. Stobie pole artwork can become place markers and provide wayfinding for people to move through spaces.

Murals and artworks are permissible on private, street facing fences if they:

- do not include advertising, political messages or are likely to offend; and
- no higher than 1 m on a masonry wall or 2.1 m on a non-masonry wall.

Works outside of these conditions may require Development Approval from Council.

5.8 Utility boxes

A number of different organisations own utility boxes across the city. Some but not all of the owners are open to the use of artwork on the utility boxes to add vibrancy to areas. The process and cost of developing artwork for this infrastructure will be different for each owner. City of Marion can assess the placement of artwork on utility boxes in the development of streetscapes, walking and cycling trails and any precinct development, ascertain the most appropriate treatment and factor this into the project budget. Artwork developed for utility boxes could be through a commissioning process or through a community arts program. As per stobie poles (5.7) artwork on utility boxes will not include advertising, political messages or content likely to offend.

5.9 Developed through collaborative partnerships

Public art commissioned by external organisations that impact on the City of Marion community can be developed in partnership with City of Marion. This includes organisations such as SA Department of Planning, Transport and Infrastructure (DPTI) when developing artworks for inclusion in railway stations and artworks along the rail corridor and in roadway developments.



Adam 'Tarns' Poole and community, 2019, First Avenue Reserve, Ascot Park

THEMES FOR PUBLIC ART

6. Themes for public art

Depending on the project, the themes for public art to be developed can be generated from one or several of the following:

- community consultation - community are consulted on the development of a site, including the public art or can suggest ideas that may commemorate or mark issues or stories that are important to that community;
- project development staff can suggest broad themes for the artists to explore that strengthen the intention of the overall development or placemaking initiative;
- Elected Member engagement - if the artwork is to be for developments at a local level, the relevant Ward Councillors would be consulted on ideas for themes to be included in the Artist Brief, prior to the commissioning process.



Gerry McMahon, *Little Marion Skipping*, 2008, Marion.
Photo: Sam Oster

LIFE CYCLE OF PUBLIC ART

7. Life Cycle of Public Art

7.1 Maintenance and repair of damaged artwork

Council's public art maintenance program ensures that the public art assets are maintained in line with Council's asset management systems to ensure on-going public safety and the artistic and aesthetic integrity of the artwork.

7.2 Removal

A work of art may need to be removed from public display for a range of reasons including:

- if the artwork has deteriorated in its condition to a point where public safety is at risk;
- the cost of restoration is more than the original cost of the work;
- the cost of ongoing maintenance is prohibitive;
- if the conditions of the site impact on the artwork and compromises its integrity;
- the artist raises concerns regarding the condition of the work, or if changes to the site affect the artist's original intent or moral rights;
- the artwork is no longer relevant to the community.

Before removing an artwork, the views of a number of people need to be taken into account. Impartial and expert advice should be sought. This could include:

- staff involved in the original commission (if still available)
- staff involved in management of the public art program
- staff involved in ongoing maintenance of public art
- the artist or artist's representative
- Ward Councillors
- local community
- an arts conservator
- an engineer (regarding safety issues)
- arts valuer (if applicable)

7.3 Relocation of artwork

There may be instances, if the artwork is still in good condition, but no longer relevant to a particular site, where an artwork could be relocated to another site. As most public art is commissioned to be site-specific the relocation of artwork would not be a usual occurrence.

A similar process as for removal (7.2) would be used to determine the appropriateness of relocation.

APPENDIX 1

Appendix 1 - Related Council Policies, Strategies and Guidelines

The following are the relevant clauses in related Council documents pertaining to public art:

1.1 Open Space Policy Principles

Relevant policy points:

- Design that enhances the character and amenity of neighbourhoods;
- Provides destinations that support the walking and cycling network;
- Facilities and amenities to support the primary function of the open space;
- Contributes to the amenity and attractiveness of business precincts;
- Strengthens the cultural richness of communities through opportunities for cultural expression and interactions;
- Provides settings for commemoration;
- Provides outdoor settings that attract visitors and tourists.

1.2 Streetscape Policy Principles

Relevant policy points:

- Streetscape design will be attractive, enable accessibility, and be of high amenity value in key locations so they are places where people of all ages, cultures and abilities want to spend time at different times of the day and the year;
- Neighbourhood identity and a sense of place will be enhanced by streetscapes that contribute to a positive neighbourhood image and provide opportunities for social interaction for the community, neighbours and visitors;
- Streetscapes will be enhanced by visual connections with their surrounding environments;
- Commercial, business and education precincts will be enhanced by streetscapes that contribute to the attractiveness of these areas.

1.3 Walking and Cycling Guidelines 2018-2022

Design considerations 6 - Public Art
Public art helps communicate a socially and culturally rich environment. It provides identity and creates a unique and meaningful sense of place.

Opportunities for integrating public art in the City of Marion walking and cycling network include:

- Activating places by providing an original, innovative and stimulating environment;
- Linking and highlighting key transport nodes and places of interest, interpreting of local cultures and natural character;
- Proposing narrative elements that connect different parts of the network;
- Fostering a sense of place, social interaction, community ownership and capacity building;
- Integration of art into street furniture and directional signage.

1.4 Public Lighting Guidelines 2019 – 2024

Relevant policy points:

- Feature lighting relating to public art;
- Lighting that contributes to placemaking/activation.



Sherry Rankin, Gavin Malone & Margaret Worth, *Tjirbruki Narna arra (Tjirbruki Gateway)*, 1999, Living Kaurna Cultural Centre, Bedford Park. Photo: Sam Oster

Other public artworks in City of Marion
www.marion.sa.gov.au/things-to-do/art-in-public-places

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Front Cover Artwork
Created by: Laura Wills and Will Cheeseman
Title: *Dig and Delve*
Year: 2019
Location: Hendrie Street Reserve Inclusive Playground, Park Holme
Photo: Sam Roberts

CITY OF MARION

Carbon Neutral Plan

Originating Officer	Unit Manager Environment and Sustainability - Ann Gibbons
Corporate Manager	Manager Engineering, Assets and Environment - Mathew Allen
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R04

REPORT OBJECTIVE

The purpose of this report is to seek Council's endorsement of the Draft Carbon Neutral Plan and seek approval to proceed with public consultation.

EXECUTIVE SUMMARY

A motion seeking a report into *"Options for carbon neutrality by 2030 (for council's operations) and the potential timeframes, impacts and costs"* was endorsed at the 24 February 2020 General Council meeting (GC200221M07).

The Draft Carbon Neutral Plan (Attachment 1) sets out how the City of Marion will achieve the goal of carbon neutrality by 2030 for its operations.

Feedback provided at the Elected Member Forum on 21 April 2020 (EMF200421R03) has been incorporated into the draft Plan. This report seeks Council endorsement of the Draft Carbon Neutral Plan and approval to proceed to public consultation.

Public consultation will be conducted for a period of four weeks and will include seeking feedback on the Making Marion website, public notices, social media and targeted engagement with community environment groups and networks.

The final Draft Carbon Neutral Plan will be brought to Council for consideration and endorsement in October 2020.

RECOMMENDATION

That Council:

1. **Notes the report.**
2. **Endorses the Draft Carbon Neutral Plan (Attachment 1) for public consultation.**
3. **Notes that a final Draft Carbon Neutral Plan and summary of public consultation findings will be brought to Council for consideration and endorsement in October 2020.**

GENERAL ANALYSIS

At the 25 February 2020 General Council meeting (GC200225M07) the following motion was carried:

That Council:

1. *Recognises the accelerating impact of climate change is reaching a critical point and that action urgently needs to be taken to prevent further environmental crises.*

2. *Continue building on the work it is doing in climate change mitigation, adaption and prevention.*

3. *Further, that council provides a report into:*
   - *Options for carbon neutrality by 2030 (for council's operations) and the potential timeframes, impacts and costs.*
   - *Options to build productive partnerships within all levels of government and in business that will reduce carbon emissions.*
   - *The provision of regular reporting on progress on climate issues and how it can be easily available to the public.*
   - *The potential options and incentives that can encourage members of the community, and local businesses, to reduce their own carbon footprint.*

Consultant D Squared Consulting, has been engaged to work with us to develop our approach to carbon neutrality for council operations that responds to the first two dot points of item three in the motion adopted in February 2020. Input provided by Elected Members at the Forum on 21 April 2020 (EMF200421R03) has been included in this draft Plan.

Short-listed projects that contribute to carbon neutrality include:

- Energy efficiency measures:
  - Implementing the Environmentally Sustainable Design (ESD) Guidelines for all new buildings, refurbishments, and maintenance activities.
  - Integrating additional solar PV projects where suitable and installing battery storage at facilities with night-time utilisation where appropriate. This includes investigation of smaller projects such as solar shelters in reserves and the solar car parks projects previously considered by Council (a decision was made in May 2020 not to progress with any solar car parks at this stage).
  - Change over remaining public lighting to LED (as per the Public Lighting Action Plan).
- Electricity supply options:
  - Scenario A – Investigate options for investment in a large solar farm to offset 100% of Council's electricity emissions. Options could include partnering with others such as SRWRA or developing our own solar farm. A project of this scale would be at significantly higher cost ($10 million) and risk (legislative, operating and replacement) than Scenario B, but could continue to be investigated even with purchase of 100% renewable electricity.
  - Scenario B – Negotiate a 100% renewable electricity contract from an external provider. This could be via the LG Procurement process or a Power Purchase Agreement negotiated independently (as per City of Adelaide) and is the least cost and lowest risk option. The opportunity to transition to 100% renewable electricity would be when our current electricity contract expires in December 2022.
- Develop an 'EV Fleet Transition Plan' that considers:
  - Installing EV charging stations at Council sites (for use by visitors and to recharge council vehicles) in addition to the public charging infrastructure being installed by Jolt.
  - Transition to EV fleet over time as vehicles are changed over, continuing with light vehicles and moving towards heavy vehicles, where appropriate, ensuring that vehicle selections are fit-for-purpose.
- Measurement and monitoring:
  - Continue to build our annual carbon inventory to measure progress towards carbon neutral goal.
  - Consideration of Climate Active certification.
- Purchase necessary carbon offsets to achieve 100% carbon neutrality.

Solar farms being developed at the Southern Region Waste Resources Authority (SRWRA) site at Pedlar Creek and at the SA Water Desalination Plant at Pt Stanvac have been considered in the development of the Carbon Neutral Plan. Opportunities for the City of Marion to participate in these projects will be explored as the solar projects are progressed.

ESD Guidelines for new buildings, refurbishments to existing buildings, and maintenance activities at all council buildings have been developed and tested with the Mitchell Park Sports and Community Centre project. The Guidelines are being reviewed and approved by the Executive Leadership Team and will be embedded into project management processes within the relevant departments.

Public consultation on the draft Carbon Neutral Plan will be conducted for a period of four weeks and will include seeking feedback on the Making Marion website, public notices, social media and targeted engagement with community environment groups and networks.

The final draft Carbon Neutral Plan will be brought to Council for consideration and endorsement in October 2020.

A public-facing report card is being developed that will enable regular reporting on progress of climate and other environmental issues in response to dot point three, item three of the motion. It is intended that this report card will be updated at least annually at the end of each financial year.

A Community Emissions Profile for Marion has recently been received through a collaboration with other South Australian Councils and consultants, Ironbark Sustainability. This data will be used to support targeted discussions the community and local businesses to encourage reduction of their carbon footprints (dot point four, item three of the motion). The profile is publicly available (https://snapshotclimate.com.au/) and a link has been provided on the City of Marion website.

Valuing Nature: VN3 We will operate more efficiently and sustainably in terms of energy and water use, using the best technologies and methods to be as self-sufficient as possible

Attachment

#	Attachment	Type
1	CoM Draft Carbon Neutral Plan 2020-2030	PDF File

City of Marion Carbon Neutral Plan 2020-2030

CITY OF MARION



Executive Summary

The Carbon Neutral Plan (the Plan) has been prepared to assist the City of Marion in understanding and managing its current carbon emissions footprint, and to set a plan to transition to net zero emissions. The plan sets out Council's goals and targets in managing carbon emissions; analyses emission trends over time; and provides a pathway towards the ultimate aim of becoming carbon neutral.

In line with the Commonwealth Department for Agriculture, Water and the Environment the Plan has defined carbon neutral as follows:

> *'To become carbon neutral, businesses and organisations calculate the greenhouse gas emissions generated by their activities, such as fuel or electricity use and travel.... After emission reduction activities (e.g. new technologies or changes to operations) are implemented and the offsets purchased by an organisation equal the remaining emissions produced, the organisation is carbon neutral.'*

Recent and existing projects and initiatives being implemented by Council are making a significant positive impact on Council's emissions. Some of these initiatives continue to play a major role in the proposed plan moving forward. This includes the continued implementation of solar PV projects, energy efficiency projects, transitioning Council's fleet to hybrid vehicles and a range of other supporting initiatives.

Over the past 5 years, City of Marion has implemented several energy efficiency projects, which have resulted in a decrease in both energy consumption and resultant carbon emissions. Despite growth in the Council population, facilities and projects, these actions have ensured that carbon emissions are on a downward trend, as shown in Figure i.

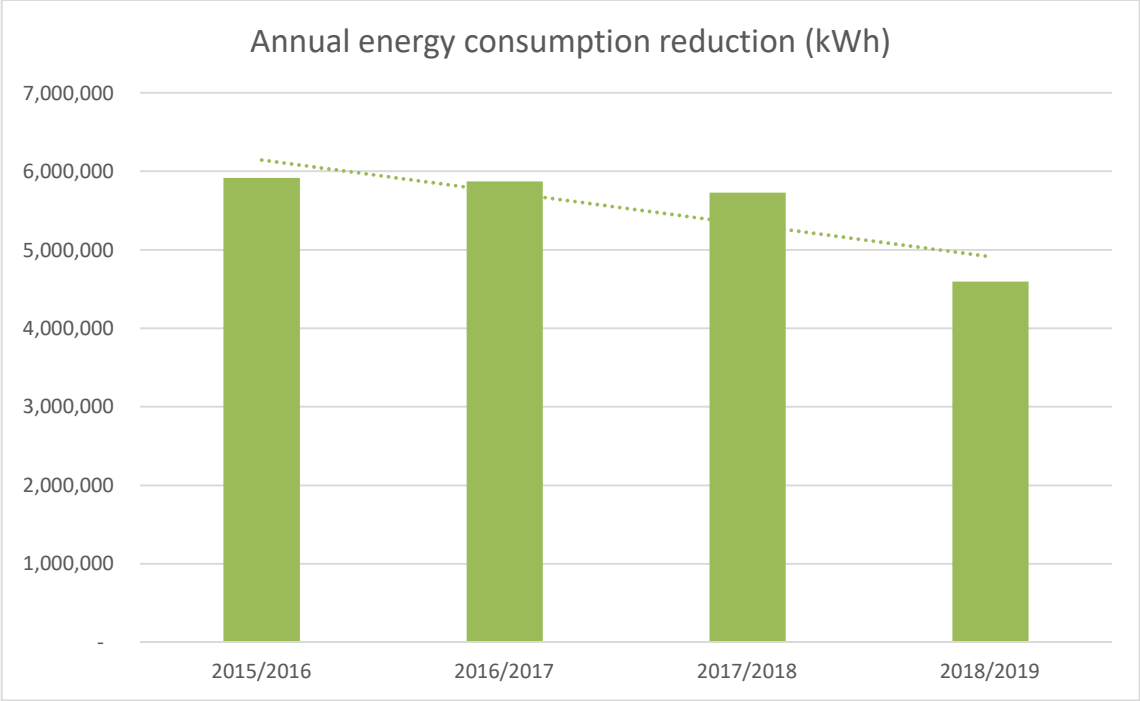


Figure i – Reducing City of Marion's Energy Consumption

In order to make meaningful reductions from the current position, Council needs to identify, prioritise and progress appropriate emissions reduction projects, and to monitor the reduction in future emissions.

This Plan:

- Sets out Council's goals and targets in managing corporate carbon emissions and provides a plan to guide Council towards carbon neutrality.
- Identifies a suite of key projects and supporting initiatives along with an Implementation Plan.
- Includes requirements for ongoing reviews to consider budgetary and resource implications for the selected projects prior to implementation.
- Is aligned with 2020-30 Asset Management Plans.

Carbon Footprint

The baseline carbon footprint for City of Marion's operations is estimated at approximately 5,700 tonnes of carbon dioxide per year. The baseline has been set as emissions from the 2015/16 financial year, to account for emissions reduction activities since this time. The breakdown of the carbon inventory is shown in Figure ii.

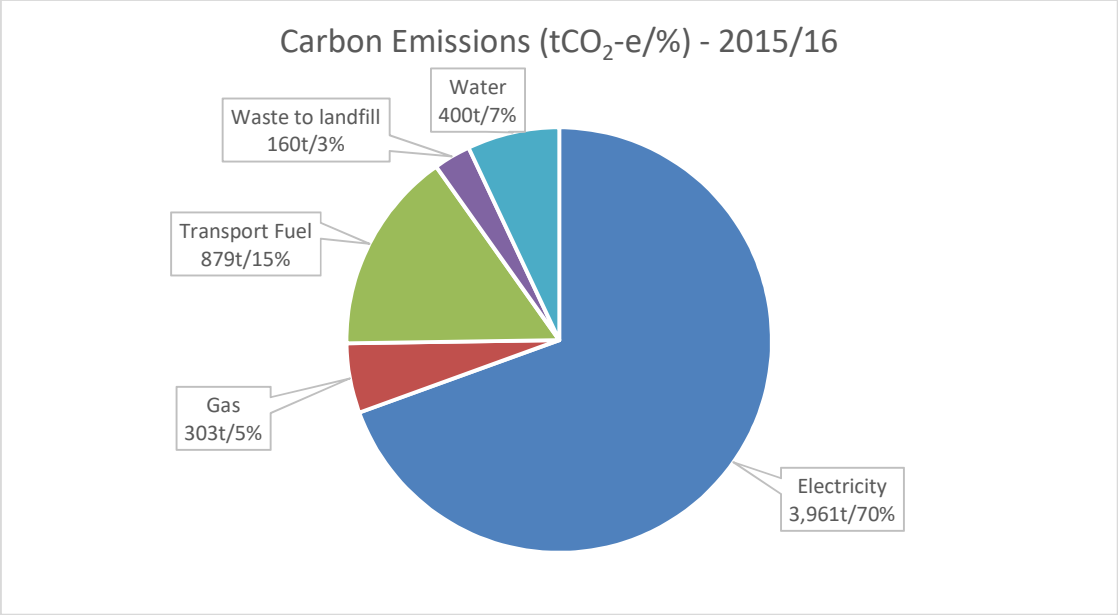


Figure ii – Carbon Profile – baseline year 2015/16 (best estimate)

Energy consumption generally makes up a large component of an organisation's carbon footprint. At the City of Marion, electricity account for 70% of corporate carbon emissions and is used in Council's buildings, facilities and public lighting. Transport fuel is the next largest contributor at 15%. The remaining 15% includes the use of gas in council buildings, waste generated from council activities, and the energy used to provide mains water and treat wastewater.

Note that the carbon profile is not compliant with the Climate Active standard and there are gaps in the data, for example, refrigerant gases from air conditioners. These make up a very small proportion of the overall footprint, therefore this 'best estimate' gives a reasonable summary of the carbon profile.

In order to gain a more detailed understanding of Council's carbon emissions and the impact of projects implemented to reduce them, it is recommended that a full carbon inventory analysis is undertaken annually in accordance with the Climate Active (Australian Government Carbon Neutral Standard. Refer to Appendix A for more detail) carbon accounting rules.

Key Decisions and Stages

The Carbon Neutral Plan has been developed with Council staff and Elected Members. Robust discussions tested the appetite for various emissions reductions projects, and the order of project priority to track towards carbon neutrality. The outcomes of these discussions were:

1. A full Climate Active compliant carbon inventory should be developed to accurately and robustly track emissions and the required carbon offsets. The inventory will be developed in Trellis with internal resources.
2. 100% renewable electricity is critical to reducing Council's corporate emissions prior to purchasing offsets. A decision should be made on how and when to purchase 100% renewable electricity.
3. Projects to reduce energy consumption and minimise carbon emissions are a priority over purchasing carbon offsets.
4. The City of Marion Environmentally Sustainable Design (ESD) Guidelines should be used on all projects where GHG emissions might be generated, including new buildings and facilities, refurbishments and fit outs, and planned/preventative maintenance.
5. Energy, water, waste and transport projects and sustainability initiatives should continue to be implemented to reinforce the Council's position as a leader and influencer in Climate Change and sustainability.
6. Achieving carbon neutral certification (via Climate Active) is not a high priority, however this could be revisited on an ongoing basis as the carbon emissions footprint is reduced.
7. Include consideration of carbon neutral practices or offsets as a guiding principle in management of assets.
8. Include consideration of community value for money and/or other benefits when selecting projects and allocating funds for new assets.

Carbon Neutral Scenarios

The following carbon neutral scenarios have been developed as a plan for the journey to carbon neutrality. The following images outline the carbon reduction pathway for both scenarios.

Note: The **green** area represents the carbon emissions reducing over time as carbon reduction projects are implemented. The **grey** area shows reducing emissions in a 'do-nothing' scenario where the South Australian electricity grid decarbonises over time.

Scenario A - Renewable Energy (own and operate)

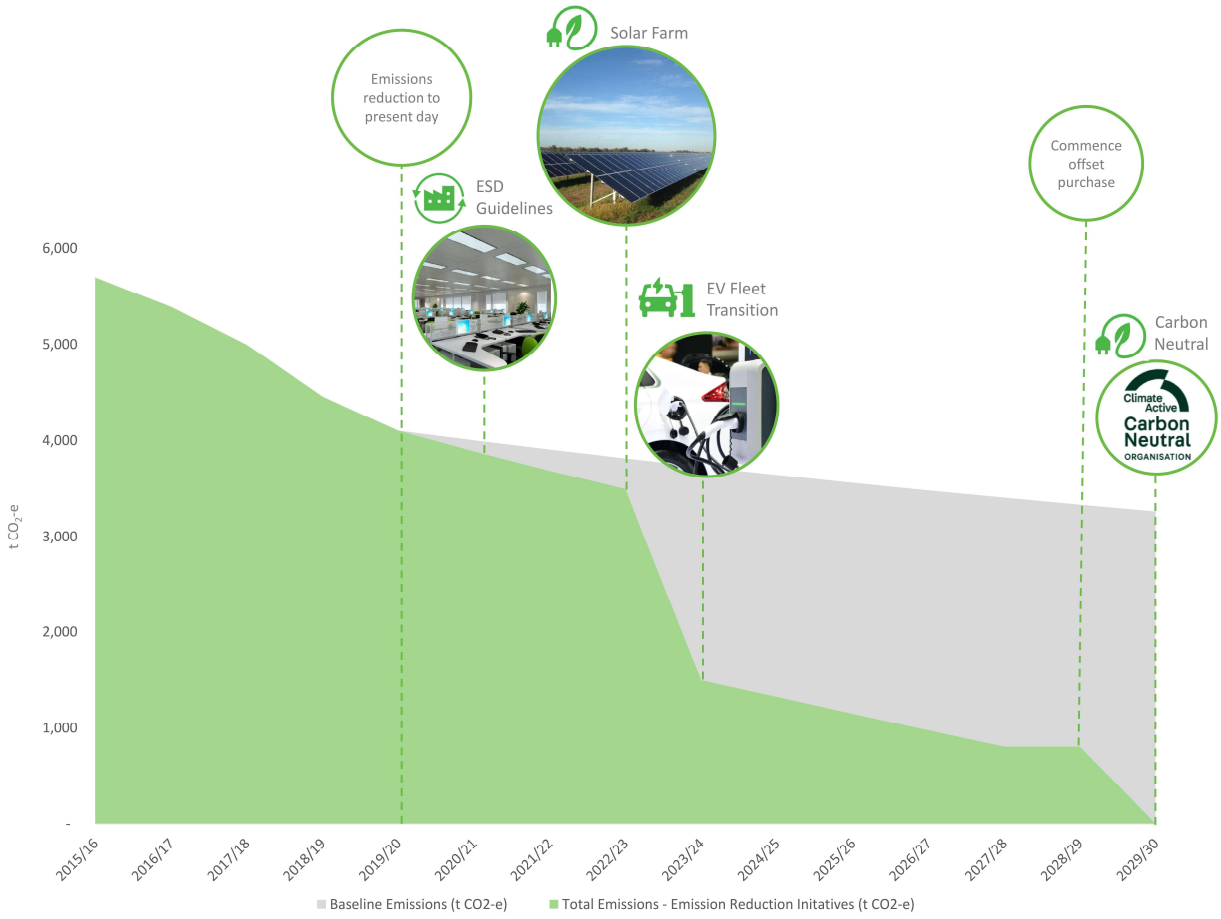


Figure iii – Carbon Reduction Scenario A

Under Scenario A, Council undertakes a large-scale renewable energy project. This involves preparing a detailed feasibility of a solar farm and delivering a solar farm capable of offsetting 100% of Council's electricity consumption. Options include partnering with others such as SRWRA or developing our own solar farm, but would be at significantly higher cost and risk than Scenario B. Estimated capital cost for a 2.5MW solar farm is $10M with a simple payback of approximately 16 years.

Complementary projects to reduce carbon emissions from other sources will include:

- Implementing the City of Marion ESD Guidelines for Council Buildings.
- Transition to electric vehicle (EV) fleet.
- Reducing emissions associated with waste through implementing circular economy initiatives.

- Reducing the use of mains water.

Carbon offset purchase only occurs when other emissions reduction projects have significantly reduced the emissions profile.

Scenario B - Renewable Energy (contracted renewable electricity)

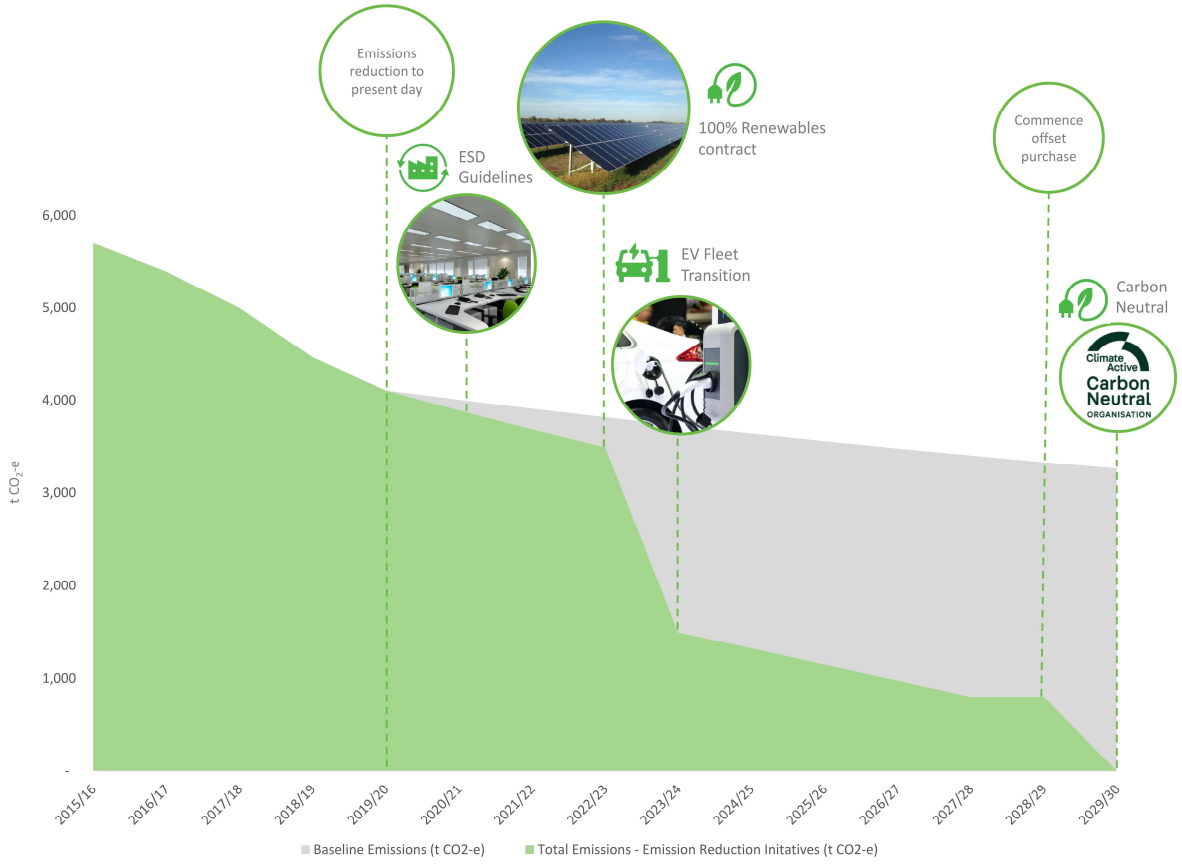


Figure iv – Carbon Reduction Scenario B

Under Scenario B, Council contracts 100% renewable electricity from an external party. This could be via a collaborative procurement process with other Councils or a Power Purchase Agreement negotiated independently. This reduces the capital cost and risk associated with the large solar infrastructure in Scenario A, however, has ongoing energy costs.

All other parts of the scenario are as listed above.

Due to significantly lower capital costs, risks and ongoing management considerations, it is recommended that Scenario B be adopted for carbon neutrality.

This Scenario would allow City of Marion to achieve carbon neutrality by 2029/30 or sooner.

Recommendations

Due to significantly lower capital costs, risks and ongoing management considerations, it is recommended that Scenario B is the proposed pathway towards carbon neutrality. Both scenarios would allow City of Marion to achieve carbon neutrality by 2029/30.

It is recommended that the following key actions are implemented. Refer to the detailed implementation program in Section 5 for details of key activities and supporting actions:

Recommended Actions	Suggested Timing (FY)
1. Develop a full Climate Active compliant carbon inventory each year to accurately and robustly track emissions and the required carbon offsets.	20/21
2. Implement City of Marion ESD Guidelines for Council Buildings on all new build and major upgrade projects and use the Sustainable Maintenance Guidelines to guide all building maintenance activities and minor upgrade projects.	20/21
3. Purchase 100% renewable electricity when Council's electricity contract is renewed in 2022. This would allow Scenario B to proceed.	22/23
4. Implement relevant strategies and actions from the Public Lighting Action Plan to support efficient energy consumption and reduction of the carbon footprint of public lighting.	20/21 onwards
5. Continue discussions with local solar farm projects to consider collaboration and partnerships. This may enable partnership with a local solar farm or other renewable projects in the future.	20/21 onwards
6. Install EV charging stations at Council facilities.	23/24
7. Commence EV Fleet transition.	23/24
8. Investigate carbon offset programs.	24/25
9. Consider Climate Active certification once the carbon emissions footprint is reduced. This would allow City of Marion to be carbon neutral certified by 2028/29 or earlier.	27/28
10. Commence carbon offset purchase. Set base year for Climate Active (if certifying).	28/29

Document Control

Issue	Date	Change	Checked	Approved
Draft	30/04/2020	Initial draft for comment	GD	DD
01	3/06/2020	Updated with Council stakeholder feedback	GD	DD
02	5/06/2020	Updated with Implementation Plans	GD	DD
03	9/7/2020	Final Plan with City of Marion staff feedback	AG	

Acknowledgement

This report has been prepared by dsquared Consulting, in consultation with City of Marion.

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Glossary

Term	Definition
Carbon Accounting	Measuring, monitoring, benchmarking and reporting an organisation's Greenhouse Gas Emissions in a defined reporting period.
Carbon Dioxide Equivalent (CO_2-e)	A unit of measurement that is used to standardise the climate effects of various greenhouse gases. In addition to the most recognised greenhouse gas, carbon dioxide (CO_2), there are other greenhouse gases such as methane or nitrous oxide. The various gases do not contribute to the greenhouse effect to the same extent and remain in the atmosphere for different periods of time.
Carbon Neutral	A situation where the net emissions associated with an activity are equal to zero because emissions have been reduced and/or offset units purchased to fully account for all emissions. To become carbon neutral, businesses and organisations calculate the greenhouse gas emissions generated by their activity, such as fuel or electricity use and travel. They reduce these emissions as much as possible by investing in new technology or changing the way they operate. Any remaining emissions can be 'cancelled out' by purchasing carbon offsets. When the offsets purchased by an organisation equal the emissions produced they are carbon neutral.
Carbon Offset	A carbon offset (or carbon credit) is generated from an activity that prevents, reduces or removes greenhouse gas emissions from being released into the atmosphere to compensate for emissions occurring elsewhere.
Climate Active Carbon Neutral Standard	A standard for making carbon neutral claims; maintained by Australian Government Department of the Environment and Energy; sets rules for measuring, reducing, validating and reporting emissions. The standard is available for organisations, products and services, buildings, precincts and events.
Climate Change	Refers to any change in climate over time, whether due to natural variability or as a result of human activity.
Decarbonise	Decarbonisation refers to the significant reduction of greenhouse gas (GHG) emissions through improved energy efficiency, moving towards lower-carbon sources of energy, and switching from fossil fuels to lower carbon fuels.
Electric Vehicle (EV)	Electric vehicles (EVs) refers to cars or other vehicles with motors that are powered by electricity rather than liquid fuels. There are currently four main types of EVs: • Battery electric vehicles (BEVs): these vehicles are fully-electric, meaning they are solely powered by electricity and do not have a petrol, diesel or LPG engine, fuel tank or exhaust pipe. BEVs are also known as 'plug-in' EVs as they use an external electrical charging outlet to charge the battery. • Plug-in hybrid electric vehicles (PHEVs): these vehicles are powered by a combination of fuel and electricity. They can be charged with electricity using a plug but also contain an internal combustion engine that uses liquid fuel. • Fuel cell electric vehicles (FCEVs): these vehicles use a fuel cell instead of a battery, or in combination with a battery or super capacitor, to power their electric motors. FCEVs are typically fuelled by hydrogen. • Non-plug-in hybrid EVs (HEVs): instead of using an external plug to charge the vehicle, the electricity generated by the HEV's braking system is used to recharge the battery. This is called 'regenerative braking'.

Term	Definition
Emissions Abatement or Carbon Abatement	Either the removal of one or more greenhouse gases from the atmosphere or the avoidance of emissions of one or more greenhouse gases.
Environmentally Sustainable Design (ESD)	Environmentally Sustainable Design (also called environmentally conscious design, eco design, etc.) is the philosophy of designing physical objects, the built environment, and services to comply with the principles of ecological sustainability.
Greenhouse Gas (GHG)	A gas in an atmosphere that absorbs and emits radiation within the thermal infrared range. This process is the fundamental cause of the greenhouse effect. The primary greenhouse gases in Earth's atmosphere are water vapour, carbon dioxide, methane, nitrous oxide, and ozone. Greenhouse gases (GHGs) can be emitted through transport, land clearance, and the production and consumption of food, fuels, manufactured goods, materials, wood, roads, buildings, and services. For simplicity of reporting, GHG emissions are often expressed in terms of the equivalent amount of carbon dioxide or carbon emissions.
Inventory	Carbon account to show the breakdown of emissions from various sources over a defined period.
Intergovernmental Panel on Climate Change (IPCC)	Created in 1988 by the World Meteorological Organization (WMO) and the United Nations Environment Program (UNEP), the objective of the IPCC is to provide governments at all levels with scientific information that they can use to develop climate policies.
Mitigation	Taking action to reduce or prevent emission of greenhouse gases. Can also be referred to as 'Abatement' or 'Carbon Reduction'.
National Greenhouse and Energy Reporting (NGER) Scheme	The national reporting framework for information related to greenhouse gas emissions, energy production and use by corporations operating in Australia. The framework is established under Commonwealth legislation, which makes registration and reporting mandatory for corporations whose greenhouse gas emissions or energy production or use meet certain thresholds.
National Carbon Offset Standard (NCOS)	The previous name of the Climate Active Carbon Neutral Certification Standard.
Paris Agreement	The Paris Agreement sets out a global framework to avoid dangerous climate change by limiting global warming to well below 2°C and pursuing efforts to limit it to 1.5°C. It also aims to strengthen countries' ability to deal with the impacts of climate change and support them in their efforts. The Paris Agreement is the first-ever universal, legally binding global climate change agreement, adopted at the Paris climate conference (COP21) in December 2015.
Power Purchase Agreement (PPA)	A contract between an electricity generator (provider) and a power purchaser (buyer).
Scope	The categorising of emissions sources into direct and indirect sources. Can be Scope 1, 2 or 3 emissions. • Scope 1 greenhouse gas emissions are the emissions released to the atmosphere as a direct result of an activity, or series of activities at a facility level. Scope 1 emissions are sometimes referred to as direct emissions. For example, energy generated and consumed on site, fuel used in generators and council vehicles.

Term	Definition
	• Scope 2 greenhouse gas emissions are the emissions released to the atmosphere from the indirect consumption of an energy commodity. For example, 'indirect emissions' come from the use of electricity produced by the burning of coal in another facility. • Scope 3 emissions are indirect greenhouse gas emissions other than scope 2 emissions that are generated in the wider economy. They occur as a consequence of the activities of a facility, but from sources not owned or controlled by that facility's business. Some examples are extraction and production of purchased materials, transportation of purchased fuels, use of sold products and services, and flying on a commercial airline by a person from another business.
Sequestration	The removal of atmospheric carbon dioxide, either through biological processes (e.g. photosynthesis in plants and trees) or geological processes (e.g. storage of carbon dioxide in underground reservoirs).
Smart South Consortium	Brings together the City of Marion, City of Onkaparinga, Flinders University, SAGE Automation and Renewal SA – Tonsley to position Southern Adelaide as a 'Smart Region' that fosters creative thinking, emergent technology, interactive data capture and innovative use of resources for the benefit of the community.
Southern Region Waste Resource Authority (SRWRA)	A regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay, pursuant to Section 43 of the Local Government Act, 1999. Under its Charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent Councils.
Trellis	An online carbon accounting software package.
United Nations Framework Convention on Climate Change (UNFCCC)	Aims at preventing dangerous human interference with the climate system. Was established at the Rio Earth Summit in 1992 and entered into force on 21 March 1994. The 197 countries that have ratified the Convention are called 'Parties to the Convention'.

Contents

Executive Summary i
Document Control vii
Glossary viii
1 Introduction 1
1.1 Purpose 1
1.2 Marion Council Commitments 1
1.3 Consultation 1
1.4 Major achievements to date 1
2 Carbon Emissions & Neutrality 3
2.1 Defining Carbon Neutral 3
2.2 Managing Carbon Emissions 3
2.3 Carbon Emissions Sources 4
2.4 Scope of Council's Corporate Carbon Emissions 4
2.5 Benefits of Carbon Reduction 6
3 Marion Council's Corporate Emissions Profile 7
3.1 Carbon Emissions Profile 7
3.2 Electricity Consumption 8
3.2.1 Renewable Electricity 9
3.2.2 Gas 9
3.3 Waste 9
3.4 Transport 9
3.5 Water 10
4 Carbon Reduction Opportunities 11
4.1 Emissions Reduction Projects 11
4.2 Approach to Project Assessment 11
4.3 Solar PV Projects 12
4.4 Environmentally Sustainable Design (ESD) Guidelines for Council Buildings 13
4.5 Large Scale Solar 14
4.6 Renewable Electricity 16
4.7 Electric Vehicle Charging Stations 17
4.8 Electric Vehicles 18
4.9 Purchase Carbon Offsets 20
4.10 Carbon Neutral Certification 21
4.11 Supporting Initiatives 22
4.11.1 Carbon Accounting and Reporting 22
4.11.2 Other Carbon Reduction Projects 22

4.11.3 Plans and Policies 23
4.12 Potential Community Initiatives 23
4.13 Council's Construction Activities 24
5 Carbon Neutral Plan 25
5.1 Carbon Neutral Scenarios 25
5.2 Carbon Neutral Recommendation 26
5.3 Carbon Neutral Implementation 27
Appendix A – Climate Active 28
Appendix B - Carbon Offset and Sequestration 31

1 Introduction

1.1 Purpose

This Plan has been prepared to assist City of Marion in understanding and managing its current carbon emissions footprint; and to set a plan to transition to net zero emissions.

The Plan:

- sets out Council's goals and targets in managing carbon emissions; analyses emission trends over time; and provides a pathway towards the aim of becoming carbon neutral by 2030.
- sets out Council's goals and targets in managing carbon emissions and establishes a plan to guide Council towards carbon neutrality while reducing the purchase of offsets. It includes the identification of a suite of key projects and supporting initiatives to achieve these goals.
- incorporates existing sustainability strategies and Council initiatives such as the energy efficiency and solar projects undertaken to date, and ongoing policies, such as the ESD Guidelines, Climate Adaptation planning, and various other sustainability projects.

The Plan has been prepared by ***dsquared Consulting Pty Ltd***, working in collaboration with Council.

1.2 Marion Council Commitments

The City of Marion Strategic Plan 2019 – 2029 states that:

'We will operate more efficiently and sustainably in terms of energy and water use, using the best technologies and methods to be as self-sufficient as possible.
We will encourage our community to be careful in their energy and water consumption.'

In 2020, Council adopted a motion to recognise the importance of action on climate change for the City of Marion community. This was in response to increased public and staff awareness and concerns over climate change and environmental impacts, and Council's role in recognising and responding to these impacts.

There is therefore an opportunity for Council to demonstrate leadership and action in climate change responses, and to influence the community approach to minimising climate impacts and carbon emissions. City of Marion is on the journey to be a leader in this space and is developing this Carbon Neutral Plan to assist with its carbon neutrality goal.

1.3 Consultation

Internal consultation has occurred to support the development of the high-level strategic goals, targets and projects associated with this Plan. Informal consultation has been managed internally. Formal consultation has been carried out at the following workshops:

- Carbon Neutral Council Staff Workshop: 4th March 2020
- Elected Members Forum: 21st April 2020

1.4 Major achievements to date

Council's sustainability journey has been evolving over recent years, with a specific focus on energy efficiency projects over the last few years. Recent achievements include:

- Active participation in the Resilient South Climate Adaptation planning with regional partners.
- Connection of the Oaklands recycled water supply for use for non-potable water needs to irrigate public open space.
- Building energy efficiency improvements such as lighting and equipment upgrades.
- Solar PV installed on ten owned and operated Council building roofs in 2017/2018, and on six Council-owned sports clubs in 2018/19 and 2019/20.
- LED street lighting upgrade. This includes the sale of carbon credits and the associated income from the emissions reduction from the LED lighting upgrade.
- Purchase of hybrid fleet vehicles.
- ESD Guidelines for Council Buildings to be applied to all new projects.

Figure 1 provides a timeline of Councils achievements.

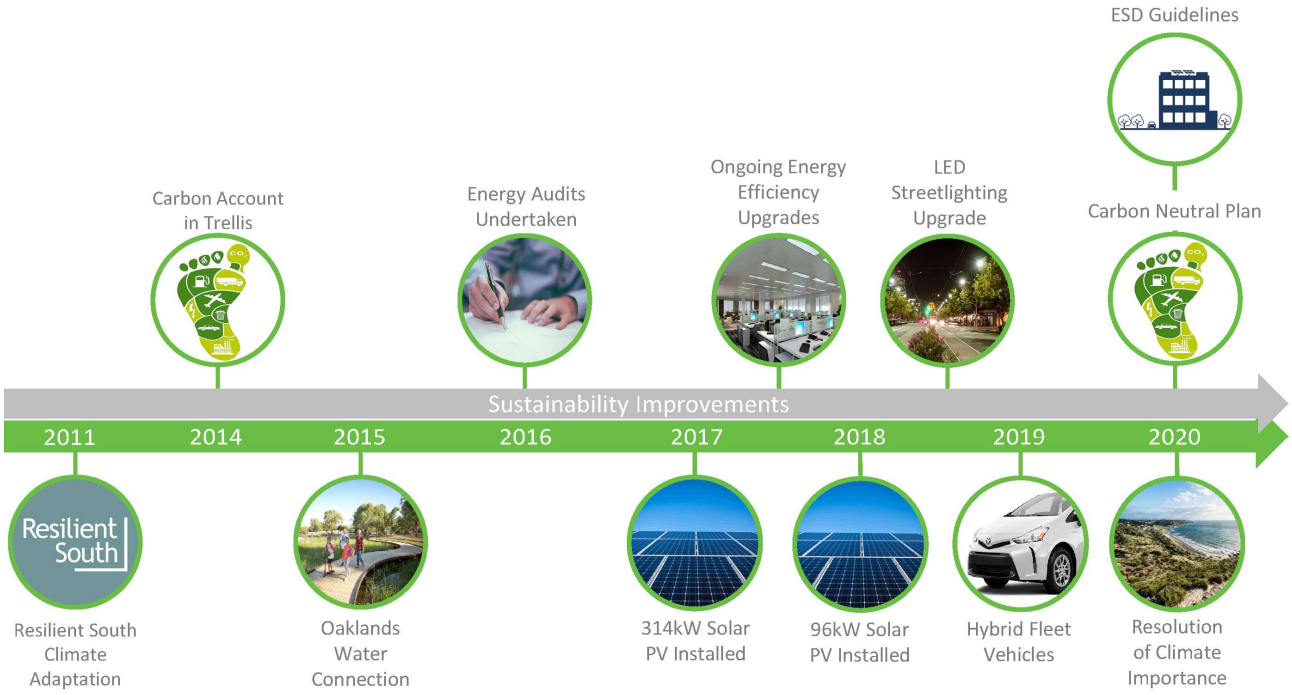


Figure 1: Carbon Reduction Projects to Date

These and existing projects and initiatives being implemented by Council are making a significant positive impact in reducing Council's corporate emissions. Some of these initiatives continue to play a major role in the Plan moving forward. This includes the continued implementation of solar photovoltaic (PV) projects, energy efficiency projects, transitioning Council's fleet to hybrid vehicles as a first step towards EVs, and a range of supporting initiatives.

2 Carbon Emissions & Neutrality

2.1 Defining Carbon Neutral

Carbon accounting is often used as the holistic benchmark of environmental impact as they encompass and reflect the benefits from other sustainability initiatives, such as energy efficiency, water conservation, waste reduction and transport management. Carbon reduction or abatement is the term used to describe actions taken to reduce and/or offset all emissions associated with an activity, in this case all emissions from Council's corporate activities.

The Commonwealth Department for Agriculture, Water and the Environment provides this definition:

> *'To become carbon neutral, businesses and organisations calculate the greenhouse gas emissions generated by their activities, such as fuel or electricity use and travel.... After emission reduction activities (e.g. new technologies or changes to operations) are implemented and the offsets purchased by an organisation equal the remaining emissions produced, the organisation is carbon neutral.'*

2.2 Managing Carbon Emissions

In order to manage and reduce carbon emissions, it is important to understand the source of these emissions. Figure 2 shows the pathway to understanding carbon emissions.



1. *Start by understanding the emissions profile, including energy, water, waste, transport, and refrigerants.*
2. *Agree on objectives and timeframes for carbon reduction.*
3. *Identify where emissions can be avoided. This is often the most cost-effective way of reducing emissions.*
4. *Consider alternative energy sources, such as solar, and alternatives to transport emissions, such as electric vehicles.*
5. *Consider purchase of carbon offsets to offset any remaining emissions.*

Figure 2: Carbon reduction pathway

2.3 Carbon Emissions Sources

To measure carbon emissions, a defined boundary needs to be set to understand the emissions for which Council is responsible. Climate Active (formerly National Carbon Offset Standard) provides a basis for understanding emissions sources and Council's control and influence over these sources.

The following organisational emissions should be considered in a Climate Active compliant carbon inventory:

1. **Energy** (including lighting, heating and cooling, occupant energy use, plant equipment, other infrastructure and shared services). This includes all energy sources (grid electricity, on-site generated electricity, gas, diesel fuel etc.).
2. **Refrigerants** including air conditioning system leakage and replacement and refrigeration systems.
3. **Water** consumed, and **wastewater** discharged (including emissions from off-site water treatment).
4. **Transport** to and from the precinct (including occupant commuting, occupant travel to and from a place of work, property management vehicles, forklifts, shuttle services etc.).
5. **Waste** leaving the precinct (including all waste streams, and emissions associated with off-site waste recycling, processing, combustion, or disposal to landfill).
6. **Air travel** for short, medium and long-haul flights including accommodation.
7. **Consumables** including food, catering, paper and stationery.

Depending on the level of control that Council has over the emissions, they fall into various emissions categories and levels of reporting, as shown above and explained further here:

Scope 1 – direct emissions resulting from the organisation's ownership and control, for example energy generated on site, fuel used in generators and company vehicles.

Scope 2 – the consumption of electricity generated elsewhere.

Scope 3 – emissions from electricity consumption and fuel use (indirect emissions from the extraction, production and transport of fuel burned at generation), and emissions from waste, business travel and accommodation, office paper and water use. Other scope 3 emissions sources that may be relevant include staff commuting, food and catering, postage and freight, stationery, office printing, cleaning services, IT services (e.g. data centres) and telecommunication services.

Further information relating to the Climate Active standard, emissions boundaries and the certification process is included Appendix A.

2.4 Scope of Council's Corporate Carbon Emissions

This Plan relates to Council's corporate carbon emissions, which can be defined as all emissions occurring from activities over which Council has direct operational control, such as operations within Council owned and operated buildings, including Council administration buildings, libraries, depots, etc. It is recognised that Council also has an influence over emissions in the community, such as community waste collection and community groups using Council facilities, however as these Scope 3 emissions are not under 'operational control' they are excluded from Council's corporate inventory.

Council has a unique position to offer leadership and influence in the wider community, and its ability to influence the emissions in the wider community will be the subject of future investigation.

Figure 3 shows Council's corporate emissions profile, within its areas of influence.

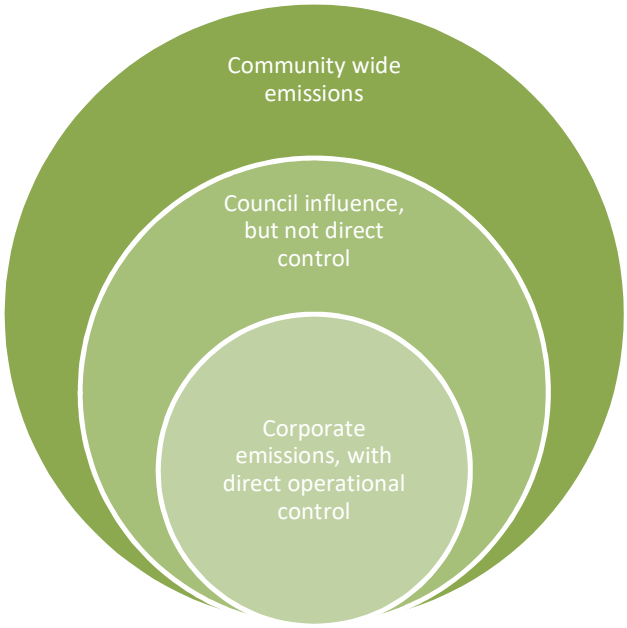


Figure 3: Carbon Emissions Boundaries

The City of Marion is also undertaking projects that affect the community wide emissions. These include:

- Council waste collection services are contracted to Cleanaway, who are offsetting emissions relating to the kerbside collection service in Marion and are trialling an electric waste collection fleet, providing carbon neutral transport emissions for all waste services in the Council area.
- A trial is ongoing with Downer EDI to lay sustainable asphalt in new roadworks; in 2018/19 the use of sustainable asphalt including RAP instead of traditional asphalt resulted in a greenhouse gas emissions saving of 331 tonnes CO_2-e.
- Ongoing increase in walking and cycling infrastructure to reduce community transport emissions, including streetscape upgrades and collaboration on projects such as the Flinders Greenway project, creating connected sustainable transport options between Tonsley, the Flinders University campus, and the wider community.

2.5 Benefits of Carbon Reduction

Climate change is already affecting the entire world, with extreme weather conditions such as drought, heat waves, heavy rain, floods and landslides becoming more frequent. Other consequences of the rapidly changing climate include rising sea levels, ocean acidification and loss of biodiversity. More locally, the Resilient South regional climate partnership is responding to climate impacts such as longer and more intense heat waves, changing rainfall patterns and more frequent and extreme fire danger days across southern Adelaide.

In order to limit global warming to 1.5 degrees Celsius, a threshold the Intergovernmental Panel for Climate Change (IPCC) suggests is safe, carbon neutrality by mid-21st century is essential. This target is also laid down in the Paris agreement signed by 195 countries, including Australia.

Reducing the carbon emissions from the City of Marion's corporate operations through various policy, efficiency, renewable energy, offsetting and electrification projects supports this global goal while also delivering a number of direct and indirect benefits to Council and to the broader Marion community.

Key benefits to the Council include:

- Direct emissions reductions for harmful GHG emissions and related environmental benefits.
- Long-term financial gains through reduced energy costs for operations (although short-term costs can rise, it is anticipated that longer-term operational costs will likely be reduced and may offset short-term capital costs).
- The value of Council's building assets can be improved through the transition to smarter energy and waste efficient operations. Additionally, healthy buildings are known to contribute towards improved productivity, and reduced sick leave and staff attrition.
- Reputational gains from Council's adoption of a leadership position, making Marion a more desirable place to visit, live, learn, work, invest and do business.
- A greater use of energy efficient technologies and renewable energy sources reduces Council's exposure to unpredictable energy market price fluctuations and anticipated long-term price increases.

Key benefits to the community include:

- Better health and general wellbeing of building users through improved air quality in buildings.
- Council innovation and exemplary initiatives will educate and pave the way for other parts of the community to follow suit.

3 Marion Council's Corporate Emissions Profile

3.1 Carbon Emissions Profile

The baseline carbon footprint for City of Marion's operations is estimated at approximately 5,700 tonnes of carbon dioxide per year. The baseline has been set as emissions from the 2015/16 financial year, to benchmark emissions reduction activities since this time.

Figure 4 provides a breakdown of the City of Marion's carbon emissions profile in 2015/16. Energy consumption generally makes up a large component of an organisation's carbon footprint. At the City of Marion, electricity account for 70% of corporate carbon emissions and is used in Council's buildings, facilities and public lighting. Transport fuel is the next largest contributor at 15%. The remaining 15% includes the use of gas in council buildings, waste generated from council activities, and the energy used to provide mains water and treat wastewater.

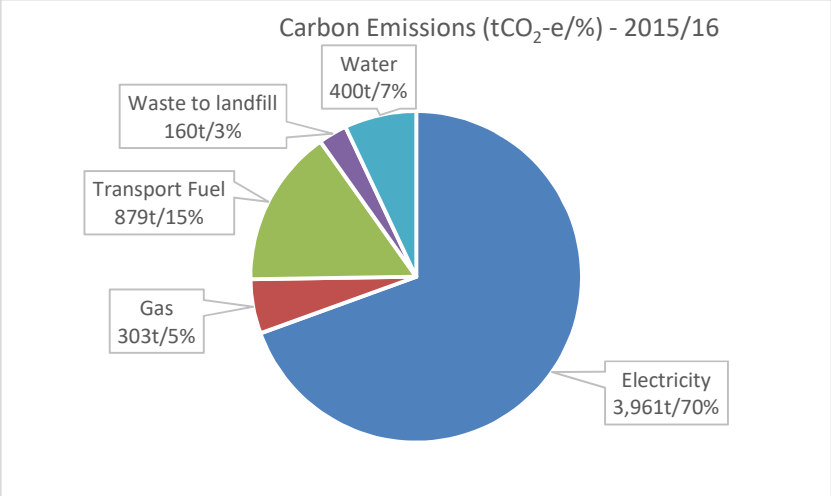


Figure 4: City of Marion Carbon Profile – baseline year 2015/16 (best estimate)

Emissions data is currently tracked using Trellis, an online carbon accounting and management software. Energy and transport fuel data are readily available, and a complete inventory can be taken from the Trellis data. There are gaps in the data for waste, water consumption and wastewater discharge, and refrigerant gases used in air conditioners; however, these make up a very small proportion of the overall footprint. Therefore, this 'best estimate' gives a reasonable summary of the carbon profile.

Over time, we can see the impact that energy reduction projects such as the LED streetlighting project, installation of PV systems on council buildings and replacement of petrol passenger vehicles with hybrids have had on the carbon emissions profile, shown here from 2015/16 to 2018/19 (complete 2019/20 data is not yet available). Figure 5 shows that a 22% reduction in carbon emissions has been achieved over this time.

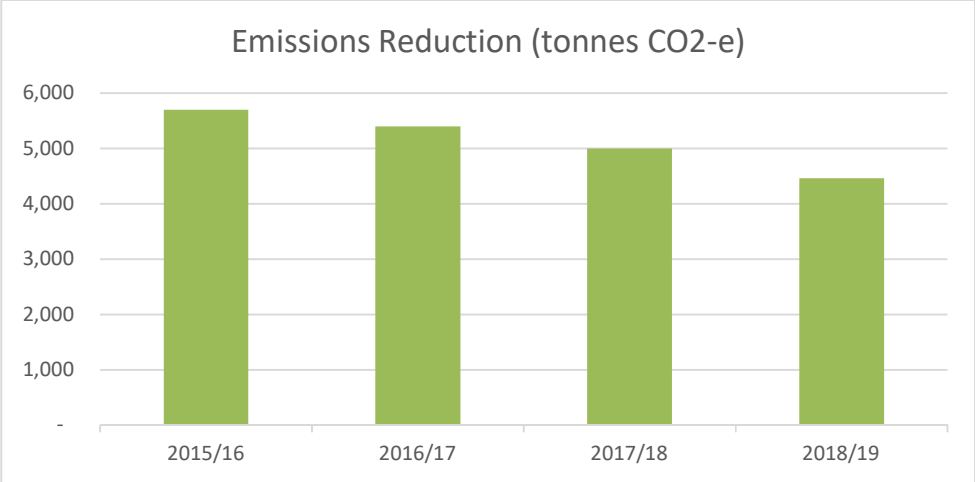


Figure 5: City of Marion Carbon Emissions Reduction over Time

3.2 Electricity Consumption

Energy consumption generally makes up a large component of an organisation's carbon footprint. Most of the projects implemented to date have had a focus on energy efficiency. Figure 6 shows reducing electrical consumption over time as the energy efficiency projects and solar PV installations contribute to reductions in electricity consumption at Council buildings and facilities and the LED streetlighting project has reduced electricity used by public lighting.

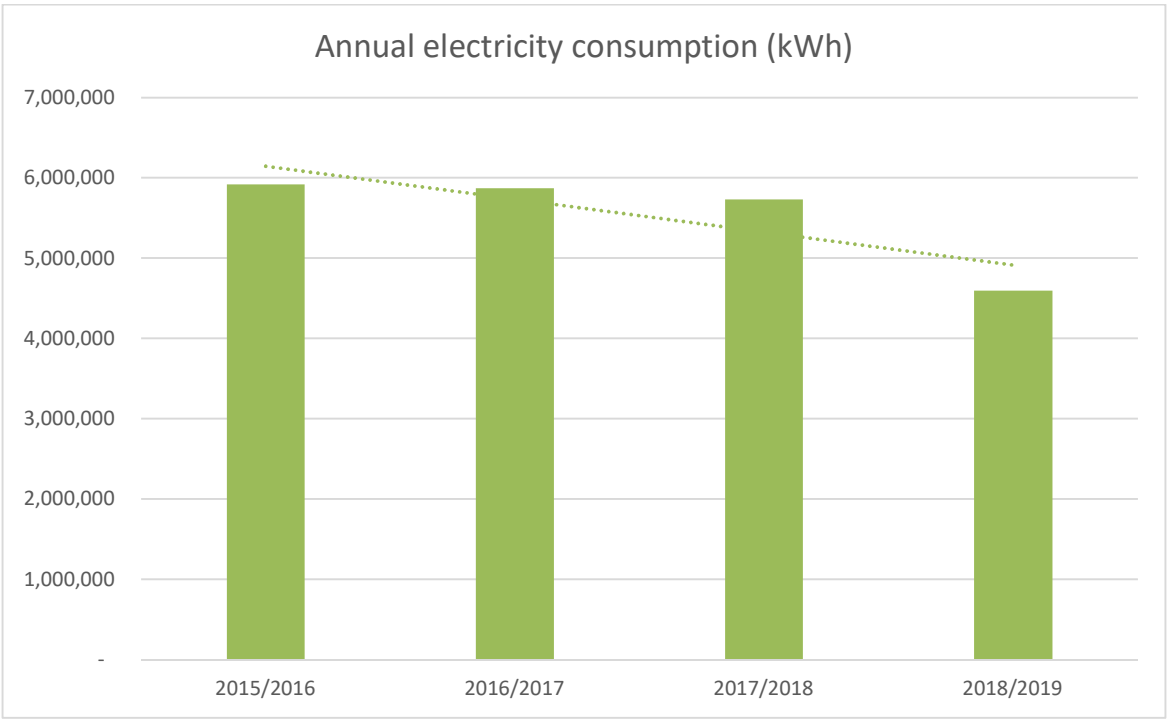


Figure 6: Reducing Electricity Consumption due to Energy Efficiency Projects

3.2.1 Renewable Electricity

While a large amount of electricity demand by council operated buildings is being met by rooftop solar, Council's current electricity contract does not include any renewable electricity commitment. It is important that renewable electricity is considered as part of the Carbon Neutral Plan, as it offers the opportunity to offset all emissions from electricity. This can be achieved via a renewable electricity contract, or large-scale solar projects. Both will be explored throughout this Plan.

3.2.2 Gas

Gas is used for heating and cooking in a few Council assets. There is limited accurate data on gas usage, however this information will be collected for the Climate Active aligned carbon inventory. As part of a transition to renewable energy it is recommended that all future energy consuming activities use electricity where possible, allowing 100% offset by renewable energy.

3.3 Waste

All waste collection is contracted to Cleanaway, with general waste (red bin) disposed via the Southern Region Waste Resource Authority (SRWRA) at Pedlar Creek, recycling (yellow bin) processed by VISY, and organics (green bin) processed by Peats Soil and Garden Supplies.

Records for waste collected from Council's facilities are not kept separately from the broader community collection.

Carbon emissions from the transport fuel use associated with the kerbside waste and recycling collection service have been fully offset since 1 April 2013 by the contractor, previously SOLO and from 1 May 2020, Cleanaway. Since 1 April 2013, almost 6,000 tonnes of CO-e have been retired.

Various products are recycled through Council's Southern Depot at O'Halloran Hill including green waste from tree pruning is chipped and used as mulch, and concrete and other products from footpath and road upgrades is crushed and used as recycled road base.

3.4 Transport

Transport emissions from vehicle fuels, primarily unleaded petrol and diesel, used by Council's fleet is recorded in Trellis.

As at June 2020 there were 73 sedans, wagons, vans and utes, 79 trucks and heavy plant (sweepers, backhoes, loaders, etc.), and a range of other mobile plant items that use vehicle fuels (chainsaws, brush cutters, etc.) in Council's vehicle fleet, with annual fuel costs approx. $360,000. Total carbon emissions from vehicles fuels was 879 tonnes CO_2-e in 2015/16 and had reduced by 9.2% to 798 tonnes CO_2-e in 2018/19.

A Fleet Optimisation Review was completed in 2018 and the Fleet Policy was updated in response to this review. The City of Marion's Fleet Policy requires:

- consideration of emission levels, alternative fuel sources and other environmental factors in buying decisions,
- seek to procure fleet assets that minimise carbon emissions and the resultant impact on our environment, and
- transition to fleet assets with lower emissions over time as vehicles are renewed.

During 2018/19 five hybrid petrol/electric Toyota Corolla passenger vehicles were introduced to the fleet. As at June 2020 there are nine hybrid passenger vehicles in Council's fleet. The impact of this on the emissions profile is not yet evident, however emissions reductions of around 45% compared with Mitsubishi ASX vehicles being replaced are estimated.

The current staff motor vehicle policy does include an option for fleet electric vehicles at the discretion of Executive.

Transport emissions from flights and other transport modes (e.g. taxi's) are not yet recorded, but will be considered as a Climate Active aligned carbon inventory is developed.

3.5 Water

Energy used to treat and pump mains water consumed by council and to treat wastewater discharged from council sites contributes to the overall carbon footprint. Annual water consumption information is available from SA Water. This information will be added to Trellis along with the other annual consumption data, to allow a complete carbon profile to be viewed in one space.

Annual water usage from the Oaklands recycled water supply will also be recorded.

4 Carbon Reduction Opportunities

4.1 Emissions Reduction Projects

A detailed review of Council's existing projects and opportunities to reduce carbon emissions has been undertaken. The potential projects and opportunities to work towards carbon neutrality were shortlisted to prioritise those projects that were most likely to have a significant and measurable impact on Council's carbon emissions, or that were required to support recommended projects or broader internal Council activities around carbon reduction.

Shortlisted projects that could contribute to carbon neutrality are described below.

- Implement ESD Guidelines for all new buildings, refurbishments, and maintenance activities.
- Integrate additional solar PV projects where suitable. This includes investigation of smaller projects such as solar shelters in reserves and the solar car parks projects previously considered by Council (a decision was made in May 2020 not to progress with this project at this stage).
- Change over remaining public lighting to LED. Note that this initiative is incorporated into the City of Marion Asset Management Plan and Public Lighting Action Plan therefore is not included in the detailed analysis below.
- Investigate options for investment in a large solar farm to offset 100% of Council's electricity emissions.
- Negotiate a 100% renewable electricity contract from an external provider.
- Install battery storage at facilities with night-time utilisation where appropriate.
- Install EV charging stations at Council sites (for use by visitors and to recharge Council vehicles) in addition to the public charging infrastructure being installed across the council area by Jolt.
- Transition to EV fleet over time as vehicles are changed over, continuing with light vehicles and moving towards heavy vehicles, where appropriate, ensuring that vehicle selections are fit-for-purpose.
- Purchase necessary carbon offsets to achieve 100% carbon neutrality.

4.2 Approach to Project Assessment

A Triple Bottom Line (TBL) based approach was taken to drive the selection and evaluation of an optimal suite of capital and non-capital initiatives that will help Council to achieve its carbon management goals.

The TBL approach considers environmental, social and economic impacts of each initiative. It goes beyond the traditional measures of profit, return on investment, and stakeholder (community) value to include environmental and social factors. By focusing on broader investment outcomes i.e. evaluating performance along the interrelated areas of profit, people and the environment, a triple bottom line approach is a strong tool to support sustainability goals.

Each project has been reviewed with the following considerations in mind:

- Key benefits, including primary benefits of carbon abatement, but also social and economic benefits.
- Initial capital cost.
- Operations and maintenance considerations.

- Simple payback.
- Timeframes for planning and implementation (to inform the Plan).
- Key risks and other considerations.

The TBL considerations are included in the 'key benefits' section. The projects considered for implementation in this plan are described in detail in the tables below. Grant funding opportunities and collaborative approaches that provide cost efficiencies will also be explored for each project as they are being delivered.

4.3 Solar PV Projects

Initiative	Additional Solar PV Projects
Description	Solar installations have been completed at ten operational sites, with systems sized to maximise demand offset and minimise export to the electricity grid. Existing roof space at a number of facilities is currently at capacity so cannot accommodate more solar panels. However, other structures such as car park roofs could be utilised, to create a larger space for future solar arrays.
Key benefits	As per study by The Energy Project (30/3/2020) car park roofs could reduce consumption by ~600,000 kWh, and abate ~8% of current emissions at ~321 CO_2-e tonnes per year. Optimised on-site use, with reduced dependence on the grid. This initiative could be integrated with batteries in future.
Estimated capital cost	The Energy Project estimated capital cost is ~$1,500,000 if all solar carpark projects were to be implemented.
O+M costs	Operations and maintenance costs are estimated at 5% of capital per year.
Payback	Estimated annual energy cost savings are ~$150,000, therefore payback on capital deployed is ~17 years.
Cost assumptions	Capital costs are as per The Energy Project report. Operations and Maintenance (O&M) cost is arbitrary percentage based on similar assets.
Delivery timing	Project could commence FY20/21.
Key risks	Minimal risks associated with solar PV as Council has recently delivered many small-scale solar projects. The Energy Project report recommends against solar projects with a payback greater than 10 years.
Conclusion	The long payback time makes these projects undesirable to Council. Council decision in May 2020 not to proceed with any solar carpark projects at this stage. This project is not included in the carbon neutral scenarios.
Action	Integrate additional solar PV projects where suitable.

4.4 Environmentally Sustainable Design (ESD) Guidelines for Council Buildings

Initiative	Development and adoption of ESD Guidelines for Council Buildings
Description	The development and adoption of robust ESD guidelines for new buildings, refurbishments to existing buildings and maintenance activities at all buildings would deliver notable emission reductions.
Key benefits	Improved practices are estimated to deliver a 5% reduction in building energy costs annually for the next 5 years. This equates to a reduced energy consumption of ~230,000 kWh, an abatement of ~3% of emissions at ~120 CO2-e tonnes per year for 5 years, reducing thereafter.
Estimated capital cost	There may be ongoing capital costs associated with the delivery of the ESD initiatives included in the guidelines, but this will be highly variable and should be assessed on a project-by-project basis. It is estimated that implementation of the new buildings guidelines will add 3-5% capital cost to projects.
O+M costs	There are no anticipated O&M costs associated with the ESD Guidelines. There should be O&M savings, depending on the initiatives chosen for each project.
Payback	Payback should be through incorporation of sustainability initiatives. This should be at least 5% but is variable depending on the project.
Cost assumptions	None
Delivery timing	DRAFT ESD Guidelines for Council Buildings have been refined using the Mitchell Park Sports and Community Centre Project as a test case.
Key risks	Guidelines are not used and target benefits are not delivered. This can be minimised with staff training and stakeholder buy-in and testing on live projects (this is currently happening).
Conclusion	This project has a quick payback and benefits beyond carbon reduction. These ESD Guidelines will be embedded into the Buildings Asset Management Plan. This project is included in both carbon neutral scenarios.
Action	Implement ESD Guidelines for all new buildings, refurbishments, and maintenance activities.

4.5 Large Scale Solar

Initiative	Large scale solar farm
Description	Solar farms are a simple way of producing safe, renewable and locally produced energy for many years after construction. They are space intensive and require careful planning but can yield significant amounts of clean energy for utility or local consumption. Components in solar farms have no moving parts, and inverters are housed in sound proofed enclosures. There is therefore little noise, making them suitable for urban and semi-urban environments as well as rural areas. Solar farms can be constructed very close to load centres as they are minimally disruptive to the local environment. This not only reduces the transmission difficulty, but also improves the efficiency of solar panels by reducing line losses. Further information is summarised below.
Key benefits	A 2.5 MW solar farm is estimated to deliver a 51% reduction in emissions and 100% of electricity needs in financial year 22/23. This equates to a reduced energy consumption of ~3,750,000 kWh, an annual savings of ~$675,000 and a reduction of ~2,000 CO_2-e tonnes per year. The solar farm is sized to allow offset of 100% of Council's electricity consumption from 22/23 onwards. After payback period, Council fully owns asset and receives low cost power.
Estimated capital cost	Estimated capital cost is $10,000,000.
O+M costs	O&M costs are estimated at 5% of capital per year.
Payback	Payback on capital deployed is ~16 years.
Cost assumptions	An allowance for ongoing maintenance and SAPN fees is factored into simple payback.
Delivery timing	Could commence theoretically in FY22/23, subject to a detailed feasibility study and project proofing.
Key risks	Unknown location, costs could be higher if site is contaminated/steep/etc. Glare may also be an issue (cars, flights, people) depending on location. Not Councils core expertise. Unknown future decision on management of SAPN grid.
Conclusion	This project is included in Scenario A. Refer further notes below.
Action	Investigate options for investment in a large solar farm to offset 100% of Council's electricity emissions.

Solar Farm Feasibility

Due to the high capital cost associated with this operation, it is recommended that a detailed feasibility is undertaken to confirm the capital costs, risks, and sizing options.

A feasibility study should include consideration of the following:

- Optimal sizing, location (identify sites or multiple sites), design, etc.
- Glare modelling.
- Full land level survey, geotechnical survey, aboriginal heritage survey.
- Flora/fauna survey for protected species, arborist/tree survey.
- Land title search if there is a need to purchase the land.
- SAPN full engineering review.

A minimum budget of $130 k is required for a detailed feasibility in addition to the capital cost of the project.

Note that a larger solar farm could be considered, which would allow Council to export energy to the community or other Councils. Any exported electricity is unable to be claimed by the Council as emission reductions under Climate Active and therefore this *will not impact the pathway to carbon neutrality.*

A larger solar farm would be operated like a Virtual Power Plant (VPP) and would allow Council to "sell" excess solar PV generation at a discounted rate from existing and planned solar PV systems to VPP connected households and/or businesses. There are many examples of VPPs being implemented across South Australia such as the SA Government's 250 MW Virtual Power Plant supported by Tesla and retailer Energy Locals and AGL's 5 MW VPP.

Council is also monitoring the solar farm that SA Water is developing at Port Stanvac to provide electricity for the desalination plant and to feed back into the national electricity grid. Opportunities for the City of Marion to purchase renewable electricity from SA Water would likely be at commercial rates.

Other considerations will include stability of the electricity grid, and cost-benefits; as increasing amounts of solar enter the market, there is downward pressure on wholesale electricity prices meaning that the financial viability of a solar farm becomes potentially less attractive.

Southern Region Waste Resource Authority (SRWRA)

Generation of renewable energy from landfill gas extracted from the site has been operational for a number of years. The recently upgraded 3.0 MW plant is operated by LMS, with electricity generated sold on the energy market. A 600 kW solar farm is under construction on site and represents Stage 1 of SRWRA's solar project. It is being designed, built and operated by LMS, with electricity generated on site to be sold on the energy market. A larger, Stage 2 solar farm is planned, but will be dependent on outcomes of Stage 1. There may be opportunities for the City of Marion to purchase power generated and/or contribute to the project. These opportunities can be explored further as the SRWRA solar project progresses.

4.6 Renewable Electricity

Initiative	Purchase of 100% renewable electricity
Description	Purchase a 100% renewable electricity contract from a suitable provider to cover all currently procured grid electricity. This could also be a solar Purchase Power Agreement (PPA).
Key benefits	Zero emission electricity that removes approximately 51% of Council's emissions. Council can abate all residual energy related carbon through purchasing 100% clean energy. This would reduce non-renewable electricity consumption by ~3,750,000 kWh, provide an annual savings of ~$675,000 and a reduction of ~2,000 CO_2-e tonnes per year Zero emission fleet transport following EV transition as all fleet would be powered from renewable electricity.
Estimated capital cost	Nil
O+M costs	Zero to minimal increase in costs if procured long term and with PPA or alternative retailer models. A comparison against traditional energy retailers (Origin, AGL, Alinta, etc.) should also be undertaken as wholesale electricity prices are reducing.
Payback	Immediate return on investment/procurement.
Cost assumptions	It is assumed no net increase would occur in cost of electricity procurement through a long-term contract. Depending on the procurement approach used, additional resourcing may be required to manage the consumption against the agreed purchase levels and have the expertise to procure additional energy from the spot market.
Delivery timing	Can commence FY22/23 when the current contract expires (December 2022).
Key risks	Longer-term contracts may result in higher costs compared to the market however cost certainty will be provided. Depending on the procurement approach used, the organisation may need to be mature in demand management – utilisation of 'spot buying' in peak consumption periods may be at exorbitant prices (especially in summer).
Conclusion	This project is included in Scenario B.
Action	Negotiate a 100% renewable electricity contract from an external provider.

4.7 Electric Vehicle Charging Stations

Initiative	Installation of electric vehicle (EV) charging stations
Description	Install EV charging stations at major facilities (this project assumes three stations installed initially).
Key benefits	There are no direct emission reduction benefits. Charging stations will directly support an EV fleet, which would directly contribute towards emissions reduction. Reputational benefits to Council that may drive further EV uptake within the community. Installation of EV charging stations at Council sties will complement public EV charging infrastructure being installed at high-use sites throughout the council area by Jolt.
Estimated capital cost	Capital cost estimated at ~$80,000 for three EV charging stations.
O+M costs	O&M costs associated are minimal.
Payback	N/A as these will not deliver direct cost savings.
Cost assumptions	Nil
Delivery timing	Can commence FY22/23 to enable the transition to EV fleet the following year.
Key risks	Low usage until EV Fleet Transition Plan is implemented.
Conclusion	This project has benefits beyond carbon reduction. This project is included in both carbon neutral scenarios.
Action	• Conduct an analysis of suitable locations for EV charging stations at Council sites (for use by visitors and to recharge Council vehicles). • Install EV charging stations at Council sites based on analysis recommendations.

4.8 Electric Vehicles

Initiative	Electric Vehicle Fleet
Description	Replace all vehicles with EV replacements on a rolling basis as vehicles are replaced. Initial focus should be on gradually transitioning light fleet / passenger vehicles from diesel, petrol or hybrid, to full EV. This would yield significant GHG savings, particularly if Council had already installed EV charging points that are fed by solar generated power. Solar powered EV charging would also yield additional vehicle operating cost savings, beyond those that could be anticipated through the running on EV fleet versus a fossil-fuelled fleet. Further information is summarised below.
Key benefits	The transition to an EV fleet will yield notable emission reduction benefits. An estimated 20% of carbon can be abated at ~800 CO_2-e tonnes/year. Strong promotion of sustainable transport options to staff and students due to the high visibility of the vehicles and charging stations.
Estimated capital cost	20-25% increase in whole of life costs over a 5-year period (based on current pricing which will reduce as EV uptake increases). Typically, EVs cost around 25% less to operate and maintain than equivalent diesel or petrol vehicles. Capital purchase costs for EVs tend to be higher (currently ~50% above current vehicle costs), however costs are steadily reducing. The cost of this initiative will be clarified in the 'EV Fleet Transition Plan', so do not contribute to the implementation costs for this Carbon Neutral Plan.
O+M costs	Reduced operating, fuel and service costs.
Payback	N/A – Increased cost at current price.
Cost assumptions	20-25% is based on an analysis of currently available EVs in Australia using the Evenergi calculator.
Delivery timing	Develop an 'EV Fleet Transition Plan' that is aligned with the Fleet, Plant and Equipment Asset Management Plan implementation. Continue rollout of replacement of fleet to EV. Commence full EV (not hybrid) from 2022/23 (subject to outcomes of EV Fleet Transition Plan).
Key risks	Integration with EV charging points needs to be monitored as technology is rapidly evolving. Availability of fit-for-purpose vehicles to suit Council's needs may not meet the timeframe of this Plan.
Conclusion	This project has benefits beyond carbon reduction, and the technology is increasing in usage over time. This project is included in both carbon neutral scenarios. Refer notes below.
Action(s)	• Develop an EV Fleet Transition Plan that establishes a planned approach to transition from petrol and diesel vehicles and includes timeframes, types of vehicles, consideration of light versus heavy vehicles, data management solutions, transition costs, whole of life costs, etc.

Initiative	Electric Vehicle Fleet
	• Implement the EV Fleet Transition Plan.

EV Fleet Transition

Given the likelihood of an ongoing renewable electricity commitment, the gradual transition to an EV fleet is a key component of a move to a more sustainable, carbon neutral Council. After the renewable electricity contract is implemented, fleet emissions from work related travel are the next largest emission source. It is recognised that Council requires a large variety of vehicles for the delivery of its services and that for some vehicle classes, particularly heavy fleet and industrial type vehicles, EV alternatives are either hard and/or prohibitively expensive to source, or are not yet available to the market in Australia.

Regulatory pressures on internal combustion engines (ICEs), combined with technological improvements in electric power-trains and batteries, are driving a surge of demand for EVs globally. Most incumbent car manufacturers are rolling out models, joined by new entrants without ICE legacies. While uptake of EVs has been slower in Australia than overseas, there is a growing movement towards EVs as technology improves and prices come down. Commercial type vehicles are being developed, however these lag behind passenger vehicles in terms of development status and speed to market.

A power-to-gas demonstration plant called Hydrogen Park SA (HyP SA) is being constructed by Australian Gas Infrastructure Group (AGIG) at the Tonsley Innovation District. HyP SA will produce hydrogen from renewable electricity, which will then be injected into the local gas distribution network at Tonsley Innovation District to provide low-carbon gas to homes and businesses. Opportunities for use of hydrogen as an alternative vehicle fuel are also progressing.

It is recommended that a comprehensive analysis is conducted on Council's fleet (including light fleet/passenger vehicles, and eventually heavy vehicles as technology becomes available) to establish likely capital/whole of life costs and GHG implications. It should also be possible to negotiate fleet-based pricing and servicing which may yield additional financial benefits versus more *ad-hoc* purchase of various brands and from various dealers. This should be part of a wider feasibility study that is aligned to the Fleet, Plant and Equipment Asset Management Plan and includes consideration of the technical requirements, budget and timing of this initiative.

4.9 Purchase Carbon Offsets

Initiative	Carbon Offsets
Description	Complete a full carbon inventory and purchase necessary carbon offsets to offset 100% of all remaining emissions. This includes emissions from other parts of the inventory, such as water, waste (whereas previous projects focus on electricity and fuel). A carbon offset (or credit) is a market-based mechanism and is typically transacted in metric tonnes of carbon dioxide equivalent (CO_2-e). Purchasing one tonne of carbon credit means there will be one less tonne of carbon dioxide (or an equivalent greenhouse gas) in the atmosphere than there otherwise would have been. Once a carbon offset is purchased, it is retired permanently. Climate Active Carbon Neutral Standard provides a list of eligible offset units under the standard's rules, to ensure genuine and credible emission reductions. Under the Climate Active standard, any remaining emissions left after carbon management and reduction projects must be offset by purchasing carbon offsets (also known as carbon credits). These offsets are generated when reduction in carbon is made elsewhere to compensate for the carbon emissions generated by Council. Until recently, there were very few carbon offset projects in South Australia, making it difficult to buy local offsets. However, Australian and overseas approved offsets are available, in support of forestry, agriculture and renewable energy projects.
Key benefits	After all other capital projects that directly reduce emission production have been completed, remaining emissions can be offset through the purchase of carbon offsets. This is a last resort resolution to achieve carbon neutrality. This will allow a pathway to Climate Active Certification.
Estimated capital cost	Dependent on number of units and market price of carbon offsets at time of purchase. The cost of offset unit purchase is variable and market dependent. This means that the price fluctuates on a daily basis depending upon the availability of the standard of offset required, the market demand at the time the purchase needs to be made, and the quantity of offsets required to be purchased. As demand increases and availability decreases, the price increases. The price also decreases as the quantity required increases. Essentially, basic supply and demand principles apply. The current market price for accredited Grade A carbon offset units that support Australian projects ranges from $14/tonne to $34/tonne. The current Australian Government Treasury Report on Carbon Pricing advises that the current carbon offset range for Australia is a core price of $20/tonne, and a high price of $62/tonne. The carbon offset prices noted in Section 4.9 of this report is based on the core price of $20/tonne.
O+M costs	Ongoing costs associated with maintaining a carbon inventory, being independently audited and purchasing offsets. Carbon Offsets (purchased 2020/2021 for 3,900 tonnes CO_2-e) = $78,000 Carbon Offsets (purchased 2027/2028 for 800 tonnes CO_2-e) = $16,000 Allowance for annual carbon inventory and accounting = $30,000 p.a. (note: not certified under Climate Active).

Initiative	Carbon Offsets
Payback	N/A as these will not deliver direct cost savings.
Cost assumptions	Based on inventory scope and certification and audit estimates for the Council's emission profile. Purchase price based on current $20/tonne. This may change over time.
Delivery timing	After 100% renewable electricity emissions is in place.
Key risks	Cost of offsets is market driven and may increase significantly.
Conclusion	Council has indicated that carbon offsets should only be pursued once other initiatives to reduce emissions have been investigated and implemented. It is therefore assumed that this is the last action and can occur anytime from 2027/2028. This project is included in both carbon neutral scenarios.
Action	Purchase necessary carbon offsets to achieve 100% carbon neutrality.

4.10 Carbon Neutral Certification

Carbon Neutral certification has been included as supporting this project, however is not a mandatory requirement. A full carbon inventory is required for certification and is recommended to enable carbon positive projects to be implemented and to formally recognise the Council's achievements.

The steps to be considered to achieve carbon neutrality with Climate Active certification are:

Timing: Council could decide to purchase offsets today (costing $78,000 in 2020/21) and become carbon neutral immediately. This would require an ongoing carbon offset purchase. To start this with Council's current carbon inventory would cost approximately $78,000 per year. However, the data collection needs more work to provide an accurate and auditable carbon inventory, and this would also bypass a crucial step to reduce emissions through the various other projects presented in this plan.

There is no payback and no follow-on benefit, e.g. reduced energy costs. Refer to section - which notes rising carbon prices over time, and uncertainty in the carbon pricing market.

Third Party Approval: Climate Active provides the benefit of a nationally approved carbon offset accreditation process. Without the certification, Council are limited in how proof of carbon neutrality can be justified. Other benefits of a Climate Active certification are:

- Rigour of annual reporting in accordance with the framework, including annual 'Public Disclosure Summary' documenting carbon reduction commitments;
- Position of leadership and recognition;
- Enhanced corporate social responsibility; and
- Positive social and environmental outcomes.

Carbon Offsets: A decision would be required around which carbon offsets to purchase, i.e. local or international; renewable energy or biodiversity offsets; or initiating a new carbon offset project for the region through revegetation or biodiversity projects.

It is recommended that further analysis and consultation is undertaken to determine the most appropriate pathway to carbon neutrality. This should occur after the 100% renewable electricity project is in place.

More information is provided in Appendix B.

4.11 Supporting Initiatives

It is important that Council implements additional initiatives to support the identified priority projects and Council's sustainability strategy. These supporting initiatives are generally policies, investigations and plans which lay the groundwork for the successful implementation of the priority projects. These include:

4.11.1 Carbon Accounting and Reporting

In order to inform better decision-making, comprehensive and up-to-date information on carbon sources is critical. This will allow Council to allocate funds and efforts to the highest value carbon reduction initiatives and will also directly support any future certification, under Climate Active or other platforms. Key actions include:

- An annually updated and complete carbon inventory aligned to Climate Active standards.
- Further utilisation of Trellis or other similar carbon accounting tools – to accurately record and monitor all carbon emissions and transition to easy annual carbon accounting.
- Consideration of human resource implications – to be managed by Council or with assistance from specialist consultants.
- A data management and reporting plan – data completeness, integrity and reporting are critical to informing good decision making when attempting to manage complex areas such as emissions and carbon. Understanding the impact of investments and process or behaviour changes allows active management of carbon and meaningful and current reporting to be generated.
- Develop an agreed approach to carbon offsets – when Council is ready to consider carbon offsets, an agreed approach will be required to specify what type and mix of carbon offsets are approved for purchase. The timing of carbon offset purchase and recommendations for Climate Active certification will also need to be considered.
- Carbon reduction promotion and communications to ensure advocacy and information sharing, including case studies and progress on delivery of the plan. External communications of the plan delivery and outcomes could include:
    - Annual Council Report.
    - Council website and Social Media pages.
    - Articles in broader newspapers (e.g. The Advertiser) and articles in industry publications.

4.11.2 Other Carbon Reduction Projects

High-level actions identified in the 'Energy Efficiency and Renewable Energy Plan' endorsed by Council in July 2018 are already having an impact on Council's carbon profile and in behaviour change within the community.

- Continue to implement resource recovery, waste management and minimisation projects, and implement separate corporate waste reporting.
- Annual project monitoring and evaluation should guide how the progress of projects and the outcomes delivered will be measured and tracked. This should include factors such as targets, roles and responsibilities, time and cost considerations, issues and mitigations.
- Consider carbon neutral events planning for Council events, such as open days or concerts. This would be a great follow on from Council's successful ban on single use plastics at events (considering there is now likely to be a national ban on single use plastics). Events can also be carbon neutral certified through Climate Active. This is another highly visible public

demonstration of Council's commitment to becoming carbon neutral and also has many positive broader marketing opportunities.

- Complete a Mobility as a Service (MaaS) feasibility study to assess the value of smarter sustainable transport options. This may include flexible lane management, autonomous vehicle connections, ride share services such as Lime and Bird, purchasing Council managed e-bikes and possibly extending the community bus service to include transport from Council offices to nearby hubs. Discussions with Flinders University and the City of Mitcham to develop an e-scooter trial for Flinders Link have commenced.
- Investigate feasibility of creating a carbon offset project in the Field River catchment.

4.11.3 Plans and Policies

- A review of the procurement policy to include sustainable procurement – this will allow Council to influence how and from whom its goods and services are procured, taking account of traditional procurement factors but also the sustainability characteristics of the goods, services and vendors involved. Factors such as manufacturing materials, source location and transport logistics can all be addressed.
- Carbon neutral suppliers - consider integrating carbon neutral suppliers into the sustainable procurement policy. This will continue to reduce Council's carbon emissions and will be an additional marketing opportunity when printing marketing material.
- A staff travel survey - Workplace travel surveys are used to gather data on travel to, from and between workplaces. Around one quarter of national carbon emissions are transportation-related, much of that from workers travelling to work or meetings. Improved technology has enabled many organisations to introduce work from home policies and conduct meetings remotely thereby reducing commuter and business-related travel. Interestingly, the changed work practices introduced in response to the COVID-19 pandemic will have a positive environmental impact as more people work from home. Key reasons for implementing workplace travel surveys are to:
    - Assist in choosing actions that are appropriate for influencing travel behaviours, for example to reduce personal vehicle use and associated GHG emissions.
    - Provide a baseline of data that allows us to measure changes in behaviour and outcomes after actions have been implemented, e.g. bike or shuttle bus provision.
    - Provide data to support carbon accounting for Climate Active.

4.12 Potential Community Initiatives

There are also a number of community initiatives that can help to communicate what Council is doing in leadership in carbon management, and to provide encouragement to members of the community to adopt better practices within their own homes and workplaces.

The initiatives can include:

- Community education, through the Council website, library information screens, digital information kiosks, booklets, and community information nights.
- Community consultation on some of the proposed projects included in this plan.
- Develop a City Transport Plan – A well-targeted community sustainable transport plan can help to reduce GHG emissions, improve road safety, reduce congestion and increase the efficiency

of transport systems. Streets can also contribute towards environmental sustainability through designs and infrastructure that involve re-use of materials and feature water sensitive design. Others benefits often include incentivising a switch from cars to more sustainable transit modes such as walking, cycling, ride sharing and public transport. Electric vehicle opportunities can also be addressed. There is potential to partner with Smart South Consortium and other partners to further develop smarter sustainable transport options.

- Prepare a Community Carbon Management Plan, to sit alongside this Council-focussed plan and to specifically address the Communities goals, targets and implementation.

4.13 Council's Construction Activities

The corporate carbon inventory concentrates on operational emissions and does not include the embodied energy of materials that may be used in Council activities, such as the construction of a new building or laying of new asphalt for road works, or smaller construction and removal works. This is also not a requirement of Climate Active.

However, Council may wish to develop a simple carbon accounting calculator for Council's construction related activities. This would transition Council's carbon commitment from their own internal corporate inventory towards a stewardship role over its activities and impact on community emissions and use of sustainable materials. This type of emissions accounting is considered by the industry to be a 'carbon positive' action – that is, going beyond carbon neutrality to positively impact the wider environment.

The Transport Asset Management Plan identifies operational requirements to use recycled materials where possible, whilst minimising impact on the environment. In addition, the plan identifies to investigate options to conduct Climate Risk Assessments for City of Marion assets and the forecast impacts on asset useful lives.

5 Carbon Neutral Plan

5.1 Carbon Neutral Scenarios

The following carbon neutral scenarios have been developed to achieve carbon neutrality. The images outline the carbon reduction pathway for each scenarios.

Note: The **green** area represents the carbon emissions reducing over time as carbon reduction projects are implemented. The **grey** line shows reducing emissions in a 'do-nothing' scenario where the SA grid decarbonises over time.

Scenario A - Renewable Energy (own and operate)

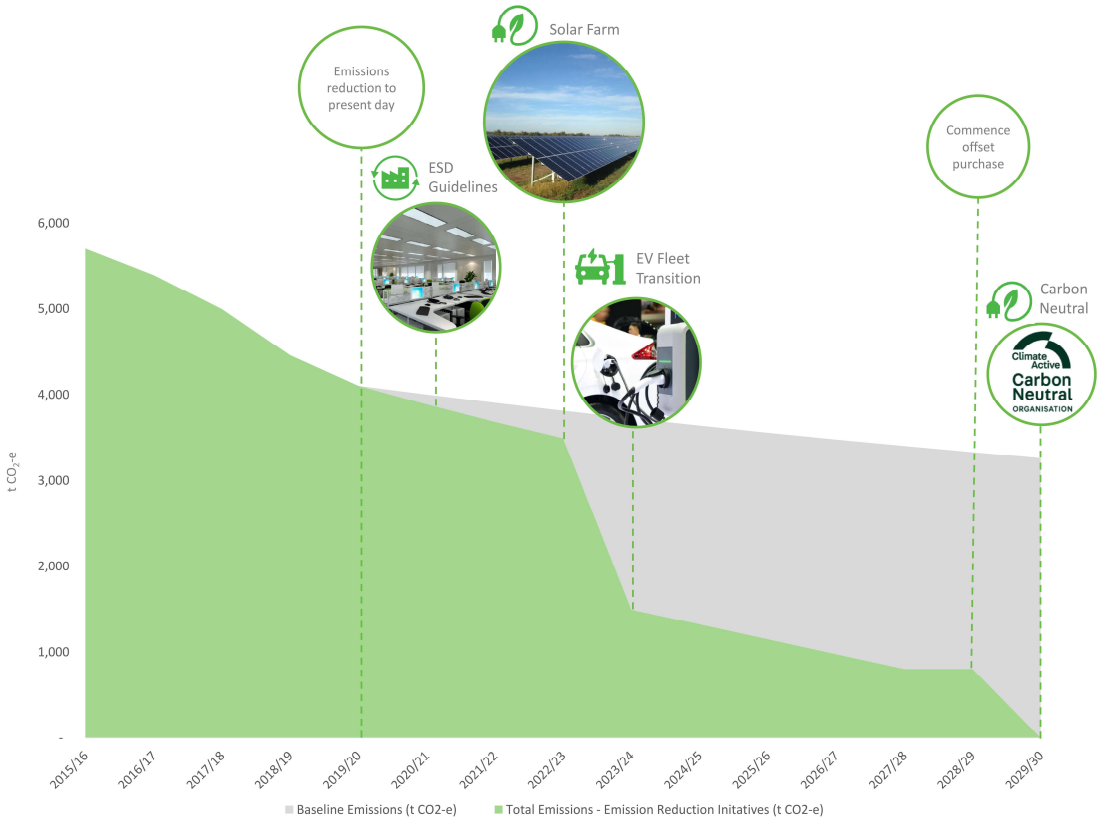


Figure 8: Carbon Reduction Scenario A

Under Scenario A, Council undertakes a large-scale renewable energy project. This involves undertaking a detailed feasibility of a solar farm and delivering a solar farm capable of offsetting 100% of Council's electricity consumption in FY 22/23.

Complementary projects to reduce carbon emissions from other sources will include:

- Implementing the City of Marion ESD Guidelines for Council Buildings.
- Expanding the EV fleet transition in FY23/24.
- Reducing emissions associated with waste through implementing circular economy initiatives.

- Reducing the use of mains water.

Carbon offset purchase only occurs when other emissions reduction projects have significantly reduced the emissions profile, in FY 28/29.

Scenario B - Renewable Energy (contracted renewable electricity)

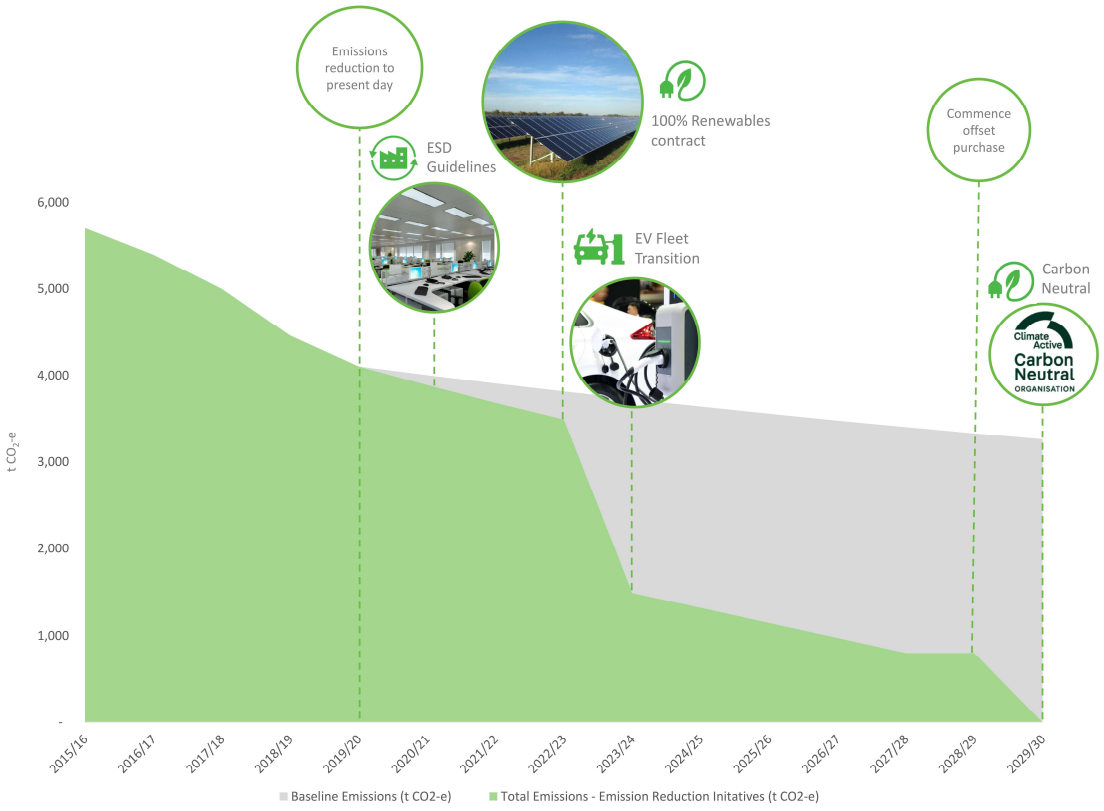


Figure 9: Carbon Reduction Scenario B

Under Scenario B, Council contracts 100% renewable electricity from an external party when the current contract is up for review in FY 21/22. This reduces the capital cost and risk associated with the large solar infrastructure in Scenario A, however, has increased ongoing energy costs.

All other parts of the scenario are as listed above, although the EV transition could potentially commence one year earlier.

5.2 Carbon Neutral Recommendation

Due to significantly lower capital costs, risks and ongoing management considerations, it is recommended that Scenario B be adopted for carbon neutrality.

This Scenario would allow City of Marion to achieve carbon neutrality by 2029/30 or sooner.

5.3 Carbon Neutral Implementation

Figure 10 provides an overview of all the carbon emissions reduction actions and supporting initiatives recommended to enable the City of Marion to achieve carbon neutrality by 2030 and to embed carbon reduction outcomes across our corporate operations.

Initiative Description	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30
Key Activities										
Carbon inventory reporting										
ESD Guidelines on projects										
Monitor solar farm collaboration opportunities										
Contract 100% renewable energy										
Develop EV transition plan										
EV charging stations										
Implement EV fleet transition										
Research carbon offset projects (incl. Field River)										
Consider Climate Active Certification										
Purchase approved carbon offsets										
First carbon neutral year										
Supporting Activities										
Communication and Promotion										
Carbon Neutral Council Events										
Develop a Sustainable Procurement Policy										
Mobility as a Service study										
Staff Travel Survey										
Sustainable behaviour program										
City Sustainable Transport Plan										
Community Carbon Neutral Plan										

Figure 10: Implementation Program

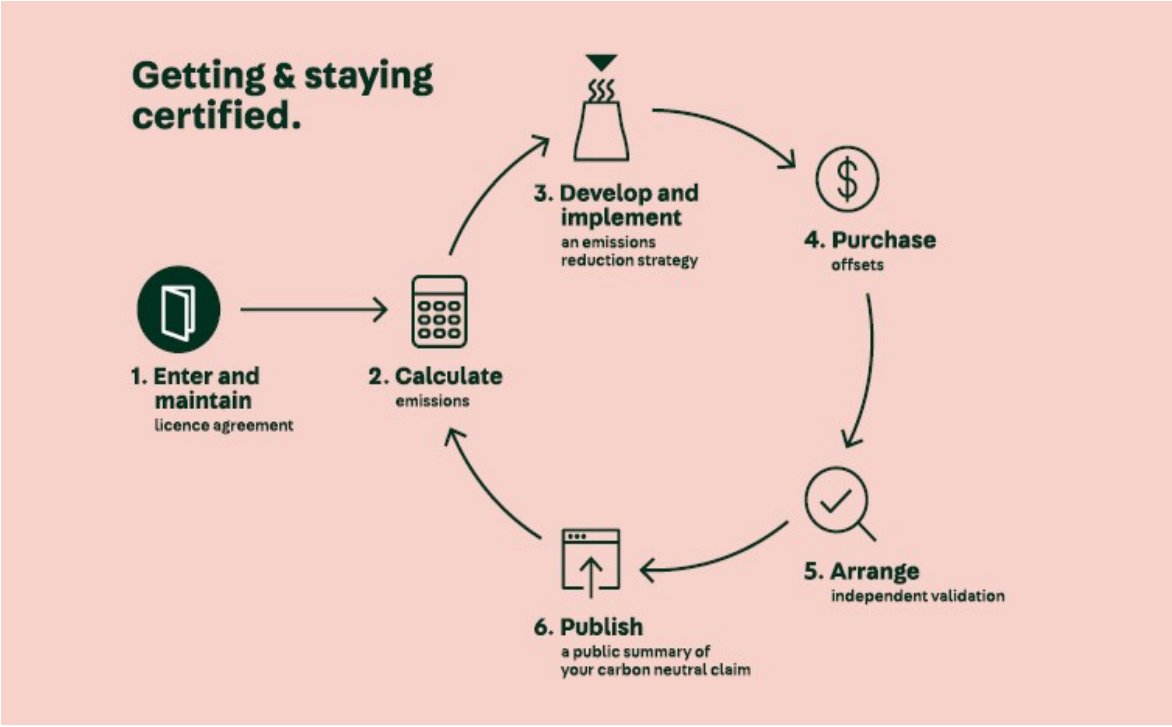
Appendix A – Climate Active

Introduction

The Australian Government, in partnership with the property sector and business, has developed the Climate Active *(formerly National Carbon Offset Standard (NCOS)) for organisations.* The organisational standard is a voluntary standard to manage greenhouse gas emissions and to achieve carbon neutrality. It provides best-practice guidance on how to measure, reduce, offset, report and audit emissions that occur as a result of the operations of an organisation.

CLIMATE ACTIVE

The purpose of Climate Active is to provide a structured, auditable pathway for organisations to work towards carbon neutrality. The Climate Active standard encourages the measurement, management and reduction of greenhouse gas emissions as far as is practicable, with the remaining emissions cancelled out by the purchase of accredited offset units.

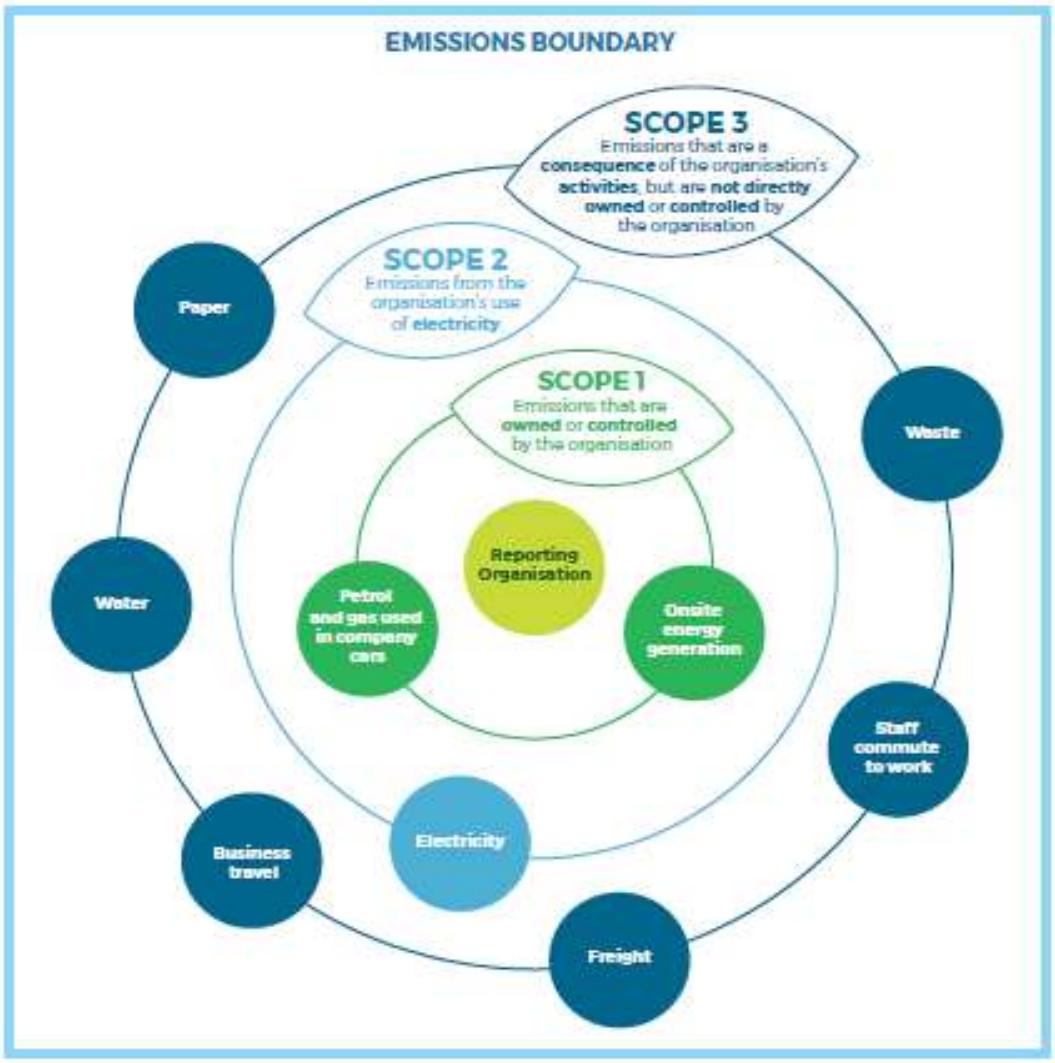


Climate Active Pathway to certification. Source: CLIMATE ACTIVE

The following operational emissions are to be accounted for:

1. **Energy** (including lighting, heating and cooling, occupant energy use, plant equipment, other infrastructure and shared services). This includes all energy sources (grid electricity, on-site generated electricity, gas, diesel fuel etc.) and all emissions scopes (Scope 1, 2 & 3);

2. **Refrigerants** including air conditioning system leakage and replacement and refrigeration systems;
3. **Water** consumed, and **wastewater** discharged (including Scope 3 emissions associated with off-site water treatment);
4. **Transport** to and from a precinct (including occupant commuting, occupant travel to and from a place of work, property management vehicles, forklifts, shuttle services etc.); and
5. **Waste** leaving the precinct (including all waste streams, and Scope 3 emissions associated with off-site waste recycling, processing, combustion, or disposal to landfill).



Defining emissions scopes. Source: CLIMATE ACTIVE

Emissions Scope

The organisation emissions include all emissions that the organisation has control over. They fall into the three globally accepted categories:

Scope 1 – direct emissions resulting from the organisation's ownership and control, for example energy generated on site, fuel used in generators and company vehicles.

Scope 2 – the consumption of electricity generated elsewhere.

Scope 3 – emissions from electricity consumption and fuel use (indirect emissions from the extraction, production and transport of fuel burned at generation), and emissions from waste, business travel and accommodation, office paper and water use. Other scope 3 emissions sources that may be relevant include staff commuting, food and catering, postage and freight, stationery, office printing, cleaning services, IT services (e.g. data centres) and telecommunication services.

Any exclusions must be disclosed and justified.

The carbon account must include emissions of carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2 O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulphur hexafluoride (SF_6), and nitrogen trifluoride (NF_3).

Climate Active Certification

The annual carbon account needs to be audited by an independent third party which carries NGERS Accreditation at least every three years, although the rules on the auditing may be different once all emissions reductions opportunities are implemented (may fall under 'small organisation' which has simplified auditing. Once the emissions inventory has been confirmed, the carbon is then cancelled via the purchase of certified offsets, following which a submission can be made to Clime Active for certification.

Full details regarding Climate Active is available here

http://www.environment.gov.au/climate-change/government/carbon-neutral/Climate Active

Appendix B - Carbon Offset and Sequestration

Carbon Offset Projects – Case Studies

Australia's largest accredited biodiversity offset is the Yarra Biodiversity Corridor Offset, a revegetation project located 400 km north of Perth. Managed by 'Carbon Neutral Consultants', this project involved planting seedlings in the wheat belt region, to revegetate formerly cleared land.

https://carbonneutral.com.au/yarra-yarra-biodiversity-corridor/

In Tasmania, a large area of old growth forest previously designated for logging has been protected as a biodiversity forest, called the New Leaf Carbon Project. 28,000 hectares have been protected, and many companies, including Virgin Australia, buy carbon offsets from this project.

http://marketplace.carbonmarketinstitute.org/new-leaf-carbon-project-2/

The SA Department of Environment and Water (DEW) has been working on biodiversity projects to produce SA carbon offsets, including the Kangaroo Island Biodiverse Carbon Credit Pilot Project and an area of revegetation on the River Murray. The recent extension of Charlestown Conservation Park in the Adelaide Hills has been registered as a carbon conservation park with the Clean Energy Regulator, with the purpose of generating carbon offset credits through sequestration. It is difficult to obtain published information on these projects, however DEW has indicated that there may be opportunities for partnership with local organisations to create additional local biodiversity offsets. We recommend that further consultation is undertaken with DEW and SA Department of Premier and Cabinet to gain further clarity on what may be possible going forward.

Carbon Sequestration in Trees

Planting of trees is an excellent way of sequestering carbon from the atmosphere. Council has an active tree planting program, and there are obvious environmental benefits from this. If Council were to attempt to plant an area to sequester all of Council's corporate emissions, an area of approximately 60-80 hectares would need to be planted, with over 60,000 trees. This would be more than double the total of all trees planted in the Marion Council area at present.

However, it should be noted that there is no way to verify the carbon offsets (or credits) from a planted area such as this without registering it as a carbon offset project, and there is no clear pathway to do this currently in Australia. Only approved carbon offsets can count towards a carbon neutral claim, or certification under Climate Active. It is important to note that tree planting is an excellent environmental initiative for many other reasons than contributing to carbon offsets, such as reducing heat island effect, increased biodiversity, etc., and should be considered as part of the wider environmental planning for the Council area.

DEW is currently operating biodiversity projects as carbon offsets, and it is possible that a partnership may be able to generate approved offsets. Alternatively, Council could look to purchase established and approved biodiversity offsets elsewhere to support planting and reforestation projects in other places.

CONNECT WITH US ONLINE

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Front Cover : Cove Civic Centre

CITY OF MARION

Representation Review Options Paper

Originating Officer	Manager Corporate Governance - Kate McKenzie
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R05

REPORT OBJECTIVE

For Council to consider and adopt the Representation Review Options Paper for the purposes of public consultation.

RECOMMENDATION

That:

1. **Council adopts the Representation Review Options Paper included as Attachment 2 to this report.**
2. **The Manager Corporate Governance be authorised to amend the wording (without changing the meaning or purpose of the Representation Review Options Paper) if required.**
3. **The community consultation and engagement process commences on Thursday, 30 July 2020 and concludes at 5 pm, Monday, 14 September 2020.**
4. **The outcomes of the community consultation be presented to Council at its meeting on Tuesday, 13 October 2020.**

GENERAL ANALYSIS

A Representation Review is held to determine whether a council community would benefit from a change to the Council's composition or ward structure. Every Council is required to complete this process every eight years. It must address the current state and planning for the future requirements of the Council area. The *Local Government Act 1999 (the Act*) sets out the requirements for a representation review. The council must manage the representation review in the context of the legislative process.

Section 12 of the Act sets out the process and requirements to be followed which includes that a representation review must examine:

- all aspects of the composition of the Council
- the potential division of the council area into wards, or the abolishment of existing wards.

Section 26 of the Act sets of the principles to be followed in the review which include:

- changes should benefit the ratepayers
- arrangements should reflect communities of interests, values and aspirations and avoid significant dislocations within community
- encourage local community participation in decisions about local matters
- provide effective local governance and foster co-operation with other Councils.

Section 33 then sets the requirements that councils must take into account such as:

- the number of council members

- the division of the area into wards and/or whether existing wards should be abolished
- ward ratio and quotas (10% tolerance required)
- communities of interests, topography, communication between electors and demographic changes.

The Act prescribes the process to complete a Representation Review which includes:

- the development and adoption of a Representation Review Options Paper
- six week public consultation and engagement
- the development and adoption of a Representation Review Report
- further three week public consultation and engagement
- final consideration and adoption of the Representation Review Report
- Submission of the Representation Review to the Electoral Commission of South Australia for approval
- Implementation of any changes to take affect from the November 2022 Local Government Elections.

A full timetable is included as **Attachment 1**.

DISCUSSION

Council has appointed Ms Kate McKenzie, Manager Corporate Governance to develop the Representation Review Options Paper and Representation Report on its behalf.

A Representation Review Options Paper has been developed for Council's consideration and adoption (**Attachment 2**).

The Representation Review Options Paper in drafted with six options, however three of these options have two choices available within the same structure. These are noted in the report as options 1a, 2a and 3a. The options include:

- Option 1 - 3 Wards with 3 Councillors per Ward = total 9 Councillors plus Mayor
- Option 1a - 3 Wards with 4 Councillors per Ward = total 12 Councillors plus Mayor *
- Option 2 - 3 Wards with 3 Councillors per Ward = total 9 Councillors plus Mayor
- Option 2a - 3 Wards with 4 Councillors per Ward = total 12 Councillors plus Mayor *
- Option 3 - 4 Wards with 2 Councillors per Ward = total 8 Councillors plus Mayor
- Option 3a - 4 Wards with 3 Councillors per Ward = total 12 Councillors plus Mayor *
- Option 4 - 5 Wards with 2 Councillors per Ward = total 10 Councillors plus Mayor
- Option 5 - 4 Wards with 2 Councillors per Ward, 1 Ward with 3 Councillors = total 11 Councillors plus Mayor
- Option 6 - 6 Wards with 2 Councillors per Ward = total 12 Councillors plus Mayor *

<u>Statutes Amendment (Local Government Review) Bill 2020</u>

The state government has introduced to parliament an amendment to the Local Government Act 1999. There are several key sections that impact on the Council's Representation Review. These include:

- the inclusion of section 11A that states "a council must not be comprised of more than 12 members". If this section becomes enacted, it means that any option within the Representation Review Options Paper with more that 12 members will be non-complying with the Act. These options are marked with a * above.
- The requirement to prepare an options paper has been deleted (section 12(5)-12(10)) and the process has been reduced to only require the preparation of a Representation Report which examines if the number of members can be reduced and if the area should be divided into wards. Consultation of his report will be undertaken in accordance with the Council's consultation charter (also a new requirement).
- Section 12(11a) - 12(11d) has also been deleted which removes the ability for Councils to have a chairperson. If this section is deleted, a Council can only have a Mayor.

The outcomes of the proposed amendments are unlikely to be finalised until later in the year (maybe November 2020).

It is proposed to progress the Representation Review with the current legislative process however, Council will need to be cognisant of the proposed amendments to the Act. Although the amendments are yet to be finalised, Council may want to consider options that are complying with the proposed changes to the Act.

Community Consultation

Community consultation will commence once the Elector Representation Review Options Paper has been adopted by Council. The community will be invited to participate in the review. Information will be placed on the Council website and making marion. The community consultation period will open on Wednesday, 29 July 2020 and close 5.00pm on Monday, 14 September 2020.

Attachment

#	Attachment	Type
1	Timetable	PDF File
2	City of Marion Draft Representation Review Options Paper	PDF File

Representation Review Timetable

Action	**Due Date**	**Status**
Appointment qualified person to prepare reports	June 2020	Complete
Council to consider and adopt Representation Review Options Paper	29 July 2020	In progress
Public notice	1 August 2020	In progress
Community Consultation	30 July – 14 September 2020	Planning
Consultation feedback presented to Council	13 October 2020	Not commenced
Council to consider and adopt Representation Review Report	27 October 2020	Not commenced
Community Consultation	28 October – 23 November 2020	Not commenced
Council Meeting to hear from persons who submitted a written submission	24 November 2020	Not commenced
Finalise Representation Review Report	8 December 2020	Not commenced

City of Marion

Representation Review Options Report

Prepared by:

Kate McKenzie,
Manager Corporate Governance,

in accordance with Section 12 (8a) of the *Local Government Act 1999*

Date: 29 July 2020

Public Consultation Period:

30 July to 14 September 2020

Contents

Executive Summary 1

Introduction 2

Process 2

Public Consultation 3

Legislative Requirements 3

City of Marion 4

Overview 4

Current Representation Structure 4

Current quotas 6

Current Statistics and Forecast 7

Demographic Data (Australian Bureau of Statistics- ABS) 7

Population Forecast 7

Development and Identified Growth Areas 8

Communities of Interest 9

Options for Discussion 10

Mayor vs Chairperson 10

Number of Elected Members 11

Ward vs No Wards 12

Area Councillors 13

Ward Representation (per ward) 14

Ward Options 15

Executive Summary

This Representation Review Options Paper has been prepared to explore various options for achieving fair and adequate representation of all electors across the Council area.

It has been prepared for the purposes of engaging with the community. It provides relevant information regarding the review process and key issues for input including:

- Election or appointment of the Principal Member (Mayor or Chairperson).
- If the Council area should be divided into wards (and if so how many) and/or whether existing wards should be abolished.
- Options for Area Councillors, Ward Councillors or a combination of both.
- Number of Councillors that should represent the community (including the number of voters represented by each councillor if divided into wards).
- The boundaries of wards (if there are to be any).

The Options Paper provides information about the Council including demographics, population trends, composition factors, comparisons with other Councils and analysis of the advantages and disadvantages of various ward structure options, including the current ward structure.

The Council area is currently divided into six (6) wards with two (2) Elected Members elected for each ward. This structure has been in place since November 2010. The current ward structure meets the requirements of the *Local Government Act 1999,* with the ward quotas sitting within a 10 per cent tolerance. This option remains a viable one for Council, however, there are a number of other options outlined for the community to consider.

Have your say

Members of the community are invited to participate in this review and have a say in how you, 'as electors', are represented. You can express your views on the future composition and structure of Council in a number of ways:

- Review the Representation Review Options Paper on Making Marion.
- Complete the online survey.
- Make a written submission.
- Participate in one of the workshops scheduled during the engagement period.

The community engagement period will open on Thursday, 30 July 2020 and close 5.00pm on Monday, 14 September 2020.

Further information regarding the Representation Review can also be obtained by contacting:
Kate McKenzie, Manager Corporate Governance 8375 6600 or by email Kate.mckenzie@marion.sa.gov.au.

Next steps

Following consultation on this Options Paper, a Representation Review Report will be prepared that addresses the community responses and outlines Council's preferred 'in principle' decision regarding its potential future composition. Consultation will then occur with the community on the Representation Review Report (second report), prior to the Council making a final decision and submitting its recommendations to the Electoral Commissioner for certification and government gazettal.

Introduction

The Representation Review process is defined by Section 12(4) of the *Local Government Act 1999 (the Act)* which requires each Council to undertake a review of all aspects of its composition and the division (or potential division) of the Council area into wards. The City of Marion received notice by SA Government Gazette on 1 August 2019, that it is required to complete its Representation Review in the period between June 2020 to June 2021.

The Representation Review must be completed in accordance with the requirements of Section 12 of the Act to ensure fair and equitable representation of all City of Marion electors.

The review process provides the community with the opportunity to consider and input to the optimum elected body composition and representation structure for effective governance to serve community requirements now, and into the future.

The outcome of the Representation Review will be implemented at the November 2022 local government elections.

The key issues that need to be addressed during the review include:

- The principal member of Council:
    - whether it should be a mayor elected by the community, or
    - a chairperson selected by (and from amongst) the Elected Members.
- The composition of Council, including:
    - the number of Elected Members required to provide fair and adequate representation to the community.
    - the division of the Council area into wards or the abolition of wards.
    - is there a need or benefit for area councillors in addition to ward councillors (where the Council area is to be divided into wards).
- If wards are to be retained, is there a need to change ward boundaries, the level of ward representation within, and the names of, any future proposed wards.

At its meeting of 23 June 2020, the Council appointed, Ms Kate McKenzie, Manager Corporate Governance, in accordance with Section 12(5) of the Act to prepare the Representation Review Options Paper and the Representation Review Report. The Representation Review Options Paper has been prepared in accordance with the requirements of the Local Government Act 1999 and the Electoral Commissions – Undertaking an Elector Representation Review Guideline for Councils.

Process

The Council is required to undertake the following steps to complete the Representation Review and meet its legislative requirements:

1. Appoint a suitability qualified person to undertake the review.
2. Prepare a Representation Review Options Paper for consideration and adoption.
3. Release the Representation Review Options Paper for Public Consultation for a minimum of six (6) weeks.
4. Analyse and review the outcomes of the consultation.
5. Prepare and adopt a Representation Review Report for a further three (3) weeks' public consultation.
6. Analyse and review the outcomes of the public consultation and provide the opportunity for people to present their views to Council via a formal meeting of Council.
7. Adopt a representation structure based on the results of the consultation and prepare a Final Representation Report for submission to the Electoral Commissioner of SA for certification and Gazettal.

Public Consultation

Section 12 (7) of the Act requires a minimum of six (6) weeks public consultation on the Representation Review Options Report. The Council adopted this report at its meeting of 29 July 2020 for the purposes of public consultation. The public consultation period is from 30 July to 14 September 2020.

Copies of the Representation Review Option Report are available online via the website and Making Marion.

The public consultation has been advertised via:

- Gazettal Notice
- The Advertiser
- City of Marion Website (www.marion.sa.gov.au)
- Making Marion
- City of Marion Facebook page

During the Consultation period, two (2) public workshops will be held along with an online discussion forum. If required, this may be varied due to COVID-19 restrictions and will be advertised on the City of Marion website, social media and Making Marion.

The community is encouraged to provide feedback through the workshops and/or provide a written submission to Council during the consultation period. Written submissions can be provided via:

- Making Marion: www.makingmarion.com.au/representation-review-2020
- Email: communityengagement@marion.sa.gov.au

Legislative Requirements

As previously outlined, there are a number of legislative requirements for the Representation Review.

In addition to Section 12 of the Act, Section 33 (1) requires that the Review includes proper exploration, analysis and consideration of the advantages and disadvantages of various options as follows:

- Communities of interest of an economic, recreational, social, regional or other kind and be consistent with community structures, values, expectations and aspirations.
- The population of the area and of each ward and topography.
- The feasibility of communication between electors affected by the proposal and their Elected Members' representation.
- The nature of substantial demographic changes that may occur in the foreseeable future.
- The need to ensure adequate / fair representation, and at the same time avoid over-representation in comparison to other Councils of similar size and type.

Section 26(1) of the Act provides broader principles which relate to effective and equitable use of resources, good governance, access to services, and any changes wherever practicable to benefit ratepayers.

City of Marion

Overview

The City of Marion is one of the State's larger metropolitan Councils, located in Adelaide's south-western suburbs and covering an area of approximately 55 sq. km.

It is 20 minutes from the Adelaide CBD, approximately 10 km south of Adelaide stretching from the Glenelg tramline in Glandore to the coastal suburb of Hallett Cove. Marion has an estimated population of 93,448, which is expected to pass 100,000 by 2028.

The City has a broad cultural mix with approximately 27 per cent of residents born overseas; about 19 per cent of whom speak a language other than English.

The annual economic output is more than $6.2 billion.

The area is a place characterised by it diversity: seven kilometres of rugged and beautiful coastline; hundreds of hectares of open space and bushland in the south and modern suburban development on the plains. Marion's future will be based on an economy which ranges from retail and advanced manufacturing to clean tech industries, and a focus on learning, community participation and sustainability.

Key landmarks include the Tonsley precinct – Australia's first innovation district. This 61-hectare site brings together leading edge research and education institutions, established businesses and start-ups, and residential properties.

Popular destinations include the Coastal Walking Trail, Morphettville Racecourse, Oaklands Wetlands and Recreation Plaza, Westfield Marion Shopping Centre, the SA Aquatic and Leisure Centre, and Marion Outdoor Pool.

Current Representation Structure

The City of Marion last completed its Representation Review in 2013 and determined that no substantial change was required to its current structure (**shown in Map 1**).

The City of Marion currently has an elected Mayor (elected by the community) and 12 Councillors. The City is separated into six wards, each represented by two (2) Ward Councillors. The current structure was adopted by Council during the Representation Review completed in 2009 and came into effect at the November 2010 local government elections. Council completed a further Representation Review in 2013 and determined to retain the current structure.

The current wards are:

Mullawirra Ward is mainly a residential area and is bisected by the Sturt River. It includes the suburbs of Glengowrie, Morphetville, Park Holme and Plympton Park.

Woodlands Ward includes Edwardstown which is the industrial heart of Marion with a large concentration of small businesses and residential housing. This ward is bounded by the Glenelg tramline in the north, Daws Road in the south, Marion Road in the west and South Road in the east. This ward includes the suburbs of Glandore, South Plympton, Ascot Park, Edwardstown Mitchell Park (part) and Clovelly Park (part).

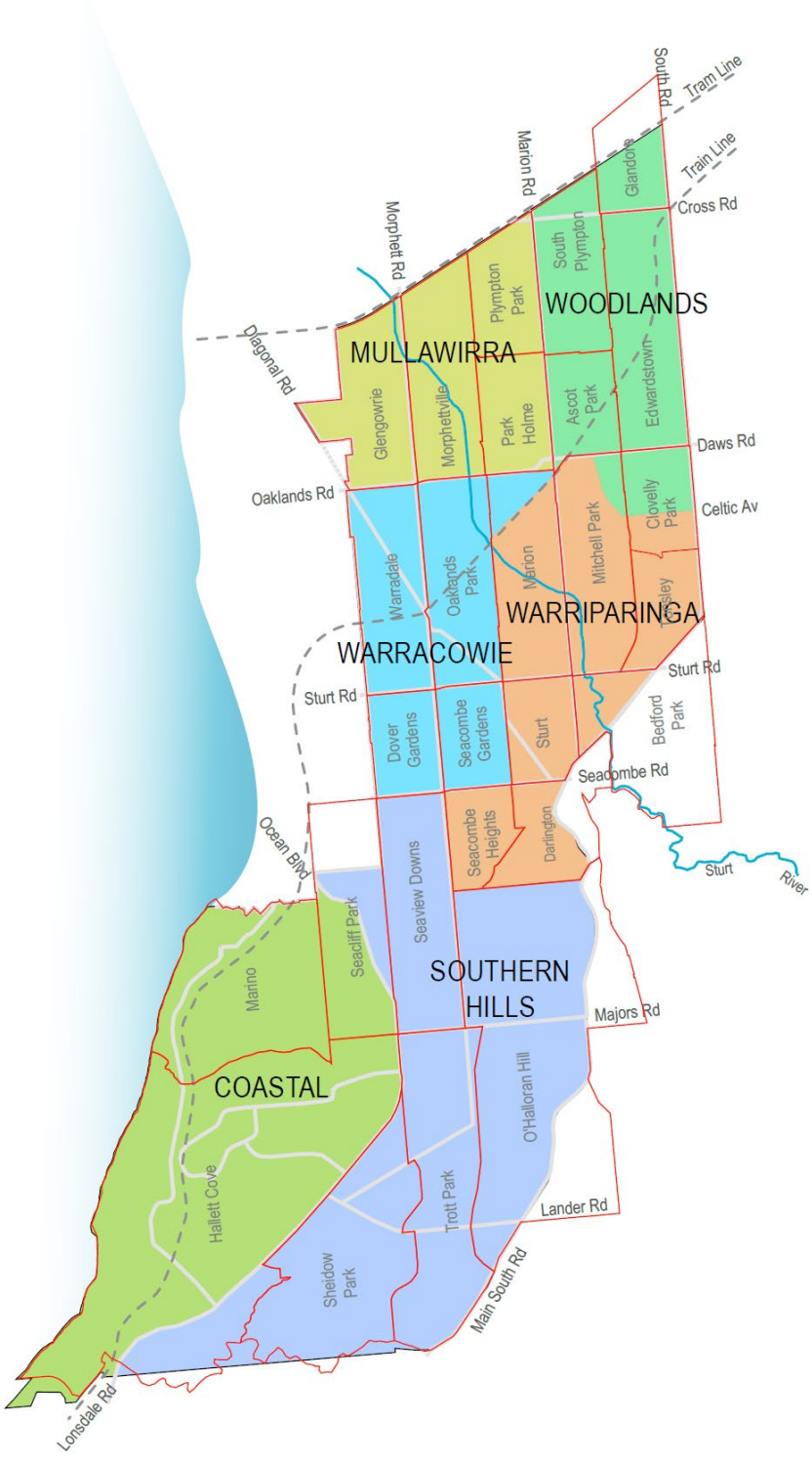
Warracowie Ward comprises a mixture of established residential areas and retail/commercial development including the suburbs of Warradale, Oaklands Park, Dover Gardens, Seacombe Gardens, Marion (part).

Warriparinga Ward contains the original village of Marion and the suburbs of Marion (part), Mitchell Park (part), Clovelly Park (part), Sturt, Seacombe Heights, Darlington and Bedford Park (part).

Coastal Ward is bound by the coast and Lonsdale Road. It is one of the larger wards by area, and features coast, hilly open space and contemporary housing. It includes the suburbs of Marino, Seacliff Park (part), Hallett Cove.

Southern Hills Ward is one of the larger wards by area. It consists of parklands and a mix of newer, rapidly developing residential areas with young families as well as established housing. The ward includes the suburbs of Seacliff Park (part), Seaview Downs, O'Halloran Hill (part), Trott Park, Sheidow Park and Hallett Cove (part).

Map 1 – Current City of Marion Wards



Current quotas

The City of Marion currently has one (1) Elected Member to represent 5460 voters, known as a 'representation quota'.

If Council is going consider wards, Section 33(2) of the Act requires that the average number of electors represented by a Councillor within wards must sit within a specified 10 per cent quota. A ward quota or representation quota is determine to be "*the number of electors for the area (as at the relevant date) divided by the number of councillors for the area who represent wards (assuming that the proposals were in operation and ignoring any fractions resulting from the division)".*

This means any potential changes to the ward structure, must not vary from the quota by more than plus or minus 10 per cent.

Table 1 outlines the current quotas and percentages for the Council.

Table 1 – City of Marion Representation Quota as at April 2020

010 City of Marion

Mayor/Chairperson: M Area Councillors 0

Ward Code	Ward	HA Electors	Council Voters Roll	Total	No. of Reps.	Quota	% Difference
1	Mullawirra	11226	13	11239	2	5619	2.91%
2	Woodlands	11102	23	11125	2	5562	1.87%
3	Warracowie	11600	15	11615	2	5807	6.36%
4	Warriparinga	10538	16	10554	2	5277	-3.35%
5	Coastal	10456	7	10463	2	5231	-4.19%
6	Southern Hills	10511	13	10524	2	5262	-3.63%
	Total:	65433	87	65520	12	Average : 5460	

Last Review : 27/11/2013 Next Review : 1/04/2020

Comparison with other Councils

Table 2 – Comparison of Councils

Council	Population	Geographical Size	Total Members (excl . Mayor)	Electors	Ratio
Holdfast Bay	36,983	14 km sq	12	27899	2324
Mitcham	67,474	76 km sq	13	48514	3731
Port Adelaide Enfield	127,740	94 km sq	17	84919	4995
Charles Sturt	118,943	56 km sq	16	86139	5383
Marion	93, 433	55 km sq	12	65520	5460
Tea Tree Gully	100,261	95 km sq	12	73372	6114
Onkaparinga	172,938	518 km sq	12	125741	10478

One of the requirements in considering wards (and ward boundaries) under section 33 of the Act, is ensuring that there is adequate and fair representation while at the same time avoiding overrepresentation in comparison to other Councils of a similar size and type.

Given that all Councils have unique attributes and generally differ in terms of elector numbers, size of the land area, population, services to the community and communities of interest, it can be difficult to make comparisons, however Table 2 has been provided for the purposes of comparison.

In recent years, no metropolitan Council has increased the number of councillors. The City of Onkaparinga has reduced the number of the Elected Members from 20 to 12 and the City of Salisbury reduced their Elected Members from 16 to 14.

Current Statistics and Forecast

Demographic Data (Australian Bureau of Statistics- ABS)

Population	93,446 [1](Estimated Resident Population) as at 30 June 2019
Population growth	1.23 per cent over the last year or 1, 136 persons (from 1 June 2018 up to 30 June 2019)
Median age	39 years
Aboriginal and Torres Strait Islander	1.2 per cent
Couples with children	27 per cent
Lone person households	28 per cent
Population density	16.64 persons per hectare
Culture	113 cultures represented in the city. Top 5 ancestry groups are: English, Australian, Irish, Scottish and German. Emerging groups that were reported in the City of Marion between 2011 and 2016 were English, Chinese, Irish and Indian
Overseas born	27 per cent
Overseas arrivals	24,248 people who were living in the City of Marion in 2016 were born overseas, and 23% arrived in Australia within 5 years prior to 2016
Language other than English in the home	19 per cent
Religion	Analysis of the religious affiliation of the population of the City of Marion in 2016 compared to Greater Adelaide shows that there was a lower proportion of people who professed a religion and a higher proportion who stated they had no religion. Overall, 54.4 per cent of the population nominated a religion, and 37.4 per cent said they had no religion, compared with 55.4 per cent and 35.9 per cent respectively for Greater Adelaide. The largest single religion in the City of Marion was Western (Roman) Catholic, with 18.1 per cent of the population or 16,025 people as adherents.

Population Forecast

Forecasts provided by population ID indicate that the City of Marion is growing at a rate of approximately 1 per cent per year. This figure of 1 per cent growth has been consistently applied to the Council's Annual Business Plan and Budget for a number of years, however, the growth has been high than 1 per cent in recent years. Table 3 includes the last five years actual population growth. Based on these figures, the Council population growth is forecast to exceed 100,000 within the next eight years.

[1] The Estimated Resident Population (ERP) is the Australian Bureau of Statistics' official 2019 population figure for all Local Government Areas (LGAs) - but is subject to review after the next Census release.

Table 3 – population growth for City of Marion

Year	% growth
2020/21	1.267%
2019/20	1.444%
2018/19	1.529%
2017/18	0.993%
2016/17	1.482%

Development and Identified Growth Areas

The scale of potential development within the City of Marion is still not clearly defined due to the State Government's incoming *Planning and Design Code*, changes which will likely increase the development potential throughout most of the Council area. The impacts are yet to be realised.

Council is conscious of over-development in the northern part of the Council and the potential for greater development than is currently the case. More properties will have the potential for subdivision and redevelopment. Changes may result in parts of the southern suburbs, on lesser sloping land, having the potential for redevelopment with a greater diversity of housing types and allotment sizes than has previously been the case.

Figures provided by the Department of Planning, Transport and Infrastructure (DPTI) suggest the following developments will result in the following population changes:

Table 3 – Resident population Projections

Suburb	2016 Estimated Resident Population	2036 projection	2016-2036 change	2016-2036 % change	Land supply assumptions supporting projected growth
Edwardstown	13,862	15, 826	1, 964	14.2%	-Minor infill supply opportunities
Hallett Cove	12, 734	13, 216	482	3.8%	
Marino-Seaview Downs	9, 535	11, 234	1, 699	17.8%	-Cement hill development at Marino to commence after 2021
Mitchell Park	15, 405	19, 828	4, 423	28.7%	-Minor infill supply to remain steady -Tonsley development site to continue
Morphettville	14, 982	18, 426	3, 444	23.0%	Morphettville racecourse (southern section) to commence after 2026
Sheidow Park-Trott Park	10, 306	11, 653	1, 347	13.1%	-Greenfield supply diminishing
Warradale	15, 173	18, 573	3, 400	22.4%	-Minor infill supply to remain steady -Infill supply to increase around Marion shopping centre (DPA in progress)

Source: Department of Planning Transport and Infrastructure website

Communities of Interest

The following maps have been included in the Representation Review Options Paper that demonstrate various interests and facilities across the Council area. The maps indicate that there are more facilities available in the north of the city which is proportionate to the population.

The maps indicate the north of the city is structured in a grid-like manner with main roads creating division.

The south is separated from the north with a unique natural landmark of the O'Halloran Hill Recreation Park and the coastline to the west. The south does not have the same grid design as the north however, it is separated by Lonsdale Road.

The map in **Appendix 1** includes community facilities with libraries, community centres, sports and leisure, arts and culture, parks with facilities, shopping centres, schools. places of worship and public toilets

The map in **Appendix 2** includes local, neighbourhood and regional playgrounds and where various sports are played

The map in **Appendix 3** includes parks, reserves and schools.

Each of the Ward Options within the Representation Review Options Paper has considered these communities of interests.

Options for Discussion

Mayor vs Chairperson

Section 51 of the Act provides that a Council's principal member may be a Mayor or a Chairperson. This is required to be considered during a representation review.

The differences in the two positions arises in relation to the manner of 'selection', term of office and voting rights:

- A Mayor is elected by all the electors as a representative of the Council area as a whole. A Chairperson is chosen internally by the elected members of a Council.
- A Mayor does not have a deliberative vote on a matter before Council but has a casting vote. A chairperson has a deliberative vote but not a casting vote.
- A Mayor is elected for a four year term. The term of a Chairperson is decided by the Elected Members but cannot exceed four years.
- If the principal member is selected by the Elected Members (i.e. a chairperson), Council can decide the title of the office.

Any proposal to change from a Mayor to a Chairperson or vice versa cannot proceed unless a poll is conducted under Section 12 (11a-d) of the Act.

Arguments in favour of a Mayor

- A Mayor is seen as a community leader and the leader of the Council.
- The electors have a direct influence on the choice of the principal member as the Mayor.
- The Mayor is directly accountable to the electors and not the other Elected Members.
- Elector interest in a Mayoral election may increase voter turn-out.
- The position of Chairperson may be perceived as lacking the status of a Mayor which might undermine the status of the Council.
- There may not be an Elected Member interested in the Chairperson role.
- A Chairperson can create a factional Council as it requires support from other Elected Members.
- A Mayor provides more stable community leadership during a four year term.
- A Mayor has a casting vote in the event of an equal number of votes.

Arguments in favour of Chairperson:

- Has support of majority of the Elected Members.
- Can participate fully in the decision-making process by exercising a deliberative vote.
- Allows flexibility of choice and may lead to the 'best person for the job' from the 'pool' of Elected Members.
- Does not need to fund a Council-wide election campaign and so it is open to people from all socio-economic circumstances.
- Reduces costs incurred by elections conducted across the whole Council area.
- A person nominating for Mayor is not able to nominate for a position as Councillor at the same time, so talented people may be lost from the Council if the candidate is unsuccessful.
- Provides an opportunity for a number of Elected Members to serve as the principal member.

The principal member of the City of Marion has always been a Mayor and all metropolitan Councils in South Australia are represented by an elected Mayor.

The State Government has introduced to parliament amendments to the *Local Government Act 1999*. The proposed amendments delete Section 12 (11a-d) meaning if these amendments are passed/enacted, Councils will only be able to have a Mayor.

Number of Elected Members

Section 33 of the Act requires a representative structure that 'ensures adequate and fair representation'. This requirement has generally been interpreted as requiring a sufficient number of Elected Members to undertake the roles and functions of the Act, while ensuring they can provide representation of residents, businesses and stakeholder groups from across the Council area and/or their ward. The number of Elected Members for a Council needs to be large enough to get the work of the Council done, yet small enough to work effectively as a team to communicate, deliberate and function as a cohesive group. The role of a council member is outlined in section 8 and 59 of the Act.

The ASX Corporate Governance Council's, Corporate Governance Principles and Recommendations states that: "*The board should be of sufficient size so that requirements of the business can be met and changes to the composition of the board and its committees can be managed without undue disruption. However, it should not be so large as to be unwieldy*". More generally, it states that an organisation's board should be of sufficient size so that there are sufficient board members to:

- Discharge the board's workload
- Ensure an overall adequacy of skills and competencies
- Populate the board's sub committees (as applicable)
- Give a diversity of perspective to the board's deliberations
- Encourage engaged deliberations;

There should also not too many board members such that:

- Discussion is constrained and it is difficult for all board members to meaningfully engage in and contribute to deliberations
- Ease of interpersonal relations at the board table is inhibited
- Board members struggle to know their fellow board members sufficiently to gain trust and confidence in them.

The ASX Director Tools: Governance Relations – Number Of Directors – Board Size, recommends as by way of "rule of thumb" the following example board sizes for Australian corporations:

- Large ASX listed (8 to 12)
- Medium ASX listed (6 to 8)
- Small ASX listed (4 to 6)
- Large charities/NFP boards (8 to 12)
- Small charities/NFP boards (5 to 8)
- Public unlisted (4 to 8)
- Proprietary companies (1 to 4)
- Public sector boards (6 to 12)
- University boards (15 plus)

Section 12(6)(a) of the Act, requires that a representation review must consider whether the number of members should be reduced, if the Council has more than 12 members. The City of Marion currently has 13 Elected Members (1 Mayor and 12 Councillors).

The State Government has introduced to parliament amendments to the Local Government Act 1999 which includes a new section – 11A – Number of Members. This section states "*despite any other provisions of this chapter, a council must not be comprised of more than 12 members*". Although this legislation has yet to be passed or enacted, it is appropriate to note as part of the Representation Review process as options over 12 members, may become invalid if the legislation is passed.

Having an odd or even number of Councillors is something that also requires consideration. An even number of Councillors could potentially increase the probability that the Mayor be required to use their casting vote on a decision, assuming all elected members are present.

There are a number of arguments for and against the reduction of the number of Councillors.

Arguments for reduction

- Various research demonstrates that the optimum number for a board is approximately nine (9) people.
- Decision making can be more effective with a smaller group.
- Larger groups may tend to form factions
- An increase numbers does not guarantee diversity of skills, gender, age or interest,
- Smaller groups can experience increased commitment from all participants and avoid what psychologists call 'social loafing', where there is a larger potential that one member may not contribute as much or put in as much effort as other members.
- A reduction in elected members would reduce costs for the Council; (i.e reduction in allowances, resources, etc).

Arguments against reduction

- A decrease in the number of Elected Members will increase the representation quota meaning that Elected Members will have more people within their area. This may place heightened demands on Elected Members to be able to fulfil their duties and functions.
- Members of the community may find it harder to contact Elected Members.
- Particular interest groups might dominate.
- A reduction in the number of Elected Members may limit the diversity of interests and perspectives and the range of skills around the Council table in the absence of other forms of community governance.
- Less Elected Members could impact on quorum or attendance.
- There would be greater potential for 'group think' and less diversity.

Ward vs No Wards

Section 12(1)(b) of the Act allows a Council to divide the Council area into Wards for the purposes of representation.

To properly consider the debate on Wards, it is important to understand the role of a Council as a whole and of members individually. The role, functions and responsibilities of a Council are set out in sections 6, 7 and 8 of the Act and the role of Elected Members is set out in sections 58 and 59.

The role of the Council is to act as a representative, informed and responsible decision-maker in the interests of the community as a whole. They have a community representative role and a corporate governance decision-making role.

The role of a member of Council is:

- To participate in the deliberations and civic activities of the Council.
- To keep the Council's objectives and policies under review to ensure that they are appropriate and effective.
- To keep Council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery under review.

As a person elected to Council:

- To represent the interests of residents and rate payers.
- To provide community leadership and guidance.

- To facilitate communication between the community and the Council.

A no ward option would mean that all Elected Members would be elected from the whole Council area (the same way that the Mayor is currently elected and present the whole area).

Arguments for Wards

- Electors can have the opportunity to identify more strongly with their ward member and form a closer relationship.
- Greater ability for the Elected Member to know their area and the local issues, meaning local interests are not lost.
- Elected Members are evenly distributed across the city so there is no over representation from one area.
- Area wide elections are more expensive and can preclude candidates with limited means.
- Ward boundaries are be based on communities of interest.
- The workload is more equally spread therefore assisting in inequality amongst Elected Members.

Arguments against Wards

- Elected Members can be challenged to find the right balance between their corporate governance duties and their representative role, with the desire to makes decisions in the best interest of their ward sometimes outweighing the requirements to make decisions in the interests of the community as a whole.
- Potential reduction in electoral accountability – periodic elections are required for all wards of a Council area, with the result that sitting members in some wards are returned unopposed.
- Ward representation can limit an Elected Member's desire to be involved in wider issues.
- Encourages Elected Members to fulfil their strategic and policy roles on behalf of the whole area.
- The community has the opportunity to vote for any candidate in the election and judge the performance of all candidates (not just the candidates in their ward).
- Less likely that a candidate will get elected standing on a single local issue.
- Can potentially create divisions and a sense of unfairness when it is perceived that one council ward receives more than another ward.
- The Council can carry a single casual vacancy and avoid the cost of a supplementary election (the Local Government (Elections) Act 1999 preludes a Council from carrying a casual vacancy in a ward except after 1 January of an election year).
- Sitting members may have an advantage over potential candidates, particularly in single member wards. This may also deter new candidates if they perceive that sitting members are renominating and will have an advantage.

To satisfy local needs in a 'no ward' scenario, Elected Members could be allocated responsibilities for geographic areas, portfolios and/or other communities of interest under a 'de facto ward' arrangement.

Area Councillors

A councillor can be elected as a representative of a ward or a representative of the Council area as a whole, known as an area councillor. A Council can have a mix of area councillors and ward councillors, or all ward councillors or all area councillors. Where a Council has a mix of ward and area councillors, the area councillors would focus on the Council area as a whole rather than a single ward. Area councillors have the same allowance as a ward councillor.

Arguments for Area Councillors

- A good balance between ward representation and representation of the whole area to ensure local and strategic issues are both addressed.
- Decision making can be more strategic.

Arguments against Area Councillors

- Can be considered an unnecessary level of representation when wards councillors are required to make decisions in the interests of the Council as a whole.
- Confusion about the old 'alderman' roles and a perception that area councillor has a higher status than a ward councillor which may cause a division.
- The cost of running an election campaign area-wide can be expensive and limit potential candidates.

Ward Representation (per ward)

A ward councillor is required to represent the interests of residents and ratepayers of the Council as a whole, even when elected from a ward. Ward councillors do not need to reside or have a particular interest in the ward that they represent, however, they must be on the voter's roll for the Council area.

There are a number of different options to consider regarding how many ward councillors are elected.

Single Councillor

Wards represented by one Councillor are generally smaller in size and, therefore, could focus more on local specific matters. Smaller wards make the ward quotas more challenging to achieve, particularly to sustain growth/change within the ward.

Absenteeism by a single ward councillor or a casual vacancy has the potential to leave the ward without representation. Additionally, if a ward matter becomes large, it could see the workload of one councillor become large and unbalanced with one member carrying the load.

Two Councillors

Two councillors representing a ward is the currently in place at the City of Marion and is the more common representation structure observed in metropolitan Councils. It allows work load to be shared and there is representative cover in the event of absenteeism or a vacancy.

Multiple-Councillors

Multiple councillors are often beneficial for larger wards. Larger wards have the ability to sustain growth/change and keep within the ward quotas of a 10 per cent variance. Larger wards can keep communities of interests within a whole ward.

Absenteeism can also be managed with the workload being shared. However, there is a greater potential that one member may not contribute as much or put in as much effort as other members (often referred to as 'social loafing').

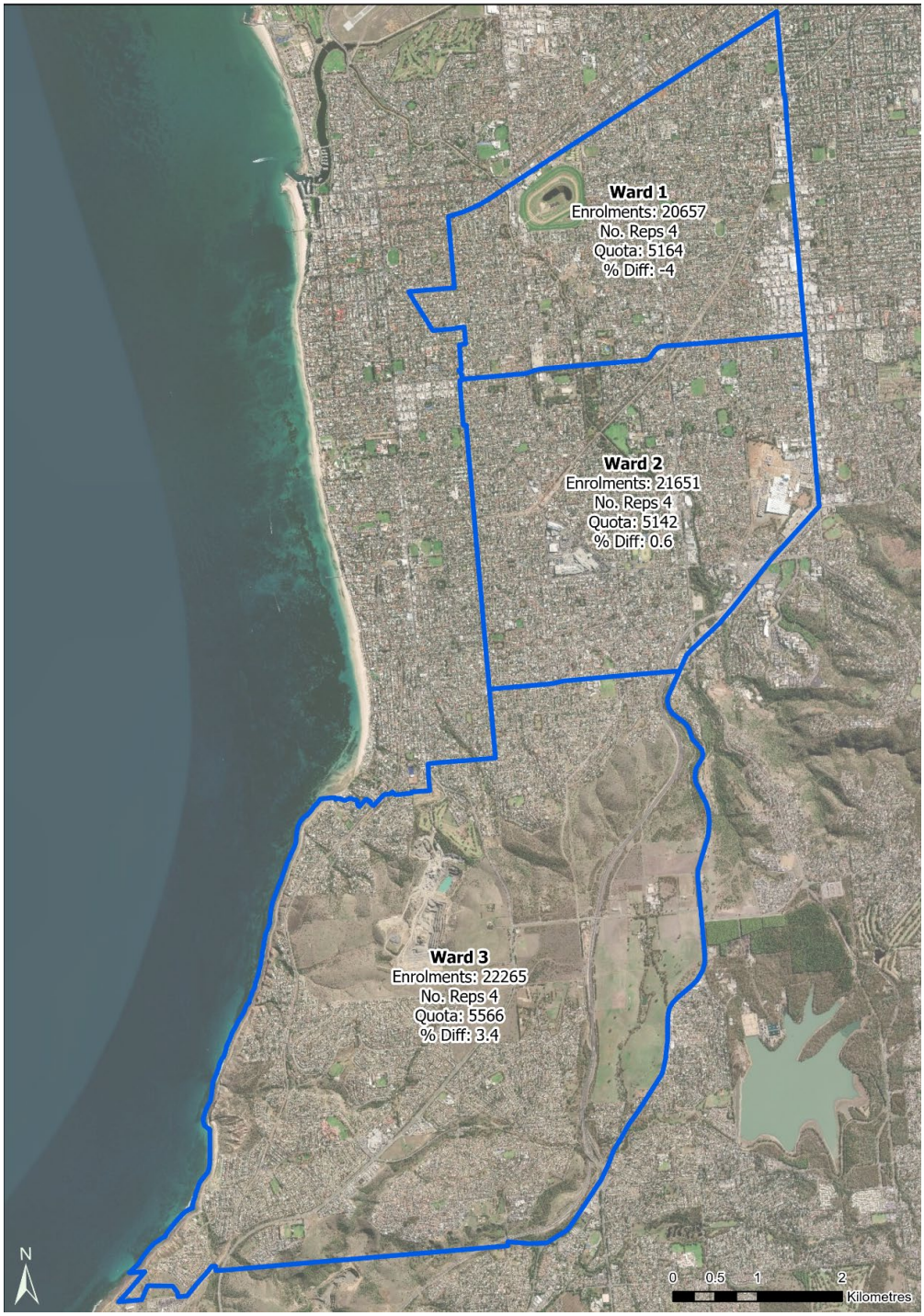
Varying the number of Councillors

Varying ward representation whilst still subject to the quota tolerances, can have the benefit of keeping communities of interests together. However, there is an argument that it can create inequality and/or imbalance with the perception that a larger ward would have more influence on decision-making.

Ward Options

Option 1 - Three Wards – Total of Nine Councillors

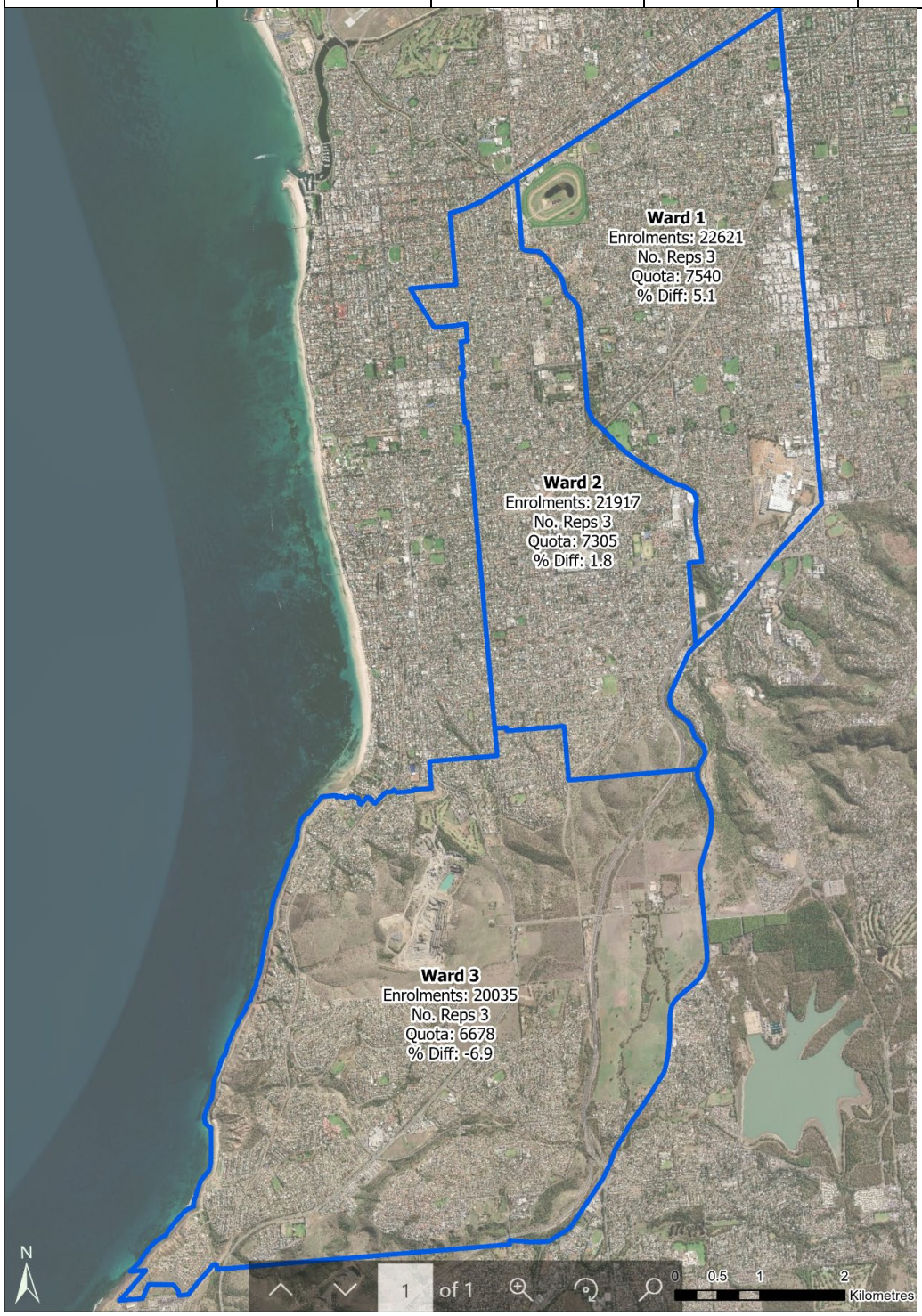
Ward	Number of electors	Number of elected members	Quota	% difference
1	20657	3	6885	-4
2	21651	3	7217	0.6
3	22265	3	7421	3.4



This option is also available with four Councillors per ward (total of 12 Councillors). During the consultation, the 12 Councillor option will be presented as option 1a. However, it should be noted that the 1a option would not be complying if section 11A of the Statute Amendment (Local Government Review) Bill 2020 (if this section become legislation).

Option 2 - Three wards - Total of Nine Councillors

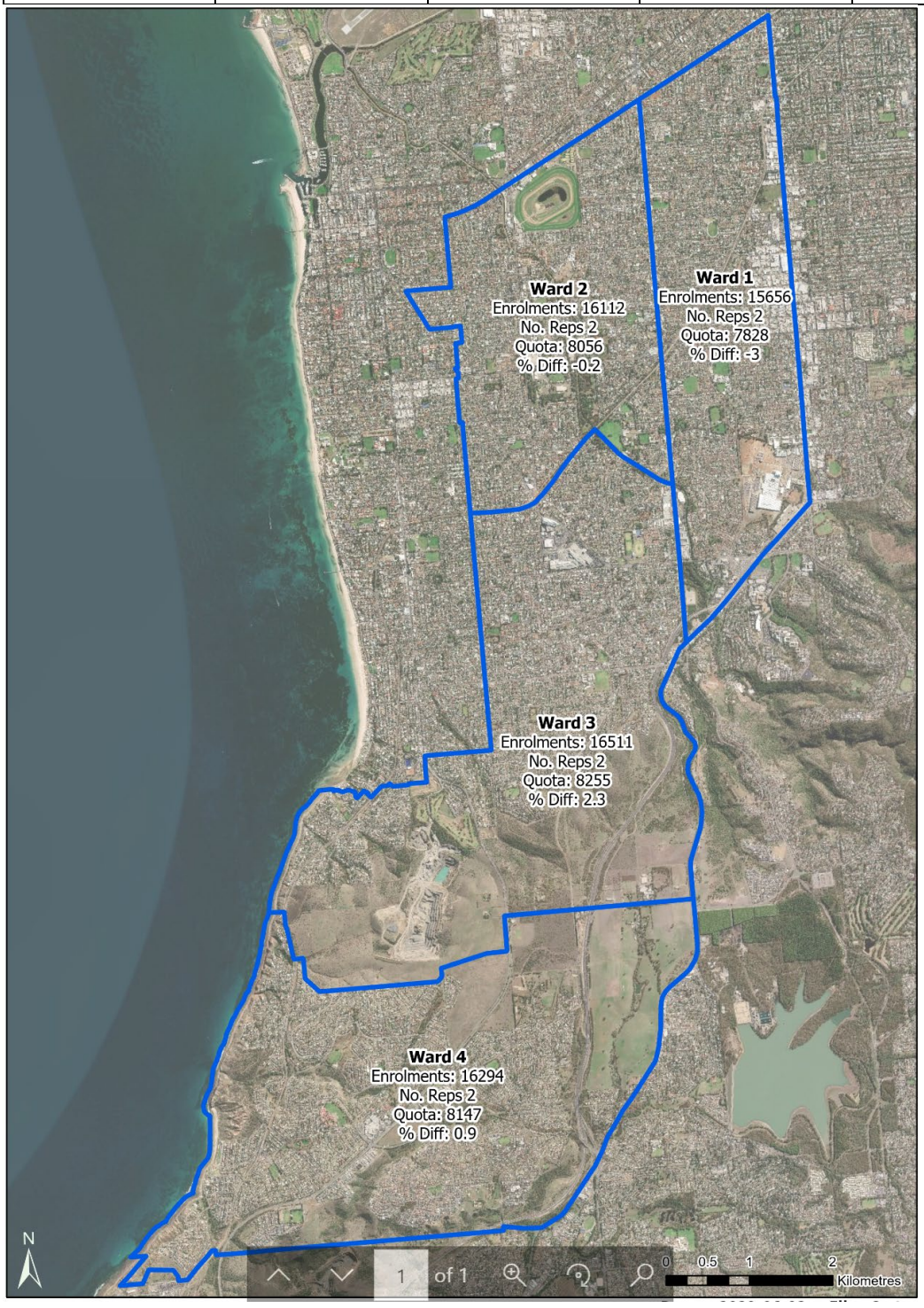
Ward	Number of electors	Number of elected members	Quota	% difference
1	22621	3	7540	5.1
2	21917	3	7305	1.8
3	20035	3	6678	-6.9



This option is also available with four Councillors per ward (total of 12 Councillors). During the consultation, the 12 Councillor option will be presented as option 2a. However, it should be noted that the 2a option would not be complying if section 11A of the Statute Amendment (Local Government Review) Bill 2020 (if this section become legislation).

Option 3 - Four Wards – Total of Eight Councillors

Ward	Number of electors	Number of elected members	Quota	% difference
1	15656	2	7828	-3
2	16112	2	8056	-0.2
3	16511	2	8255	2.3
4	16294	2	8147	0.9

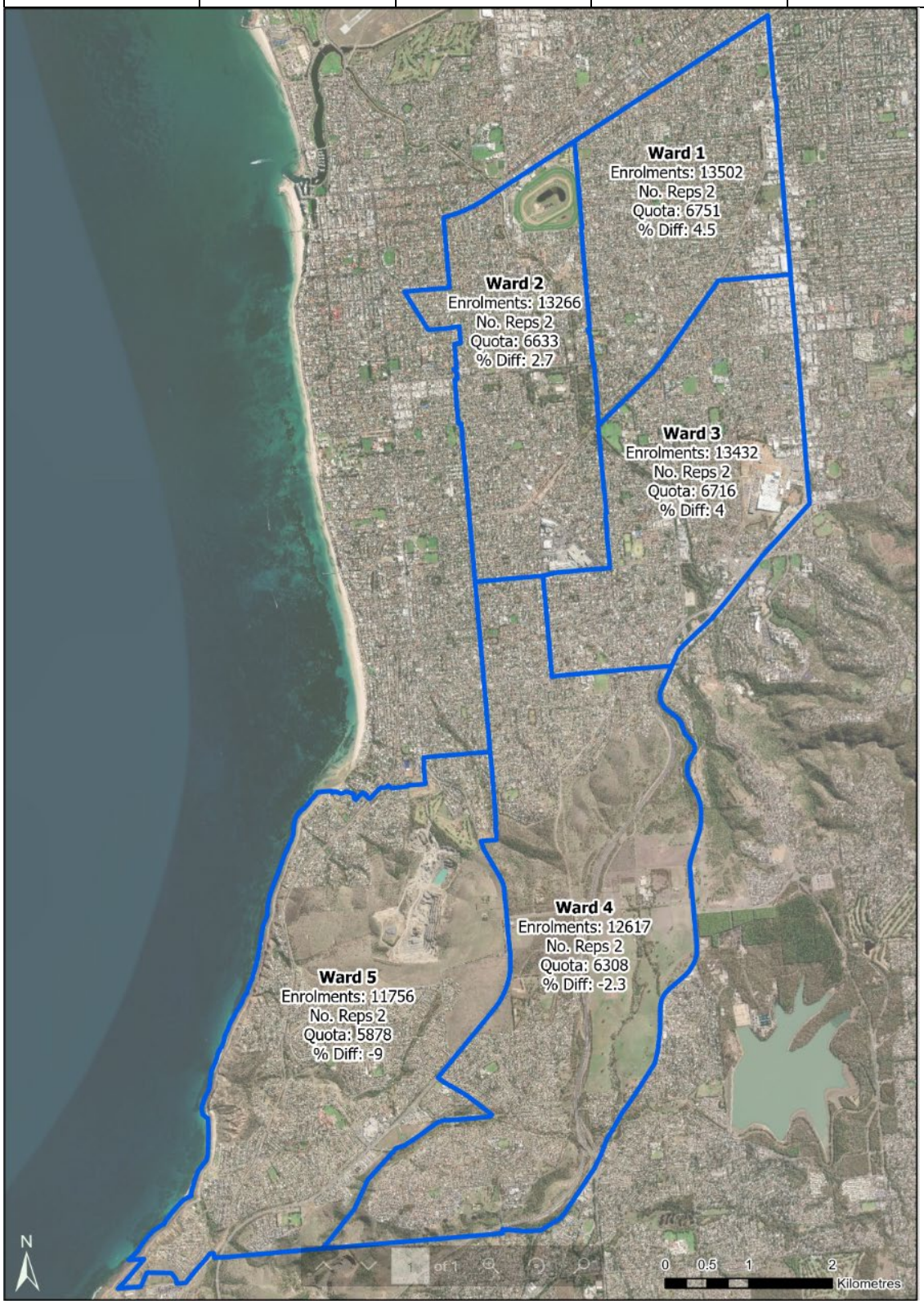


This option is also available with three Councillors per ward (total of 12 Councillors). During the consultation, the 12 Councillor option will be presented as option 3a. However, it should be noted that the 3a option would not be complying if section 11A of the Statute Amendment (Local Government Review) Bill 2020 (if this section become legislation).

ATTACHMENT 2

Options 4 - Five Wards – Total of 10 Councillors

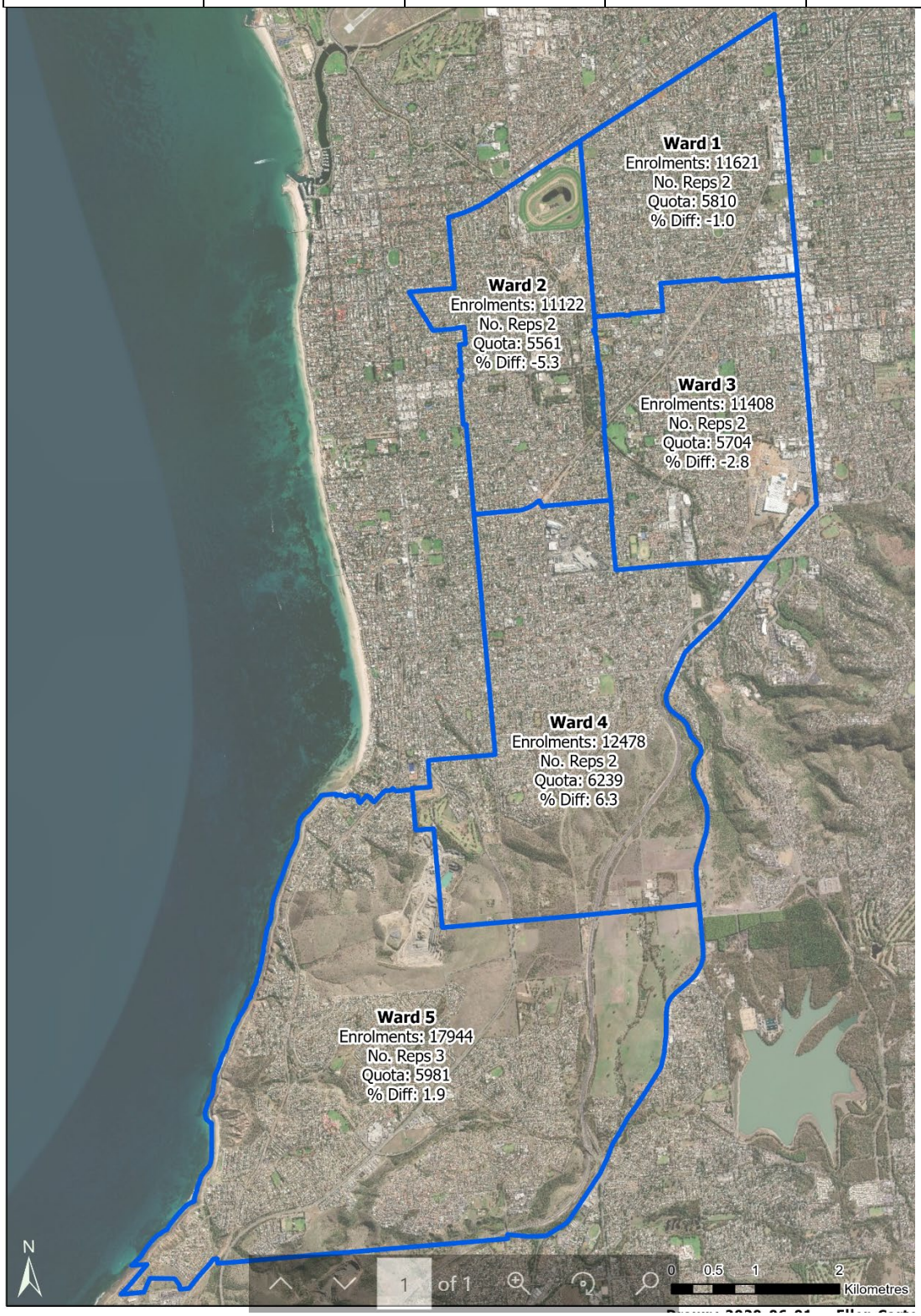
Ward	Number of electors	Number of elected members	Quota	% difference
1	13502	2	6751	4.5
2	13266	2	6633	2.7
3	13432	2	6716	4
4	12617	2	6308	-2.3
5	11756	2	5878	-9



ATTACHMENT 2

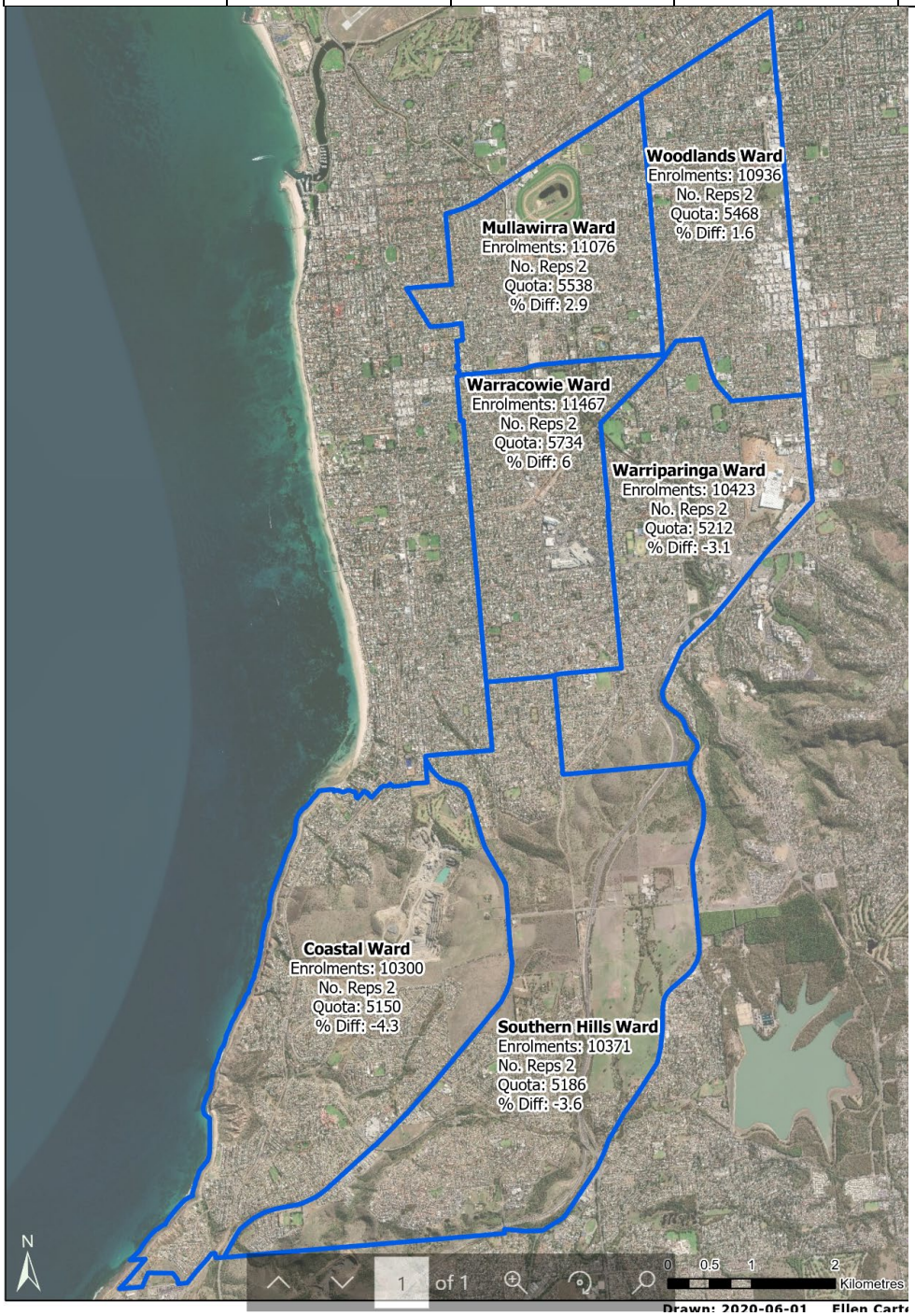
Options 5 - Five Wards – Total of 11 Councillors

Ward	Number of electors	Number of elected members	Quota	% difference
1	11621	2	5810	-1.0
2	11122	2	5561	-5.3
3	11408	2	5704	-2.8
4	12478	2	6239	6.3
5	17944	3	5981	1.9



Options 6 - Six Wards – Total of 12 Councillors

Ward	Number of electors	Number of elected members	Quota	% difference
1	10936	2	5468	1.6
2	11076	2	5538	2.9
3	11467	2	5734	6
4	10423	2	5212	-3.1
5	10300	2	5150	-4.3
6	10371	2	5186	-3.6



It should be noted that this option would not be complying if section 11A of the Statute Amendment (Local Government Review) Bill 2020 (if this section becomes legislation).

Appendix 1

Community facilities map

CITY OF MARION

CUSTOMER SERVICE ENQUIRIES
(Mon to Fri 8.30am - 5.00pm)
Telephone 8375 6688
Email: council@marion.sa.gov.au
Internet: www.marion.sa.gov.au

LIBRARIES AND COMMUNITY CENTRES

1. Glandore Community Centre - Naldera St, Glandore (L,2)
2. Edwardstown Senior Citizens - 48 Dumbarton Ave, Edwardstown (L,4)
3. Park Holme Senior Citizens - Wallala Ave/Marion Rd (K,5)
4. Park Holme Library - Duncan Ave, Park Holme (K,6)
5. Marion Community House - Oaklands Rd, Warradale (H,7)
6. Clovelly Park Community Centre - York Ave, Clovelly Park (M,7)
7. Cosgrove Hall - 40 York Ave, Clovelly Park (M,8)
8. Mitchell Park Neighbourhood Centre - 1 Cumbria Ct, Mitchell Park (L,9)
9. Marion Cultural Centre & Library - 287 Diagonal Rd, Oaklands Park (I,10)
10. Cooinda Neighbourhood Centre - Rear 245 Sturt Rd, Sturt (J,10)
11. Marino Community Hall - Newland Ave, Marino (E,14)
12. Trott Park Neighbourhood Centre - 34 Hessing Cr, Trott Park (I,19)
13. Perry Barr Farm Playway - Quailo Ave/Madison Ct, Hallett Cove (F,19)
14. Cove Civic Centre - Ragamuffin Dr, Hallett Cove (E,20)

SPORTS AND LEISURE

15. Glandore Sports & Community Club & Oval - 716 South Rd (M,2)
16. Plympton Park Sporting and Recreation Club & Oval - Park Tce (I,3)
17. Allan Scott Park Racecourse - Morphett Rd, Morphettville (H,4)
18. Edwardstown Oval, Velodrome & Bowling Club - East Tce (L,4)
19. Ascot Park Bowling Club - Davidson Ave, Park Holme (K,6)
20 Marion Swimming Centre - Hendrie St, Morphettville (J,6)
21. Marion Leisure & Fitness - Rosedale Ave, Morphettville (I,6)
22. Mitchell Park Sports Club & Oval - Bradley Gr, Mitchell Park (L,8)
23. SA Aquatic & Leisure Centre - 443 Morphett Road, Oaklands Park (I,9)
24. Marion Sports and Community Club - Sturt Rd, Marion (K,10)
25. Marion Bowling Club - Sturt Rd, Marion (K,10)
26. Marion Golf Park - Ocean Boulevard, Seacliff Park (G,15)
27. Capella Drive Oval and Skate Park - Capella Dr, Hallett Cove (E,18)
28. Cove Sports & Community Club - Lonsdale Rd, Hallett Cove (D,21)

ARTS AND CULTURE

27. Marion Cultural Centre and Gallery (See 8) - Diagonal Rd, (I,10)
27. The I-con sculpture, - Warracowie Way, Oaklands Park (I,10)
27. The Warracowie Wells - Warracowie Way, Oaklands Park (I,10)
28. Mitchell Park Glass Mosaics - Cnr McInerny/Sturt Rd (L,10)
29. Warriparinga Wetland Water Sculpture - Cnr Marion/Sturt Rd (K,10)
30. Living Kaurna Cultural Centre - (L,11)
30. Fairford House - (L,11)
30. The Tjirbruki Gateway - Warriparinga access road end (L,11)

PARKS AND RESERVES WITH FACILITIES

15. Glandore Oval - 716 South Rd (M,2)
31. Willoughby Ave Reserve - Glengowrie (H,4)
(19) Marion Swimming Centre Reserve - Morphettville (J,6)
32. Kellett Reserve - Kendall Tce, Morphettville (I,6)
33. Hamilton Park Reserve - Hamilton Ave Warradale (H,7)
(5) Marion Community House - Oaklands Rd, Warradale (H,7)
(6) Clovelly Park Community Centre - York Ave/Scottish Ave (M,7)
34 Oaklands Estate Reserve - The Parade (J,8)
35. Ballara Park Reserve - Ballara Ave, Warradale (H,9)
(21) Mitchell Park Oval - Bradley Gr, Mitchell Park (L,8)
36. George Street Reserve - Marion (J,9)
37. Maldon Ave Reserve - Mitchell Park (L,9)
38. Tartonendi/Trowbridge Reserve - Mitchell Park (L,10)
39. Warradale Park Reserve - Gardiner Ave, Warradale (H,10)
40. Warriparinga Wetlands - Sturt Rd, Bedford Park (L,11)
41. Scarborough Tce - Dover Gardens (H,11)
42. Reserve St Reserve - Adams Rd, Trott Pk (I,18)
43. Capella Drive Reserve - Hallett Cove (E,18)
(11) Trott Park NC Reserve - Hessing Cr, Trott Park (I,19)
44. Hugh Johnson Reserve - Sheidow Park (G,20)
45. Heron Way Reserve - Hallett Cove (B,20)
46. Pavana Reserve - Pavana Ave, Hallett Cove (D,20)
47. Shamrock Road Reserve - Hallett Cove (C,20)

SHOPPING CENTRES

48. Ascot Park Shopping Centre - Marion Rd, South Plympton (K,4)
49. Castle Plaza Shopping Centre - South Rd, Edwardstown (M,4)
50. Park Holme Shopping Centre - Oaklands Rd, Park Holme (K,7)
51. Westfield Marion - Diagonal Rd, Oaklands Park (I,10)
52. Hallett Cove Shopping Centre - Zwerner Dr, Hallett Cove (E,20)

CITY OF MARION

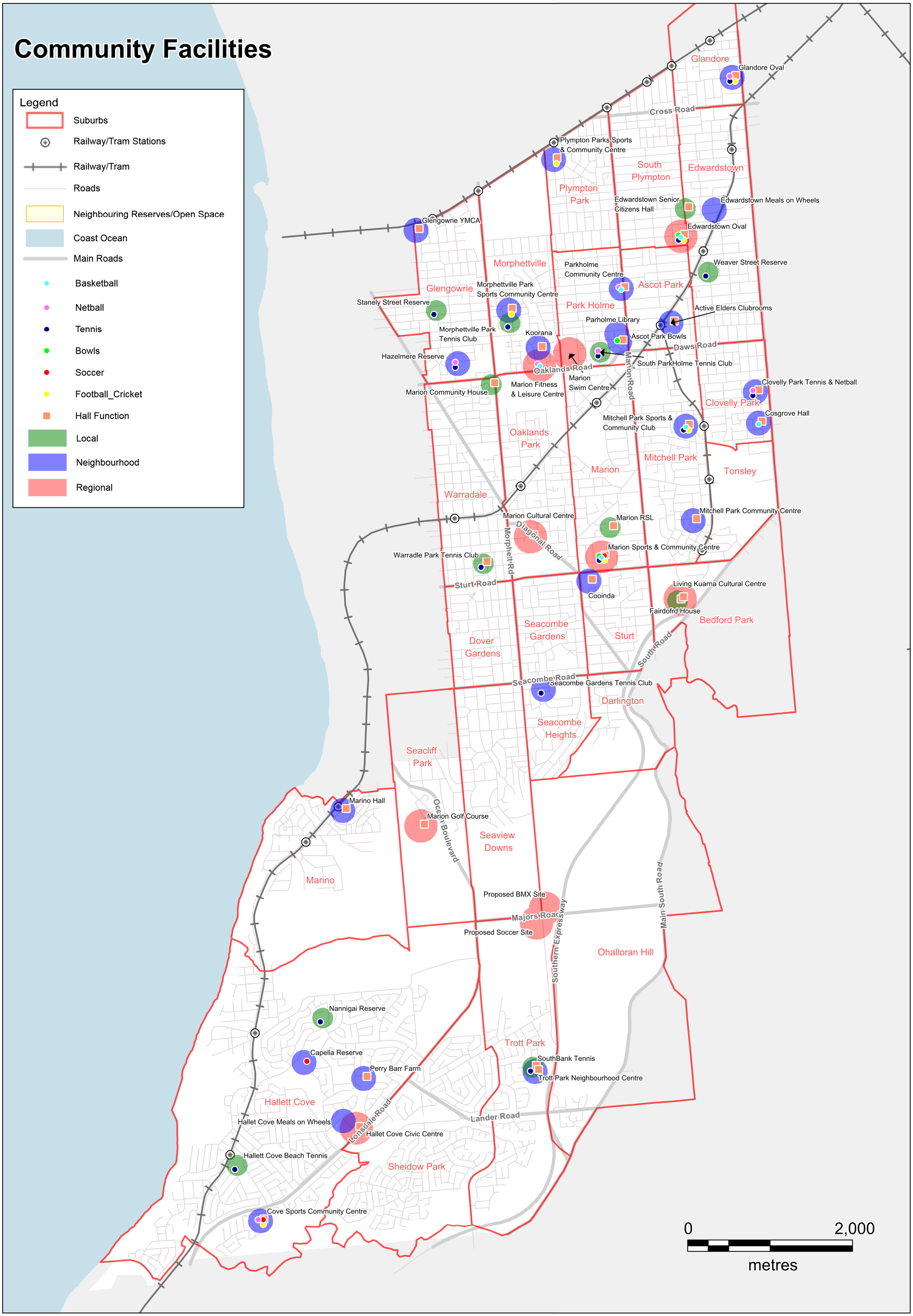
53. Marion Administration Centre - 245 Sturt Rd, Sturt (J,10)
54. Marion City Services - 935 Marion Rd, Mitchell Park (J,10)

PLACES OF WORSHIP
SCHOOLS
PARKS & RESERVES
CONSERVATION PARKS
PUBLIC TOILETS

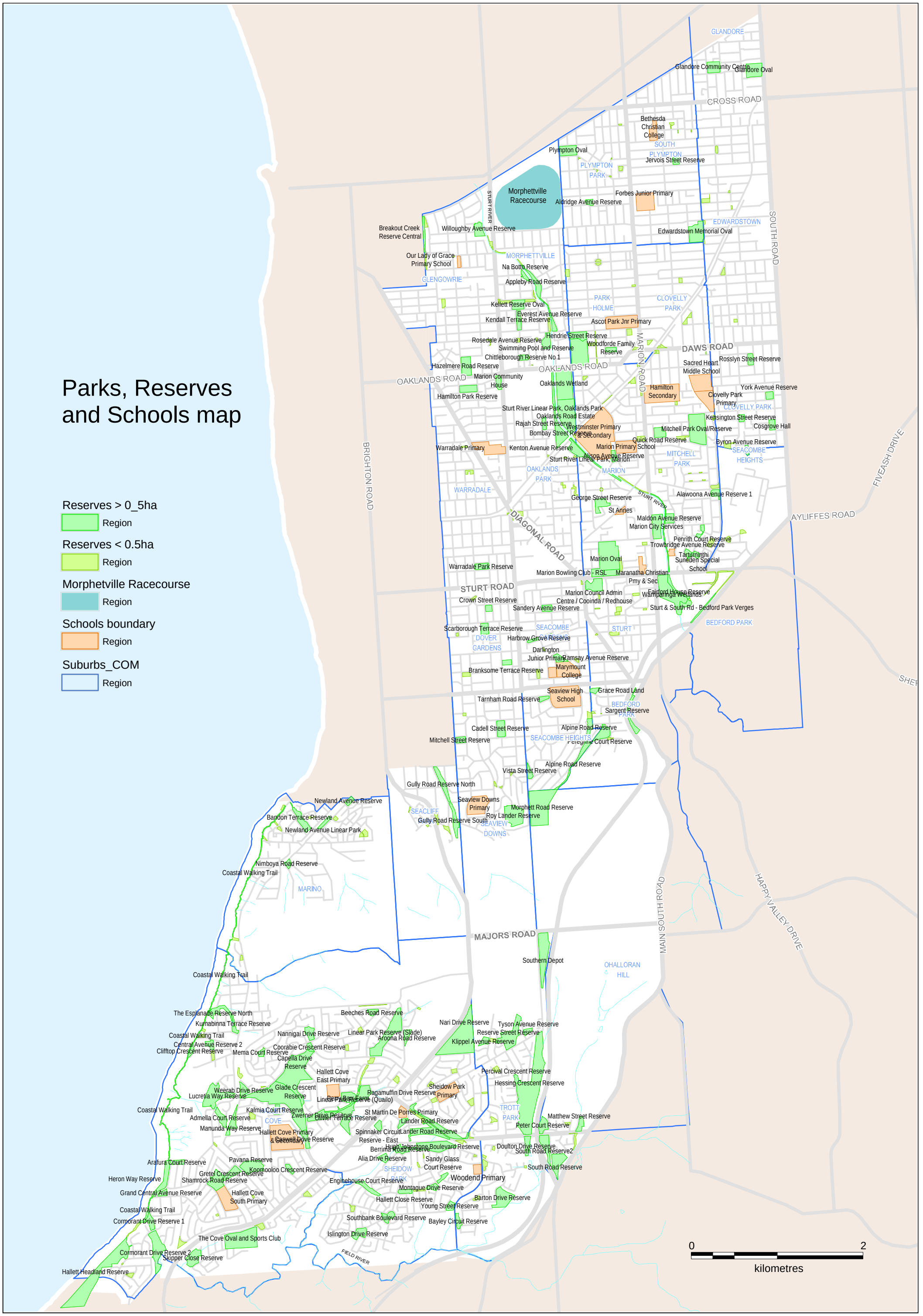
Glenelg
Brighton
Marino
Hallett Cove
Tramway
Railway
Sturt River
Field River
Southern Expressway
North

MAP REFERENCE A B C D E F G H I J K L M N
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

Community Facilities



Parks, Reserves and Schools map



CITY OF MARION

Local Government Association Annual General Meeting 2020

Originating Officer	Governance Officer - Angela Porter
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R06

REPORT OBJECTIVE

The purpose of this report is to consider Notice of Motions for forwarding to the Local Government Association (LGA) for consideration at the Local Government Annual General Meeting (AGM) 2020 and to nominate a Voting Delegate.

EXECUTIVE SUMMARY

Member councils are invited to submit proposed items of business to be considered by SAROC, GAROC or the LGA Board of Directors for inclusion on the agenda of the General Meeting.

The LGA Annual General Meeting will be held on Thursday, 29 October 2020 at the Adelaide Town Hall (subject to restrictions on gatherings).

In order for items of business to be considered for the Annual General Meeting of 29 October 2020, proposals must be received no later than 5:00 pm on **Monday, 17 August 2020**.

Council's current voting delegate for the LGA GM is Mayor Hanna and Deputy Mayor Shilling (proxy). Any change to this will need to be advised.

RECOMMENDATION

That:

1. **The nominated Council Voting Delegate for the 2020 Local Government Association Annual General Meeting is XXX and that the Proxy Delegate for this meeting is XXX**

2. **Council submits the following Notices of Motion to the Local Government Association by 17 August 2020 for consideration at the 2020 Local Government Association Annual General Meeting:**

1. **That the Annual General Meeting requests the LGA to partner with the Royal Association of Justices of South Australia to lobby the Attorney General's Department to take up public liability and personal accident insurances on behalf of Justices of the Peace (JPs).**

2. **That the Annual General Meeting requests that the LGA moves to seek greater intervention and control by higher authorities in respect to local government data breach notification procedures, to avoid inconsistent and/or inappropriate interpretations of proper procedure, especially when a large number of affected persons is involved and/or the detection of such breaches is a substantial period of time after the fact.**

3. **That the LGA publish as part of LGA Annual Report, all appointments or recommendations which lead to an appointment by the LGA Board of Directors. The list to include relevant information such as:**
    - **the position**

- **name of the person appointed**
- **term of the position**
- **any remuneration applicable to the position.**

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

DISCUSSION

The LGA has released a call for Motions for the LGA Annual General Meeting 2020. In preparation for the meeting, the LGA has advised Councils of the following information:

Motions

The purpose of the AGM is to consider items of strategic importance to local government and the LGA, as recommended by South Australian Region Organisation of Councils (SAROC), Greater Adelaide Region Organisation of Councils (GAROC) or the Board of Directors.

Member councils may at any time throughout the year propose an item of business for a General Meeting. To submit a proposal, Council needs to complete the LGA General Meeting - Proposed Item of Business form (Attached as Attachment 1). Proposals should be accompanied by sufficient supporting information to assist SAROC, GAROC and the Board of Directors to make informed decisions and recommendations. Councils are encouraged to discuss proposed items of business with the LGA Secretariat prior to being submitted.

It is at the discretion of Council whether to refer an item to GAROC or the Board of Directors. Guidelines on how proposed items of business will be considered are attached as Attachment 2.

Proposed Motions

Administration has proposed the following motion (Attachment 3) to be put forward to the LGA:

That the Annual General Meeting requests the LGA to partner with the Royal Association of Justices of South Australia to lobby the Attorney General's Department to take up public liability and personal accident insurances on behalf of Justices of the Peace (JPs).

Councillor Gard has proposed the following motion (Attachment 4) to be put forward to the LGA:

That the Annual General Meeting requests the LGA moves to seek greater intervention and control by higher authorities in respect to local government data breach notification procedures, to avoid inconsistent and/or inappropriate interpretations of proper procedure, especially when a large number of affected persons is involved and/or the detection of such breaches is a substantial period of time after the fact.

Administration, following discussion at the 21 July 2020 Elected Member Forum, has proposed the following motion (Attachment 5) to be put forward to the LGA:

That the LGA publish as part of the LGA Annual Report, all appointments or recommendations which lead to an appointment by the LGA Board of Directors (or delegate). The list to include relevant information such as:

- *the position*
- *name of the person appointed*
- *term of the position*
- *any remuneration applicable to the position*

In order for items of business to be considered for the Annual General Meeting of 29 October 2020, proposals must be received no later than **5:00 pm on Monday, 17 August 2020.** All proposed items will then be considered by either SAROC, GAROC or the Board of Directors and must be approved by them for inclusion in the agenda for the Annual General Meeting. The agenda will be provided to councils at least 30 days prior to the meeting.

It is suggested that upon resolving to submit Notices of Motion to the LGA, the Chief Executive Officer be authorised to amend the wording (without changing the meaning or purpose of the motion) if required.

Voting Delegate

At the City of Marion, historically the Mayor has been the Voting Delegate and the Deputy Mayor has been the proxy unless they have been unable to attend the meeting. Pursuant to Rule 36 of the LGA Constitution, only persons who are Council Members are eligible to be a Voting Delegate, therefore all Elected Members are eligible to be the Voting Delegate or Proxy.

The current Voting Delegate is Mayor Hanna and the Proxy is Deputy Mayor Shilling. Unless contrary advice is provided to the LGA, the above-nominated remains the same. Councils may appoint new voting delegates by notifying the LGA.

In Summary

- Notices of Motion are due to the LGA by 5:00 pm on Monday, 17 August 2020
- Advise if a change in Voting Delegates is required.

Attachment

#	Attachment	Type
1	LGA General Meeting Proposed Item of Business form 1	PDF File
2	Considering Proposed Items of Business for LGA General Meetings	PDF File
3	LGA General Meeting Proposed Item of Business - Advocacy for Justices of the Peace	PDF File
4	LGA General Meeting Proposed Item of Business - Local Government Data Breach Notification Procedures	PDF File
5	LGA General Meeting Proposed Item of Business - LGA Annual Report - Inclusion of Nominations	PDF File

Local Government Association of South Australia

The voice of local government.

LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	
The body the item is being referred to *Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.*	Board of Directors OR SAROC OR GAROC *(choose only one)*
Subject of the proposed item of business	
Proposed motion for the General Meeting	That the Annual / Ordinary General Meeting requests the LGA to …..
Supporting information *Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.*	
LGA Policy Manual *Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?*	(please click here to view the LGA Policy Manual)
LGA Strategic Plan reference	(please click here to view the plan and identify the Key Initiative and Strategy reference) *(choose only one Key Initiative and one Strategy)*
Council Contact Officer submitting form	(insert name) (insert email address) (insert telephone number)
Council Meeting minute reference and date of meeting	
Date submitted to LGA	

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to LGA Circulars in respect to deadlines for upcoming General Meetings.

Local Government Association of South Australia

The voice of local government.

Considering Proposed Items of Business for LGA General Meetings

Guidelines

February 2019

Version 1

Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA. Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

These guidelines have been prepared to assist the LGA Board of Directors (Board), South Australian Region Organisation of Councils (SAROC) and Greater Adelaide Region Organisation of Council (GAROC) to consider the items of business to be placed upon an agenda for an LGA Ordinary or Annual General Meeting. They also provide guidance to member councils to develop and prioritise proposals to submit for consideration.

The *Considering Proposed Items of Business for LGA General Meetings* Guidelines may be reviewed and amended by the LGA Board of Directors from time to time.

LGA Constitution

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

16. Business of General Meetings

16.1 The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.

16.2 Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.

16.3 No business shall be brought before a General Meeting of the LGA unless:

16.3.1 it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or

16.3.2 the business is as stated in the notice of a Special General Meeting, given in accordance with clause 10.

In summary, the Constitution provides all member councils with the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of '*strategic importance' to local government and the LGA*'.

Relevant bodies

As outlined in the Constitution, a member council may propose an item of business to SAROC, GAROC or the Board of Directors. This opportunity is also enshrined within the LGA Membership Proposition, which outlines the rights of members to participate in the development of LGA policy and strategy.

While the Constitution refers to members being able to refer items directly to the Board, the Membership Proposition specifically provides for members referring matters relating to policy and strategy development to either SAROC or GAROC (as relevant).

To provide greater clarity to members about the best pathway for submitting an item of business, the following guidance is provided.

LGA Board of Directors

Items should be referred to the Board if related to:

- the LGA Constitution or Ancillary Documents
- a subsidiary of the LGA
- a commercial service provided (or proposed to be provided) by the LGA
- an activity requiring the allocation of significant resources by the LGA
- any LGA operational matter

SAROC or GAROC

Items should be referred to the relevant ROC if related to:

- the development of LGA policy and strategy
- LGA advocacy activities
- an amendment or addition to the LGA Policy Manual
- an operational matter related to SAROC or GAROC

The Board, SAROC and GAROC may choose to refer items submitted by member councils to each other for advice or consideration. Such referrals will be at the discretion of the Board, SAROC and GAROC.

Guiding principles

The following guiding principles have been developed to provide clarity and consistency to the Board, SAROC, GAROC and member councils about the relevant matters that will be considered in determining whether an item of business will be placed on the agenda of a General Meeting.

1. Strategic importance

The matters discussed at General Meetings should be of strategic importance to local government and the LGA. The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.

In determining whether a matter is of strategic importance to local government and the LGA, the Board, SAROC and GAROC will consider:

- whether the item has relevance to and will benefit a particular group (eg regional or metro councils) or the sector as a whole;
- alignment with the strategic plans and business plans of the LGA, SAROC and GAROC;
- the level of urgency required to deal with the issue;
- relevance to the role of local government and the potential positive and negative impacts of the issue on councils and communities;

- whether there are other bodies or industry groups that are better placed to address the issue or undertake the proposed activity; and
- the resources required to execute the policies or activities.

2. Supporting evidence

Good public policy positions need to be supported by solid evidence that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.

The Board, SAROC and GAROC will consider whether there is sufficient evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.

In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action. The Board, SAROC and GAROC may proposed an alternative course of action, in consultation with the submitting council.

3. Alignment with LGA policy

The LGA Policy Manual is a compendium of principles and policies that have been developed and endorsed by a majority vote of member councils at previous General Meetings. There are a wide range of policies addressing a number of priority issues for the sector.

The policies act as a guide for advocacy and best practice in the sector. In most cases, the LGA Policy Manual can provide councils with a broad direction on how an issue can be resolved and whether further development of a policy position is required.

The Board, SAROC and GAROC will consider the LGA Policy Manual in determining whether a new or amended policy position is required to be endorsed by members to enable the LGA to take the requested action. If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.

4. Resourcing

In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue.

Before determining to place an item on the agenda of a General Meeting; the Board, SAROC and GAROC will consider:

- whether resources are available within the LGA to achieve the desired outcome;
- other resources that may be available;
- potential impacts on the LGA budget and business plan; and
- the level of input that will be required by councils or other stakeholders to progress the item.

The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Determinations by the Board, SAROC and GAROC

After considering a proposed item of business against these guiding principles and having regard to any other relevant factors, the Board, SAROC and GAROC may determine to:

- approve an item of business for inclusion on the agenda of a General Meeting;
- approve an amended item of business for inclusion on the agenda of a General Meeting (in consultation with the submitting councils);
- take no further action;
- request additional information from the submitting council;
- refer an item back to the submitting council or regional LGA for action if it relates to a local or regional issue;
- resolve that the matter be dealt with by the LGA, SAROC or GAROC without progressing to a General Meeting (such as matters requiring urgent attention or actions that can be progressed immediately due to alignment with existing policies and work plans); or
- defer the item to a future General Meeting

The submitting council will be advised in writing of the determination of their proposed item of business.

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LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	City of Marion
The body the item is being referred to *Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.*	GAROC
Subject of the proposed item of business	Advocating for JPs insurance cover
Proposed motion for the General Meeting	That the Annual General Meeting requests the LGA to partner with the Royal Association of Justices of South Australia to lobby the Attorney General's Department to take up public liability and personal accident insurances on behalf of Justices of the Peace (JPs).
Supporting information *Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.*	The purpose of this motion is to seek advocacy and support to address an issue faced by the whole local government sector. The issue is the potential liability exposures faced by Justices of the Peace (JPs). JPs provide a service which is highly valued by our community and many JPs use council facilities as signing centres to provide their service. Traditionally JPs have been perceived as volunteers of councils with an understanding that JPs are covered by the insurances provided to volunteers. Advice has recently been provided by the LGRS that, as they are volunteers of the AGD and not councils, meaning they are not covered by the insurance provided to councils. Moreover, when they provide their valued service to the community from non-council facilities they also have no insurance coverage and therefore are exposed to potential liability. **Overview of JP Services in South Australia** • The role, responsibilities and obligations of a JP are governed by the Justices of the Peace Act 2005 (the Act) and the Justices of the Peace Regulations 2006 (the Regulations). • Justice of the Peace Services is a function of the Attorney General's Department (AGD). • The service provided by JPs is to act as an independent and objective witness to documents people use for official or legal purposes. • AGD manages the application, appointment, conduct and removal of JPs. • AGD provide a JP Handbook and Code of Conduct outlining services offered and conduct required by JPs.

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	• AGD issues all JPs with a unique JP identification number for the services they offer. • A portal is provided which provides JP Contact Roll for all JPs in South Australia • Legal protection for JPs is provided under Section 15 of the Act provides that 'a JP incurs no civil or criminal liability for an honest act or omission in carrying out or purportedly carrying out official functions' • Royal Association of Justices of South Australia Inc. (RAJSA) provide an advocacy role for JPs and represent around 3,000 member JPs across the state. Membership is $66 to join with a $55 subscription annually. Some insurance (undefined on the RAJSA website but believed to be personal accident insurance only) is provided to RAJSA members. Not all JPs are RAJSA members. **JPs offering services in Local Government facilities** • Local Government recognises the valuable asset JPs are to our community so have traditionally offered their facilities as 'signing centres' which can be utilised by JPs to offer their services to the community. • JPs have traditionally been perceived as volunteers of councils with an understanding that JPs are covered by the insurances provided to volunteers however advice has recently been provided by the LGRS that, as they are volunteers of the AGD not councils, they are not covered by the insurance provided to councils. • The LGRS position is that insurance protects council volunteers only where the responsibility for liability lies with council. LGRS are of the view that the liability for JPs lies with the AGD (under the JP Act) and not councils, therefore councils' insurance cannot cover JP's. JPs should be covered by AGD, but they are not. • Councils generally do not insist, however do advise, all JPs to consider holding public liability insurance for their own legal protection. • If a JP is injured whilst performing JP services on a council property they are afforded the same rights as any other member of the public and can submit a civil liability claim against that council. Proof of negligence would be needed in order for a claim to be successful. **Risk exposure of JPs** • Public liability: JPs have a legal responsibility to adhere to statutory duties and to follow the requisite procedures when performing functions as a JP. If these are not followed correctly, a client could suffer financial detriment or other loss and they take legal action against a JP. • Personal accident: JPs are exposed to various hazards arising from undertaking their duties. • Note: JPs are advertised on the JP Contact Roll and therefore offer services external to the council environment so even if Local Government could offer JPs insurance cover, such as public liability and personal accident insurance, they would still have liability exposure in the offering of their service external to councils. JPs personal

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	household insurance policy may include public liability cover but would only be for liability occurring on that property. By ensuring public liability and personal accident insurances are covered by the AGD this valued community service can continue without unnecessary liability exposure for JPs.
LGA Policy Manual *Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?*	
LGA Strategic Plan reference	1 - Leadership and advocacy A - Listen to, and represent members
Council Contact Officer submitting form	Jaimie Thwaites Jaimie.Thwaites@marion.sa.gov.au 8375 6641
Council Meeting minute reference and date of meeting	
Date submitted to LGA	

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to LGA Circulars in respect to deadlines for upcoming General Meetings.

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LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	City of Marion
The body the item is being referred to *Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.*	GAROC
Subject of the proposed item of business	Local Government Data Breach Notification Procedures
Proposed motion for the General Meeting	That the LGA moves to seek greater intervention and control by higher authorities in respect to local government data breach notification procedures, to avoid inconsistent and/or inappropriate interpretations of proper procedure, especially when a large number of affected persons is involved and/or the detection of such breaches is a substantial period of time after the fact.
Supporting information *Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.*	With the increased number of security breaches not only in local government, but nationally and all over the world, joint effort is needed to keep pace with growing demand of protecting our community's data. Given the significance of information technology related security compromises, the local government sector needs to appropriately address mitigation of security issues and impact to councils and potentially our residents. The local government sector is not currently subject to the *Privacy Act 1988 (Cth),* nor do the State based Information Privacy Principles apply. While some Councils have adopted Privacy Policies, others still do not have them. Notification of breaches is not consistent either across the sector, while ratepayers' expectations are that their information is afforded a level of protection and should a breach occur there is a level of disclosure. Consistent local government policy, process and resources need to be developed to align with the requirements of State or Commonwealth.
LGA Policy Manual *Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?*	
LGA Strategic Plan reference	3 – Best practice & continuous improvement B – Benchmark, innovate and research.

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Council Contact Officer submitting form	Jaimie Thwaites Jaimie.Thwaites@marion.sa.gov.au 8375 6641
Council Meeting minute reference and date of meeting	
Date submitted to LGA	

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to LGA Circulars in respect to deadlines for upcoming General Meetings.

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LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

Council Name	City of Marion
The body the item is being referred to *Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.*	LGA Board of Directors
Subject of the proposed item of business	LGA Annual Report – Inclusion of Nominations
Proposed motion for the General Meeting	That the LGA publish as part of LGA Annual Report, all appointments or recommendations which lead to an appointment by the LGA Board of Directors (or delegate). The list to include relevant information such as: • the position • name of the person appointed • term of the position • any remuneration applicable to the position.
Supporting information *Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.*	The LGA is required by statute to make nominations to various state government or state agency boards or committees. In other cases, statute requires the relevant Minister to consult with the LGA prior to making an appointment to a state government board or committee. The LGA is also asked from time to time to nominate or appoint local government representatives to a range of non-statutory boards and working or advisory groups of relevance to local government or consult on the appointment of a local government representative. In the interest of openness and transparency it is requested that the LGA include in their annual report each year a list of all appointments and recommendations that lead to an appointment. This list should include the position, the name of the person appointed, the term of appointment and any remuneration applicable to the position. The list would not include unsuccessful nominations.
LGA Policy Manual *Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?*	"LGA Appointments and Nominations to Outside Bodies — Policy" – to be updated to include the reporting requirements.
LGA Strategic Plan reference	3 - Best practice & continuous improvement C - Improve LGA governance and operations with a focus on people, finances and our members.
Council Contact Officer submitting form	Jaimie Thwaites Jaimie.Thwaites@marion.sa.gov.au

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	8375 6641
Council Meeting minute reference and date of meeting	29 July 2020
Date submitted to LGA	

Please return Word version of completed form to lgasa@lga.sa.gov.au.
Refer to LGA Circulars in respect to deadlines for upcoming General Meetings.

CITY OF MARION

Statutes Amendment (Local Government Review) Bill 2020

Originating Officer	Unit Manager Governance and Council Support - Jaimie Thwaites
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R07

REPORT OBJECTIVE

For Council to consider and resolve feedback on the *Statutes Amendment (Local Government Review) Bill 2020.* The feedback is to be provided to the Minister for Transport, Infrastructure and Local Government, the Shadow Minister for Planning and Local Government and the Local Government Association (LGA).

EXECUTIVE SUMMARY

The State Government introduced the *Statues Amendment (Local Government Review) Bill 2020* (Amendment Bill) into Parliament on 17 June 2020. The Amendment Bill proposes to amend many aspects of the *Local Government Act 1999* and other legislation.

The Local Government Association is seeking feedback on the Amendment Bill by 9 August 2020.

Correspondence has also been drafted to provided feedback to the Minister for Transport, Infrastructure and Local Government and Shadow Minister For Planning and Local Government to provided feedback on the following key areas:

- Rate Monitoring System
- Maximum 12 Council Members
- Elected Members running for Parliament
- Nominations for Elections
- Voting in Elections
- Disclosure of information by candidates
- CEO ability to suspend
- LGA increased obligations
- Increase in costs

RECOMMENDATION

That Council:

1. **Adopts the submission to the Local Government Association (LGA) provided in Attachment 3 to this report regarding the *Statues Amendment (Local Government Review) Bill 2020* subject to the following amendments: xxx**

2. **Provides the correspondence provided in Attachment 4 to this report regarding the *Statues Amendment (Local Government Review) Bill 2020* to the Minister for Transport, Infrastructure and Local Government and Shadow Minister for Planning and Local Government subject to the following amendments: xxx**

BACKGROUND

The Minister for Transport, Infrastructure and Local Government, Hon. Stephan Knoll, is undertaking a review of local government legislation that currently operates within South Australia. The Minister first sought submissions from the sector in 2019, and at its meeting of 23 April 2019 Council considered and adopted a submission to be forwarded to the Government (GC190423R11).

Following this consultation, in August 2019 the Minister released a discussion paper 'Reforming Local Government in South Australia'.

Four key areas of reform with a total of 72 proposals were put forward by the Government. The key areas being:

- Stronger Council Member Capacity and Better Conduct
- Lower Costs and Enhanced Financial Accountability
- Efficient and Transparent Local Government Representation
- Simpler Regulation

Council considered the discussion paper at the Special General Council meeting on 15 October 2019 and endorsed submission providing feedback to the Minister on the proposals (SGC191015R01).

GENERAL ANALYSIS

The *Statutes Amendment (Local Government Review) Bill 2020* (**Attachment 1**) has been drafted and introduced to parliament. It is important to note that it is not a draft Bill for consultation. It is a formal Bill which has been presented to Parliament to become law and any changes to the Amendment Bill from its current form will be decided by the Parliamentary process. However, the Local Government Association (LGA) has provided Council a short opportunity to provide feedback by **Sunday, 9 August 2020**.

The Bill is proposing substantial change to the Local Government. To give some indication of the breadth and significance of the changes proposed by the Amendment Bill, some of the more noteworthy proposals are as follows (noting that this is not an exhaustive list of all proposed changes):

- Inclusions of a new section 11A - Councils must not be comprised of more than 12 Members (Mayor + 11 Councillors).
- Deletion of several parts of section 12 - representation reviews including the option of Chairperson (Councils only to have a Mayor). All reference to a chairperson has been removed from section 51.
- Replacement of section 50 (Public Consultation Policies) with a new provision for a Ministerial 'Community Engagement Charter' which, along with council-adopted policies (section 51A), will govern public consultation. All prescribed consultation within the Act has also been removed.
- Inclusions of a new section 55A - leave of absence - council member contesting state election.
- Changes to section 58 (specific roles of principal member) and section 59 (roles of Members of Council).
- Significant changes to council member conduct requirements - general duties, register of interests, conflict of interests and Code of Conduct.
- Integration of work health and safety concepts in the context of council member behaviour and the ability for the CEO, the principal member or another council member to eject a council member who is creating a risk to health and safety (i.e. bullying).
- Suspension of council members for failure to meet training requirements.
- The removal of ‘informal gatherings’ provisions and the introduction of the concept of ‘information or briefing sessions’.
- The terms upon which CEOs are engaged and managed, including the regulation of CEO salaries by the South Australian Remuneration Tribunal and compulsory performance review requirements.
- Changes regarding employee standards of conduct, including legislated gifts and benefits provisions and the tripling of penalties for conflict of interest offences.

- A mandatory process by which each council annually provides information to a 'designated authority' (possibly, the Essential Service Commission of South Australia) regarding proposed changes in revenue, and must obtain and consider advice from that authority before finalising a draft annual business plan in any given year (i.e. external oversight of rate-setting).
- The abolition of declaring rates on the basis of 'site value' (as opposed to capital value).
- The removal of the requirement to obtain Ministerial approval for revocation of community land classification in some cases (Ministerial approval will, however, still be required for many cases).
- Changes to section 221 and 222 permits, including an external review mechanism (with the Small Business Commissioner—or, in some cases, the Environment, Resources and Development Court—as reviewer) and the repeal of special provisions for food trucks.

The Department of Planning, Transport and Infrastructure has prepared an Explanatory Paper in relation to the Bill that is included as **Attachment 2**.

Cost of the Proposed Amendments

The LGA has advised that it is difficult to make any cost estimates of the impact of the current proposed amendments in the Local Government Reform Bill because of all of the variables. For example:

- With the Behavioural Panel, the LGA will be paying the fixed costs of the new body with councils paying additional costs, each time their matters go before the Panel. With the fixed costs, it is known there will be three Panel Members. But unknown whether they will be full-time or part-time, it is unknown how many Registrars and administrative staff they'll need, or how much DPTI will charge for rent, IT support, financial reporting, fulfilling government compliance obligations, etc. At the moment, the Bill has no upper limits, no checks and balances nor any requirement for costs to be reached 'by agreement with the LGA'.
- The Minister will also have the ability to bestow additional functions on the Behavioural Panel. This power essentially represents an open-ended check for the LGA and could facilitate another round of state-to-local government cost shifting.
- The LGA required to pay for the costs of the Remuneration Tribunal for council CEOs. Hopefully the deliberations of the Tribunal for CEOs can piggy-back off the work they already do for Elected Members (e.g. using the Local Government Price Index) and so there may be some efficiencies of scale. However, it is suspected that the first review will be very thorough and may examine the needs of the various SA localities e.g. local cost of living, historic difficulties in recruiting staff, etc. Such a thorough review could prove expensive.

There will also be an additional resourcing/capacity impact on the LGA Secretariat from:

- All of the additional circumstances where the LGA must be consulted; and
- The body of work involved in preparing template documents (e.g. Council Policies to support the State Community Engagement Charter), training (EMs and staff) or advice on what updates might need to be made to council policies and procedures. There will likely be a lot of work required after the Bill is passed and these documents will need regular reviews and updating.

Feedback

The Local Government Association (LGA) has reviewed the changes proposed in the Bill and provided commentary with traffic light 'guidance' to councils. A copy of this discussion paper is included as **Attachment 3**.

The State Government has tabled the Bill in Parliament 'for consultation', is engaging constructively with the sector on most of the issues and appears to be open to further changes. The LGA intends to make further written submissions on the Bill in the coming weeks and months as well as a program of ongoing advocacy. In order to finalise a position on the Bill the LGA is seeking submissions from councils by Friday 9 August 2020.

A proposed summary of the City of Marion's feedback to the LGA is included in **Attachment 3**.

A draft letter has also been prepared (**Attachment 4**) to send to the Minister for Transport, Infrastructure and Local Government and the Shadow Minister for Planning and Local Government. This letter highlights key aspects of the Bill Council would like to see amended before it is finalised. Subject to any amendments from Council the draft letter provides the following key points:

- Rate Monitoring System
  - Strongly opposed to the requirement for councils to provide Business Plan and financial information to the designated authority by 31 December each year. Unrealistic timeframe.
  - The requirement is particularly unreasonable following a periodic election in November.
  - Query whether the Valuer General will be required to provide the valuation data to councils sooner if this proposal is enacted.

- Maximum 12 Council Members
  - The maximum number of members should be relative to the number of residents or electors in the Council area. A smaller cap for smaller Councils may be appropriate.

- Elected Members running for Parliament
  - Supported. The same provisions proposed for the State election should apply for members nominating for Federal election.

- Nominations for Elections
  - A nomination should be available to be viewed online as soon as it has been accepted as valid (not 24 hours after the close of nominations).

- Voting in Elections
  - The review has failed to address the potential for electronic voting.

- Disclosure of information by candidates
  - Agree with the requirement for candidates to provide more information that is of interest to voters.
  - The requirement for candidates to disclose campaign donations should also ensure donations are not purposely paid towards the close of voting to avoid disclosure before the conclusion of the election.

- CEO ability to Suspend
  - Disagree with the CEO having a degree of *discretion*. The trigger for suspension should be mandated by law so role the CEO must play a purely administrative role in relation to suspending a member.

- Alteration of Road
  - Through the new *Planning, Development and Infrastructure Act 2016* that is slowly being switched on, there will be less control for councils as private certifiers to approve more development. The Section 221 process may need to be strengthened in order to protect council assets (trees, curbs etc.).

- LGA increased obligations
  - The Council opposes the increased role of the LGA in the Bill as it locks in Councils as members of the LGA when this should be discretionary for Councils.
  - Further clarity is requested on the impact of the Bill's provisions on councils which leave the LGA.

- Increase in costs

- Due to the large number of variables it is difficult to estimate the increase in costs to Councils as a result of the Bill (e.g. additional resourcing / capacity impact on the LGA, costs of the Behavioural Panel, and additional requirements for the Remuneration Tribunal etc). Has this been assessed by Government?

- Consistency with State Government Standards
  - Council supports the stronger behavioural regulations in the Bill, except that costs of the behavioural standards panel etc should be borne by State Government.
  - Council also respectfully requests consideration of such standards being applied to Members of Parliament.

Attachment

#	Attachment	Type
1	Statutes Government Review Bill 2020	PDF File
2	Explanatory Paper - Statutes Amendment Local Government Review Bill 2020	PDF File
3	LGA-Summary-of-Local-Government-Review-Bill-2020 incl Marion Feedback	PDF File
4	Local Government Reform - submission letter	PDF File

House of Assembly—No 67
As laid on the table and read a first time, 17 June 2020

South Australia

Statutes Amendment (Local Government Review) Bill 2020

A BILL FOR

An Act to amend the *Local Government Act 1999*, the *Local Government (Elections) Act 1999*, the *City of Adelaide Act 1998* and to amend various other Acts related to the review of the system of local government in South Australia.

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Amendment provisions

Part 2—Amendment of *Local Government Act 1999*

4 Amendment of section 3—Objects
5 Amendment of section 4—Interpretation
6 Amendment of section 6—Principal role of council
7 Amendment of section 7—Functions of council
8 Amendment of section 8—Principles to be observed by council
9 Insertion of section 11A
11A Number of members
10 Amendment of section 12—Composition and wards
11 Amendment of section 13—Status of council or change of various names
12 Amendment of section 26—Principles
13 Amendment of section 44—Delegations
14 Amendment of section 45—Principal office
15 Amendment of section 48—Prudential requirements for certain activities
16 Amendment of section 49—Contracts and tenders policies
17 Substitution of Chapter 4 Part 5

Part 5—Community engagement

50 Community engagement charter
50A Council community engagement policy
18 Amendment of section 51—Principal member of council
19 Amendment of section 54—Casual vacancies
20 Amendment of section 55—Specific requirements if member disqualified
21 Insertion of section 55A
55A Leave of absence—council member contesting election
22 Amendment of section 58—Specific roles of principal member
23 Amendment of section 59—Roles of members of councils
24 Substitution of heading to Chapter 5 Part 4
25 Substitution of heading to Chapter 5 Part 4 Division 1
26 Insertion of Subdivision heading
27 Amendment of section 62—General duties
28 Repeal of section 63
29 Substitution of heading to Chapter 5 Part 4 Division 2
30 Amendment of Chapter 5 Part 4 Division 2
31 Amendment of section 64—Interpretation
32 Amendment of section 67—Form and content of returns
33 Amendment of section 68—Register of Interests
34 Amendment of section 69—Provision of false information
35 Amendment of section 70—Publication of Register
36 Amendment of section 71—Restrictions on publication
37 Insertion of Chapter 5 Part 4 Division 1 Subdivision 3

Subdivision 3—Gifts and benefits

72A Register of gifts and benefits
38 Substitution of Chapter 5 Part 4 Division 3

Subdivision 4—Conflicts of interest

73 Preliminary
74 General conflicts of interest
75 Material conflicts of interest
75A Exemptions and other matters
75B Dealing with general conflicts of interest
75C Dealing with material conflicts of interest
75D Application of Subdivision to members and meetings of committees and subsidiaries

39 Insertion of Chapter 5 Part 4 Division 2

Division 2—Member behaviour

75E Behavioural standards
75F Council behavioural support policies

Division 3—Health and safety duties

75G Health and safety duties

40 Amendment of section 76—Allowances
41 Amendment of section 77—Reimbursement of expenses
42 Amendment of section 79—Register of allowances and benefits
43 Amendment of section 80A—Training and development
44 Insertion of Chapter 5 Part 7

Part 7—Other matters

80B Suspension—member of council subject to intervention order

45 Amendment of section 83—Notice of ordinary or special meetings
46 Amendment of section 84—Public notice of council meetings
47 Amendment of section 85—Quorum
48 Amendment of section 86—Procedure at meetings
49 Amendment of section 87—Calling and timing of committee meetings
50 Amendment of section 88—Public notice of committee meetings
51 Amendment of section 90—Meetings to be held in public except in special circumstances
52 Insertion of section 90A—Information or briefing sessions
90A Information or briefing sessions
53 Amendment of section 91—Minutes and release of documents
54 Amendment of section 92—Access to meetings and documents—code of practice
55 Amendment of section 93—Meetings of electors
56 Repeal of section 94A
57 Amendment of section 97—Vacancy in office
58 Amendment of section 98—Appointment procedures
59 Amendment of section 99—Role of chief executive officer
60 Insertion of section 99A
99A Remuneration of chief executive officer
61 Insertion of section 102A
102A Chief executive officer—performance review
62 Amendment of section 105—Register of remuneration, salaries and benefits
63 Substitution of heading to Chapter 7 Part 4
64 Substitution of heading to Chapter 7 Part 4 Division 1
65 Insertion of Subdivision heading
66 Amendment of section 108—Interpretation
67 Amendment of section 109—General duty and compliance
68 Repeal of section 110
69 Amendment of section 110A—Duty to protect confidential information
70 Substitution of heading to Chapter 7 Part 4 Division 2
71 Amendment of Chapter 7 Part 4 Division 2
72 Amendment of section 117—Provision of false information
73 Amendment of section 119—Restrictions on disclosure

74 Insertion of Chapter 7 Part 4 Division 1 Subdivision 2A
Subdivision 2A—Gifts and benefits
119A Register of gifts and benefits
75 Substitution of heading to Chapter 7 Part 4 Division 3
76 Amendment of section 120—Conflict of interest
77 Insertion of Chapter 7 Part 4 Division 2
Division 2—Employee behaviour
120A Behavioural standards
78 Amendment of section 122—Strategic management plans
79 Amendment of section 123—Annual business plans and budgets
80 Amendment of heading to Chapter 8 Part 3 Division 2
81 Amendment of section 125—Internal control policies
82 Insertion of section 125A
125A Internal audit functions
83 Amendment of section 126—Audit and risk committee
84 Insertion of section 126A
126A Regional audit and risk committee
85 Amendment of section 127—Financial statements
86 Amendment of section 128—Auditor
87 Amendment of section 129—Conduct of audit
88 Amendment of section 130A—Other investigations
89 Amendment of section 131—Annual report to be prepared and adopted
90 Insertion of section 131A
131A Provision of information to Minister
91 Amendment of section 132—Access to documents
92 Amendment of section 147—Rateability of land
93 Amendment of section 151—Basis of rating
94 Amendment of section 153—Declaration of general rate (including differential general rates)
95 Amendment of section 156—Basis of differential rates
96 Substitution of section 170
170 Notice of declaration of rates
97 Amendment of section 181—Payment of rates—general principles
98 Amendment of section 184—Sale of land for non-payment of rates
99 Amendment of section 188—Fees and charges
100 Amendment of section 193—Classification
101 Amendment of section 194—Revocation of classification of land as community land etc
102 Insertion of sections 194A and 194B
194A Revocation of community land classification requiring Ministerial approval—process
194B Revocation of community land classification of other land—process
103 Amendment of section 196—Management plans
104 Amendment of section 197—Public consultation on proposed management plan
105 Amendment of section 202—Alienation of community land by lease or licence
106 Amendment of section 207—Register
107 Amendment of section 219—Power to assign name, or change name, of road or public place
108 Amendment of section 221—Alteration of road
109 Amendment of section 222—Permits for business purposes
110 Amendment of section 223—Public consultation
111 Amendment of section 224—Conditions of authorisation or permit
112 Repeal of section 224A
113 Amendment of section 225—Cancellation of authorisation or permit
114 Repeal of section 225A

115 Amendment of section 225B—Review of granting of authorisations and permits
116 Amendment of section 231—Register
117 Amendment of section 232—Trees
118 Amendment of section 234AA—Interaction with processes associated with development authorisations
119 Amendment of section 234A—Prohibition of traffic or closure of streets or roads
120 Amendment of section 237—Removal of vehicles
121 Amendment of section 246—Power to make by-laws
122 Amendment of section 249—Passing by-laws
123 Amendment of section 250—Model by-laws
124 Amendment of section 252—Register of by-laws and certified copies
125 Amendment of section 259—Councils to develop policies
126 Insertion of Chapter 13 Part A1

Part A1—Member behaviour

Division 1—Council to deal with member behaviour

262A Complaints
262B Behavioural management policy
262C Action
262D Reasons

Division 2—Behavioural standards panel

Subdivision 1—Preliminary

262E Preliminary

Subdivision 2—Behavioural standards panel

262F Establishment and constitution
262G Conditions of membership
262H Acting member
262I Meetings of Panel
262J Remuneration and expenses
262K Staff
262L Validity of acts of Panel
262M Costs
262N Functions
262O Delegation
262P Annual report

Subdivision 3—Inquiries and action on complaints referred to Panel

262Q Referral
262R Proceedings of Panel
262S Assessment
262T Inquiries
262U Powers relating to inquiries
262V Dispute resolution
262W Action
262X Reports on inquiries

Division 3—Miscellaneous

262Y Referral of complaint to OPI
127 Amendment of heading to Chapter 13 Part 1
128 Repeal of section 263
129 Amendment of section 263A—Investigations by Ombudsman
130 Amendment of section 263B—Outcome of Ombudsman investigation
131 Amendment of section 264—Complaint lodged with SACAT
132 Amendment of section 265—Hearing by SACAT
133 Amendment of section 267—Outcome of proceedings
134 Repeal of section 269

135 Amendment of section 270—Procedures for review of decisions and requests for services
136 Amendment of section 273—Action on report
137 Amendment of section 279—Service of documents by councils etc
138 Amendment of section 280—Service of documents on councils
139 Amendment of section 303—Regulations
140 Amendment of Schedule 1A—Implementation of Stormwater Management Agreement
141 Amendment of Schedule 2—Provisions applicable to subsidiaries
142 Amendment of Schedule 3—Register of Interests—Form of returns
143 Amendment of Schedule 4—Material to be included in annual report of council
144 Amendment of Schedule 5—Documents to be made available by councils
145 Amendment of Schedule 8—Provisions relating to specific land
146 Insertion of Schedule 9

Schedule 9—Suspension of members

1 Suspension of members

147 Transitional provisions

Part 3—Amendment of *Local Government (Elections) Act 1999*

148 Amendment of section 4—Preliminary
149 Substitution of section 5
5 Periodic elections
150 Amendment of section 6—Supplementary elections
151 Insertion of section 6A
6A Filling vacancy in certain circumstances
152 Amendment of section 7—Failure of election in certain cases
153 Amendment of section 9—Council may hold polls
154 Amendment of section 13A—Information, education and publicity for general election
155 Amendment of section 15—Voters roll
156 Amendment of section 17—Entitlement to stand for election
157 Amendment of section 19A—Publication of candidate profiles
158 Substitution of section 21
21 Publication etc of valid nominations
159 Amendment of section 27—Publication of electoral material
160 Amendment of section 28—Publication of misleading material
161 Amendment of section 29—Ballot papers
162 Amendment of section 31—Special arrangements for issue of voting papers
163 Amendment of section 35—Special arrangements for issue of voting papers
164 Substitution of heading to Part 9
165 Amendment of section 37—Postal voting to be used
166 Amendment of section 38—Notice of use of postal voting
167 Amendment of section 39—Issue of postal voting papers
168 Insertion of section 41A
41A Assisted voting
169 Amendment of section 43—Issue of fresh postal voting papers
170 Amendment of section 47—Arranging postal papers
171 Amendment of section 48—Method of counting and provisional declarations
172 Amendment of section 55A—Filling vacancy if successful candidate dies
173 Amendment of section 57—Violence, intimidation, bribery etc
174 Insertion of section 69A
69A Electoral Commissioner may lodge petition
175 Amendment of section 70—Procedure upon petition
176 Amendment of section 73—Illegal practices and orders that may be made
177 Substitution of section 80
80 Returns for candidates

178 Amendment of section 81—Campaign donations returns
179 Insertion of sections 81A and 81B
81A Large gifts returns
81B Disclosure period etc for returns
180 Amendment of section 83—Inability to complete return
181 Amendment of section 84—Amendment of return
182 Amendment of section 86—Failure to comply with Division
183 Amendment of section 87—Public inspection of returns
184 Amendment of section 89—Requirement to keep proper records
185 Amendment of section 91A—Conduct of council during election period
186 Amendment of section 93—Regulations

Part 4—Amendment of *City of Adelaide Act 1998*

187 Amendment of section 4—Interpretation
188 Amendment of section 20—Constitution of Council
189 Amendment of section 21—Lord Mayor
190 Amendment of section 22—Members
191 Amendment of Schedule 1—Special provisions for elections and polls

Part 5—Amendment of *Crown Land Management Act 2009*

192 Insertion of section 20A
20A Revocation of dedicated land classified as community land

Part 6—Amendment of *Equal Opportunity Act 1984*

193 Amendment of section 87—Sexual harassment

Part 7—Amendment of *Planning, Development and Infrastructure Act 2016*

194 Amendment of section 83—Panels established by joint planning boards or councils
195 Amendment of section 84—Panels established by Minister

Part 8—Amendment of *Public Finance and Audit Act 1987*

196 Amendment of section 4—Interpretation
197 Amendment of section 30—Obligation to assist Auditor-General
198 Amendment of section 32—Audit etc of publicly funded bodies and projects and local government indemnity schemes
199 Amendment of section 34—Powers of Auditor-General to obtain information

Part 9—Amendment of *South Australian Local Government Grants Commission Act 1992*

200 Amendment of section 19—Information to be supplied to Commission

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Statutes Amendment (Local Government Review) Act 2020*.

2—Commencement

(1) This Act comes into operation on a day to be fixed by proclamation.

(2) Section 7(5) of the *Acts Interpretation Act 1915* does not apply to this Act.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Local Government Act 1999*

4—Amendment of section 3—Objects

Section 3(f)—after "communities" insert:

and to provide for appropriate financial contributions by ratepayers to those services and facilities

5—Amendment of section 4—Interpretation

(1) Section 4(1)—after the definition of ***authorised person*** insert:

behavioural management policy—see section 262B(1);

behavioural standards means the standards of behaviour to be observed by members of councils published under Chapter 5 Part 4 Division 2;

Behavioural Standards Panel or ***Panel*** means the Behavioural Standards Panel established under Chapter 13 Part A1 Division 2;

behavioural support policy—see section 75F(1);

(2) Section 4(1), definition of ***Commission***—delete the definition and substitute:

Commission or ***South Australian Local Government Boundaries Commission*** means the South Australian Local Government Grants Commission established under the *South Australian Local Government Grants Commission Act 1992*;

(3) Section 4(1)—after the definition of ***Commission*** insert:

community engagement charter—see Chapter 4 Part 5;

community engagement policy—see Chapter 4 Part 5;

(4) Section 4(1)—after the definition of ***day therapy centre*** insert:

designated authority—see section 123;

(5) Section 4(1)—after the definition of ***independent living units*** insert:

integrity provision means—

(a) in relation to members of councils—a provision of Chapter 5 Part 4 Division 1; or

(b) in relation to employees of councils—a provision of Chapter 7 Part 4 Division 1;

(6) Section 4(1), definition of ***public consultation policies***—delete the definition

(7) Section 4(1), definition of ***relative***—delete the definition and substitute:

relative of a person means—

(a) the spouse or domestic partner; or

(b) a parent, step parent or remoter lineal ancestor; or

(c) a child, step child or remoter descendant; or

(d) a sibling or step sibling; or

(e) any member of the person's family who resides in the person's household;

(8) Section 4(1)—after the definition of ***relative*** insert:

relevant audit and risk committee means—

(a) in relation to a council that has, with 1 or more other councils, established a regional audit and risk committee—the regional audit and risk committee; or

(b) in relation to any other council—the council audit and risk committee;

(9) Section 4(1), definition of ***site value***—delete the definition

(10) Section 4—before subsection (1aa) insert:

(1aaa) For the purposes of this Act, ***public consultation*** is undertaken if consultation is conducted in accordance with the relevant provisions of the community engagement charter and community engagement policy (if applicable).

(11) Section 4(1aa)(a)(ii)(B)—delete "; and" and substitute:

; or

(12) Section 4(1aa)(b)—delete paragraph (b) and substitute:

(b) if the community engagement charter provides for the giving of public notice under this Act—notice is published in accordance with the community engagement charter.

6—Amendment of section 6—Principal role of council

Section 6(b)—delete paragraph (b) and substitute:

(b) to make decisions about the provision of various public services and facilities that will benefit the community in the context of the capacity and willingness of ratepayers to pay for those services and facilities; and

7—Amendment of section 7—Functions of council

(1) Section 7(b)—delete "(including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities)"

(2) Section 7—after paragraph (b) insert:

(ba) to determine the appropriate financial contribution to be made by ratepayers to the resources of the council;

8—Amendment of section 8—Principles to be observed by council

(1) Section 8(ea)—delete "and form partnerships" and substitute:

, form partnerships and share resources

(2) Section 8(h)—after "efficiently" insert:

and council services, facilities and programs are provided effectively and efficiently

(3) Section 8—after paragraph (i) insert:

(ia) seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers;

9—Insertion of section 11A

Before section 12 insert:

11A—Number of members

(1) Despite any other provision of this Chapter, a council must not be comprised of more than 12 members.

(2) Subsection (1) applies to a council from—

(a) in the case of a council that commences a representation review in accordance with section 12 after the commencement of subsection (1) and completes the review before 1 January 2022—polling day for the periodic election next due to be held after the commencement of subsection (1); or

(b) in any other case—polling day for the second periodic election due to be held after the commencement of subsection (1).

(3) A reference to completing a review under subsection (2)(a) includes (if relevant) publishing any notice or notices in the Gazette under section 12(15)(b) in relation to the review.

10—Amendment of section 12—Composition and wards

(1) Section 12(5) to (10)—delete subsections (5) to (10) (inclusive) and substitute:

(5) A council must, in order to commence a review, initiate the preparation of a report (a ***representation report***) by a person who, in the opinion of the council, is qualified to address the representation and governance issues that may arise with respect to the matters under review.

(6) The representation report must—

(a) examine the advantages and disadvantages of various options that are available to the council under subsection (1) (insofar as the various features of the composition and structure of the council are under review) and, in particular (to the extent that may be relevant)—

(i) examine the question of whether the number of members should be reduced; and

(ii) if the area of the council is divided into wards, examine the question of whether the division of the area into wards should be abolished; and

(b) set out any proposal that the council considers should be carried into effect under this section; and

(c) in respect of any such proposal—include an analysis of how the proposal relates to the principles under section 26(1)(c) and the matters referred to in section 33 (to the extent that may be relevant); and

(d) examine such other relevant issues as the council or the person preparing the report thinks fit.

(7) The council must undertake public consultation on the representation report.

(2) Section 12(11a) to (11d)—delete subsections (11a) to (11d) (inclusive)

(3) Section 12(12)—delete ", taking into account the operation of the preceding subsection,"

(4) Section 12(12a)—delete subsection (12a) and substitute:

(12a) The report must, if written submissions are received as part of public consultation undertaken under subsection (7), include copies of any written submissions that relate to the subject-matter of the proposal.

(5) Section 12(17)—delete "subsections (9) and (10)" and substitute:

subsection (7)

(6) Section 12(18a)—delete subsection (18a)

11—Amendment of section 13—Status of council or change of various names

Section 13(2)(ba)—delete paragraph (ba)

12—Amendment of section 26—Principles

Section 26(1)—before "Commission" insert:

South Australian Local Government Boundaries

13—Amendment of section 44—Delegations

(1) Section 44(2)—after paragraph (b) insert:

(ba) to a joint planning board established under a planning agreement to which the council is a party; or

(2) Section 44(7) and (8)—delete subsections (7) and (8)

14—Amendment of section 45—Principal office

Section 45(3)—delete "consult with its local community in accordance with its public consultation policy" and substitute:

undertake public consultation

15—Amendment of section 48—Prudential requirements for certain activities

(1) Section 48(5)—delete subsection (5)

(2) Section 48(6)—delete "However, a council may take steps to prevent the disclosure of specific information" and substitute:

A council may take steps to prevent the disclosure of specific information in a report under subsection (1)

16—Amendment of section 49—Contracts and tenders policies

Section 49(4) and (5)—delete subsections (4) and (5)

17—Substitution of Chapter 4 Part 5

Chapter 4 Part 5—delete the Part and substitute:

Part 5—Community engagement

50—Community engagement charter

(1) The Minister may, by notice published in the Gazette and on a website determined by the Minister, establish a community engagement charter for the purposes of this Act.

(2) The following principles must be taken into account in relation to the charter:

(a) members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes;

(b) information about issues should be in plain language, readily accessible and in a form that facilitates community participation;

(c) participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils;

(d) participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes;

(e) insofar as is reasonable, communities should be provided with information about how community views have been taken into account and reasons for decisions or actions of councils.

(3) The charter—

(a) will relate to—

(i) community consultation and participation with respect to any decision, activity or process where compliance with the charter is contemplated by this Act; and

(ii) any other circumstance where compliance with the charter is contemplated by this Act; and

(b) may relate to any other circumstances, or provide for any other matter, determined by the Minister.

(4) The charter may—

(a) establish categories of statutory processes to which various parts of the charter will apply; and

(b) in relation to each category established under paragraph (a)—

(i) specify mandatory requirements; and

(ii) set out principles and performance outcomes that are to apply to the extent that mandatory requirements are not imposed; and

(c) in relation to performance outcomes under paragraph (b)(ii)—

(i) provide guidance on specific measures or techniques by which the outcomes may be achieved; and

(ii) set out measures to help evaluate whether, and to what degree, the outcomes have been achieved.

(5) The charter may—

(a) be of general or limited application; and

(b) vary in operation according to factors stated in the charter; and

(c) provide for, or for the granting by the Minister of, exemptions (conditional or unconditional) from specified provisions of the charter.

(6) The Minister may, by further notice published in the Gazette and on the website referred to in subsection (1), vary or substitute the charter.

(7) The Minister must, before establishing, varying or substituting the charter—

(a) consult with the LGA; and

(b) undertake such other consultation as the Minister thinks fit,

on the charter, variation or substitute charter (as the case may be).

(8) An entity to which the charter applies must—

(a) comply with any mandatory requirement that applies in a relevant case; and

(b) to the extent that paragraph (a) does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.

(9) A notice published under subsection (1) or (6) may come into operation on the day on which it is published or on a later day or days specified in the notice.

(10) Sections 10 (other than subsection (1)) and 10A of the *Subordinate Legislation Act 1978* apply to a notice published under subsection (1) or (6) (and a reference in those provisions to a regulation will be taken to be a reference to a notice published under subsection (1) or (6) (as the case requires)).

50A—Council community engagement policy

(1) A council must prepare and adopt a policy relating to community engagement for the purposes of this Act (a ***community engagement policy***).

(2) The policy may—

(a) in relation to any decision, activity or process in respect of which the community engagement charter prescribes requirements, principles or performance outcomes applying to community consultation and participation (relating to the decision, activity or process), make additional provision (not inconsistent with the charter) specifying how the council will—

(i) comply with the requirements in a relevant case; or

(ii) seek to achieve the principles or performance outcomes in a relevant case; and

(b) in relation to any other decision, activity or process of the council, provide for community consultation and participation in relation to the decision, activity or process.

(3) The policy must be consistent with, and comply with any requirements specified by, the community engagement charter.

(4) The policy may—

(a) be of general or limited application; and

(b) vary in operation according to factors stated in the policy; and

(c) provide for, or for the granting by the council of, exemptions (conditional or unconditional) from specified provisions of the policy.

(5) A council may from time to time alter a community engagement policy, or substitute a new policy.

(6) Before a council—

(a) adopts a community engagement policy; or

(b) alters, or substitutes, a community engagement policy,

the council must undertake public consultation on the community engagement policy, alteration or substituted policy (as the case may be).

18—Amendment of section 51—Principal member of council

(1) Section 51(1) and (2)—delete subsections (1) and (2) and substitute:

(1) A council must be constituted on the basis that the principal member is to be appointed[1] or elected as a representative of the area as a whole (in which case the principal member is to be called a mayor).

(2) Section 51(3)—delete subsection (3) and substitute:

(3) If the council so resolves, there may also be a deputy mayor.

(3) Section 51(4)—delete "or deputy chairperson"

(4) Section 51(5)—delete "chairperson, deputy mayor or deputy chairperson" and substitute:

deputy mayor

(5) Section 51(6) and (7)—delete subsections (6) and (7) and substitute:

(6) In the absence of the mayor, a deputy mayor may act in the office of mayor.

(7) If the mayor is absent from official duties and there is no deputy mayor, or the deputy mayor is not available to act in the office of mayor, a member chosen by the council may act in the office of mayor during the relevant period.

19—Amendment of section 54—Casual vacancies

(1) Section 54(1)(g)—delete paragraph (g)

(2) Section 54(1)(k)—delete "a court order" and substitute:

an order of a court or SACAT

(3) Section 54(2a)(b)(ii)—delete subparagraph (ii) and substitute:

(ii) the conclusion of the election falls within 12 months before polling day for—

(A) a periodic election; or

(B) a general election (other than a periodic election) if the date of that polling day is known at the time of the occurrence of the vacancy.

(4) Section 54(4)—delete "Division 2 of Part 4 of this Chapter or"

20—Amendment of section 55—Specific requirements if member disqualified

(1) Section 55(a)—delete "62 or"

(2) Section 55(b)—delete "62" and substitute:

68, 80A, 80B

(3) Section 55, penalty provision—delete "$5 000" and substitute:

$15 000

21—Insertion of section 55A

After section 55 insert:

55A—Leave of absence—council member contesting election

(1) If a person holding office as a member of a council stands as a candidate for election as a member of the Parliament of the State, the member will be taken to have been granted leave of absence from the office of member of the council from the date on which nominations for the election close until the result of the election is publicly declared.

(2) Leave of absence under subsection (1) extends to all other offices held in the person's capacity as a member of the council or by virtue of being a member of the council.

(3) Subsection (1) does not apply if the nomination of a member of a council as a candidate for election is revoked (as a result of the member's withdrawal of their consent to stand as a candidate).

(4) Despite any other Act or law, or any determination of the Remuneration Tribunal, a member of a council who is taken to have been granted leave of absence in accordance with this section is not entitled to receive any allowance in respect of the member's office for the period of leave.

(5) A person who is taken to have been granted leave of absence from the office of member of a council under this section must not, during the period of leave—

(a) use a facility or service provided by the council (not being a facility or service generally provided to members of the public by the council) for any purpose related to the election or to the member's functions or duties as a member of the council; or

(b) carry out any function or duty of the office of member of the council.

Maximum penalty: $15 000.

(6) The following provisions apply during the period of the leave of absence of a member of a council to whom this clause applies:

(a) the member is not required—

(i) to submit a return for the purposes of the Register of Interests in accordance with Chapter 5 Part 4 Division 1 Subdivision 2; or

(ii) if relevant, to notify the chief executive officer of a change or variation of a kind referred to in section 67(1),

provided that, on the cessation of the suspension, the member—

(iii) submits any return for the purposes of the Register of Interests that the member would, but for the suspension, have been required to submit in accordance with Chapter 5 Part 4 Division 1 Subdivision 2 during the period of suspension; and

(iv) notifies the chief executive officer of a change or variation of a kind referred to in section 67(1) of which the member would, but for the suspension, have been required to notify the chief executive officer under section 67(1) during the period of suspension;

(b) to avoid doubt, section 54(1)(d) does not apply to the member.

22—Amendment of section 58—Specific roles of principal member

(1) Section 58(1)—delete subsection (1) and substitute:

(1) The role of the principal member of a council as leader of the council is—

(a) to provide leadership and guidance to the council; and

(b) to lead the promotion of positive and constructive working relationships among members of the council; and

(c) to provide guidance to council members on the performance of their role, including on the exercise and performance of their official functions and duties; and

(d) to support council members' understanding of the separation of responsibilities between elected representatives and employees of the council; and

(e) to preside at meetings of the council; and

(f) if requested, to provide advice to the chief executive officer between council meetings on the implementation of a decision of the council; and

(g) to act as the principal spokesperson of the council; and

(h) to exercise other functions of the council as the council determines; and

(i) to carry out the civic and ceremonial duties of the office of principal member.

(2) Section 58(2)—delete "Subsection (1)(c)" and substitute:

Subsection (1)(g)

23—Amendment of section 59—Roles of members of councils

(1) Section 59(1)(a)—delete paragraph (a) and substitute:

(a) as a member of the governing body of the council—

(i) to act with integrity; and

(ii) to ensure positive and constructive working relationships within the council; and

(iii) to recognise and support the role of the principal member under the Act; and

(iv) to develop skills relevant to the role of a member of the council and the functions of the council as a body; and

(v) to participate in the deliberations and activities of the council; and

(vi) to keep the council's objectives and policies under review to ensure that they are appropriate and effective; and

(vii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review; and

(viii) to ensure, as far as is practicable, that the principles set out in section 8 are observed; and

(ix) to participate in setting and assessing performance standards to be met under the council's contract with the chief executive officer; and

(x) to serve the overall public interest of the council; and

(2) Section 59(1)(b)—after "ratepayers" insert:

of the council

24—Substitution of heading to Chapter 5 Part 4

Heading to Chapter 5 Part 4—delete the heading and substitute:

Part 4—Member integrity and behaviour

25—Substitution of heading to Chapter 5 Part 4 Division 1

Heading to Chapter 5 Part 4 Division 1—delete the heading and substitute:

Division 1—Member integrity

26—Insertion of Subdivision heading

Before section 62 insert:

Subdivision 1—General

27—Amendment of section 62—General duties

(1) Section 62(3), penalty provision—delete the penalty provision

(2) Section 62(4), penalty provision—delete the penalty provision

(3) Section 62(4a)—delete subsection (4a) and substitute:

(4a) A member or former member of a council must not disclose information or a document—

(a) in relation to which there is an order of a council or council committee in effect under section 90 requiring the information or document to be treated confidentially; or

(b) that the member or former member knows, or ought reasonably to know, is information or a document that is otherwise required to be treated confidentially.

(4) Section 62—after subsection (4b) insert:

(4c) A member of a council must not direct or seek to influence an employee of the council in the exercise or performance of a power or function delegated to the employee.

(4d) Without limiting subsection (4c), a member of a council must not request an employee of a council—

(a) to provide information or a document; or

(b) to take action or perform work,

except in accordance with the requirements of the chief executive officer of the council.

(4e) A member of a council must comply with any requirements prescribed by the regulations relating to the conduct of members that are expressed to be integrity provisions.

(5) Section 62(5) and (6)—delete subsections (5) and (6)

(6) Section 62(7)—delete "The" and substitute:

Subject to the regulations, the

28—Repeal of section 63

Section 63—delete the section

29—Substitution of heading to Chapter 5 Part 4 Division 2

Heading to Chapter 5 Part 4 Division 2—delete the heading and substitute:

Subdivision 2—Register of Interests

30—Amendment of Chapter 5 Part 4 Division 2

Chapter 5 Part 4 Division 2—delete "this Division" wherever occurring and substitute in each case:

this Subdivision

31—Amendment of section 64—Interpretation

Section 64, definition of ***return period***—delete the definition

32—Amendment of section 67—Form and content of returns

(1) Section 67(1)—delete "person related to the member" and substitute:

designated person or entity in relation to the member

(2) Section 67(1), penalty provision—delete the penalty provision

(3) Section 67(2)—delete "a defence to a prosecution for an offence against subsection (1) to prove" and substitute:

not a breach of subsection (1) if a member proves

33—Amendment of section 68—Register of Interests

(1) Section 68—after subsection (1) insert:

(1a) If a member of a council fails to submit a return to the chief executive officer before the expiration of 1 month from the end of the period allowed under this Subdivision for the submission of the return, the member is suspended from the office of member of the council.

(1b) Despite any other Act or law, or any determination of the Remuneration Tribunal, a member of a council suspended under subsection (1a) is not entitled to an allowance under section 76 during the period of suspension.

(2) Section 68(2)—delete "Division 1 of Part 2 of this Chapter" and substitute:

subsection (1a)

(3) Section 68—after subsection (3) insert:

(3a) If a member of a council suspended under subsection (1a) for a failure to submit a return submits (after the commencement of the suspension) to the chief executive officer of the council the return that was required to be submitted and the chief executive officer is satisfied that the return complies with the requirements of this Subdivision (other than the requirement as to the period allowed for the submission of the return)—

(a) the chief executive officer must immediately publish a notice on a website determined by the chief executive officer specifying the date on which the member submitted the return; and

(b) the suspension is taken to be revoked on the date of publication of the notice.

(3b) If a member of a council is suspended under subsection (1a) for a continuous period of more than the prescribed period, the chief executive officer may apply to SACAT for an order disqualifying the member of the council from the office of member under this Act.

(3c) If a member is disqualified under subsection (3b), the disqualification extends to all other offices held in the member's capacity as a member of the council or by virtue of being a member of the council.

34—Amendment of section 69—Provision of false information

Section 69, penalty provision—delete the penalty provision

35—Amendment of section 70—Publication of Register

(1) Section 70(a1)—delete subsection (a1) and substitute:

(a1) The chief executive officer must publish the Register on a website determined by the chief executive officer.

(a2) However, the chief executive officer must ensure that the following details are not published under subsection (a1):

(a) a person's residential address;

(b) any other address suppressed from the Register under section 68(4)(a).

(2) Section 70(1) and (2)—delete subsections (1) and (2)

36—Amendment of section 71—Restrictions on publication

Section 71(2), penalty provision—delete "$10 000" and substitute:

$15 000

37—Insertion of Chapter 5 Part 4 Division 1 Subdivision 3

Chapter 5 Part 4—after section 72 insert:

Subdivision 3—Gifts and benefits

72A—Register of gifts and benefits

(1) A member of a council must not seek out or receive a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation to a person on the part of the member or influence the member in the performance or discharge of their functions or duties.

(2) If a member of a council receives a gift or benefit of an amount greater than the amount determined by the Minister (from time to time), by notice in the Gazette, the member must provide details of the gift or benefit to the chief executive officer of the council in accordance with any requirements of the chief executive officer.

(3) The Minister must consult with the LGA before publishing a notice under subsection (2).

(4) The chief executive officer of a council must maintain a register of gifts and benefits received by members of the council and must ensure that the details of each gift and benefit provided under this section are included in the register.

(5) For the purposes of this section, a gift or benefit received by a designated person or entity in relation to a member of a council will be treated as a gift or benefit (as the case requires) received by the member.

(6) For the purposes of this section—

(a) 2 or more separate gifts or benefits received by a member or a designated person or entity in relation to the member from the same person during a financial year are to be treated as 1 gift or benefit (as the case requires) received by the member; and

(b) 2 or more separate transactions to which a member or a designated person or entity in relation to the member is a party with the same person during a financial year under which the member or the designated person has had the use of property of the other person (whether or not being the same property) during a financial year are to be treated as 1 transaction under which the member has had the use of property of the other person during the financial year.

(7) Unless the contrary intention appears, terms and expressions used in this section and in Schedule 3 have the same respective meanings in this section as they have in that Schedule.

38—Substitution of Chapter 5 Part 4 Division 3

Chapter 5 Part 4 Division 3—delete Division 3 and substitute:

Subdivision 4—Conflicts of interest

73—Preliminary

In this Subdivision—

agency or instrumentality of the Crown includes—

(a) an administrative unit of the Public Service; and

(b) a body corporate comprised of or including, or having a governing body comprised of or including, a Minister or Ministers of the Crown or a person or persons appointed by the Governor or a Minister or other agency or instrumentality of the Crown;

conflict of interest means—

(a) a general conflict of interest; or

(b) a material conflict of interest;

general conflict of interest—see section 74;

material conflict of interest—see section 75.

74—General conflicts of interest

(1) Subject to section 75A, for the purposes of this Subdivision, a member of a council has a ***general conflict of interest*** in a matter to be discussed at a meeting of the council if an impartial, fair-minded person would consider that the member's private interests could result in the member acting in a manner that is contrary to their public duty.

(2) For the purposes of subsection (1)—

private interests means any direct or indirect interest of a member that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief;

public duty means the responsibilities and obligations that a member has to members of the public in their role as a member.

75—Material conflicts of interest

Subject to section 75A, for the purposes of this Subdivision, a member of a council has a ***material conflict of interest*** in a matter to be discussed at a meeting of the council if any of the following persons would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting:

(a) the member;

(b) a relative of the member;

(c) a body corporate of which the member is a director or a member of the governing body;

(d) a proprietary company in which the member is a shareholder;

(e) a family company of the member (within the meaning of Schedule 3);

(f) a family trust of the member (within the meaning of Schedule 3);

(g) a beneficiary under a trust or an object of a discretionary trust of which the member is a trustee;

(h) a partner of the member;

(i) the employer or an employee of the member;

(j) a person with whom the member has entered into, is seeking to enter into, or is otherwise involved in a negotiation or tendering process in connection with entering into, an agreement for the provision of professional or other services for which the member would be entitled to receive a fee, commission or other reward;

(k) a person or body from whom the member has received a gift of a kind required to be disclosed in a return under Part 14 of the *Local Government (Elections) Act 1999* relating to the last election at which the member was elected;

(l) a person of a prescribed class.

75A—Exemptions and other matters

(1) A member of a council will not be regarded as having a conflict of interest in a matter to be discussed at a meeting of the council—

(a) if the interest is held in common with a substantial proportion of the ratepayers, electors or residents of the council area and does not exceed the interest held by the other ratepayers, electors or residents; or

(b) if the interest in the matter is that of an employer or employee of the member, and the member does not know, and could not reasonably be expected to know, of that interest; or

(c) if the interest in the matter is that of a relative of the member, other than the member's spouse or domestic partner, and the member does not know, and could not reasonably be expected to know, of that interest; or

(d) if—

(i) the interest arises in relation to a prescribed matter or in prescribed circumstances; and

(ii) the member complies with the requirements of the regulations (if any) relating to dealing with the matter.

(2) Without limiting subsection (1), a member of a council will not be regarded as having a general conflict of interest in a matter to be discussed at a meeting of the council by reason only of—

(a) an engagement with a community group, sporting club or similar organisation undertaken by the member in their capacity as a member; or

(b) membership of a political party; or

(c) membership of a community group, sporting club or similar organisation (if the member is not an office holder for the group, club or organisation); or

(d) the member having been a student of a particular school or their involvement with a school as parent of a student at the school; or

(e) a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a council.

(3) A member of a council who is a member, officer or employee of an agency or instrumentality of the Crown, will be regarded as having a conflict of interest in a matter before the council if the matter directly concerns that agency or instrumentality but otherwise will not be regarded as having an interest in a matter by virtue of being a member, officer or employee of the agency or instrumentality.

(4) Regulations under subsection (1)(d)—

(a) may be limited to material conflicts of interest or general conflicts of interest, or may relate to conflicts of interest generally; and

(b) may make different provision according to the matter or circumstances to which they are expressed to apply.

75B—Dealing with general conflicts of interest

(1) If a member of a council has a general conflict of interest in relation to a matter to be discussed at a meeting of the council, the member must deal with the interest in a transparent and accountable way and, in particular, must inform the meeting of—

(a) the member's interest in the matter; and

(b) whether or not the member proposes to participate in the meeting in relation to the matter; and

(c) if the member proposes to participate in the meeting in relation to the matter—

(i) how the member intends to deal with the general conflict of interest, including whether the member intends to abstain from voting on the matter; and

(ii) the member's reasons for participating (and, if relevant, voting) in relation to the matter.

(2) If a quorum at a meeting cannot be formed because a member of a council proposes to exclude themself from the meeting in order to comply with subsection (1), the member will not be taken to have contravened subsection (1) by participating (including by voting, for example) in the meeting in relation to the matter if the attendance of the member, together with any other required number of members, forms a quorum for the meeting.

(3) If a member of a council discloses a general conflict of interest in a matter to be discussed at a meeting of the council, the following details must be recorded in the minutes of the meeting:

(a) the member's name;

(b) the nature of the interest, as described by the member;

(c) the manner in which the member dealt with the general conflict of interest;

(d) if the member voted on the matter, the manner in which the member voted;

(e) the manner in which the majority of persons who were entitled to vote at the meeting voted on the matter.

(4) To avoid doubt, it is declared that non-participation in a meeting of a council is not the only way in which a member of the council may appropriately deal in a transparent and accountable way with a general conflict of interest of the member in a matter to be discussed at the meeting.

75C—Dealing with material conflicts of interest

(1) If a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council, the member must—

(a) inform the meeting of the member's material conflict of interest in the matter; and

(b) leave the meeting room (including any area set aside for the public) such that the member cannot view or hear any discussion or voting at the meeting, and stay out of the meeting room while the matter is being discussed and voted on.

(2) However, a member of the council does not contravene subsection (1) by taking part in the meeting if the member—

(a) has been granted an approval under subsection (3); and

(b) complies with the conditions of the approval.

(3) The Minister may grant an approval in writing to a member of the council to take part in the meeting if—

(a) because of the number of members subject to the obligation under this section, conduct of the meeting would be obstructed if the approval were not given; and

(b) it appears to the Minister to be in the interests of the council's community and area.

(4) The Minister may grant an approval under subsection (3) subject to any conditions determined by the Minister.

(5) If a member of a council discloses a material conflict of interest in a matter to be discussed at a meeting of the council, the following details must be recorded in the minutes of the meeting:

(a) the member's name;

(b) the nature of the interest, as described by the member;

(c) if the member took part in the meeting under an approval under subsection (3), the fact that the member took part in the meeting.

75D—Application of Subdivision to members and meetings of committees and subsidiaries

(1) The provisions of this Subdivision extend to committees and to members of committees established by councils as if—

(a) a committee were a council; and

(b) a member of a committee were a member of a council.

(2) The provisions of this Subdivision extend to subsidiaries and to board members of subsidiaries as if—

(a) a subsidiary were a council; and

(b) a board member of a subsidiary were a member of a council.

(3) However—

(a) a member of a council committee, or a board member of a council subsidiary, who is also a member or employee of the council will not be regarded as having a conflict of interest in a matter to be discussed at a meeting of the committee or subsidiary (as the case requires) by reason only of the fact that the member is a member or employee of the council or constituent council; or

(b) a board member of a regional subsidiary who is also a member or employee of a constituent council will not be regarded as having a conflict of interest in a matter to be discussed at a meeting of the regional subsidiary if the relevant benefit or loss would be enjoyed or suffered in common with all or a substantial proportion of the constituent councils.

39—Insertion of Chapter 5 Part 4 Division 2

Chapter 5—before Part 5 insert:

Division 2—Member behaviour

75E—Behavioural standards

(1) The Minister may, by notice published in the Gazette and on a website determined by the Minister, establish standards (the ***behavioural standards***) that—

(a) specify standards of behaviour to be observed by members of councils; and

(b) provide for any other matter relating to behaviour of members of councils.

(2) The behavioural standards may also specify requirements applying to behavioural support policies and behavioural management policies of councils.

(3) A member of a council must comply with the behavioural standards.

(4) The Minister may, by further notice published in the Gazette and on the website referred to in subsection (1), vary or substitute the behavioural standards.

(5) The Minister must, before establishing, varying or substituting the behavioural standards—

(a) consult with the LGA; and

(b) undertake such other consultation as the Minister thinks fit,

on the behavioural standards, variation or substitute behavioural standards (as the case may be).

(6) A notice published under subsection (1) or (4) may come into operation on the day on which it is published in the Gazette or on a later day or days specified in the notice.

(7) Sections 10 (other than subsection (1)) and 10A of the *Subordinate Legislation Act 1978* apply to a notice published under subsection (1) or (4) (and a reference in those provisions to a regulation will be taken to be a reference to a notice published under subsection (1) or (4) (as the case requires)).

75F—Council behavioural support policies

(1) A council may prepare and adopt policies designed to support appropriate behaviour by members of the council (***behavioural support policies***).

(2) A behavioural support policy may—

(a) specify directions relating to behaviour that must be observed by members of the council; and

(b) set out guidelines relating to compliance by members with the behavioural standards and directions under paragraph (a); and

(c) include any other matter relating to behaviour of members considered appropriate by the council.

(3) A behavioural support policy—

(a) must not be inconsistent with the behavioural standards; and

(b) must comply with any requirement specified by the behavioural standards.

(4) A member of a council must comply with the council's behavioural support policies.

(5) A council may from time to time alter a behavioural support policy, or substitute a new policy.

(6) Before a council—

(a) adopts a behavioural support policy; or

(b) alters, or substitutes, a behavioural support policy,

the council must undertake public consultation on the behavioural support policy, alteration or substituted policy (as the case may be).

(7) A council must, within 6 months after the conclusion of each periodic election—

(a) in the case of a council that has 1 or more behavioural support policies in effect under this section—review the operation of the behavioural support policies and consider whether it should adopt additional behavioural support policies; or

(b) in any other case—consider whether it should adopt behavioural support policies.

Division 3—Health and safety duties

75G—Health and safety duties

(1) A member of a council must—

(a) take reasonable care that the member's acts or omissions do not adversely affect the health and safety of other members of council or employees of the council; and

(b) comply, so far as the member is reasonably able, with any reasonable direction that is given by a responsible person for the purposes of ensuring that the member's acts or omissions do not adversely affect the health and safety of other members of the council or employees of the council.

(2) For the purposes of subsection (1)(b), the ***responsible person*** is—

(a) if the person whose health and safety may be adversely affected is an employee of the council—the chief executive officer of the council; or

(b) if the person whose health and safety may be adversely affected is the principal member of the council—the deputy or another member chosen by the council; or

(c) if the person whose health and safety may be adversely affected is another member or the chief executive officer of the council—

(i) unless subparagraph (ii) applies, the principal member of the council; or

(ii) if the relevant acts or omissions are those of the principal member of the council—the deputy or another member chosen by the council.

(3) Without limiting subsection (1)(b), a reasonable direction may include a direction that a member of a council not attend a meeting of the council or a council committee (and a member the subject of such a direction will be taken to have been granted leave of absence from attending council meetings for the duration of the direction).

(4) This section is in addition to and does not limit the operation of the *Work Health and Safety Act 2012*.

(5) In this section—

health has the same meaning as in the *Work Health and Safety Act 2012*.

40—Amendment of section 76—Allowances

(1) Section 76(1)—delete "section" first occurring and substitute:

Act

(2) Section 76(9)—delete "under a scheme prescribed by the regulations"

(3) Section 76(13)—delete "under an arrangement established by the Minister from time to time after consultation with the President of the LGA and the President of the Tribunal"

41—Amendment of section 77—Reimbursement of expenses

Section 77(3) and (4)—delete subsections (3) and (4)

42—Amendment of section 79—Register of allowances and benefits

Section 79(3) and (4)—delete subsections (3) and (4)

43—Amendment of section 80A—Training and development

(1) Section 80A—delete subsection (2) and substitute:

(2) The policy—

(a) must be aimed at assisting members in the performance and discharge of their functions and duties; and

(b) must incorporate the prescribed mandatory requirements and comply with any other requirements prescribed by the regulations; and

(c) may specify other requirements relating to the conduct and completion of training and development by members.

(2a) A training and development policy of a council may make different provision according to different members of the council.

(2b) If a member of a council fails to comply with the prescribed mandatory requirements, the chief executive officer of the council must suspend the member from the office of member of the council, unless the member satisfies the chief executive officer that there were good reasons for the failure to comply.

(2c) If a chief executive officer of a council suspends a member of the council under subsection (2b), the chief executive officer must give public notice of the suspension as soon as practicable after determining to suspend the member.

(2d) Despite any other Act or law, or any determination of the Remuneration Tribunal, a member of a council suspended under subsection (2b) is not entitled to an allowance under section 76 during the period of suspension.

(2e) If a member of a council who is suspended under subsection (2b) as a result of failing to comply with the prescribed mandatory requirements satisfies the chief executive officer that the member has complied with the prescribed mandatory requirements, the chief executive officer must revoke the suspension and give public notice of the revocation.

(2f) If a member of a council is suspended under subsection (2b) for a continuous period of more than the prescribed period, the chief executive officer of the council may apply to SACAT for an order disqualifying the member from the office of member of the council under this Act.

(2g) If a member is disqualified under subsection (2f), the disqualification extends to all other offices held in the member's capacity as a member of the council or by virtue of being a member of the council.

(2h) The chief executive officer must maintain a register relating to training and development in accordance with the regulations.

(2i) A member of a council must, at the request of the chief executive officer, provide to the chief executive officer, within a period specified in the request, specified information, or information of a specified kind, relating to training and development by the member.

(2j) A member of a council must not contravene, or fail to comply with, a request under subsection (2i).

(2k) In this section—

prescribed mandatory requirements means the requirements prescribed by the regulations relating to training and development that must be completed by members of councils, which may include timeframes for the completion of such training and development.

(2) Section 80A(4) and (5)—delete subsections (4) and (5)

44—Insertion of Chapter 5 Part 7

After Chapter 5 Part 6 insert:

Part 7—Other matters

80B—Suspension—member of council subject to intervention order

(1) If a member of a council is subject to a relevant interim intervention order, the chief executive officer of the council may, if the chief executive officer considers it appropriate to do so, suspend the member from the office of member of the council.

(2) A member of a council suspended under subsection (1) is entitled to an allowance under section 76 during the period of suspension.

(3) The chief executive officer of a council—

(a) must revoke a suspension under subsection (1) if the relevant interim intervention order is revoked; and

(b) may revoke a suspension under subsection (1) if the chief executive officer considers it appropriate to do so.

(4) If a member of a council is subject to a relevant final intervention order, the member is suspended from the office of member of the council.

(5) Despite any other Act or law, or any determination of the Remuneration Tribunal, a member of a council suspended under subsection (4) is not entitled to an allowance under section 76 during the period of suspension.

(6) The chief executive officer of a council must, as soon as is reasonably practicable after becoming aware that a member of the council is subject to a relevant final intervention order, notify the member of the suspension under subsection (4).

(7) If a relevant final intervention order is revoked, the suspension under subsection (4) relating to the relevant final intervention order is revoked.

(8) If a member of a council is suspended under subsection (4) for a continuous period of more than the prescribed period, the chief executive officer of the council may apply to SACAT for an order disqualifying the member from the office of member of the council under this Act.

(9) If a member is disqualified under subsection (8), the disqualification extends to all other offices held in the member's capacity as a member of the council or by virtue of being a member of the council.

(10) In this section—

final intervention order means a final intervention order (within the meaning of section 3(1) of the *Intervention Orders (Prevention of Abuse) Act 2009*) or a domestic violence order (other than an interim DVO) that is a recognised DVO under Part 3A of that Act;

interim intervention order means an interim intervention order (within the meaning of section 3(1) of the *Intervention Orders (Prevention of Abuse) Act 2009*) or an interim DVO that is a recognised DVO under Part 3A of that Act;

relevant final intervention order—a final intervention order to which a member of a council is subject is a ***relevant final intervention order*** if a person protected by the order is another member, or an employee, of the council;

relevant interim intervention order—an interim intervention order to which a member of a council is subject is a ***relevant interim intervention order*** if a person protected by the order is another member, or an employee, of the council.

45—Amendment of section 83—Notice of ordinary or special meetings

(1) Section 83(6)(d)—delete "(eg facsimile transmission)"

(2) Section 83(8)—delete subsection (8)

46—Amendment of section 84—Public notice of council meetings

(1) Section 84(1a)—delete subsection (1a) and substitute:

(1a) The chief executive officer must publicly display the notice required under subsection (1) at the principal office of the council and publish the notice and agenda for the meeting in accordance with section 132(1)(a).

(2) Section 84(3) and (4)—delete subsections (3) and (4) and substitute:

(3) The notice required under subsection (1) must be kept on public display and continue to be published in accordance with section 132(1)(a) until the completion of the relevant meeting.

(3) Section 84(5)(a)—delete "at the principal office of the council" and substitute:

on a website determined by the chief executive officer

47—Amendment of section 85—Quorum

Section 85—after subsection (1) insert:

(2) For the purposes of the definition of ***prescribed number***—

(a) a member of a council who is suspended from the office of member of the council; and

(b) a member of a council who is taken to have been granted leave of absence from the office of member of the council under section 55A,

is not to be counted in the total number of members of the council.

48—Amendment of section 86—Procedure at meetings

(1) Section 86—after subsection (6) insert:

(6a) A member of a council must not, while at a meeting—

(a) behave in an improper or disorderly manner; or

(b) cause an interruption or interrupt another member who is speaking.

(6b) If a member contravenes or fails to comply with subsection (6a), the presiding member may, in accordance with the regulations, direct that the member be excluded from the meeting room (including any area set aside for the public) such that the member cannot view or hear any discussion at the meeting, and remain out of the meeting room for a period (not exceeding 15 minutes) determined by the presiding member.

(6c) A member excluded from a meeting under subsection (6b) must comply with the direction and any requirements of the regulations in relation to the exclusion.

(6d) A matter must not be put to a vote at a meeting of a council while a member is excluded under subsection (6b).

(6e) Nothing in subsections (6a) to (6d) prevents the regulations from prescribing procedures authorising a council to resolve to censure a member of the council or exclude or suspend a member from a meeting in accordance with the regulations.

(2) Section 86(7)—delete subsection (7)

49—Amendment of section 87—Calling and timing of committee meetings

Section 87(11)(d)—delete "(eg facsimile transmission)"

50—Amendment of section 88—Public notice of committee meetings

(1) Section 88(1a)—delete subsection (1a) and substitute:

(1a) The chief executive officer must publicly display the notice required under subsection (1) at the principal office of the council and publish the notice and agenda for the meeting in accordance with section 132(1)(a).

(2) Section 88(3) and (4)—delete subsections (3) and (4) and substitute:

(3) The notice required under subsection (1) must be kept on public display and continue to be published in accordance with section 132(1)(a) until the completion of the relevant meeting.

(3) Section 88(5)—delete "at the principal office of the council" and substitute:

on a website determined by the chief executive officer

51—Amendment of section 90—Meetings to be held in public except in special circumstances

(1) Section 90(1)—after "section" insert:

and section 90A

(2) Section 90(3)—after paragraph (n) insert:

(o) information relating to a proposed award recipient before the presentation of the award.

(3) Section 90(8) to (8e)—delete subsections (8) to (8e) (inclusive)

52—Insertion of section 90A—Information or briefing sessions

After section 90 insert:

90A—Information or briefing sessions

(1) A council, or the chief executive officer of a council, may hold or arrange for the holding of a session (not being a formal meeting of a council or council committee required to be held under this Chapter) to which 1 or more members of the council or a council committee are invited to attend or be involved in for the purposes of providing information or a briefing to attendees (an ***information or briefing session***).

(2) A matter must not be dealt with at a council information or briefing session in such a way as to obtain, or effectively obtain, a decision on the matter outside a formal meeting of the council or a council committee.

(3) A council information or briefing session must be conducted in a place open to the public during any period in which a matter that is, or is intended to be, on the agenda for a formal meeting of the council or a council committee is discussed at the session.

(4) However, the council or chief executive officer may order that an information or briefing session be closed to the public to the extent (and only to the extent) that the council or chief executive officer (as the case requires) considers it to be necessary and appropriate for a matter of a kind referred to in subsection (3) to be discussed in a session closed to the public in order to receive, discuss or consider in confidence any information or matter listed in section 90(3) (after taking into account any relevant consideration under that subsection).

(5) If an order is made under subsection (4), the council or chief executive officer (as the case requires) must, as soon as reasonably practicable after the making of the order, make a record of—

(a) the grounds on which the order was made; and

(b) the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and

(c) if relevant, the reasons that receipt, consideration or discussion of the information or matter publicly at the information or briefing session would be contrary to the public interest.

(6) If an information or briefing session is organised or held by a council or chief executive officer of a council, the following provisions apply:

(a) sections 90(5), (6) and (7a) apply to the information or briefing session as if it were a meeting of the council or council committee;

(b) a prescribed matter cannot be dealt with at an information or briefing session;

(c) a reference to a meeting or meetings in sections 94 and 95 includes a reference to an information or briefing session or sessions.

(7) A council or the chief executive officer of a council must comply with any requirements of the regulations relating to the following:

(a) the publication of prescribed information as soon as practicable after resolving or determining to hold an information or briefing session;

(b) the publication of prescribed information as soon as practicable after the holding of an information or briefing session.

53—Amendment of section 91—Minutes and release of documents

(1) Section 91(4) to (6)—delete subsections (4) to (6) (inclusive)

(2) Section 91(7)—delete "However, subsections (4), (5) and (6) do" and substitute:

Section 132(1) does

54—Amendment of section 92—Access to meetings and documents—code of practice

Section 92(5) to (7)—delete subsections (5) to (7) (inclusive) and substitute:

(5) Before a council adopts, alters or substitutes a code of practice under this section it must undertake public consultation on the proposed code, alterations or substitute code (as the case may be).

55—Amendment of section 93—Meetings of electors

(1) Section 93(2)—delete ", by advertisement in a newspaper circulating in the area, give notice" and substitute:

give public notice

(2) Section 93(6)(a)—delete "or deputy chairperson"

56—Repeal of section 94A

Section 94A—delete the section

57—Amendment of section 97—Vacancy in office

(1) Section 97—after subsection (3) insert:

(3a) Before terminating the appointment of a chief executive officer on a ground referred to in subsection (1)(a)(iv) or (v) or (1)(b), a council must have regard to advice from a qualified independent person.

(2) Section 97—after subsection (5) insert:

(6) In this section—

qualified independent person means a person—

(a) who is not a member or employee of the council; and

(b) who is—

(i) a legal practitioner; or

(ii) determined by the council to have appropriate qualifications or experience in human resource management.

58—Amendment of section 98—Appointment procedures

(1) Section 98(3)—delete "in a newspaper circulating throughout the State" and substitute:

on a website determined by the council

(2) Section 98—after subsection (4) insert:

(4a) The council must ensure that either or both of the following applies to the process for appointing a chief executive officer under this section:

(a) the council appoints at least 1 person who is not a member or employee of the council to the selection panel;

(b) before making the appointment to the office of chief executive officer, the council obtains and considers independent advice on the assessment of applications and recommendations on the appointment under subsection (4) (and that advice may include recommendations to the council on the appointment).

59—Amendment of section 99—Role of chief executive officer

Section 99(1)—after paragraph (i) insert:

(ia) to ensure that effective policies, systems and procedures are established and maintained for the identification, assessment, monitoring, management and annual review of strategic, financial and operational risks;

(ib) to report annually to the relevant audit and risk committee on the council's internal audit processes;

60—Insertion of section 99A

After section 99 insert:

99A—Remuneration of chief executive officer

(1) Subject to this section, the remuneration of the chief executive officer of a council will be determined by the council.

(2) The Remuneration Tribunal will determine (from time to time) the minimum and maximum remuneration that may be paid or provided to chief executive officers of councils.

(3) In making a determination under subsection (2), the Remuneration Tribunal must have regard to any matter prescribed by the regulations.

(4) A determination under subsection (2)—

(a) may differ based on any factor including, for example, the geographical location of a council or group of councils (such that different minimum and maximum remuneration may be paid or provided to chief executive officers from different councils); and

(b) may provide for minimum and maximum remuneration that may be paid or provided to chief executive officers to be indexed in accordance with the determination.

(5) The regulations—

(a) may make further provision in relation to a determination of the Remuneration Tribunal for the purposes of this section; and

(b) may modify the application of section 10 of the *Remuneration Act 1990* in relation to a determination under this section.

(6) Sections 17 and 19 of the *Remuneration Act 1990* do not apply in relation to a determination under this section.

(7) A reference in the *Remuneration Act 1990* to determining remuneration payable in respect of an office will, for the purposes of this section, be taken to include a reference to determining the minimum and maximum remuneration payable in respect of the office.

(8) Despite any other Act or law, the reasonable costs of the Remuneration Tribunal in making a determination under this section are to be paid by the LGA under an arrangement determined by the Minister from time to time after consultation with the President of the LGA and the President of the Tribunal.

(9) A council must ensure that the remuneration of its chief executive officer is within the relevant minimum and maximum remuneration determined by the Remuneration Tribunal for the purposes of this section.

61—Insertion of section 102A

After section 102 insert:

102A—Chief executive officer—performance review

(1) A council must review the performance of its chief executive officer—

(a) at least once in each year that the chief executive officer holds office as chief executive officer; and

(b) if relevant, before reappointment of the chief executive officer.

(2) The council must obtain and consider the advice of a qualified independent person on a review under subsection (1).

(3) In this section—

qualified independent person means a person who is—

(a) not a member or employee of the council; and

(b) determined by the council to have appropriate qualifications or experience in human resource management.

62—Amendment of section 105—Register of remuneration, salaries and benefits

Section 105(3) and (4)—delete subsections (3) and (4)

63—Substitution of heading to Chapter 7 Part 4

Heading to Chapter 7 Part 4—delete the heading and substitute:

Part 4—Employee integrity and behaviour

64—Substitution of heading to Chapter 7 Part 4 Division 1

Heading to Chapter 7 Part 4 Division 1—delete the heading and substitute:

Division 1—Employee integrity

65—Insertion of Subdivision heading

Before section 108 insert:

Subdivision 1—General

66—Amendment of section 108—Interpretation

Section 108—delete "Division" and substitute:

Subdivision

67—Amendment of section 109—General duty and compliance

Section 109—after subsection (2) insert:

(3) An employee of a council must comply with the integrity provisions relating to employees.

(4) Contravention of, or failure to comply with, an integrity provision by an employee of a council constitutes a ground for suspending, dismissing or taking other disciplinary action against the employee.

68—Repeal of section 110

Section 110—delete the section

69—Amendment of section 110A—Duty to protect confidential information

Section 110A(1)—delete subsection (1) and substitute:

(1) An employee or former employee of a council must not disclose information or a document—

(a) in relation to which there is an order of a council or council committee in effect under section 90 requiring the information or document to be treated confidentially; or

(b) that the employee or former employee knows, or ought reasonably to know, is information or a document that is otherwise required to be treated confidentially.

Maximum penalty: $15 000 or 2 years imprisonment.

70—Substitution of heading to Chapter 7 Part 4 Division 2

Heading to Chapter 7 Part 4 Division 2—delete the heading and substitute:

Subdivision 2—Register of Interests

71—Amendment of Chapter 7 Part 4 Division 2

Chapter 7 Part 4 Division 2—delete "Division" wherever occurring and substitute in each case:

Subdivision

72—Amendment of section 117—Provision of false information

Section 117, penalty provision—delete "$10 000" and substitute:

$15 000

73—Amendment of section 119—Restrictions on disclosure

Section 119(1), penalty provision—delete "$10 000" and substitute:

$15 000

74—Insertion of Chapter 7 Part 4 Division 1 Subdivision 2A

Chapter 5 Part 4—after section 119 insert:

Subdivision 2A—Gifts and benefits

119A—Register of gifts and benefits

(1) An employee of a council must not seek out or receive a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation to a person on the part of the employee or influence the employee in the performance or discharge of the employee's functions or duties.

(2) If an employee of a council receives a gift or benefit of an amount greater than the amount determined by the Minister (from time to time), by notice in the Gazette, the employee must provide details of the gift or benefit to the chief executive officer of the council in accordance with any requirements of the chief executive officer.

(3) The Minister must consult with the LGA before publishing a notice under subsection (2).

(4) The chief executive officer of a council must maintain a register of gifts and benefits received by employees of the council and must ensure that the details of each gift and benefit provided under this section are included in the register.

(5) A register maintained under this section—

(a) need not include information available in another register published by, or available for inspection at, the council or otherwise available under the Act; and

(b) may include information by reference to another register or document, provided the register or document is published by, or available for inspection at, the council and the register maintained under this clause identifies that other register or document.

(6) For the purposes of this section, a gift or benefit received by a designated person or entity in relation to an employee of a council will be treated as a gift or benefit (as the case requires) received by the employee.

(7) For the purposes of this section—

(a) 2 or more separate gifts or benefits received by an employee or a designated person or entity in relation to the employee from the same person during a financial year are to be treated as 1 gift or benefit (as the case requires) received by the employee; and

(b) 2 or more separate transactions to which an employee or a designated person or entity in relation to the employee is a party with the same person during a financial year under which the employee or the designated person has had the use of property of the other person (whether or not being the same property) during a financial year are to be treated as 1 transaction under which the employee has had the use of property of the other person during the financial year.

(8) Unless the contrary intention appears, terms and expressions used in this section and in Schedule 3 have the same respective meanings in this section as they have in that Schedule, provided that a reference in Schedule 3 to a member will be taken, for the purposes of this clause, to be a reference to an employee.

75—Substitution of heading to Chapter 7 Part 4 Division 3

Heading to Chapter 7 Part 4 Division 3—delete the heading and substitute:

Subdivision 3—Conflict of interest

76—Amendment of section 120—Conflict of interest

(1) Section 120(1), penalty provision—delete "$5 000" and substitute:

$15 000

(2) Section 120(2), penalty provision—delete "$5 000" and substitute:

$15 000

(3) Section 120(4), penalty provision—delete "$5 000" and substitute:

$15 000

(4) Section 120(6)—after paragraph (b) insert:

(ba) a family company of the employee (within the meaning of Schedule 3); or

(bb) a family trust of the employee (within the meaning of Schedule 3); or

(5) Section 120(6)(f)—delete paragraph (f) and substitute:

(f) if that person is a person with whom the employee has entered into, is seeking to enter into, or is otherwise involved in a negotiation or tendering process in connection with entering into, an agreement for the provision of professional or other services for which the employee would be entitled to receive a fee, commission or other reward; or

77—Insertion of Chapter 7 Part 4 Division 2

Chapter 7 Part 4—after section 120 insert:

Division 2—Employee behaviour

120A—Behavioural standards

(1) A council may prepare and adopt standards (the ***employee behavioural standards***) that—

(a) specify standards of behaviour to be observed by employees of councils; and

(b) provide for any other matter relating to behaviour of employees of councils.

(2) An employee of a council must comply with the council's employee behavioural standards.

(3) Contravention of, or failure to comply with, the council's employee behavioural standards constitutes a ground for suspending, dismissing or taking other disciplinary action against the employee.

(4) A council may from time to time alter its employee behavioural standards, or substitute new employee behavioural standards.

(5) Before a council—

(a) adopts employee behavioural standards; or

(b) alters, or substitutes, its employee behavioural standards,

the council must consult with any registered industrial association that represents the interests of employees of councils on the employee behavioural standards, alteration or substituted standards (as the case may be).

(6) A council must, within 6 months after the conclusion of each periodic election—

(a) in the case of a council that has employee behavioural standards in effect under this section—review the operation of the employee behavioural standards; or

(b) in any other case—consider whether it should adopt employee behavioural standards.

78—Amendment of section 122—Strategic management plans

(1) Section 122(1a)(a)—delete "for a period of at least 10 years; and" and substitute:

that relates to a period of at least 10 years and includes a funding plan that—

(i) outlines the council's approach to funding services and infrastructure of the council; and

(ii) sets out the council's projected total revenue for the period to which the long-term financial plan relates; and

(iii) outlines the intended sources of that total revenue (such as revenue from rates, grants and other fees and charges); and

(2) Section 122—after subsection (3) insert:

(3a) The regulations may prescribe additional requirements with respect to strategic management plans.

(3) Section 122(4)(a)—delete "as soon as practicable after adopting the council's annual business plan for a particular financial year" and substitute:

on an annual basis

(4) Section 122—after subsection (4a) insert:

(4b) A report from a chief executive officer under subsection (4a) must—

(a) address any matters required by the Minister; and

(b) be published in a manner and form, and in accordance with any other requirements, determined by the Minister.

(5) Section 122(6)—delete "adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in" and substitute:

undertake public consultation in relation to

(6) Section 122(7)—delete subsection (7)

79—Amendment of section 123—Annual business plans and budgets

(1) Section 123(2)—after paragraph (e) insert:

(ea) include—

(i) a statement on the change in total revenue from general rates for the financial year compared to the previous financial year and, if an annual business plan sets out a growth component in relation to general rates, it may only relate to growth in the number of rateable properties (and must not relate to growth in the value of rateable properties); and

(ii) an explanation of how the change is consistent with the council's long-term financial plan; and

(iii) a summary of any other reasons for the change; and

(iv) details of the impact of the change on average rates for each land use category (if relevant); and

(v) the advice received from the designated authority under subsection (3a); and

(vi) the council's response to the advice, which must set out whether the change in total revenue from general rates is consistent with the advice and, if not, the reasons for the inconsistency; and

(2) Section 123(3)(b)—delete paragraph (b) and substitute:

(b) undertake public consultation.

(3) Section 123—after subsection (3) insert:

(3a) In preparing a draft annual business plan (and before finalising the draft plan and undertaking public consultation on it), the council must provide the following information to the designated authority (in the manner and form determined by the designated authority) by no later than 31 December in the financial year preceding the financial year to which the draft annual business plan relates (the ***preceding financial year***):

(a) the proposed change in total revenue from general rates for the financial year compared to the previous financial year and the reasons for the proposed change;

(b) the council's view of the impact of the proposed change on ratepayers;

(c) information as to whether consideration has been given to alternatives to the proposed change in total revenue from general rates, such as alternative expenditure measures or funding proposals;

(d) information as to how the proposal is consistent with the council's long-term financial plan and infrastructure and asset management plan;

(e) any other matter—

(i) prescribed by the regulations; or

(ii) requested by the designated authority.

(3b) The designated authority must provide advice to the council on the appropriateness of the proposed change in total revenue from general rates for the financial year compared to the previous financial year by no later than 31 March in the preceding financial year.

(3c) In providing advice under subsection (3b), the designated authority must have regard to—

(a) the information provided by the council under subsection (3a); and

(b) any matter the Minister directs the designated authority to have regard to; and

(c) any other matter considered relevant by the designated authority.

(3d) The designated authority must publish a copy of a direction of the Minister under subsection (3c)(b) as soon as is reasonably practicable after it is given to the designated authority.

(3e) If the designated authority considers that a council has failed to respond appropriately to advice from the designated authority under this section, the designated authority may provide a report to the Minister on the matter.

(4) Section 123(4) to (5a)—delete subsections (4) to (5a) (inclusive)

(5) Section 123—after subsection (6) insert:

(6a) However, if a council proposes to adopt an annual business plan with amendments, the council must include in the adopted business plan a statement—

(a) setting out any significant amendments from the draft annual business plan; and

(b) providing reasons for those amendments.

(6) Section 123—after subsection (7) insert:

(7a) A budget of a council may authorise the entry into borrowings and other forms of financial accommodation for a financial year of up to an amount specified in the budget.

(7) Section 123(8)—delete "31 August" and substitute:

15 August

(8) Section 123(9)(b) and (c)—delete paragraphs (b) and (c)

(9) Section 123—after subsection (10) insert:

(10a) Without limiting subsection (10), regulations under that subsection relating to an annual business plan may—

(a) relate to the manner in which matters included in the plan are to be presented (such as, for example, by prescribing the location, style and level of emphasis that must be given to specified matters); and

(b) prescribe requirements relating to the description or explanation of matters included in the plan.

(10) Section 123—after subsection (14) insert:

(15) The designated authority may, by written notice, require a council to give the designated authority, within a time and in a manner stated in the notice (which must be reasonable), information in the council's possession that the designated authority reasonably requires for the performance of the designated authority's functions under this Act.

(16) The designated authority may recover from a council (as a debt due from the council) the costs reasonably incurred by the designated authority in performing its functions under this section in relation to the council.

(17) In this section—

designated authority means a person or body prescribed by the regulations for the purposes of this definition.

(18) The Minister must consult with the LGA before regulations are made prescribing a person or body as the designated authority.

80—Amendment of heading to Chapter 8 Part 3 Division 2

Heading to Chapter 8 Part 3 Division 2—delete "and audit committee" and substitute:

, audit and risk committee etc

81—Amendment of section 125—Internal control policies

Section 125—after its present contents (now to be designated as subsection (1)) insert:

(2) A council must ensure that the policies, practices and procedures of internal control under subsection (1) comply with any standards or other document relating to internal control prescribed by the regulations.

(3) A council must ensure that appropriate policies, systems and procedures relating to risk management are implemented and maintained in order to assist the council to carry out its activities in an efficient and orderly manner to achieve its objectives, inform appropriate decision making, facilitate appropriate prioritisation of finite resources and promote appropriate mitigation of strategic, financial and operational risks relevant to the council.

82—Insertion of section 125A

After section 125 insert:

125A—Internal audit functions

(1) The chief executive officer of a council that has an internal audit function must, before appointing a person to be primarily responsible for the internal audit function, or assigning such responsibility to an employee of the council, consult with the relevant audit and risk committee on the appointment or assignment of responsibility.

(2) Despite any other law or instrument to the contrary, the person primarily responsible for the internal audit function—

(a) must ensure that any reports they prepare relating to the internal audit function are provided directly to the audit and risk committee; and

(b) may report any matters relating to the internal audit function directly to the audit and risk committee.

83—Amendment of section 126—Audit and risk committee

(1) Section 126—before subsection (1) insert:

(a1) This section applies to a council that has not established a regional audit and risk committee under section 126A.

(2) Section 126(1)—after "council" insert:

to which this section applies

(3) Section 126(1)—after "audit" insert:

and risk

(4) Section 126—after subsection (1) insert:

(1a) The purpose of an audit and risk committee established by a council is to provide independent assurance and advice to the council on accounting, financial management, internal controls, risk management and governance matters.

(5) Section 126(2)—delete subsection (2) and substitute:

(2) The following provisions apply to the membership of a council audit and risk committee:

(a) the majority of the members of the committee must be persons who are not members of any council;

(b) the members of the committee (when considered as a whole) must have skills, knowledge and experience relevant to the functions of the committee, including in financial management, risk management, governance and any other prescribed matter;

(c) the membership of the committee—

(i) may not include an employee of the council (although an employee may attend a meeting of the committee if appropriate); and

(ii) may include, or be comprised of, members of another council audit and risk committee or a regional audit and risk committee; and

(iii) must otherwise be determined in accordance with the requirements of the regulations.

(6) Section 126(4)—delete subsection (4) and substitute:

(4) The functions of a council audit and risk committee include—

(a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and

(b) proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan; and

(c) monitoring the responsiveness of the council to recommendations for improvement based on previous audits and risk assessments, including those raised by a council's auditor; and

(d) proposing, and reviewing, the exercise of powers under section 130A; and

(e) liaising with the council's auditor in accordance with any requirements prescribed by the regulations; and

(f) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis; and

(g) —

(i) if the council has an internal audit function—

(A) providing oversight of planning and scoping of the internal audit work plan; and

(B) reviewing and commenting on reports provided by the person primarily responsible for the internal audit function at least on a quarterly basis; or

(ii) if the council does not have an internal audit function, reviewing and commenting on an annual report provided by the chief executive officer in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures; and

(h) reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis; and

(i) reviewing any report obtained by the council under section 48(1); and

(j) performing any other function determined by the council or prescribed by the regulations.

(5) There must be at least 1 meeting of a council audit and risk committee in each quarter.

(6) Subject to this Act, the procedure to be observed at a meeting of a council audit and risk committee will be—

(a) as prescribed by regulation; or

(b) insofar as the procedure is not prescribed by regulation—as determined by the committee.

(7) Without limiting subsection (6)(a), regulations under that subsection may provide for circumstances in which the public may be excluded from attendance at a meeting of a council audit and risk committee.

(8) A council audit and risk committee must—

(a) provide a report to the council after each meeting summarising the work of the committee during the period preceding the meeting and the outcomes of the meeting; and

(b) provide an annual report to the council on the work of the committee during the period to which the report relates.

(9) A council must ensure that the annual report of its audit and risk committee is included in its annual report.

84—Insertion of section 126A

After section 126 insert:

126A—Regional audit and risk committee

(1) Two or more councils may establish a regional audit and risk committee.

(2) The purpose of a regional audit and risk committee established by 2 or more councils is to provide independent assurance and advice to those councils on accounting, financial management, internal controls, risk management and governance matters.

(3) The following provisions apply to the membership of a regional audit and risk committee:

(a) the majority of the members of the committee must be persons who are not members of any council;

(b) the members of the committee (when considered as a whole) must have skills, knowledge and experience relevant to the functions of the committee, including in financial management, risk management, governance and any other prescribed matter;

(c) the membership of the committee—

(i) may not include an employee of the constituent councils (although an employee may attend a meeting of the committee if appropriate); and

(ii) may include, or be comprised of, members of a council audit and risk committee or another regional audit and risk committee; and

(iii) must otherwise be determined in accordance with the requirements of the regulations.

(4) The functions of regional audit and risk committee include—

(a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the constituent councils; and

(b) proposing, and providing information relevant to, a review of the constituent councils' strategic management plans or annual business plans; and

(c) monitoring the responsiveness of the constituent councils to recommendations for improvement based on previous audits and risk assessments, including those raised by a constituent council's auditor; and

(d) proposing, and reviewing, the exercise of powers under section 130A; and

(e) liaising with the constituent councils' auditors in accordance with any requirements prescribed by the regulations; and

(f) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the constituent councils on a regular basis; and

(g) —

(i) in relation to a constituent council that has an internal audit function—

(A) providing oversight of planning and scoping of the internal audit work plan; and

(B) reviewing and commenting on reports provided by the person primarily responsible for the internal audit function at least on a quarterly basis; or

(ii) in relation to a constituent council that does not have an internal audit function, reviewing and commenting on an annual report provided by the chief executive officer in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures; and

(h) reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis; and

(i) reviewing any report obtained by a constituent council under section 48(1); and

(j) performing any other function determined by the constituent councils or prescribed by the regulations.

(5) There must be at least 1 meeting of a regional audit and risk committee in each quarter.

(6) Subject to this Act, the procedure to be observed at a meeting of a regional audit and risk committee will be—

(a) as prescribed by regulation; or

(b) insofar as the procedure is not prescribed by regulation—as determined by the committee.

(7) Without limiting subsection (6)(a), regulations under that subsection may provide for circumstances in which the public may be excluded from attendance at a meeting of a regional audit and risk committee.

(8) A regional audit and risk committee must—

(a) provide a report to the constituent councils after each meeting summarising the work of the committee during the period preceding the meeting and the outcomes of the meeting; and

(b) provide an annual report to the constituent councils on the work of the committee during the period to which the report relates.

(9) Each constituent council of a regional audit and risk committee must ensure that the annual report of the committee is included in its annual report.

85—Amendment of section 127—Financial statements

Section 127(5) and (6)—delete subsections (5) and (6)

86—Amendment of section 128—Auditor

(1) Section 128(2)—delete "council's audit committee" and substitute:

relevant audit and risk committee

(2) Section 128(2a)—delete "audit committee" and substitute:

relevant audit and risk committee

(3) Section 128(6)—delete subsection (6) and substitute:

(6) If a firm comprising at least 1 registered company auditor has held office as auditor of a council for 5 successive financial years (the ***first firm***), the council—

(a) must ensure another auditor is appointed as auditor of the council (being a registered company auditor (who is not part of a firm) or another firm comprising at least 1 registered company auditor); and

(b) must not appoint the first firm as its auditor until at least 5 years have passed since the first firm last held the office.

87—Amendment of section 129—Conduct of audit

(1) Section 129(1)—delete "The" and substitute:

Subject to subsection (1a), the

(2) Section 129—after subsection (1) insert:

(1a) If the Auditor-General undertakes an audit under the *Public Finance and Audit Act 1987* of financial statements or controls (or both) of a council referred to in subsection (1) for a financial year—

(a) the auditor of the council is not required to undertake an audit of, provide an opinion or advice on, or report to the Minister on, those statements or controls (or both) (as the case requires) under this section; and

(b) the Auditor-General may recover reasonable costs incurred in relation to undertaking the audit as a debt due from the council.

(3) Section 129(5a)(b)—delete "council's audit committee" and substitute:

relevant audit and risk committee

88—Amendment of section 130A—Other investigations

Section 130A(5)(b)—delete "council's audit committee" and substitute:

relevant audit and risk committee

89—Amendment of section 131—Annual report to be prepared and adopted

Section 131(8)—delete subsection (8)

90—Insertion of section 131A

After section 131 insert:

131A—Provision of information to Minister

(1) A council must provide to the Minister, at the time or times, and in the manner and form, determined by the Minister—

(a) the material (including the specific reports on the matters) specified in Schedule 4 (as amended from time to time by regulation); and

(b) any other information, or class of information, specified by the Minister.

(2) The Minister may publish information provided by a council under this section.

91—Amendment of section 132—Access to documents

(1) Section 132(1) to (3)—delete subsections (1) to (3) (inclusive) and substitute:

(1) Subject to the regulations, a council must—

(a) publish a document referred to in Schedule 5 on a website determined by the chief executive officer; and

(b) on request, provide a person with a printed copy of a document referred to in Schedule 5 (on payment of a fee (if any) fixed by the council).

(2) Section 132(3a)—delete "make the document or part of the document (as the case requires) available for inspection on the website referred to in subsection (3) within a reasonable time after it is available for inspection under section 91(5) at the principal office of the council" and substitute:

ensure that the document or part of the document (as the case requires) is published on the website determined by the chief executive officer (in accordance with subsection (1)(a))

(3) Section 132(4a)—delete subsection (4a)

92—Amendment of section 147—Rateability of land

Section 147(7)—delete subsection (7)

93—Amendment of section 151—Basis of rating

(1) Section 151(3)—delete "or site value"

(2) Section 151(5)(e)—delete paragraph (e) and substitute:

(e) undertake public consultation.

(3) Section 151(7) and (8)—delete subsections (7) and (8)

(4) Section 151(8a)(b)—delete paragraph (b)

94—Amendment of section 153—Declaration of general rate (including differential general rates)

Section 153(5)(b)—delete "31 August" and substitute:

15 August

95—Amendment of section 156—Basis of differential rates

(1) Section 156(14a)(b)—delete paragraph (b) and substitute:

(b) undertake public consultation.

(2) Section 156(14d) and (14e)—delete subsections (14d) and (14e)

(3) Section 156(14ea)(b)—delete paragraph (b)

96—Substitution of section 170

Section 170—delete the section and substitute:

170—Notice of declaration of rates

A council must give public notice of the declaration of a rate or service charge within 21 days after the date of the declaration.

97—Amendment of section 181—Payment of rates—general principles

Section 181(3)—delete "31 August" and substitute:

15 August

98—Amendment of section 184—Sale of land for non-payment of rates

Section 184(4)(c)—delete paragraph (c) and substitute:

(c) giving public notice of the notice; and

99—Amendment of section 188—Fees and charges

(1) Section 188(6)—delete subsection (6)

(2) Section 188(7)—delete "up-date the list referred to in subsection (6) and"

100—Amendment of section 193—Classification

(1) Section 193(2)—delete "follow the relevant steps set out in its public consultation policy" and substitute:

undertake public consultation

(2) Section 193(6)—delete "notice in the Gazette" and substitute:

public notice

101—Amendment of section 194—Revocation of classification of land as community land etc

(1) Section 194(1) to (3)—delete subsections (1) to (3) (inclusive) and substitute:

(1) Subject to subsection (2), a council may revoke the classification of land as community land in accordance with this section.

(2) The classification of—

(a) the Adelaide Park Lands as community land cannot be revoked unless the revocation is by force of a provision of another Act; and

(b) land as community land cannot be revoked if the land is required to be held for the benefit of the community under Schedule 8, under a special Act of Parliament relating to the land, or under an instrument of trust; and

(c) land as community land cannot be revoked if the power to revoke the classification of that land is excluded by regulation; and

(d) other land as community land cannot be revoked unless—

(i) —

(A) if section 194A applies to the proposal to revoke the classification—the council complies with section 194A; or

(B) in any other case—the council complies with section 194B; and

(ii) if the land is under the care, control and management of the council but is not owned by the council—

(A) in a case where the council cannot, after making reasonable inquiries, ascertain the name and address of the owner of the land—the council has given notice of the proposed revocation in accordance with the community engagement charter; or

(B) in any other case—the owner of the land approves revocation of the classification.

(3) The Governor may amend Schedule 8 from time to time by regulation.

(3a) The Governor cannot make a regulation under subsection (3) revoking the classification of land referred to in Schedule 8 as community land.

(3b) The Governor must not make a regulation under subsection (3) except on the recommendation of the Minister.

(3c) The Minister may only make a recommendation under subsection (3b) if the Minister is satisfied that the regulation does not amend Schedule 8 so as to effect a change to—

(a) the primary use of the land; or

(b) the primary purpose for which the land is to be maintained for the benefit of the community.

(2) Section 194(4)—delete "subsection (1)" and substitute:

subsection (2)(c)

(3) Section 194(5)—delete "subsection (1)(a)" and substitute:

subsection (2)(a)

102—Insertion of sections 194A and 194B

After section 194 insert:

194A—Revocation of community land classification requiring Ministerial approval—process

(1) The following provisions apply to a proposal to revoke the classification of land as community land to which this section applies:

(a) the classification cannot be revoked unless the Minister approves revocation;

(b) before revoking the classification, the council must prepare and make publicly available a report on the proposal containing—

(i) a summary of the reasons for the proposal; and

(ii) a statement of any dedication, reservation or trust to which the land is subject; and

(iii) a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds; and

(iv) an assessment of how implementation of the proposal would affect the area and the local community; and

(v) if the council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification;

(c) the council must undertake public consultation on the proposal;

(d) if the revocation of the classification is proposed with a view to the sale or disposal of the land (whether or not the land is of a kind referred to in subsection (6)(d)), the council must also comply with the prescribed requirements;

(e) the council must then submit to the Minister the proposal with a report on all submissions made on it as part of the public consultation process and, if paragraph (d) applies, evidence of its compliance with the prescribed requirements;

(f) if the Minister approves the proposal—the council may make a resolution revoking the classification of the land as community land.

(2) If the Minister grants an approval under subsection (1)—

(a) the Minister must give written notice of the approval to the council; and

(b) the Minister may impose conditions on the approval.

(3) The Minister may vary or revoke an approval or a condition of an approval by further written notice to the council.

(4) The Minister may recover from a council (as a debt due from the council) the costs reasonably incurred by the Minister in considering a proposal submitted by the council under this section.

(5) A council must not breach, or fail to comply with, a condition of an approval under this section.

(6) This section applies to a proposal to revoke the classification of land as community land if—

(a) the land is owned by the Crown or an agency or instrumentality of the Crown; or

(b) the land adjoins land referred to in paragraph (a) or is related to such land in circumstances prescribed by the regulations; or

(c) the council knows, or ought reasonably to know, that State government financial assistance was given to the council to acquire, or for the purposes of, the land or improvements on the land; or

(d) the land is used—

(i) for a public purpose (including an educational, sporting or recreational purpose); or

(ii) as community open space,

and the revocation of the classification is proposed with a view to sale or disposal of the land; or

(e) the proposal is declared by the regulations to be a proposal to which this section applies.

194B—Revocation of community land classification of other land—process

The following provisions apply to a proposal to revoke the classification of land as community land (other than a proposal to which section 194A applies):

(a) before revoking the classification, the council must prepare and make publicly available a report on the proposal containing—

(i) a summary of the reasons for the proposal; and

(ii) a statement of any dedication, reservation or trust to which the land is subject; and

(iii) a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds; and

(iv) an assessment of how implementation of the proposal would affect the area and the local community; and

(v) if the council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification;

(b) the council must undertake public consultation on the proposal;

(c) after considering submissions made as part of public consultation on the proposal, the council may make a resolution revoking the classification of the land as community land.

103—Amendment of section 196—Management plans

Section 196(1)(a)—delete "section 194(1)(b) or (c)" and substitute:

section 194(2)(b) or (c)

104—Amendment of section 197—Public consultation on proposed management plan

(1) Section 197(1)—delete subsection (1) and substitute:

(1) Before a council adopts a management plan for community land it must undertake public consultation.

(2) Section 197(2)—delete subsection (2)

105—Amendment of section 202—Alienation of community land by lease or licence

(1) Section 202(2)—delete "follow the relevant steps set out in its public consultation policy" and substitute:

undertake public consultation

(2) Section 202(3)(b)—delete "compliance with a public consultation policy" and substitute:

undertaking public consultation

106—Amendment of section 207—Register

Section 207(3) and (4)—delete subsections (3) and (4)

107—Amendment of section 219—Power to assign name, or change name, of road or public place

Section 219(7)—delete subsection (7) and substitute:

(7) A council must give public notice of the adopting or altering of a policy under this section.

108—Amendment of section 221—Alteration of road

(1) Section 221(7)(a)—delete paragraph (a)

(2) Section 221(7)(b)—after "with" insert:

the chief executive officer of

(3) Section 221—after subsection (7) insert:

(7a) The chief executive officer of a council consulted under subsection (7)(b) may provide comments on the matter to the relevant authority within the period prescribed by the regulations and, if comments are not provided within that time, it will be conclusively presumed that the council does not intend to comment on the matter.

(7b) However, comments provided by the chief executive officer may only relate to the proposed alteration to the public road (including works within the public road) and must not relate to any building of a dwelling on land adjoining the public road.

(4) Section 221(8)—delete "does not extend to an assessment panel appointed by the council." and substitute:

—

(a) does not extend to an assessment panel appointed by the council; and

(b) does not apply to an alteration that complies with any relevant design standard under the *Planning, Development and Infrastructure Act 2016*.

109—Amendment of section 222—Permits for business purposes

(1) Section 222(1a)—delete subsection (1a)

(2) Section 222(6a) to (6c)—delete subsections (6a) to (6c) (inclusive)

110—Amendment of section 223—Public consultation

Section 223(1)—delete "follow the relevant steps set out in its public consultation policy" and substitute:

undertake public consultation

111—Amendment of section 224—Conditions of authorisation or permit

(1) Section 224(1)—delete "A" and substitute:

Subject to subsection (2), a

(2) Section 224(2) to (4)—delete subsections (2) to (4) (inclusive) and substitute:

(2) A condition under subsection (1) must comply with any requirements prescribed by the regulations.

112—Repeal of section 224A

Section 224A—delete the section

113—Amendment of section 225—Cancellation of authorisation or permit

(1) Section 225(1)—delete subsection (1) and substitute:

(1) A council may, by notice in writing to the holder of an authorisation or permit, cancel the authorisation or permit for breach of a condition.

(2) Section 225(4)—delete subsection (4)

114—Repeal of section 225A

Section 225A—delete the section

115—Amendment of section 225B—Review of granting of authorisations and permits

(1) Section 225B(1)—delete subsection (1) and substitute:

(1) If a business in a council area is unreasonably affected by—

(a) activities conducted under 1 or more authorisations or permits granted by the council under this Division; or

(b) the refusal of the council to grant an authorisation or permit under this Division,

the operator of the business may apply to the Small Business Commissioner for a review of the matter by the Small Business Commissioner (who is conferred with the function of conducting such a review), unless the operator is entitled to apply to the Environment, Resources and Development Court for a review of the matter under section 234AA(2).

(2) Section 225B(5)—delete "recommend to the relevant council that the council amend its location rules" and substitute:

provide a report to the Minister on the matter

(3) Section 225B—after subsection (5) insert:

(5a) A report under subsection (5) may include recommendations to the relevant council in relation to—

(a) the granting or refusal of authorisations or permits by the council (including in relation to any authorisations or permits that the Small Business Commissioner considers have been unreasonably granted or refused); and

(b) policies, practices or procedures of the council relating to authorisations or permits under this Division.

(4) Section 225B(6)—delete subsection (6)

116—Amendment of section 231—Register

Section 231(3) and (4)—delete subsections (3) and (4)

117—Amendment of section 232—Trees

Section 232(b)—delete "follow the relevant steps set out in its public consultation policy" and substitute:

undertake public consultation

118—Amendment of section 234AA—Interaction with processes associated with development authorisations

Section 234AA(2)—delete "or 222(6a)"

119—Amendment of section 234A—Prohibition of traffic or closure of streets or roads

Section 234A(6)—delete subsection (6) and substitute:

(6) A resolution passed under this section cannot take effect before the council has given public notice of the resolution.

120—Amendment of section 237—Removal of vehicles

Section 237(4)(b)—delete "published in a newspaper circulating generally in the State" and substitute:

given

121—Amendment of section 246—Power to make by-laws

(1) Section 246(3)(g)—delete "$750" and substitute:

$1 250

(2) Section 246(4)—delete "notice of that alteration is published by the council in the Gazette and in a newspaper circulating in the area of the council" and substitute:

the council gives public notice of that alteration

(3) Section 246(4a)—delete "ensure that notice of the determination is published in the Gazette and in a newspaper circulating in the area of the council" and substitute:

give public notice of the determination

122—Amendment of section 249—Passing by-laws

(1) Section 249(1)—delete subsection (1) and substitute:

(1) If it is proposed that a council make a by-law, the council must, at least 21 days before resolving to make the by-law, ensure that copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) are made available to the public in accordance with section 132(1).

(2) Section 249(7)—delete subsection (7) and substitute:

(7) A council must give public notice of the making of a by-law under this section.

123—Amendment of section 250—Model by-laws

Section 250(7)—delete subsection (7) and substitute:

(7) A council must give public notice of the adoption of a model by-law or alteration under this section.

124—Amendment of section 252—Register of by-laws and certified copies

Section 252(3) and (4)—delete subsections (3) and (4)

125—Amendment of section 259—Councils to develop policies

(1) Section 259(2)(b)—delete paragraph (b) and substitute:

(b) undertake public consultation.

(2) Section 259(3)—delete "in response to an invitation" and substitute:

during the public consultation

(3) Section 259(6) and (7)—delete subsections (6) and (7)

126—Insertion of Chapter 13 Part A1

Chapter 13—before Part 1 insert:

Part A1—Member behaviour

Division 1—Council to deal with member behaviour

262A—Complaints

(1) A person may make a complaint under this Division alleging that a member of a council has contravened or failed to comply with Chapter 5 Part 4 Division 2.

(2) A complaint to a council under this Division must be made in accordance with, and contain any information required by, the council's behavioural management policy.

(3) Subject to this Division, a council must deal with a complaint under this Division in accordance with the council's behavioural management policy (and a reference to dealing with a complaint includes a reference to refusing to deal with a complaint or determining to take no further action on a complaint).

262B—Behavioural management policy

(1) A council must prepare and adopt a policy relating to the management of behaviour of members of the council (a ***behavioural management policy***).

(2) Subject to this Division, a behavioural management policy must include the following provisions relating to complaints under this Division:

(a) provisions requiring that, on receipt, a complaint will be provided to the presiding member, chief executive officer or a delegate of the presiding member or chief executive officer authorised to receive complaints (as appropriate);

(b) provisions authorising the council to deal with complaints as the council considers appropriate, including by—

(i) refusing to deal with a complaint; or

(ii) determining to take no further action on a complaint (having commenced dealing with a complaint); or

(iii) arranging for mediation, conciliation, arbitration or other dispute or conflict resolution in relation to a complaint;

Note—

Provisions of a behavioural management policy setting out the grounds authorising a council to refuse to deal with a complaint or determine to take no further action on a complaint may include grounds such as—

(a) the ground that the subject matter of the complaint is trivial; or

(b) the ground that the complaint is frivolous or vexatious or is not made in good faith; or

(c) the ground that the complainant or the person on whose behalf the complaint was made does not have a sufficient personal interest in the matter raised in the complaint; or

(d) the ground that, having regard to all the circumstances of the case, it is unnecessary or unjustifiable for the council to deal with or continue to deal with the complaint; or

(e) the ground that the subject matter of the complaint has been or is already being investigated, whether by the council or another person or body; or

(f) the ground that the council has dealt with the complaint adequately.

(c) provisions authorising the council to inquire into a complaint in such manner as the council considers appropriate (subject to the principles of procedural fairness);

Note—

Provisions of a behavioural management policy relating to inquiring into a complaint appropriately may include procedures such as 1 or more of the following:

(a) provisions relating to parties to the process providing submissions (oral or written);

(b) provisions relating to the conduct of interviews;

(c) provisions relating to the undertaking of investigations (formal or informal).

(d) provisions authorising the council to conduct an inquiry itself or delegate the conduct of an inquiry to any person or body (with the agreement of the person or body) the council considers appropriate in the circumstances;

Note—

Examples of the kind of person to whom a council may delegate the conduct of an inquiry include—

(a) the principal member of the council; or

(b) the chief executive officer of the council; or

(c) a delegate of the principal member or the chief executive officer; or

(d) a committee of the council (such as a committee established in relation to governance matters); or

(e) a person who is not a member or employee of the council.

(e) provisions authorising the council to take action to resolve a complaint in such manner as the council considers appropriate, including by—

(i) requiring the member to undertake training, instruction, counselling, mentoring or coaching; or

(ii) taking action under this Division.

(3) Without limiting subsection (2), a behavioural management policy may contain other provisions relating to the processes and procedures for receiving and dealing with complaints under this Division and may—

(a) specify directions relating to behaviour that must be observed by members of the council; and

(b) set out guidelines relating to compliance by members with Chapter 5 Part 4 Division 2 and directions under paragraph (a); and

(c) include any other matter relating to behaviour of members considered appropriate by the council.

(4) A behavioural management policy—

(a) must not be inconsistent with the behavioural standards; and

(b) must comply with any requirement specified by the behavioural standards.

(5) A member of a council must comply with the council's behavioural management policy.

(6) A council may from time to time alter a behavioural management policy, or substitute a new policy.

(7) A council must, within 12 months after the conclusion of each periodic election, review the operation of its behavioural management policy.

262C—Action

(1) A council may, after inquiring into a complaint under this Division, do 1 or more of the following:

(a) pass a censure motion in respect of the member;

(b) require the member to issue a public apology (in a manner determined by the council);

(c) require the member to undertake a specified course of training or instruction;

(d) remove or suspend the member from 1 or more offices held in the member's capacity as a member of the council or by virtue of being a member of the council (other than the office of member of the council).

(2) If action is taken in respect of a member of a council under this section, a report on the matter must be considered in public at an ordinary meeting of the council.

(3) In the exercise or performance of a power or function under this Division, a council (including any person acting on behalf of, or as a delegate of, the council)—

(a) must proceed with as little formality and technicality and with as much expedition as the requirements of this or any other Act and a proper consideration of the matter permit; and

(b) is not bound by rules of evidence but may inform itself of any matter in any manner that the council considers appropriate.

262D—Reasons

If a council—

(a) refuses to deal with a complaint under this Division; or

(b) determines to take no further action in relation to a complaint under this Division (whether or not an inquiry has been commenced or completed on the complaint),

the council must provide the complainant with written reasons for the refusal or determination.

Division 2—Behavioural standards panel

Subdivision 1—Preliminary

262E—Preliminary

In this Division—

misbehaviour means—

(a) a failure by a member of a council to comply with a requirement of the council under section 262C(1); or

(b) a failure by a member of a council to comply with a provision of, or a requirement under, the council's behavioural management policy; or

(c) a failure by a member of a council to comply with an agreement reached following mediation, conciliation, arbitration or other dispute or conflict resolution conducted in relation to a complaint under Division 1;

presiding member means the member of the Panel appointed to be the presiding member of the Panel under section 262F, or a person from time to time acting as the presiding member;

repeated misbehaviour means a second or subsequent failure by a member of a council to comply with Chapter 5 Part 4 Division 2;

serious misbehaviour means a failure by a member of a council to comply with section 75G.

Subdivision 2—Behavioural standards panel

262F—Establishment and constitution

(1) The Behavioural Standards Panel is established.

(2) The Panel—

(a) is a body corporate; and

(b) has perpetual succession and a common seal; and

(c) is capable of suing and being sued in its corporate name; and

(d) has all the powers of a natural person that are capable of being exercised by a body corporate and, in particular, has all the powers necessary or expedient for, or incidental to, the performance of its functions.

(3) The Panel consists of the following members appointed by the Governor—

(a) a member nominated jointly by the Minister and the LGA to be the presiding member of the Panel; and

(b) a member nominated by the Minister; and

(c) a member nominated by the LGA.

(4) A member or employee of a council cannot be appointed as a member of the Panel.

(5) The Minister and the LGA must, when nominating persons for appointment as members of the Panel, seek to ensure that, as far as is practicable, the members of the Panel collectively have qualifications, knowledge, expertise and experience in the following areas:

(a) local government or public administration;

(b) law;

(c) administrative or disciplinary investigation;

(d) dispute resolution, conflict management, human resource management or organisational psychology.

262G—Conditions of membership

(1) A member of the Panel will be appointed on such conditions and for such term, not exceeding 5 years, as the Governor may determine and on the expiration of a term of office will be eligible for reappointment.

(2) The Governor may remove a member of the Panel from office—

(a) for breach of, or failure to comply with, a condition of appointment; or

(b) for failure or incapacity to carry out official duties satisfactorily; or

(c) for misconduct; or

(d) on the recommendation of the Minister.

(3) The Minister cannot make a recommendation under subsection (2)(d) unless the LGA consents to the making of the recommendation.

(4) The office of a member of the Panel becomes vacant if the member—

(a) dies; or

(b) completes a term of office and is not reappointed; or

(c) resigns by written notice addressed to the Minister; or

(d) is convicted of an indictable offence or sentenced to imprisonment for an offence; or

(e) becomes a member of an Australian Parliament; or

(f) becomes a member or employee of a council; or

(g) is removed from office by the Governor under subsection (2).

(5) On the office of a member of the Panel becoming vacant, a person must be appointed in accordance with this Act to the vacant office.

262H—Acting member

(1) If—

(a) a member is unable to perform official functions or duties; or

(b) the office of a member is vacant,

the Governor may appoint a person to act in the office of the member for a period of up to 6 months on conditions determined by the Governor.

(2) If a member is unable to act in relation to a particular matter, the Minister may appoint a person to act in the office of the member in relation to that matter on conditions determined by the Minister.

(3) Section 262G(2) to (5) (inclusive) apply to an acting member as if they were appointed under section 262F.

262I—Meetings of Panel

(1) Subject to this Part—

(a) a meeting of the Panel will be presided over by the presiding member and, in the absence of that member, a member chosen by those present will preside; and

(b) 2 members constitute a quorum of the Panel and no business may be transacted at a meeting of the Panel unless a quorum is present; and

(c) each member present at a meeting of the Panel is entitled to 1 vote on a matter arising for decision at the meeting and the person presiding at the meeting has, in the event of an equality of votes, a second or casting vote; and

(d) a decision carried by a majority of the votes cast by the members present at a meeting of the Panel is a decision of the Panel; and

(e) the Panel may otherwise determine its own procedures.

(2) A conference by telephone or other electronic means between the member of the Panel will, for the purposes of this section, be taken to be a meeting of the Panel at which the participating members are present if—

(a) notice of the conference is given to all members in the manner determined by the Panel for the purpose; and

(b) each participating member is capable of communicating with every other participating member during the conference.

(3) A proposed resolution of the Panel becomes a valid decision of the Panel despite the fact that it is not voted on at a meeting of the Panel if—

(a) notice of the proposed resolution is given to all members in accordance with procedures determined by the Panel; and

(b) a majority of the members express concurrence in the proposed resolution by email or other written communication setting out the terms of the resolution.

(4) The Panel must cause minutes to be kept of its meetings.

262J—Remuneration and expenses

The members of the Panel are entitled to such fees, allowances and expenses as the Governor may approve.

262K—Staff

(1) The Panel will have such staff (comprised of persons employed in the Public Service of the State) as is necessary for the purposes of the performance of the Panel's functions under this and any other Act.

(2) The Panel may, by arrangement with the appropriate authority, make use of the services, facilities or employees of a government department, agency or instrumentality.

262L—Validity of acts of Panel

An act or proceeding of the Panel is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

262M—Costs

(1) The costs of establishing the Panel, and the ongoing administrative and operational costs of the Panel, are to be paid by the LGA under an arrangement established by the Minister from time to time after consultation with the President of the LGA.

(2) The Panel may recover reasonable costs incurred in relation to a complaint against a member of a council referred to the Panel under Subdivision 3 as a debt due from the relevant council.

262N—Functions

(1) The primary function of the Panel is to assess and deal with complaints referred to the Panel under Subdivision 3.

(2) In addition, the Panel may—

(a) publish guidelines for councils, members of councils and the community relating to the behavioural standards, behavioural management policies, behavioural support policies and other matters relating to behaviour of members; and

(b) publish model behavioural management policies and behavioural support policies; and

(c) publish practice directions relating to practices and procedures in respect of matters before the Panel; and

(d) perform other functions conferred on the Panel by or under this or any other Act.

262O—Delegation

(1) Subject to subsection (2), the Panel may delegate a function or power conferred on the Panel, other than a function or power under Subdivision 3 or a prescribed function or power—

(a) to a specified person or body; or

(b) to a person occupying or acting in a specified office or position.

(2) A delegation—

(a) may be made subject to conditions or limitations specified in the instrument of delegation; and

(b) may, if the instrument of delegation so provides, be further delegated; and

(c) is revocable at will and does not prevent the Panel from acting in a matter.

262P—Annual report

(1) The Panel must, on or before 30 September in each year, submit a report to the Minister on the activities of the Panel during the previous financial year.

(2) The Minister must, within 12 sitting days after receipt of a report under subsection (1), cause copies of that report to be laid before each House of Parliament.

Subdivision 3—Inquiries and action on complaints referred to Panel

262Q—Referral

(1) A complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour by a member of a council may be referred to the Panel by—

(a) resolution of the council; or

(b) the principal member of the council; or

(c) at least 3 members of the council; or

(d) the Minister.

(2) A person who is dissatisfied with a council's decision in relation to a complaint made by the person under Division 1 (including a decision of the council to refuse to deal with, or to take no further action in relation to, the complaint) may refer the subject matter of the complaint to the Panel.

262R—Proceedings of Panel

(1) One or more functions or powers of the Panel under section 262S, 262T, 262U or 262V may be exercised by the presiding member on behalf of the Panel.

(2) The Panel (or the presiding member acting on its behalf) may appoint an investigator to conduct an inquiry under section 262T into a complaint referred to the Panel under this Subdivision.

(3) Any questions of law or procedure arising before the Panel will be determined by the presiding member and any other questions arising before the Panel sitting as a whole will be determined by unanimous or majority decision of the members (unless there is an equal division of opinion, in which case, the decision of the presiding member will be the decision of the Panel).

(4) If a member of the Panel as constituted under this section (other than the presiding member) dies, or is for any other reason unable to continue with the proceedings before the Panel, the Panel constituted of the remaining members may, if the presiding member so determines, continue and complete the proceedings.

262S—Assessment

(1) The Panel may refuse to deal with a complaint referred to the Panel under this Subdivision or, having commenced dealing with a complaint, determine to take no further action on it if the Panel is satisfied—

(a) that the subject matter of the complaint is trivial; or

(b) that the complaint is frivolous or vexatious or is not made in good faith; or

(c) that the complainant or the person on whose behalf the complaint was made does not have a sufficient personal interest in the matter raised in the complaint; or

(d) that, having regard to all the circumstances of the case, it is unnecessary or unjustifiable for the Panel to deal with or continue to deal with the complaint; or

(e) that the subject matter of the complaint has been or is already being assessed or investigated, whether by the Panel or another person or body (but disregarding any dealing with the complaint by the relevant council following which the matter was referred to the Panel); or

(f) that the council has dealt with the complaint adequately; or

(g) that it is otherwise in the public interest to refuse to deal with, or determine to take no further action on, the complaint.

(2) If a complaint is made and the Panel refuses to deal with, or determines to take no further action on, the complaint, the Panel must inform the person or body that referred the complaint to the Panel under this Subdivision of that decision and of the reasons for it.

(3) The Panel may refer a complaint referred to it under this Subdivision to the relevant council if the Panel considers that the complaint does not allege misbehaviour, repeated misbehaviour or serious misbehaviour by a member of a council.

262T—Inquiries

(1) The Panel may inquire into a complaint referred to the Panel under this Subdivision in such manner as the Panel considers appropriate.

(2) However, an inquiry must be conducted in accordance with the principles of procedural fairness.

262U—Powers relating to inquiries

(1) The Panel or an investigator conducting an inquiry under this Division may, in connection with the inquiry—

(a) by summons signed by the Panel or investigator (as the case requires), require a person's attendance; and

(b) require a person to answer, orally or in writing, questions to the best of their knowledge, information and belief; and

(c) require a person to verify an answer under paragraph (b) by declaration; and

(d) require a council or person to produce any relevant documents or other records; and

(e) retain documents or other records produced under paragraph (d) for reasonable periods and make copies of them or their contents; and

(f) call for or receive submissions or representations.

(2) Subject to subsection (3), a person or council must not refuse or fail to comply with a requirement under subsection (1).

Maximum penalty: $10 000.

(3) A person is not obliged to comply with a requirement under subsection (1) if to do so might incriminate the person of an offence, and a person or a council is not required to provide information under subsection (1) that is privileged on the ground of legal professional privilege.

(4) In the exercise or performance of a power or function under this Subdivision, the Panel—

(a) must proceed with as little formality and technicality and with as much expedition as the requirements of this or any other Act and a proper consideration of the matter permit; and

(b) is not bound by rules of evidence but may inform itself of any matter in any manner that the Panel considers appropriate.

262V—Dispute resolution

(1) The Panel may, at any time, arrange for mediation, conciliation, arbitration or other dispute or conflict resolution (***alternative dispute resolution***) to be conducted in relation to the subject matter of a complaint referred under this Subdivision.

(2) If agreement is reached through alternative dispute resolution—

(a) the agreement must be recorded in writing and signed by the parties to the agreement and by a member of the Panel on behalf of the Panel; and

(b) a copy of the agreement must be given to each of the parties.

(3) The Panel may, if satisfied that the subject matter of a complaint has been properly resolved by alternative dispute resolution, determine to take no further action on the complaint.

262W—Action

(1) The Panel may, after inquiring into a complaint referred to the Panel under this Subdivision, by order do 1 or more of the following:

(a) reprimand the member (including by means of a public statement);

(b) direct the council to pass a censure motion in respect of the member;

(c) require the member to issue a public apology (in a manner determined by the Panel);

(d) require the member to attend a specified course of training or instruction, or to take other steps;

(e) require the member to reimburse the council a specified amount (which may include the reimbursement of the council's costs relating to investigation of the complaint and giving effect to an order under this section);

(f) remove or suspend the member from 1 or more offices held in the member's capacity as a member of the council or by virtue of being a member of the council (other than the office of member of the council);

(g) suspend the member from the office of member of the council for a period not exceeding 3 months, with or without an allowance (as determined by the Panel);

(h) direct the council to lodge a complaint against the member with SACAT.

(2) If action is taken in respect of a member of a council under this section, the Panel—

(a) must provide a report on the matter to the council; and

(b) may require—

(i) the report to be considered in public at an ordinary meeting of the council; and

(ii) the council to provide a report to the Panel, within a period and in such manner as is specified by the Panel, detailing—

(A) if the Panel made an order requiring the member to take action under subsection (1)—the member's compliance with the requirement; or

(B) if the Panel made an order directing the council to take action under subsection (1)—the council's compliance with the direction.

(3) If a member of a council fails to comply with an order of the Panel requiring the member to take action under subsection (1), the member will be taken for the purposes of this Act to have failed to comply with an integrity provision and the council is to ensure that a complaint is lodged against the member with SACAT.

(4) If the Panel considers that a council has failed to comply with a direction or requirement of the Panel under this section, the Panel may provide a report to the Minister on the matter.

262X—Reports on inquiries

(1) The Panel may publish, in such manner as the Panel thinks fit, a report on—

(a) an inquiry under this Subdivision; or

(b) a complaint that the Panel refused to deal with, or determined to take no further action on.

(2) The Panel may—

(a) provide a report under subsection (1) relating to a member of a council to the council; and

(b) require the report to be considered in public at an ordinary meeting of the council.

(3) Nothing in this section limits section 262W.

Division 3—Miscellaneous

262Y—Referral of complaint to OPI

(1) If a council or the Panel reasonably suspects that a complaint before the council or Panel (as the case may be) under this Part relates to conduct that involves corruption in public administration within the meaning of the *Independent Commissioner Against Corruption Act 2012*—

(a) the council or Panel (as the case requires) must refer the complaint to the Office for Public Integrity to be dealt with under that Act; and

(b) consideration of the complaint under this Act is postponed until the Independent Commissioner Against Corruption notifies the council or Panel (as the case requires) that the Commissioner considers it appropriate that consideration of the complaint under this Act continue.

(2) The Independent Commissioner Against Corruption must give the council or Panel the notification referred to in subsection (1)(b) as soon as practicable after conducting the assessment required under section 23 of the *Independent Commissioner Against Corruption Act 2012* unless the matter is assessed as raising a potential issue of corruption in public administration that could be the subject of a prosecution.

127—Amendment of heading to Chapter 13 Part 1

Heading to Chapter 13 Part 1—delete the heading and substitute:

Part 1—Member integrity—complaints, investigations and proceedings

128—Repeal of section 263

Section 263—delete the section

129—Amendment of section 263A—Investigations by Ombudsman

(1) Section 263A(1) to (3)—delete "constitute grounds for complaint under this Act against" wherever occurring and substitute in each case:

involve a contravention of, or failure to comply with, an integrity provision by

(2) Section 263A—after subsection (3) insert:

(3a) Subject to Part A1 Division 3, if a council or the Panel considers that the whole or part of the subject matter of a complaint before the council or Panel (as the case may be) under Part A1 relates to conduct that involves a contravention of, or failure to comply with, an integrity provision by a member of a council—

(a) the council or Panel (as the case requires) must refer the subject matter (or relevant part of the subject matter) of the complaint to the Ombudsman for investigation and report under the *Ombudsman Act 1972*; and

(b) consideration of the subject matter (or relevant part of the subject matter) of the complaint under Part A1 is postponed until the Ombudsman notifies the council or Panel (as the case requires) that the Ombudsman considers it appropriate that consideration of it under Part A1 continue.

(3b) If the Ombudsman considers that whole or part of the subject matter of a complaint before the Ombudsman relates to conduct that involves a contravention of, or failure to comply with, Chapter 5 Part 4 Division 2 by a member of a council (other than a contravention or failure to comply that constitutes misbehaviour, repeated misbehaviour or serious misbehaviour (within the meaning of Part A1 Division 2)), the Ombudsman may refer the subject matter (or relevant part of the subject matter) of the complaint to the relevant council.

(3) Section 263A(4)—delete "constitute grounds for complaint under this Act against" and substitute:

involve a contravention of, or failure to comply with, an integrity provision by

130—Amendment of section 263B—Outcome of Ombudsman investigation

Section 263B(1) and (2)—delete subsections (1) and (2) and substitute:

(1) The recommendations that may be made by the Ombudsman under the *Ombudsman Act 1972* on the completion of an investigation of the complaint include—

(a) a recommendation requiring the council to—

(i) reprimand the member (including by means of a public statement); or

(ii) suspend the member from any office under this Act for a period not exceeding 3 months, with or without an allowance (as determined by the Ombudsman); or

(iii) ensure that a complaint is lodged against the member with SACAT; or

(b) a recommendation requiring the member to—

(i) issue a public apology (in a manner determined by the Ombudsman); or

(ii) attend a specified course of training or instruction; or

(iii) take other steps; or

(iv) reimburse the council a specified amount (which may include the reimbursement of the council's costs relating to investigation of the complaint and giving effect to a recommendation of the Ombudsman under this section).

(2) If a member of a council fails to comply with a recommendation of the Ombudsman requiring the member to take action under subsection (1), the member will be taken to have failed to comply with an integrity provision and the council is to ensure that a complaint is lodged against the member with SACAT.

131—Amendment of section 264—Complaint lodged with SACAT

(1) Section 264—before subsection (1) insert:

(a1) A complaint against a member of a council may be lodged with SACAT under this section on the ground—

(a) that the member has contravened or failed to comply with an integrity provision; or

(b) of alleged misbehaviour, repeated misbehaviour or serious misbehaviour by the member (within the meaning of Part A1 Division 2); or

(c) that the member has contravened or failed to comply with—

(i) a recommendation of the Ombudsman requiring the member to take action under section 263A(1); or

(ii) an order of the Panel requiring the member to take action under section 262W(1).

(2) Section 264(1)—delete "setting out the matters that are alleged to constitute the grounds for complaint against a member of a council under this Part" and substitute:

on a ground referred to in subsection (a1)

(3) Section 264(2)—after "complaint" insert:

on the ground set out in subsection (a1)(a)

(4) Section 264—after subsection (2) insert:

(2a) In addition, a complaint may not be lodged by the chief executive officer of a council on the ground set out in subsection (a1)(b) unless the matter has been inquired into by the Panel.

132—Amendment of section 265—Hearing by SACAT

Section 265(1)—delete "the matters alleged in the complaint constitute grounds for action against the member of the council under this Part" and substitute:

a ground on which the complaint was lodged exists

133—Amendment of section 267—Outcome of proceedings

(1) Section 267(1)—delete "the grounds for complaint exist" and substitute:

a ground on which the complaint was lodged exists

(2) Section 267(1)(ba)—after "amount" insert:

(which may include the reimbursement of the council's costs relating to investigation of the complaint and giving effect to an order under this section)

(3) Section 267(1)(c)—delete "$5 000" and substitute:

$15 000

(4) Section 267(1)(d)—delete "two months" and substitute:

6 months

134—Repeal of section 269

Section 269—delete the section

135—Amendment of section 270—Procedures for review of decisions and requests for services

(1) Section 270—after subsection (2) insert:

(2a) In addition, the procedures must provide that—

(a) an application for review must be made within 6 months of the making of the decision of which review is sought (the ***reviewable decision***); and

(b) the council may allow an application to be made more than 6 months after the making of the reviewable decision in appropriate cases.

(2) Section 270(3)—delete subsection (3) and substitute:

(3) An application for review must be accompanied by the prescribed fee.

(3a) A council may, as the council thinks fit, reduce, waive or refund (in whole or part) the fee under subsection (3).

(3) Section 270(4)—after paragraph (c) insert:

or

(d) the council or person (as the case requires) is satisfied that the subject matter of the application has been or is already the subject of a review by the council or an investigation, inquiry or review by another authority.

(4) Section 270(4a)—delete subsection (4a) and substitute:

(4a) The policies, practices and procedures established under this section—

(a) must not provide for a review of a decision of a council to refuse to deal with, or determine to take no further action in relation to, a complaint under Part A1 Division 1 by a person who is dissatisfied with the decision; and

(b) must be consistent with any requirement prescribed by the regulations.

(5) Section 270(5)—delete subsection (5)

136—Amendment of section 273—Action on report

(1) Section 273(1)—after paragraph (c) insert:

or

(d) a report of the designated authority under section 123; or

(e) a report of the Small Business Commissioner under section 225B; or

(f) a report of the Behavioural Standards Panel under section 262W; or

(g) a report of a person who held an appointment as administrator of a defaulting council under this section provided to the Minister on, or within 6 months after, the cessation of the period of administration of the council,

(2) Section 273(2)—delete "The" and substitute:

Subject to subsection (2a), the

(3) Section 273(2)(b)(iv)—delete "or the Ombudsman" and substitute:

, the Ombudsman or the Small Business Commissioner

(4) Section 273(2)(b)—after subparagraph (iv) insert:

(iva) that a council has failed to respond appropriately to advice from the designated authority under section 123; or

(ivb) that a council has failed to comply with a direction or requirement of the Panel under section 262W; or

(5) Section 273—after subsection (2) insert:

(2a) The only action that the Minister may take under subsection (2) on the basis of a report of a kind referred to in subsection (1)(g) is action of a kind referred to in subsection (2)(a).

137—Amendment of section 279—Service of documents by councils etc

Section 279(1)(e)—delete "by facsimile transmission or"

138—Amendment of section 280—Service of documents on councils

Section 280(1)(c)—delete "by facsimile transmission or"

139—Amendment of section 303—Regulations

Section 303(8a)—after "*2015*" insert:

or the *Statutes Amendment (Local Government Review) Act 2020*

140—Amendment of Schedule 1A—Implementation of Stormwater Management Agreement

Schedule 1A, clause 11(8)(b)—delete paragraph (b) and substitute:

(b) a majority of the board members express their concurrence in the proposed resolution by letter, email or other written communication setting out the terms of the resolution.

141—Amendment of Schedule 2—Provisions applicable to subsidiaries

(1) Schedule 2, clause 3(2)(c)—delete "Chapter 5, Part 4, Division 2" and substitute:

Chapter 5 Part 4 Division 1 Subdivision 2

(2) Schedule 2, clause 5(6)(b)—delete "telex, facsimile transmission or other written communication, or electronic communication," and substitute:

email or other written communication

(3) Schedule 2, clause 13(3)—delete "council's audit committee" and substitute:

relevant audit and risk committee

(4) Schedule 2, clause 19(2)(c)—delete "Chapter 5, Part 4, Division 2" and substitute:

Chapter 5 Part 4 Division 1 Subdivision 2

(5) Schedule 2, clause 21(6)(b)—delete "telex, facsimile transmission or other written communication, or electronic communication," and substitute:

email or other written communication

(6) Schedule 2, clause 30(3)—delete "a constituent council's audit committee" and substitute:

a regional audit and risk committee established by any of the constituent councils (with 1 or more other councils, whether constituent councils or otherwise) or a council audit and risk committee established by any of the constituent councils

142—Amendment of Schedule 3—Register of Interests—Form of returns

(1) Schedule 3, clause 1(1), after the definition of ***beneficial interest*** insert:

designated person or entity, in relation to a member of a council, means—

(a) a member of the member's family; or

(b) a family company of the member; or

(c) a trustee of a family trust of the member;

(2) Schedule 3, clause 1(1), definition of ***family***, (b)—delete paragraph (b) and substitute:

(b) a child or stepchild of the member;

(3) Schedule 3, clause 1(1), definition of ***gift***—delete the definition

(4) Schedule 3, clause 1(1), definition of ***a person related to a member***—delete the definition

(5) Schedule 3, clause 1(1), definition of ***return period***—delete the definition and substitute:

return period, in relation to a return of a member (other than a return submitted under section 65(a)), means—

(a) in the case of a member whose last return was the return submitted under section 65(a)—the period between the date of that return and 30 June next following; or

(b) in the case of any other member—the period of 12 months expiring on 30 June on or within 60 days after which the return is required to be submitted;

(6) Schedule 3, clause 1(4)—delete subclause (4)

(7) Schedule 3, clause 2—before subclause (1) insert:

(a1) For the purposes of this Act, a return must be in the form determined by the Minister.

(8) Schedule 3, clause 2(1)—delete "be in the prescribed form and"

(9) Schedule 3, clause 2(1)(a)—delete "person related to the member" and substitute:

designated person or entity in relation to the member

(10) Schedule 3, clause 2(2)—delete "be in the prescribed form and"

(11) Schedule 3, clause 2(2)(a)—delete "person related to the member" and substitute:

designated person or entity in relation to the member

(12) Schedule 3, clause 2(2)(c) to (e)—delete paragraphs (c) to (e) (inclusive)

(13) Schedule 3, clause 2(3)—delete "person related to the member" wherever occurring and substitute in each case:

designated person or entity in relation to the member

(14) Schedule 3, clause 2(3)(f)—delete "related by blood or marriage to the member or to" and substitute:

a relative of the member or

(15) Schedule 3, clause 2(3)(g)—delete "related to the member or a member of the member's family by blood or marriage" and substitute:

a relative of the member or a member of the member's family

(16) Schedule 3, clause 2(7)—delete "person related to the member" and substitute:

designated person in relation to the member

(17) Schedule 3, clause 2(8)—delete "gift,"

143—Amendment of Schedule 4—Material to be included in annual report of council

Schedule 4, clause 1—after paragraph (c) insert:

(d) a report relating to contraventions of Chapter 5 Part 4 Division 2 by members of the council during the relevant financial year containing the information required by the regulations;

144—Amendment of Schedule 5—Documents to be made available by councils

(1) Schedule 5, provisions under the heading "**Codes**", 1st dot point—delete "of conduct or codes"

(2) Schedule 5, provisions under the heading "**Meeting papers**", 3rd dot point—after "reports" insert:

(including attachments and any information or material referred to in the documents or reports) supplied

(3) Schedule 5, provisions under the heading "**Meeting papers**"—after the 4th dot point insert:

- Schedule of dates, times and places set for meetings of the council or council committee

(4) Schedule 5—before the heading "**Policy and administrative documents**" insert:

Information and briefing session papers

- Record made by council or chief executive officer relating to an order under section 90(2) (in accordance with section 90A(4)) made at or in relation to an information or briefing session

(5) Schedule 5, provisions under the heading "**Policy and administrative documents**", 11th dot point—delete the 11th dot point and substitute:

- Community engagement policies
- Behavioural management policies
- Behavioural support policies
- Employee behavioural standards

(6) Schedule 5, provisions under the heading "**Registers and Returns**", 1st dot point—delete "Division 2" and substitute:

Division 1 Subdivision 2

145—Amendment of Schedule 8—Provisions relating to specific land

Schedule 8, clause 13(5), definition of ***Gawler Park Lands and Pioneer Park***—delete the definition and substitute:

Gawler Park Lands means the whole of the land comprised in Certificate of Title Register Book Volume 6182 Folio 891;

Pioneer Park means the whole of the land comprised in Certificate of Title Register Book Volume 5846 Folio 672 and Volume 5846 Folio 673.

146—Insertion of Schedule 9

After Schedule 8 insert:

Schedule 9—Suspension of members

1—Suspension of members

(1) This clause applies to a member of a council who is suspended from the office of member of the council—

(a) by SACAT or the Behavioural Standards Panel; or

(b) by the council in accordance with a recommendation of the Ombudsman under section 263B; or

(c) under section 68, 80A, 80B or 273(8); or

(d) under another provision of this Act prescribed by the regulations.

(2) Subject to this clause, the following provisions apply during the period of suspension of a member of a council to whom this clause applies:

(a) the suspension extends to all other offices held in the member's capacity as a member of the council or by virtue of being a member of the council;

(b) the member must not use or retain a facility or service provided by the council (not being a facility or service generally provided to members of the public by the council);

(c) the member must not carry out any function or duty of the office of member of the council;

(d) the member must not be given access by the council to information, documents or materials related to the performance or discharge of the functions or duties of members of the council (not being information, documents or materials generally provided to members of the public by the council);

(e) the member is not required—

(i) to submit a return for the purposes of the Register of Interests in accordance with Chapter 5 Part 4 Division 1 Subdivision 2; or

(ii) if relevant, to notify the chief executive officer of a change or variation of a kind referred to in section 67(1),

provided that, on the cessation of the suspension, the member—

(iii) submits any return for the purposes of the Register of Interests that the member would, but for the suspension, have been required to submit in accordance with Chapter 5 Part 4 Division 1 Subdivision 2 during the period of suspension; and

(iv) notifies the chief executive officer of a change or variation of a kind referred to in section 67(1) of which the member would, but for the suspension, have been required to notify the chief executive officer under section 67(1) during the period of suspension;

(f) to avoid doubt, section 54(1)(d) does not apply to the member.

(3) In addition, the regulations may modify the application of a provision of this Act (including this Schedule) in relation to the suspension of a member of a council to whom this clause applies.

(4) Subclause (2)(e) does not affect the obligation of a member of a council who is suspended from the office of member of the council by operation of section 68(1a) to submit to the chief executive officer the return that the member failed to submit under section 68(1a).

(5) A member of a council to whom this clause applies must not contravene or fail to comply with subclause (2)(b) or (c).

(6) Nothing in this clause affects the operation of section 273(8a).

147—Transitional provisions

(1) A council (other than a council within the ambit of section 11A(2)(a) of the principal Act (as inserted by this Act)) with more than 12 members must conduct a review of its composition under Chapter 3 Part 1 of the principal Act so as to ensure that the reduction in the composition (and changes to wards) of the council required by section 11A takes effect on or before the date of the second periodic election of the council after the commencement of section 11A.

(2) Section 51 of the principal Act (as amended by section 18 of this Act) applies to a council from—

(a) in the case of a council that commences a representation review in accordance with section 12 of the principal Act after the commencement of section 18 of this Act and completes the review before 1 January 2022—polling day for the periodic election next due to be held after the commencement of section 18; or

(b) in any other case—polling day for the second periodic election due to be held after the commencement of section 18.

(3) A reference to completing a review under subsection (2)(a) includes (if relevant) publishing any notice or notices in the Gazette under section 12(15)(b) in relation to the review.

(4) A council (other than a council within the ambit of subsection (2)(a)) constituted on the basis that the principal member is to be chosen by the members of the council from amongst their own number must conduct a review of its composition under Chapter 3 Part 1 of the principal Act so as to ensure that the appointment or election of a mayor required by section 51(1) of that Act (as amended by section 18 of this Act) takes effect on or before the date of the second periodic election of the council after the commencement of this section.

(5) The remuneration of a chief executive officer holding office on the commencement of section 99A of the principal Act (as inserted by this Act) is not affected during the term of that office by a determination under section 99A.

(6) The principal Act (as in force immediately before the commencement of this subsection) continues to apply to a contravention of, or failure to comply with, the principal Act constituting grounds for complaint against a member of a council under Chapter 13 Part 1 of the principal Act (as in force immediately before the commencement of this subsection) committed or alleged to have been committed before that commencement.

(7) Section 110 of the principal Act (as in force immediately before the commencement of this subsection) continues to apply to a contravention of, or failure to comply with, the code of conduct to be observed by employees of councils committed or alleged to have been committed before that commencement.

(8) In this section—

principal Act means the *Local Government Act 1999*.

Part 3—Amendment of *Local Government (Elections) Act 1999*

148—Amendment of section 4—Preliminary

Section 4(1), definition of ***public notice***—delete the definition and substitute:

public notice—see *Local Government Act 1999* (section 4(1aa));

149—Substitution of section 5

Section 5—delete the section and substitute:

5—Periodic elections

Elections to determine the membership of each council must be held in accordance with this Act at intervals of 4 years on the basis that voting at the elections will close at 5 pm on the second to last business day before the second Saturday of November in 2022, at 5 pm on the second to last business day before the second Saturday of November in 2026, and so on.

150—Amendment of section 6—Supplementary elections

(1) Section 6(2)(a)—delete paragraph (a) and substitute:

(a) the vacancy occurs within 12 months before polling day for—

(i) a periodic election; or

(ii) a general election (other than a periodic election) if the date of that polling day is known at the time of the occurrence of the vacancy; or

(2) Section 6(2)(b)(iii)—delete subparagraph (iii) and substitute:

(iii) —

(A) if the council has 9 or more offices (excluding the office of mayor)—there is no more than 1 other vacancy in the office of a member of the council; or

(B) in any other case—there is no other vacancy in the office of a member of the council; and

(3) Section 6(2)(b)(iv)—after "council" insert:

at the time the vacancy occurs

(4) Section 6(2)(b)(iv)—after "vacancy" insert:

or vacancies

(5) Section 6(2)—after paragraph (b) insert:

or

(c) the vacancy—

(i) is for an office of a member of the council, other than—

(A) mayor; or

(B) a member who was declared elected under section 25(1); and

(ii) occurs within 12 months after the conclusion of a periodic election (and can be filled in accordance with section 6A).

(6) Section 6(3)(a)—delete "a vacancy has" and substitute:

1 or more vacancies have

(7) Section 6(3)(c)—delete paragraph (c) and substitute:

(c) the other vacancy has not occurred within 12 months before polling day for—

(i) a periodic election; or

(ii) a general election (other than a periodic election) if the date of that polling day is known at the time of the occurrence of the vacancy,

(8) Section 6(7) and (8)—delete subsections (7) and (8) and substitute:

(7) A notice under subsection (6) must also fix—

(a) a day for the close of the voters roll for the purposes of the election (the ***closing date***); and

(b) the time at which voting at the election will close on polling day.

151—Insertion of section 6A

After section 6 insert:

6A—Filling vacancy in certain circumstances

(1) If—

(a) a casual vacancy has occurred; and

(b) a supplementary election is not to be held by virtue of the operation of section 6(2)(c),

the vacancy will be filled in accordance with this section.

(2) For the purposes of subsection (1)—

(a) the returning officer must, in accordance with the regulations, determine the candidate in the most recent election for the relevant office to fill the vacancy (a ***successful candidate***); and

(b) the returning officer must ascertain (in such manner as the returning officer thinks fit) whether the candidate who becomes a successful candidate—

(i) is still willing to be elected to the relevant office; and

(ii) is still eligible to be elected to the relevant office; and

(c) —

(i) if the person then indicates to the returning officer (within 1 month) that they are so willing and eligible, the returning officer will declare the person elected; or

(ii) if the person then indicates to the returning officer (within 1 month) that they are not willing or eligible, or the person does not respond to the returning officer within 1 month, the returning officer must determine the next successful candidate in accordance with the regulations and so on until the vacancy is filled or there are no candidates still willing and eligible to be elected to the relevant office.

152—Amendment of section 7—Failure of election in certain cases

(1) Section 7(3)(a)—delete paragraph (a) and substitute:

(a) between the close of nominations and the close of voting—

(i) a nominated candidate dies; or

(ii) a nominated candidate becomes ineligible to be a candidate for election as a member of a council in accordance with section 17; and

(2) Section 7(4)—after "die" insert:

or become ineligible to be candidates for election as members of a council in accordance with section 17

153—Amendment of section 9—Council may hold polls

(1) Section 9(3)—delete subsection (3) and substitute:

(3) The council must fix a day as polling day for the poll by notice published on the council website.

(2) Section 9(6)(b)—delete "and voting at the election closes at 5 p.m.—at 5 p.m. on polling day" and substitute:

—at the time at which voting at the election closes

154—Amendment of section 13A—Information, education and publicity for general election

(1) Section 13A(2)(a)—after "voters roll" insert:

in accordance with the community engagement charter

(2) Section 13A—after subsection (2) insert:

(3) In this section—

community engagement charter—see *Local Government Act 1999* (section 4(1)).

155—Amendment of section 15—Voters roll

(1) Section 15(9)(a)—delete "13 weeks" and substitute:

81 days

(2) Section 15(10)—delete "must, within seven days after a closing date, supply the chief executive officer with a list of the persons who are, as at the closing date, enrolled (including those provisionally enrolled) as electors for the House of Assembly in respect of a place of residence within the area." and substitute:

—

(a) must, within 7 days after a closing date; and

(b) may, at any other time,

supply the chief executive officer with a list of the persons who are, as at the closing date or relevant time, enrolled (including those provisionally enrolled) as electors for the House of Assembly in respect of a place of residence within the area.

(3) Section 15(13), dot point—delete the dot point

(4) Section 15—after subsection (13) insert:

(13a) For the purposes of subsection (13), a voters roll will be taken to have been brought up-to-date when copies of the roll are available for public inspection under this section.

(5) Section 15(15)—delete "in printed form" wherever occurring

(6) Section 15—after subsection (19) insert:

(20) If a copy of the voters roll is provided to a person under this section, a person who uses that copy of the roll, or information contained in that copy of the roll, for a purpose other than the distribution of matter calculated to affect the result of a local government election or a purpose related to the holding of such an election is guilty of an offence.

Maximum penalty: $10 000.

156—Amendment of section 17—Entitlement to stand for election

(1) Section 17(1)(a)—delete paragraph (a) and substitute:

(a) the person is an Australian citizen; and

(2) Section 17(1)(b)(ii)—delete "designated person for" and substitute:

nominee of

(3) Section 17(1)(b)(iii)—delete "designated person for" and substitute:

nominee of

(4) Section 17(1)(b)(iv)—delete "designated person for" and substitute:

nominee of

(5) Section 17—after subsection (1) insert:

(2) Subsection (1)(b) operates subject to the following qualifications:

(a) a nominee of a body corporate must be an officer of the body corporate;

(b) a nominee of a group must be a member of the group, or an officer of a body corporate that is a member of the group;

(c) a body corporate or group cannot nominate more than 1 person for a particular election;

(d) a body corporate or group cannot nominate a person who has not attained the age of majority.

(6) Section 17(5)—delete subsection (5)

157—Amendment of section 19A—Publication of candidate profiles

(1) Section 19A(1)—delete subsection (1)

(2) Section 19A(2) and (3)—delete subsections (2) and (3) and substitute:

(2) The returning officer must, as soon as is reasonably practicable after the close of nominations (and in any event within 14 days after the close of nominations), cause each candidate's profile supplied under section 19(2)(b) to be published, in accordance with any requirements of the regulations, on the Internet.

(3) Section 19A(4)—delete "his or her statement under subsection (1)" and substitute:

their profile under section 19(2)(b)

(4) Section 19A(4)—delete "the LGA,"

(5) Section 19A(4)—delete "a statement" and substitute:

a profile

(6) Section 19A(5)—delete subsection (5)

158—Substitution of section 21

Section 21—delete the section and substitute:

21—Publication etc of valid nominations

The returning officer must, within 24 hours after the close of nominations—

(a) provide a council with a list of all valid nominations relevant to the council's area; and

(b) publish a list of all valid nominations on the Internet.

159—Amendment of section 27—Publication of electoral material

(1) Section 27(1)(b)—delete "address" and substitute:

prescribed information

(2) Section 27—after subsection (1) insert:

(1a) If—

(a) electoral material is published on the Internet; and

(b) the name and address of the person who authorises publication of the material is immediately accessible on the Internet by viewers of the material in accordance with any requirements prescribed by regulation,

that name and address need not be contained in the electoral material.

(3) Section 27(2)—delete "address" and substitute:

prescribed information

(4) Section 27—after subsection (3) insert:

(4) If electoral material is published on the Internet by a person other than the person who established or controls the Internet site or other platform (or the relevant part of it), the person who established or controls the Internet site or other platform (or the relevant part of it) is not taken to have published the material or caused the electoral material to be published unless that person authorised, whether directly or indirectly, the publishing of the material on the Internet site or other platform.

(5) In this section—

prescribed information means—

(a) if the printer or other person responsible for undertaking production of the printed electoral material has a physical address—that address; or

(b) if the printer or other person responsible for undertaking production of the printed electoral material does not have a physical address—the email address or website address of the printer or other person.

160—Amendment of section 28—Publication of misleading material

Section 28—after subsection (1) insert:

(1a) A person (the ***relevant person***) is not taken to have authorised, caused or permitted the publication of electoral material if it is published by a person other than the relevant person on an Internet site or other platform established or controlled (or partly established or controlled) by the relevant person unless the relevant person authorised, whether directly or indirectly, the publishing of the material on the Internet site or other platform.

161—Amendment of section 29—Ballot papers

Section 29(3)—delete subsection (3) and substitute:

(3) The drawing of lots for the purposes of subsection (2) must be conducted by the returning officer—

(a) in the case of a periodic election—at 4 pm, or as soon as is reasonably practicable after 4 pm; or

(b) in any other case—at 12 noon, or as soon as is reasonably practicable after 12 noon,

on the day of the close of nominations in the presence of 2 persons who are of or above the age of majority and other persons who may wish to be present.

162—Amendment of section 31—Special arrangements for issue of voting papers

Section 31(1)(a)—delete "personal delivery of voting papers" and substitute:

delivery of voting papers (whether in printed or electronic form)

163—Amendment of section 35—Special arrangements for issue of voting papers

Section 35(a)—delete "personal delivery of voting papers" and substitute:

delivery of voting papers (whether in printed or electronic form)

164—Substitution of heading to Part 9

Heading to Part 9—delete the heading and substitute:

Part 9—Voting generally

165—Amendment of section 37—Postal voting to be used

(1) Section 37(1)—delete "Voting" and substitute:

Subject to section 41A, voting

(2) Section 37(2)(a)—delete "personal delivery" and substitute:

delivery (whether personal or otherwise)

166—Amendment of section 38—Notice of use of postal voting

Section 38—delete "21" and substitute:

28

167—Amendment of section 39—Issue of postal voting papers

(1) Section 39(1)—delete subsection (1) and substitute:

(1) The returning officer must, as soon as practicable after the twenty eighth day before polling day, and in any event not later than 21 days before polling day, issue to every natural person, body corporate or group who or which has their or its name on the voters roll used for the purposes of the election or poll postal voting papers consisting of—

(a) a ballot paper (or, in an appropriate case, ballot papers) authenticated to the satisfaction of the returning officer; and

(b) an opaque envelope bearing a declaration (in a form determined by the Electoral Commissioner), to be completed by the voter, declaring the voter's date of birth and—

(i) that the ballot paper contained in the envelope contains their vote; and

(ii) that they have not already voted at the election or poll; and

(iii) if the voting papers are issued to a body corporate or group—that they are eligible to vote and are the designated person for the body corporate or group.

(2) Section 39(4)—delete subsection (4) and substitute:

(4) Postal voting papers must also be issued to any person, body corporate or group of persons whose name does not appear on the voters roll but who claims to be entitled to vote at the election or poll and applies to the returning officer for voting papers not later than 5 pm on the seventh day before polling day.

168—Insertion of section 41A

After section 41 insert:

41A—Assisted voting

(1) The regulations may make provision in relation to voting in an election or poll by prescribed electors by means of an assisted voting method.

(2) Without limiting the generality of subsection (1), regulations made for the purposes of this section may—

(a) determine, or provide for the determination of, the following:

(i) the assisted voting method;

(ii) matters related to voting using the assisted voting method, including the provision of assistance to electors using the method, requirements to be followed after an elector has used the method and matters of privacy and secrecy;

(iii) the number of places where the assisted voting method is to be available, the location of those places and the days and times at which the method is to be available;

(iv) which electors may use the assisted voting method; and

(b) require the making of a record of each person who has voted using the assisted voting method; and

(c) specify the information that is to be included in a record; and

(d) provide for the production of a record of the vote each person has cast, which must not contain any means of identifying the person who cast the vote; and

(e) provide for the appointment by the returning officer of officers in relation to the conduct of the assisted voting method; and

(f) provide for the application of this Act, or provisions of this Act, in relation to votes cast using the assisted voting method, including the modification of the application of this Act or a provision of this Act in relation to such votes; and

(g) make provision for any other matters related to assisted voting.

(3) To avoid doubt, nothing in this section (or in regulations made for the purposes of this section) authorises any elector to vote in more than 1 capacity at an election or poll.

(4) The prescribed assisted voting method must be such that an elector using the method in relation to an election or poll—

(a) receives the same information (in the same order), and has the same voting options, as would appear in the ballot paper for the election or poll that the elector would be given if the elector were voting by postal vote under this Part; and

(b) is able to indicate a vote in a way that, if the elector were marking a ballot paper, would not be an informal ballot paper.

(5) Subject to this section, if an elector votes using the assisted voting method (an ***assisted vote***)—

(a) this Act applies (subject to any modifications prescribed under subsection (2)(f)) in relation to an assisted vote as if it were a vote delivered to an electoral officer for the relevant council in a sealed envelope; and

(b) the record of the assisted vote produced in accordance with the regulations is to be taken to be a ballot paper for the purposes of this Act; and

(c) the requirements of this Act in relation to the elector's right to receive a ballot paper are to be taken to have been satisfied.

(6) The returning officer may, by notice in the Gazette, determine that the prescribed assisted voting method is not to be used either generally or at 1 or more specified places.

(7) A notice under subsection (6) must specify the election or poll in respect of which the determination applies.

(8) In this section—

prescribed elector means a sight-impaired elector or an elector of a class prescribed by the regulations for the purposes of this definition;

sight-impaired elector means an elector whose sight is impaired such that the elector is unable to vote without assistance.

169—Amendment of section 43—Issue of fresh postal voting papers

Section 43(4)—delete subsection (4) and substitute:

(4) An application for the issue of fresh voting papers must be received by the returning officer not later than 5 pm on the seventh day before polling day.

170—Amendment of section 47—Arranging postal papers

Section 47(1)—delete subsection (1) and substitute:

(1) The returning officer will—

(a) in the case of a supplementary election or a poll held in conjunction with a supplementary election—as soon as is practicable after the close of voting; or

(b) in any other case—on the second day following polling day for the election or poll (at a time determined to be reasonable by the returning officer),

with the assistance of any other electoral officers who may be present, ensure that all voting papers returned for the purposes of the election or poll in accordance with this Act are made available for the purposes of this section.

171—Amendment of section 48—Method of counting and provisional declarations

(1) Section 48(1)—after "in an election" insert:

to fill more than 1 vacancy

(2) Section 48—after subsection (1) insert:

(1a) The returning officer must, with the assistance of any other electoral officers who may be present, and in the presence of any scrutineers who may be present, conduct the counting of the votes in an election to fill 1 vacancy according to the following method:

(a) carry out the step in the method of counting votes referred to in subsection (1)(a);

(b) if, after the counting of first preference votes no candidate has received a number of votes equal to or greater than the quota, the candidate who has received the fewest first preference votes must be excluded, and each ballot paper counted to that candidate that expresses the next available preference for a continuing candidate is to be transferred (at a transfer value of 1) to the continuing candidate;

(c) if, on the completion of a transfer under paragraph (b), no continuing candidate has received a number of votes equal to or greater than the quota, the process of excluding the candidate who has the fewest votes and transferring each ballot paper counted to that candidate that expresses the next available preference for a continuing candidate in accordance with paragraph (b) is to be repeated until—

(i) 1 continuing candidate has received a number of votes equal to or greater than the quota; or

(ii) 2 candidates remain, in which case the returning officer must make a **provisional declaration** that the continuing candidate who has the larger number of votes has been elected notwithstanding that that number is below the quota and, if those candidates have the same number of votes, the candidate with the larger number of votes at the last preceding count or transfer will be taken to be elected and, if the number of votes at that count or transfer was equal, the returning officer must, in the presence of any scrutineers who may be present, draw lots to determine which of the candidates is to be elected;

(d) if the candidate who has the fewest votes is required to be excluded and 2 or more candidates each have the fewest votes, whichever of those candidates had the fewest votes at the last count or transfer at which each of those candidates had a different number of votes will be excluded but, if there has been no such count or transfer, the returning officer must, in the presence of any scrutineers who may be present, draw lots to determine which candidate will be excluded;

(e) a ballot paper must be set aside as exhausted where on a transfer it is found that the paper expresses no preference for any continuing candidate.

(3) Section 48(2) and (3)—delete "subsection (1)" wherever occurring and substitute in each case:

subsections (1) and (1a)

(4) Section 48(4)—after "died" insert:

or become ineligible to be a candidate for election as a member of a council in accordance with section 17

(5) Section 48(4)—after "deceased" insert:

or ineligible

172—Amendment of section 55A—Filling vacancy if successful candidate dies

Section 55A(2) to (4)—delete subsections (2) to (4) (inclusive) and substitute:

(2) In a case where this section applies—

(a) the returning officer must, in accordance with the regulations, determine the candidate in the most recent election for the relevant office to fill the vacancy (a ***successful candidate***); and

(b) the returning officer must ascertain (in such manner as the returning officer thinks fit) whether the candidate who becomes a successful candidate—

(i) is still willing to be elected to the relevant office; and

(ii) is still eligible to be elected to the relevant office; and

(c) —

(i) if the person then indicates to the returning officer (within 1 month) that they are so willing and eligible, the returning officer will declare the person elected; or

(ii) if the person then indicates to the returning officer (within 1 month) that they are not willing or eligible, or the person does not respond to the returning officer within 1 month, the returning officer must determine the next successful candidate in accordance with the regulations and so on until the vacancy is filled or there are no candidates still willing and eligible to be elected to the relevant office.

173—Amendment of section 57—Violence, intimidation, bribery etc

Section 57(3), definition of ***bribe***—after "entertainment" insert:

where the value of the food, drink or entertainment is of or above the prescribed value.

174—Insertion of section 69A

After section 69 insert:

69A—Electoral Commissioner may lodge petition

(1) The Electoral Commissioner may lodge a petition in the Court disputing the validity of an election under this Act if the Electoral Commissioner considers that it is appropriate to do so on the basis of an error in the recording, scrutiny, counting or recounting of votes in the election.

(2) Section 70(1)(c) and (2)(b) do not apply to a petition lodged by the Electoral Commissioner disputing the validity of an election, but such a petition must be signed by the Electoral Commissioner.

175—Amendment of section 70—Procedure upon petition

Section 70(1)(b)—delete "to which the petitioner claims to be entitled" and substitute:

which the petitioner seeks

176—Amendment of section 73—Illegal practices and orders that may be made

Section 73—after subsection (4) insert:

(5) An election may be declared void on the ground of the defamation of a candidate but only if the Court is satisfied, on the balance of probabilities, that the result of the election was affected by the defamation.

(6) An election may be declared void on the ground of publication of misleading material but only if the Court is satisfied, on the balance of probabilities, that the result of the election was affected by the publication of that material.

177—Substitution of section 80

Section 80—delete the section and substitute:

80—Returns for candidates

(1) A person who is a candidate for election to an office of a council must furnish to the returning officer, in accordance with the requirements of this Part—

(a) a return under section 81 (a ***campaign donations return***) within 30 days after the conclusion of the election; and

(b) a return under section 81A (a ***large gifts return***) within the period applying under section 81A(1).

(2) A return under this Division must be in the form determined by the returning officer and completed and furnished in the manner determined by the returning officer.

178—Amendment of section 81—Campaign donations returns

(1) Section 81(1)—after "this section" insert:

and section 81B

(2) Section 81(1)(e)—delete ", other than a registered industrial organisation"

(3) Section 81(2)—after paragraph (b) insert:

or

(c) a gift disclosed in a large gifts return under section 81A.

(4) Section 81(3)—delete subsection (3)

179—Insertion of sections 81A and 81B

After section 81 insert:

81A—Large gifts returns

(1) If—

(a) a candidate for election to an office of a council receives a gift or gifts from a person during the disclosure period; and

(b) the total amount or value of the gift or gifts is more than the prescribed amount,

the candidate must, within the prescribed period, furnish a return to the returning officer.

(2) A large gifts return must set out—

(a) the amount or value of each gift; and

(b) the date on which each gift was made; and

(c) —

(i) if the gift or gifts were made on behalf of the members of an unincorporated association—

(A) the name of the association; and

(B) the names and addresses of the members of the executive committee (however described) of the association; or

(ii) if the gift or gifts were purportedly made out of a trust fund or out of the funds of a foundation—

(A) the names and addresses of the trustees of the fund or of the funds of the foundation; and

(B) the title or other description of the trust fund or the name of the foundation, as the case requires; or

(iii) in any other case—the name and address of the person who made the gift or gifts.

(3) A large gifts return need not be furnished in respect of a private gift made to the candidate.

81B—Disclosure period etc for returns

For the purposes of sections 81 and 81A—

(a) the ***disclosure period*** is the period that commenced—

(i) in relation to a candidate in an election who was a new candidate (other than a candidate referred to in subparagraph (ii))—on the day on which the person announced that they would be a candidate in the election or on the day on which the person's nomination as a candidate was lodged with the returning officer, whichever was the earlier; or

(ii) in relation to a candidate in an election who was a new candidate and when they became a candidate in the election was a member of the council by virtue of having been appointed under Chapter 3 of the *Local Government Act 1999*—on the day on which the person was so appointed as a member of the council; or

(iii) in relation to a candidate in an election who was not a new candidate—at the end of 21 days after polling day for the last preceding election in which the person was a candidate,

and that ended, in any of the above cases, at the end of 21 days after polling day for the election; and

(b) a candidate is a ***new candidate***, in relation to an election, if the person had not been a candidate in the last general election of a council and had not been a candidate at a supplementary election held after the last general election of a council; and

(c) two or more gifts (excluding private gifts) made by the same person to a candidate during the disclosure period are to be treated as 1 gift; and

(d) a gift made to a candidate is a ***private gift*** if it is made in a private capacity to the candidate for their personal use and the candidate has not used, and will not use, the gift solely or substantially for a purpose related to an election.

180—Amendment of section 83—Inability to complete return

Section 83(c)—delete "chief executive" and substitute:

returning

181—Amendment of section 84—Amendment of return

(1) Section 84(1)—delete "chief executive" and substitute:

returning

(2) Section 84(2)(b)—delete "chief executive" and substitute:

returning

(3) Section 84(3)—delete "chief executive" wherever occurring and substitute in each case:

returning

182—Amendment of section 86—Failure to comply with Division

(1) Section 86(1)—delete "chief executive" and substitute:

returning

(2) Section 86(3)—delete "(However, the office of a member of a council who fails to submit a return may become vacant under Chapter 5 Part 2 of the *Local Government Act 1999*.)

Note—

The following Note will be inserted at the foot of section 86(3):

"Note—

The office of a member of a council who fails to submit a return may become vacant under Chapter 5 Part 2 of the *Local Government Act 1999*."

183—Amendment of section 87—Public inspection of returns

(1) Section 87(1) to (4)—delete subsections (1) to (4) (inclusive) and substitute:

(1) The returning officer must keep at their principal office each return furnished to the returning officer under Division 1.

(2) The returning officer must—

(a) in the case of a large gifts return—within the prescribed period after the return is received by the returning officer; and

(b) in any other case—at the end of 8 weeks after the day before which the return was required to be furnished to the returning officer,

make a copy of each return available on a website maintained by the returning officer.

(2) Section 87(5)—delete "chief executive" and substitute:

returning

184—Amendment of section 89—Requirement to keep proper records

Section 89(2)—delete "chief executive officer of the council" and substitute:

returning officer

185—Amendment of section 91A—Conduct of council during election period

(1) Section 91A—delete subsection (2) and substitute:

(2) Subject to this section, the caretaker policy must, as a minimum—

(a) prohibit the making of a designated decision; and

(b) prohibit the use of council resources for the advantage of a particular candidate or group of candidates,

during the election period.

(2a) Nothing in subsection (2)(b) prevents a caretaker policy from allowing the equal use of council resources by all candidates for election.

(2) Section 91A(8), definition of ***designated decision***, (d)—delete paragraph (d)

186—Amendment of section 93—Regulations

Section 93—after subsection (1) insert:

(1a) The regulations may provide that a matter or thing is to be determined, dispensed with, regulated or prohibited according to the discretion of the Electoral Commissioner or any prescribed authority.

Part 4—Amendment of *City of Adelaide Act 1998*

187—Amendment of section 4—Interpretation

Section 4, after the definition of ***council member*** insert:

default person, in respect of a body corporate or group, means an eligible person who has been nominated by the chief executive officer under Schedule 1 clause 3B(1) to vote on behalf of the body corporate or group in an election or poll;

eligible person, in respect of a body corporate or group, means a natural person, of or above the age of majority, who is—

(a) in the case of a body corporate—an officer of the body corporate who is authorised to act on behalf of the body corporate for the purposes of voting; or

(b) in the case of a group—a member of the group, or an officer of a body corporate that is a member of the group, who is authorised to act on behalf of the group for the purposes of voting,

and who is not already on the voters roll or otherwise entitled to be enrolled on the voters roll;

nominated person, in respect of a body corporate or group, means an eligible person who has been nominated by the body corporate or group under Schedule 1 clause 3A(3) or 3C(2) to vote on behalf of the body corporate or group in an election or poll.

188—Amendment of section 20—Constitution of Council

Section 20(3)—delete subsection (3)

189—Amendment of section 21—Lord Mayor

(1) Section 21—after "Lord Mayor" first occurring insert:

as leader of the council

(2) Section 21(a) and (b)—delete paragraphs (a) and (b) and substitute:

(a) as the principal member of the Council—

(i) to provide leadership and guidance to the Council; and

(ii) to lead the promotion of positive and constructive working relationships among members of the council; and

(iii) to provide guidance to council members on the performance of their role, including on the exercise and performance of their official functions and duties; and

(iv) to support council members' understanding of the separation of responsibilities between elected representatives and employees of the council; and

(v) to preside at meetings of the Council; and

(vi) to advise the chief executive officer on the implementation of decisions of the Council between Council meetings (as necessary); and

(vii) to act as the principal spokesperson of the Council; and

(viii) to exercise other functions of the Council as the Council determines; and

(b) as the principal elected member of the Council representing the capital city of South Australia—

(i) to provide leadership and guidance to the City of Adelaide community; and

(ii) to participate in the maintenance of inter-governmental relationships at regional, State and national levels; and

(iii) to carry out civic and ceremonial duties associated with the office of Lord Mayor.

190—Amendment of section 22—Members

Section 22(1)(a)—delete paragraph (a) and substitute:

(a) as a member of the governing body of the Council—

(i) to act with integrity; and

(ii) to ensure positive and constructive working relationships within the Council; and

(iii) to recognise and support the role of the Lord Mayor under the Act; and

(iv) to develop skills relevant to the role of a member of the Council and the functions of the Council as a body; and

(v) to participate in the deliberations and activities of the Council; and

(vi) to provide community leadership and guidance to the City of Adelaide community and to participate in achieving a vision for the desired future of the City through the formulation of strategic plans and policies; and

(vii) to keep the Council's goals and policies under review to ensure that they are appropriate and effective; and

(viii) to keep the Council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review; and

(ix) to participate in setting and assessing performance standards to be met under the Council's contract with the chief executive officer; and

(x) to serve the overall public interest of the City of Adelaide; and

191—Amendment of Schedule 1—Special provisions for elections and polls

(1) Schedule 1, clause 3(2)(a) and (b)—delete paragraphs (a) and (b) and substitute:

(a) in the case of a natural person—the full name of the person and the address of the person's place of residence; and

(b) in the case of a body corporate or group—

(i) the full name of the body corporate or group; and

(ii) —

(A) if the body corporate or group has nominated an eligible person under clause 3A(3) or 3C(2)—the full name and date of birth of the nominated person for the body corporate or group; or

(B) if a default person has been nominated for the body corporate or group under clause 3B(1)—the full name and date of birth of the default person for the body corporate or group; and

(2) Schedule 1, clause 3—after subclause (2) insert:

(2a) The chief executive officer must redact the full name and date of birth of a default person for a body corporate or group from any copy of the voters roll available for inspection by the public or provided to any person (other than a copy of the voters roll supplied to the returning officer in accordance with subclause (16)).

(3) Schedule 1, clause 3(9)(a)—delete "13 weeks" and substitute:

81 days

(4) Schedule 1, clause 3(10)—delete "must, within 7 days after a closing date, supply the chief executive officer with a list of the persons who are, as at the closing date, enrolled (including those provisionally enrolled) as electors for the House of Assembly in respect of a place of residence within the area." and substitute:

—

(a) must, within 7 days after a closing date; and

(b) may, at any other time,

supply the chief executive officer with a list of the persons who are, as at the closing date or relevant time, enrolled (including those provisionally enrolled) as electors for the House of Assembly in respect of a place of residence within the area.

(5) Schedule 1, clause 3(13), dot point—delete the dot point

(6) Schedule 1, clause 3—after subclause (13) insert:

(13a) For the purposes of subclause (13), a voters roll will be taken to have been brought up-to-date when copies of the roll are available for public inspection under this clause.

(7) Schedule 1, clause 3(15)—delete "in printed form" wherever occurring

(8) Schedule 1, clause 3—after subclause (19) insert:

(20) If a copy of the voters roll is provided to a person under this clause, a person who uses that copy of the roll, or information contained in that copy of the roll, for a purpose other than the distribution of matter calculated to affect the result of a local government election or a purpose related to the holding of such an election is guilty of an offence.

Maximum penalty: $10 000.

(9) Schedule 1—after clause 3 insert:

3A—Nominating person to vote on behalf of body corporate or group

(1) The chief executive officer must, by notice in writing to each body corporate and group on the voters roll, request that the body corporate or group nominate, in the form determined by the Electoral Commissioner (the ***nomination form***), an eligible person to vote on its behalf.

(2) The notice in subclause (1) must—

(a) be issued to each body corporate or group—

(i) in the case of a periodic election—not later than 7 weeks before the relevant closing date; or

(ii) in the case of any other election, or a poll—not later than 4 weeks before the relevant closing date; and

(b) enclose the nomination form.

(3) A body corporate or group may nominate an eligible person to vote on its behalf by providing the completed nomination form to the chief executive officer by the relevant closing date.

3B—Nominating default person to vote on behalf of body corporate or group

(1) If the chief executive officer has not received a nomination under clause 3A(3) by the relevant closing date, or the person nominated is not an eligible person, the chief executive officer must—

(a) in the case of a body corporate—nominate the first officer of the body corporate (to be taken alphabetically); or

(b) in the case of a group—nominate the first member of the group or officer of a body corporate that is a member of the group (to be taken alphabetically) (as the chief executive officer thinks fit),

to vote on behalf of the body corporate or group (a ***default person***).

(2) Despite subclause (1), the chief executive officer must not nominate a person under that subclause if the person is already on the voters roll or otherwise entitled to be enrolled on the voters roll.

(3) For the purposes of subclause (1), the chief executive officer may—

(a) in the case of a body corporate (including a body corporate that is a member of a group)—use the most recent information that is available after the relevant closing date from the Australian Securities and Investments Commission concerning the name and age of the persons specified in that subclause; or

(b) in the case of a group—use the most recent information held by the council after the relevant closing date concerning the name and age of the persons specified in that subclause.

3C—Notice of default person and further nomination of person to vote on behalf of body corporate or group

(1) The chief executive officer must, within 14 days after the relevant closing date, give notice in writing to each body corporate or group enrolled on the voters roll in respect of which there is no nominated person—

(a) if a default person has been nominated by the chief executive officer under clause 3B(1)—of the name of the default person; or

(b) if a default person has not been nominated—that no default person has been nominated,

and of the option for the body corporate or group to nominate an eligible person (if any) in the form determined by the Electoral Commissioner (the ***nomination form***) and within the prescribed period.

(2) A body corporate or group may nominate an eligible person to vote on its behalf by providing the completed nomination form to the chief executive officer within the prescribed period.

(3) If the chief executive officer does not receive a nomination from the body corporate or group within the prescribed period, or receives a nomination but the person nominated is not an eligible person—

(a) where a default person has been nominated under clause 3B(1)—the default person remains the person nominated to vote on behalf of the body corporate or group; or

(b) where a default person has not been nominated—no person is nominated to vote on behalf of the body corporate or group (and ballot papers will not be issued to the body corporate or group under clause 18).

(4) In this clause—

prescribed period means 21 days after the relevant closing date.

(10) Schedule 1, clause 4(3) to (5)—delete subclauses (3) to (5) (inclusive) and substitute:

(3) A natural person is entitled to vote at an election or poll for a body corporate or group which has its name on the voters roll if—

(a) the natural person is the nominated person on the voters roll for the body corporate or group; or

(b) the natural person is the default person on the voters roll for the body corporate or group.

(11) Schedule 1, clause 5(1)(a)—delete paragraph (a) and substitute:

(a) the person is an Australian citizen; and

(12) Schedule 1, clause 5(5)—delete subclause (5)

(13) Schedule 1, clause 18(1)—delete subclause (1) and substitute:

(1) Subject to subclause (1a), the returning officer must, as soon as practicable after the twenty eighth day before polling day, and in any event not later than 21 days before polling day, issue to every natural person, body corporate or group who or which has their or its name on the voters roll used for the purposes of the election or poll postal voting papers consisting of—

(a) a ballot paper (or, in an appropriate case, ballot papers) authenticated to the satisfaction of the returning officer; and

(b) an opaque envelope bearing a declaration (in a form determined by the Electoral Commissioner), to be completed by the voter, declaring the voter's date of birth and—

(i) that the ballot paper contained in the envelope contains their vote; and

(ii) that they have not already voted at the election or poll; and

(iii) if the voting papers are issued to a body corporate or group—

(A) the voter's full name; and

(B) that the voter is the nominated person or default person for the body corporate or group.

(1a) Postal voting papers must not be issued under this clause to a body corporate or group which has its name on the voters roll for the election or poll if there is no nominated person or default person for the body corporate or group.

(14) Schedule 1, clause 18(4)—delete subclause (4) and substitute:

(4) Postal voting papers must also be issued to any person, body corporate or group of persons whose name does not appear on the voters roll but who claims to be entitled to vote at the election or poll and applies to the returning officer for voting papers not later than 5 pm on the seventh day before polling day.

(15) Schedule 1, clause 18(7)—delete "Postal" and substitute:

Subject to subclause (1a), postal

(16) Schedule 1, clause 19(2)(a)(iii)—delete "voting on behalf of a body corporate or group of persons in accordance with this Schedule" and substitute:

the nominated person or default person for a body corporate or group

(17) Schedule 1, clause 19(2)(a)(iv)—delete subparagraph (iv)

(18) Schedule 1, clause 23—delete the clause and substitute:

23—Returns for candidates

(1) A person who is a candidate for election to an office of the Adelaide City Council must furnish to the returning officer, in accordance with the requirements of this Part—

(a) within 30 days after the conclusion of the election—

(i) a campaign donations return under this Division; and

(ii) a campaign expenditure return under this Division; and

(b) within the period applying under clause 24A(1)—a large gifts return under this Division.

(2) A return under this Division must be in the form determined by the returning officer and completed and furnished in the manner determined by the returning officer.

(19) Schedule 1, clause 24(1)—after "this clause" insert:

and clause 24B

(20) Schedule 1, clause 24(1)(e)—delete ", other than a registered industrial organisation"

(21) Schedule 1, clause 24(2)—after paragraph (b) insert:

or

(c) a gift disclosed in a large gifts return under clause 24A.

(22) Schedule 1, clause 24(3)—delete subclause (3)

(23) Schedule 1—after clause 24 insert:

24A—Large gifts returns

(1) If—

(a) a candidate for election to an office of the Adelaide City Council receives a gift or gifts from a person during the disclosure period; and

(b) the total amount or value of the gift or gifts is more than the prescribed amount,

the candidate must, within the prescribed period, furnish a return to the returning officer.

(2) A large gifts return must set out—

(a) the amount or value of each gift; and

(b) the date on which each gift was made; and

(c) —

(i) if the gift or gifts were made on behalf of the members of an unincorporated association—

(A) the name of the association; and

(B) the names and addresses of the members of the executive committee (however described) of the association; or

(ii) if the gift or gifts were purportedly made out of a trust fund or out of the funds of a foundation—

(A) the names and addresses of the trustees of the fund or of the funds of the foundation; and

(B) the title or other description of the trust fund or the name of the foundation, as the case requires; or

(iii) in any other case—the name and address of the person who made the gift or gifts.

(3) A large gifts return need not be furnished in respect of a private gift made to the candidate.

24B—Disclosure period etc for returns

For the purposes of clauses 24 and 24A—

(a) the ***disclosure period*** is the period that commenced—

(i) in relation to a candidate in an election who was a new candidate (other than a candidate referred to in subparagraph (ii))—12 months before polling day for the election; or

(ii) in relation to a candidate in an election who was a new candidate and when they became a candidate in the election was a member of the Council by virtue of having been appointed under the *Local Government Act 1999*—on the day on which the person was so appointed as a member of the Council; or

(iii) in relation to a candidate in an election who was not a new candidate—at the end of 21 days after polling day for the last preceding election in which the person was a candidate,

and that ended, in any of the above cases, at the end of 21 days after polling day for the election; and

(b) a candidate is a ***new candidate***, in relation to an election, if the person had not been a candidate in the last general election of a council and had not been a candidate at a supplementary election held after the last general election of a council; and

(c) 2 or more gifts (excluding private gifts) made by the same person to a candidate during the disclosure period are to be treated as 1 gift; and

(d) a gift made to a candidate is a ***private gift*** if it is made in a private capacity to the candidate for their personal use and the candidate has not used, and will not use, the gift solely or substantially for a purpose related to an election.

(24) Schedule 1, clause 27(c)—delete "chief executive" and substitute:

returning

(25) Schedule 1, clause 28(1)—delete "chief executive" and substitute:

returning

(26) Schedule 1, clause 28(2)(b)—delete "chief executive" and substitute:

returning

(27) Schedule 1, clause 28(3)—delete "chief executive" wherever occurring and substitute in each case:

returning

(28) Schedule 1, clause 30(1)—delete "chief executive" and substitute:

returning

Note—

The following Note will be inserted at the foot of clause 30(3):

"**Note—**

The office of a member of a council who fails to submit a return may become vacant under Chapter 5 Part 2 of the *Local Government Act 1999*."

(29) Schedule 1, clause 31(1) to (4)—delete subclauses (1) to (4) (inclusive) and substitute:

(1) The returning officer must keep at their principal office each return furnished to the returning officer under Division 2.

(2) The returning officer must—

(a) in the case of a large gifts return—within the prescribed period after the return is received by the returning officer; and

(b) in any other case—at the end of 8 weeks after the day before which the return was required to be furnished to the returning officer,

make a copy of each return available on a website maintained by the returning officer.

(30) Schedule 1, clause 31(5)—delete "chief executive" and substitute:

returning

(31) Schedule 1, clause 33(2)—delete "chief executive officer of the Council" and substitute:

returning officer

Part 5—Amendment of *Crown Land Management Act 2009*

192—Insertion of section 20A

After section 20 insert:

20A—Revocation of dedicated land classified as community land

If, in relation to dedicated land that is classified as community land under Chapter 11 Part 1 Division 3 of the *Local Government Act 1999* (***relevant land***)—

(a) the dedication of the relevant land is revoked under section 19; or

(b) the relevant land is withdrawn from the care, control and management of a council under section 20,

the classification of the relevant land as community land under the *Local Government Act 1999* is taken to be revoked (and such revocation has effect for the purposes of the *Local Government Act 1999*).

Part 6—Amendment of *Equal Opportunity Act 1984*

193—Amendment of section 87—Sexual harassment

Section 87(6e)—delete "an officer or employee of the council." and substitute:

—

(a) an officer or employee of the council; or

(b) another member of the council.

Part 7—Amendment of *Planning, Development and Infrastructure Act 2016*

194—Amendment of section 83—Panels established by joint planning boards or councils

Section 83—after subsection (2) insert:

(2a) Despite subsection (1)(e), a member of a council appointed as a member of an assessment panel is not required to disclose their financial interests in accordance with Schedule 1 while the member holds office as a member of a council.

195—Amendment of section 84—Panels established by Minister

Section 84—after subsection (1) insert:

(1a) Despite subsection (1)(f), a member of a council appointed as a member of an assessment panel is not required to disclose their financial interests in accordance with Schedule 1 while the member holds office as a member of a council.

Part 8—Amendment of *Public Finance and Audit Act 1987*

196—Amendment of section 4—Interpretation

Section 4(1), definition of ***authorised officer***—delete "or to make an examination" and substitute:

or review, or to make an examination,

197—Amendment of section 30—Obligation to assist Auditor-General

Section 30—delete "or making an examination" and substitute:

or review, or making an examination,

198—Amendment of section 32—Audit etc of publicly funded bodies and projects and local government indemnity schemes

(1) Section 32(1)—delete subsection (1) and substitute:

(1) The Auditor-General may—

(a) audit the accounts of a publicly funded body; or

(b) examine or review the accounts of a publicly funded body; or

(c) review the efficiency, economy and effectiveness of the activities of a publicly funded body; or

(d) examine or review accounts relating to a publicly funded project and review the efficiency, economy and effectiveness of the project; or

(e) examine or review accounts relating to a local government indemnity scheme and review the efficiency, economy and effectiveness of the scheme.

(2) Section 32(1a)—before "examination" wherever occurring insert in each case:

audit, review or

(3) Section 32(1b)—before "examination" insert:

audit, review or

(4) Section 32—after subsection (1b) insert:

(1c) A person to whom information or a document is provided in connection with an audit, review or examination under this section must not disclose the information or document except as authorised under subsection (1d).

Maximum penalty: $5 000 or imprisonment for 2 years.

(1d) Information or a document may be disclosed if—

(a) the disclosure is made with the consent of the person who provided the information; or

(b) the disclosure is authorised or required under any other Act or law; or

(c) the disclosure is authorised or required by a court or tribunal constituted by law; or

(d) the disclosure is authorised by regulation.

(1e) A person to whom a document containing a summary of findings of the Auditor-General is provided in connection with an audit, review or examination under this section must not copy or otherwise reproduce the summary (in whole or part), except—

(a) as is necessary for the purposes of making submissions or comments to the Auditor-General in relation to the audit, review or examination; or

(b) as is necessary for the purposes of obtaining legal advice in relation to the audit, review or examination; or

(c) as otherwise authorised by regulation or by the Auditor-General.

Maximum penalty: $5 000 or imprisonment for 2 years.

(5) Section 32(2)—delete subsection (2) and substitute:

(2) After—

(a) conducting any audit or making any examination under subsection (1); or

(b) conducting a review under subsection (1) requested by the Treasurer or the Independent Commissioner Against Corruption,

the Auditor-General must prepare a report setting out the results of the audit, review or examination.

(6) Section 32(3)—delete "the report" and substitute:

a report under subsection (2)

(7) Section 32(3)(a) to (c)—before "examination" wherever occurring insert in each case:

audit, review or

(8) Section 32—after subsection (3) insert:

(4) After conducting a review of a publicly funded body under subsection (1) (other than a review requested by the Treasurer or the Independent Commissioner Against Corruption), the Auditor-General may prepare a report setting out the results of the review.

(5) The following provisions apply to a report prepared under subsection (4):

(a) the Auditor-General must deliver copies of the report to—

(i) any publicly funded body concerned in the review; and

(ii) the President of the Legislative Council and the Speaker of the House of Assembly;

(b) the Auditor-General may deliver copies of the report to any other person the Auditor-General thinks appropriate;

(c) the Auditor-General may publish a copy of the report in such manner as the Auditor-General thinks appropriate.

(6) A document or information (including data) may be annexed to a report under this section either by including a copy of the document or information in an annexure or by including in an annexure a reference to a website on which the document or information has been, or will be, published by the Auditor-General.

199—Amendment of section 34—Powers of Auditor-General to obtain information

(1) Section 34(1)—delete "or make an examination" and substitute:

or review, or make an examination,

(2) Section 34(1)(c) and (d)—after "audit" wherever occurring insert in each case:

, review

Part 9—Amendment of *South Australian Local Government Grants Commission Act 1992*

200—Amendment of section 19—Information to be supplied to Commission

Section 19(3)—delete "Where" and substitute:

Subject to any relevant provision of the Commonwealth Act or an instrument under that Act, if

EXPLANATORY PAPER

Statutes Amendment (Local Government Review) Bill 2020

June 2020

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Government of South Australia
Department of Planning, Transport and Infrastructure

Introduction **3**
Background Material **3**
Reform Area 1 | Stronger Council Member Capacity and Better Conduct **4**
New council member conduct management framework 4
Managing behavioural matters 4
Managing serious behavioural matters 5
Managing integrity matters 5
Suspension 6
Health and safety duties 6
Conflict of interest 7
Council employees 7
Chief Executive Officer 7
Employees 7
Reform Area 2 | Lower Costs and Enhanced Financial Accountability **9**
Rate monitoring system 9
Audit and Risk Committees 10
Public and Finance Act 11
Basis of rating 11
Reform Area 3 | Efficient and Transparent Local Government Representation **12**
Council representation 12
Supplementary elections 12
Simplified nominations 12
Increased disclosure by candidates 12
Reform Area 4 | Simpler Regulation **14**
Community engagement charter 14
Information and briefing sessions 14
Internal review of council decisions 14
Community land revocation 15
Simplification of registers 15
Simplification of council publications 15

Introduction

The Statutes Amendment (Local Government Review) Bill 2020 (the Bill) was introduced into Parliament on 17 June 2020.

This Explanatory Paper provides a general overview of the reforms to the system of local government in South Australia that are in the Bill, with references to the relevant clauses. This Paper included information on the major reforms that are contained in the Bill's four 'reform areas' that were the basis of the Local Government Reform Program that ran over 2019–2020—

1. Stronger council member capacity and better conduct
2. Cost savings and financial accountability
3. Efficient local government representation
4. Simpler regulation.

Background Material

The Bill, this explanatory paper and other background material can be found on the Office of Local Government (OLG) website at www.dpti.sa.gov.au/local_govt/local_government_reform.

Please note that a 'marked-up' version of the *Local Government Act 1999*, showing the amendments to it that the Bill proposes, is also available on the OLG website.

Disclaimer: The marked-up version of the *Local Government Act 1999* is provided for reference purposes only and should be read in conjunction with the Statutes Amendment (Local Government Review) Bill 2020.

The Bill itself can also be accessed from www.legislation.sa.gov.au.

REFORM AREA 1 | STRONGER COUNCIL MEMBER CAPACITY AND BETTER CONDUCT

New council member conduct management framework

This reform creates a new conduct management framework for council members. This new framework changes the focus of the *Local Government Act 1999* (the Act) from 'conduct' to more clearly delineated 'behavioural' and 'integrity' matters, to separate poor behaviour from matters that can affect the integrity of council decisions. The new framework also provides clearer pathways for the investigation and resolution of issues that arise within these areas.

As is currently the case, the conduct management framework is chiefly within two parts of the Act. Chapter 5 Part 4 (currently 'member conduct and registers') will become 'member integrity and behaviour'. It will contain all matters that are the standards that apply to council members. Chapter 13 Part 1 of the Act contains the processes by which alleged breaches of these standards may be dealt with, and, if necessary, investigated and sanctions applied.

Managing behavioural matters

Councils will continue to have responsibility for managing behavioural matters in the first instance. The current Code of Conduct for Council Members—that details all behavioural standards for all councils—will be replaced with 'behavioural standards' that will be published by the Minister, and that all members will be required to observe.

The intent is that the Ministerial standards will be relatively high level, rather than detailing specific behavioural instructions, which councils may establish themselves in 'behavioural support policies'. These will be policies in which councils decide themselves what actions, behaviours and standards their members should adhere to (for example, appropriate use of social media). While councils will not be required to have a 'behavioural support policy', the Bill proposes that councils must consider whether they will have a policy or not, and what it could contain, within six months of each periodic election. This ensures that every council, when it has settled into a new term, will have this important conversation about the standards and behaviours that they will hold themselves and their fellow members to.

Councils will also continue to have the chief responsibility for managing instances where behavioural standards are not met. The current Code of Conduct requires councils to have policies for managing breaches of the 'Behavioural' Part of the Code (Part 2)—this will be continued through a requirement for councils to have a 'behavioural management policy'. This is contained within a new section to be inserted into Chapter 13 (new sections 262A-262D).

As is the case with the current Code, councils can determine what processes best suit their needs to manage behavioural matters. Unlike the current Code, however, the Bill provides significantly more detail as to what councils' policies may contain. A new section, 262B, clarifies that councils can deal with complaints as each council considers appropriate. This can be by utilising mediation, conciliation, arbitration, by undertaking an inquiry through such methods as written submissions, or interviews, or by a more formal investigation. Councils can also conduct an inquiry itself, or appoint a person to do so on its behalf.

The Bill also includes proposed provisions to clarify that a council need not inquire into a complaint, if there is good reason not to. This could be that the complaint is trivial, frivolous or vexatious; that it is

not made in good faith; that the person making the complaint does not have a sufficient personal interest in the matter; or that the matter has already been investigated through other means.

Finally, the Bill provides a range of actions that a council can take in response to a behavioural issue. These are similar to the sanctions that are contained within the current Code of Conduct for Council members – censure motions, apologies, training and removal from an office within council.

Managing serious behavioural matters

The most significant change in the conduct management framework that the Bill proposes is the introduction of a 'Behavioural Standards Panel' to deal with repeated or serious misbehaviour, or where a council member has failed to comply with a council's processes or resolved actions (clause 126 of the Bill). The introduction of the Panel is to enable more efficient resolution of difficult issues that can arise between council members, with an expanded range of sanctions, including the suspension of members for a maximum period of 3 months.

Managing integrity matters

The SA Ombudsman and the Independent Commissioner Against Corruption will continue their respective roles in the investigation of matters relating to council member integrity, maladministration, misconduct and corruption.

Clause 130 of the Bill will amend section 263B of the Act to expand Ombudsman's recommendation powers to include the ability to recommend suspension (maximum 3 months) of a council member and to apply some recommendations directly to a council member.

More significant sanctions will remain with the South Australian Civil and Administrative Tribunal (SACAT), which will be able impose suspensions for up to 6 months or disqualification from the office of council member (see clauses 131-133).

The main provisions for the new conduct management framework in the Bill are—

- Clauses 24–38 — Amends Chapter 5 Part 4 Division 1 to set out the 'Member integrity' provisions. These include amendments to the general duties in section 62 and a simplification of the conflict of interest provisions (further detail below).
- Clause 39 — Inserts Chapter 5 Part 4 Division 2 which deals with 'Member behaviour'—
    - New section 75E provides the Minister with the power to establish 'Behavioural Standards' that will specify the standards to be observed by council members. This will replace the Behavioural Code in the current Code of Conduct for Council Members.
    - New section 75F provides for councils to be able to adopt 'behavioural support policies', which are in addition to but must not be inconsistent with the Behavioural Standards.
    - New section 75G introduces health and safety duties for council members to take reasonable care not to adversely affect the health and safety of other council members or council employees (for example, bullying). Council members must also comply with any reasonable direction given by a responsible person in accordance with this section. This section is in addition to and does not limit the operation of the *Work Health and Safety Act 2012*. A failure by a council member to comply with these duties is considered 'serious misbehaviour' (under new section 262E) and is grounds for referral to the Behavioural Standards Panel.
- Clause 126 — Inserts Chapter 13 Part A1 — Member behaviour—

- Division 1 — Sets out that councils are to deal with member behaviour and that complaints are to be dealt with under a council's 'behavioural management policy'. New section 262B sets out what must or may be in a council's behavioural management policy and new section 262C sets out the actions that may be taken by a council in relation to a complaint.
- Division 2 — Establishes the Behavioural Standards Panel (see new sections 262E–262Y), including—
  - New section 262F — Provides that the Panel will consist of three members (with specified collective qualifications, knowledge, expertise and experience under section 262F(5)) appointed by the Governor with:
    - A member nominated jointly by the Minister and the LGA (Local Government Association of SA) to be the presiding member of the Panel; and
    - A member nominated by the Minister; and
    - A member nominated by the LGA.
  - New section 262N — The primary function of the Panel is to assess and deal with complaints referred to the Panel under Subdivision 3, which are complaints alleging 'misbehaviour', 'repeated misbehaviour' and 'serious misbehaviour' (these are defined under section 262E).
  - New section 262Q — Complaints may be referred to the Panel by resolution of the council; the principal member; at least three members of the council; and the Minister.

Suspension

The Bill also clarifies what suspension means (see clause 146, which inserts Schedule 9) and introduces new processes and the ability for the suspension of council members at the council level in certain specified circumstances—

- Clause 33 — Provides that if a council member fails to submit a return (for the Register of Interests) to the chief executive officer before the expiration of 1 month from the end of the allowed period, the member is suspended from office. This suspension provision replaces the current process where a failure triggers a casual vacancy.
- Clause 43 — Provides for the suspension of a council member who fails to comply with the prescribed mandatory requirements unless the member satisfies the chief executive officer that there were good reasons for the failure to comply.
- Clause 44 — Provides the ability for the chief executive officer to suspend a council member who has an intervention order against them, where the protected person is another council member or a council employee.

Health and safety duties

The Bill introduces new provisions into the Act (clause 39 — inserting a new section 75G) to clarify that council members must take reasonable care that their acts do not adversely affect the health and safety of other members or council employees. Members must also comply with reasonable directions that may be given to them by a responsible person to protect the health and safety of other members and employees.

The responsible person will be the principal member, the deputy principal member (or other member nominated by the council) or the chief executive officer, depending on who the reasonable direction should be given to.

These clauses have been included in response to a concern that councils lack some powers to give reasonable directions to members that may need to be made to protect the health and safety of other members and employees, given that members are not considered to be 'workers' under the *Work Health and Safety Act 2012*. The Bill is clear that these new powers do not limit the operation of this Act (new section 75G).

Conflict of interest

The Bill amends the sections of the Act that set the conflict of interest rules for members. The current division between more significant, or 'material' conflicts (for which members are required to not participate in the matter) and less significant matters (for which members make their own decision on how best to deal with the interest) is kept, however, the current 3 different categories (material, actual and perceived) have been reduced to 2 (general and material)—refer clause 38.

All exemptions have been consolidated into one section.

Presiding Member additional meeting management powers

Clause 48 of the Bill includes amendments to section 86 to provide an additional new power for the presiding member at council meeting to direct that a member—who is behaving in an improper or disorderly manner or causing an interruption or interrupting another member who is speaking—be excluded from the meeting room, for a period not exceeding 15 minutes. A matter must not be put to a vote while the member is excluded.

Council employees

Chief Executive Officer

The Bill contains a number of changes to the employment and management of council chief executive officers (CEOs). Clause 60 of the Bill inserts a new role for the Remuneration Tribunal of South Australia to determine the minimum and maximum bands for the remuneration of chief executive officers. The Tribunal will do this with regard to any factor, as determined by the Remuneration Tribunal. This could include factors such as the size, the location and the level of growth of any council.

Clauses 57, 58 and 61 of the Bill amend sections 97 and 98, and inserts new section 102A, to require councils to receive and consider independent advice when appointing, undertaking performance management, and, if necessary, terminating its CEO.

Employees

Reflecting a long standing policy to have similar conduct schemes apply to both council members and employees, the Bill amends Chapter 7 Part 4 to deal with 'Employee integrity and behaviour' through a similar structure as it proposed for members – separating behaviour and integrity matters. The Bill does not provide for behavioural matters to be set in regulation, as per the current Code of Conduct for Council Employees, but allows councils to adopt 'employee behavioural standards' (clause 77 — inserting a new section 120A).

Integrity matters that employees must comply with will be in the Act. These include a number of matters that are already in the Act (such as the duty to protect confidential information) and other matters that are currently within the Code of Conduct (such as the proper management of gifts and benefits).

The Bill also increases the maximum penalties for council employee offences to $15 000 in line with similar offences for public sector employees under the *Public Sector (Honesty and Accountability) Act 1995*.

REFORM AREA 2 | LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY

Rate monitoring system

The Bill introduces a rate monitoring system that will require all councils to receive, consider and publish independent advice on proposed changes to their general rate revenue each year from a designated authority.

The intent of this requirement is to provide and make public, independent advice on councils' critical rating decisions and improve accountability and engagement with councils' annual business plans.

Clause 79 amends section 123 of the Act which sets out the requirements for council annual business plans. The Bill inserts a new section 123(2)(ea) requiring the inclusion of the following matters in draft and adopted annual business plans—

(i) a statement on the change in total revenue from general rates for the financial year and, if an annual business plan sets out a growth component in relation to general rates, it may only relate to growth in the number of rateable properties (and must not relate to growth in the value of rateable properties); and
(ii) an explanation of how the change is consistent with the council's long-term financial plan; and
(iii) a summary of any other reasons for the change; and
(iv) details of the impact of the change on average rates for each land use category (if relevant); and
(v) the advice received from the designated authority under subsection (3a); and
(vi) the council's response to the advice, which must set out whether the change in total revenue from general rates is consistent with the advice and, if not, the reasons for the inconsistency.

In preparing a draft annual business plan (and before finalising the draft plan and undertaking consultation on it), councils must provide critical information to the designated authority by 31 December. This includes the proposed change in total revenue from general rates and the reasons for this proposed change, the council's view of the impact of the proposed change on ratepayers, information as to whether consideration has been given to alternatives to the proposed change in total revenue from general rates, and information as to how the proposal is consistent with the council's long-term financial plan and infrastructure and asset management plan.

The Bill provides that the designated authority must provide advice to councils on the appropriateness of the proposed change in total revenue from general rates for the financial year compared to the previous financial year by no later than 31 March.

This advice must be included in draft and adopted annual business plans, together with the council's response to the advice. Councils are not required to comply with the advice, however, the annual business plan must include an explanation of whether the change in total revenue from general rates is consistent with the advice and, if not, the reasons for the inconsistency.

If the designated authority is of the view that a council has not responded appropriately to its advice, it may report this to the Minister. The Minister may then consider making recommendations or a direction to the council on the basis of this advice.

Audit and Risk Committees

The value of audit committees is widely recognised in the local government sector. Many councils have taken additional steps, beyond those required by the Act, to improve the independence of audit committee members, and to expand the role of audit committees.

Clause 83 of the Bill therefore amends section 126 of the Act to expand the role of audit committees to a new role as ‘audit and risk committees’, consisting of a majority of independent members. The intention of these amendments is to provide better quality, independent advice to councils on a range of critical financial and risk management matters.

The Bill provides that the purpose of an audit and risk committee is to provide independent assurance and advice to the council on accounting, financial management, internal controls, risk management and governance matters.

Clause 83(6) sets out the expanded functions of an audit and risk committee, including —

(a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and
(b) proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan; and
(c) monitoring the responsiveness of the council to recommendations for improvement based on previous audits and risk assessments, including those raised by a council’s auditor; and
(d) proposing, and reviewing, the exercise of powers under section 130A; and
(e) liaising with the council's auditor in accordance with any requirements prescribed by the regulations; and
(f) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis; and
(g) —
    (i) if the council has an internal audit function—
        (A) providing oversight of planning and scoping of the internal work plan; and
        (B) reviewing and commenting on reports provided by the person primarily responsible for the internal audit function at least on a quarterly basis; or
    (ii) if the council does not have an internal audit function, reviewing and commenting on an annual report provided by the chief executive officer in relation to the policies and processes adopted by the council to evaluate and improve the effectiveness of its internal control practices and procedures; and
(h) reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis; and
(i) reviewing any report obtained by the council under section 48(1); and
(j) performing any other function determined by the council or prescribed by the regulations.

Given the expanded role of audit and risk committees, the Bill also prescribes the required skillsets, knowledge and experience for committee members (when considered as a whole), requires meetings to be held at least quarterly, and sets out reporting requirements to councils.

The Bill enables councils to establish regional audit and risk committees through the insertion of new section 126A, to ensure that this is available to councils who are of the view that a regional committee can be an effective and resource effective option.

The Bill also amends section 128 of the Act, by requiring councils to change audit firms at least every five years (rather than the current requirement to change auditors).

Public and Finance Act

The Bill includes a number of amendments to the *Public Finance and Audit Act 1987* (PFA Act) that relate to the activities that the Auditor-General can undertake in regard to councils and other local government bodies (refer Part 8).

Currently, under section 32 of the PFA Act, the Auditor-General can undertake an examination of a council's accounts and the efficiency, economy and effectiveness of its activities. The Bill also allows for the Auditor-General to undertake a review, to allow for a less detailed and therefore lower resource impact activity. The Bill also enables the Auditor-General to audit the accounts of a council, effectively becoming a council's auditor (clause 87 of the Bill amends section 129 of the Act to clarify that if this is the case, the relevant council auditor is not required to have provide an audit for that period).

The Bill does not change the way in which the Auditor-General undertakes these activities. They will continue to be as the Auditor-General deems advisable, or on the direction of the Treasurer or the Independent Commissioner Against Corruption.

Basis of rating

Clause 93 removes the ability of councils under the current section 151(3) of the Act to use the site (unimproved) valuation of land as the basis of rating, to provide for a consistent approach across the State. If passed, it is expected that some time will elapse before this change would commence, given that the 7 councils that currently use site valuation as the basis of rating will need to make significant changes to their rating structures and policies.

REFORM AREA 3 | EFFICIENT AND TRANSPARENT LOCAL GOVERNMENT REPRESENTATION

Council representation

The Bill proposes two significant changes to council representation. The first of these (contained in clause 9) will require all councils to have no more than 12 elected members. It is proposed that these change will be progressed through representation reviews, given that it may also necessitate consideration other internal council representation structures, such as wards. Councils that undertake a representation review between the commencement of the section and 1 January 2022 will have the maximum number of members before the 2022 periodic elections. All other councils will make this change prior to the 2026 elections.

The Bill also proposes that all councils have a directly elected principal member, who will be called a mayor (clause 18). As with the change to elected member numbers, this change will occur through the representation review cycle.

Supplementary elections

The Bill proposes a range of changes to supplementary elections to reduce the impact these can have on councils, particularly shortly before and after periodic elections.

Clause 139 of the Bill amends section 6 of the *Local Government (Elections) Act 1999* (the Elections Act) so that a supplementary election will no longer need be held to fill a casual vacancy if the vacancy occurs within twelve months of the next periodic election or general election. Currently, a supplementary election does not need to be held to fill a casual vacancy if the vacancy occurs on or after 1 January of a year in which a periodic election is due to be held.

Clause 139 also provides that a supplementary election will not be held to fill a maximum of two casual vacancies if it arises in a council without wards which has a total of nine or more elected members.

Clause 140 inserts a new section 6A into the Elections Act, allowing the last excluded candidate at the most recent periodic election to be elected, if a vacancy arises within twelve months of this periodic election, and the candidate still meets the relevant eligibility criteria and they formally ‘accept’ the election within one month. This provision will not apply to the vacancy of a directly-elected principal member.

Simplified nominations

Clause 146 of the Bill amends section 19A of the Elections Act so that ECSA will be responsible for the nominations process. ECSA will manage an online nomination process, and provide councils (and publish online) with a list of accepted nominations relevant to their council area within 24 hours after close of nominations (which will also be published online).

Increased disclosure by candidates

One reform that has been discussed at length is a requirement for candidates to provide more information that is of interest to voters. It is intended that these requirements will be set in regulations,

and will include an indication of whether the candidate is a resident of the council area (or ward) in which they have nominated (although this will not apply to candidates standing in City of Adelaide elections).

Candidates will also need to include the names of any political party, any body or association formed for political purposes of which the candidate is a member or has been a member within the past 12 months.

The Bill also proposes some changes to the declaration of campaign donations, to provide voters with a better opportunity to be aware of significant donations that have been received by candidates before the close of voting. The Bill inserts a new section 81A into the Elections Act to require candidates that have received ‘large gifts’ to provide a return with information about it within the ‘prescribed period’ (proposed to be 5 days). The Bill does not set the value of a large gift, but it is anticipated to be $2,500.

REFORM AREA 4 | SIMPLER REGULATION

Community engagement charter

Currently, section 50 of the Act requires all councils to have a community engagement policy that, at a minimum, must include publication of a notice and a period of 21 days for submissions to made for all matters where public consultation is prescribed. The Bill proposed to replace this approach with a new 'Community Engagement Charter', which will support a more modern, flexible approach to engagement (clause 17).

The Charter will relate to community consultation and participation with respect to any decision, activity or process where compliance with the charter is required by the Act. It will be published by the Minister (noting that the Minister is required to consult with the LGA before any publication proceeds).

It is anticipated that the Charter will set some minimum standards for more significant council tasks, such as the annual business plan, but will be largely focused on a 'principles based approach' to allow councils to determine the exact activities they will undertake to best engage with their communities on their business. This will also allow for a more flexible approach to the publication of notices.

Information and briefing sessions

The Bill proposes to remove 'informal gatherings and discussions' from section 90 of the Act, and insert a new section 90A — 'information sessions and briefings' (clause 52). This responds to commonly heard concerns from councils that the current approach to 'informal gatherings' is overly prescriptive, and can be understood to prevent council members from discussing matters between themselves.

'Information sessions and briefings' are defined as any meetings held or arranged by the council or the CEO, inviting one or more council members, for the purposes of providing information or a briefing to attendees. This recognises that meetings arranged for council members to be better informed on matters of council business is a standard, and effective, tool to assist them to perform their role.

The Bill also removes the lengthy regulations that currently apply to 'designated informal gatherings', and the requirement for councils to have a policy that complies with these regulations. Councils will have more discretion as to whether to hold sessions in public or not.

However, the Bill retains the critical direction that these meetings should not replace decisions made at formal meetings of council, where debate and decisions take place in the open charter. To ensure this, new section 90A(3) requires information sessions and briefings that are being held to discuss matters that are, or are intended to be on a council meeting agenda, must be open to the public (unless there is a reason under section 90(3) for the matter to be discussed in confidence).

Internal review of council decisions

Internal review of council decisions (or 'section 270 reviews' as they are known) are an important tool for members of the public to utilise if they wish to a council to review a decision. They provide confidence in council decisions and actions, and can assist councils to determine better and more effective administrative and decision making practices. However, while councils value them, there was feedback that some members of the public can misuse this tool, creating a costly administrative burden for councils.

The Bill (clause 135) therefore provides some changes to assist councils to better manage these requests. These will allow councils to decline to undertake a review if the decision was made more than six months prior; to decline if the matter has, or has substantially been dealt with in another process (such as a conduct investigation); and to charge a small fee for a request (anticipated to be in the order of $20).

Community land revocation

Currently, councils must apply for the approval of the Minister before they make a decision to revoke the community land status of any community land. While this degree of oversight may be appropriate for significant changes, it can be excessive for small pieces of land that often have limited future uses.

The Bill therefore proposes to establish two ‘categories’ of community land for the purposes of the revocation process. The Minister’s approval will only be necessary where the land is—

- the land is owned by the Crown or an agency or instrumentality of the Crown (or adjoins such land)
- the council knows, or should reasonably know, that State Government financial assistance was given to the council to acquire or improve the land
- the land is used as a community space, and the council proposes to sell or dispose of the land.

All other community land may have its status removed simply by a council resolution, after following the steps laid out in the legislation.

Clause 102 of the Bill contains these changes.

Simplification of registers

The intention of this reform is to compile all council members’ registers of interest into one, simple plain English form, which is then published on the council website. This removes the current requirement for councils to maintain one return with all details (for provision on request) and another, shorter return, for publication online. However, council members’ principal residential address will not be published online, for safety reasons.

Simplification of council publications

There are many provisions scattered through the Act that require councils to publish material online, to have material available at the council office for inspection, or for provision of copies on request. These provisions will be replaced with a single list of all council documents that must be published online in Schedule 5 of the Act. Councils will not be required to have any documents available for inspection, but must make copies available on request (and may charge a fee for these copies).

FURTHER INFORMATION
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Local Government Association of South Australia

The voice of local government.

Local Government Review Bill 2020

Summary of major changes

The Local Government Review Bill 2020 ('the Bill') was introduced in the House of Assembly by the Minister for Transport, Infrastructure and Local Government on 17 June

The following table sets out the substantive changes proposed in the Local Government Review Bill 2020 and provides preliminary LGA comments on the proposed reforms. The LGA will consult with member councils before finalising a position on the Bill.

The 'LGA Guidance' colour code is based upon previous consultation with member councils, decisions of LGA General Meetings and positions taken by the LGA Board.

The LGA has been advocating for sensible and effective legislative change and adopted a local government reform agenda in 2017. The Bill includes some of the reforms advocated by the LGA, particularly in relation to an improved framework for managing issues of behaviour.

Unfortunately, the Bill also includes unwarranted and expensive proposals that can replace local decision making on council budgets and services with broad powers for a Minister to direct a council in these matters, such as setting a cap on council rates. The local government sector has a longstanding policy position to oppose rate capping in any form. Information about why rate capping is bad public policy can be found here.

The Bill is expected to be debated in the House of Assembly in July 2020 and the Legislative Council in September.
If passed by the Parliament, the new clauses would probably not commence for several further months.

The LGA is seeking submissions from councils on the Bill by Friday 9 August 2020.

Details about consultation workshops being held for metropolitan and regional councils will be available shortly.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
6 Principal role of council.	**New.** "6(b) to make decisions about the provision of various public services and facilities that will benefit the community in the context of the capacity and willingness of ratepayers to pay for those services and facilities."		The LGA is seeking clarification on what that means in practice and whether this additional principal creates grounds for council budgetary decisions to be contested.	No additional comments
7 Functions of a Council	**New.** (ba) to determine the appropriate financial contribution to be made by ratepayers to the resources of the council.		A number of additions in the 'role' and 'functions' sections tie into later changes relating to rate setting and Ministerial directions. These preliminary sections related to the role and functions of council are considered to be acceptable, but the later sections on rate capping and new Ministerial ability to override council policies are strongly opposed.	No additional comments
8 Principles to be observed by a council	(ea) Seek to collaborate, form partnerships and *share resources* with other councils… (h) seek to ensure that council resources are used fairly, effectively and efficiently *and council services, facilities and*		The additional wording introduced by this clause is in *italics*. A number of additions in the 'role' and 'functions' and 'principles' sections tie into later changes relating to rate setting processes.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	programs are provided effectively and efficiently. (ia) seek to balance the provision of services facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers.			
11A Number of elected members	The number of members of a council (including the Mayor) will be capped at 12. Remove current Representation Review clauses. New requirement to review number of wards and number of electors per ward. But no longer need to review the number of members. If a council conducts a review by 2022, they can implement this change for 2022 council elections. If not, then must implement by the 2026 elections.		This proposal needs to be tested with member councils before the LGA forms a position. During sector consultation in 2019, most councils preferred to retain their current arrangements. If councils have started a Representation Review under current Act, they can use this process for purpose of this section. This proposal is designed to be a simpler process and respond to feedback from councils that the current Representation Review process is overly complex.	Although CoM isn't opposed to this change, issues have been identified for larger Councils. The number of members should be based on the population size of the Council not a blanket cap for all. The maximum number of members disadvantages larger Councils and would make potential amalgamations less desirable.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
12 Rep review process - deleted	If a council has area councillors but not wards, they will not need to perform a representation review. Councils must consult with the public re the representation report. The resulting report must include public submissions.		If a council has wards, they may still need to conduct a representation review on the optimal number of electors in each ward. The Bill includes transitional provisions that will capture reviews that have already commenced or will commence before the 2022 council elections.	No additional comments
44 Delegations	Amendment to include Joint Planning Boards as a possible delegate.		Councils retain the ability to make decisions about delegations and the terms and conditions of a delegation. There is no requirement to make a delegation.	No additional comments
50 Current public consultation sections deleted	**New.** Introduces one Community Engagement Charter for the whole local government sector. This will replace many individual sections requiring councils to report info, consult, publish in newspapers, keep hard copy at principal office, etc The Charter will be decided by the Minister and Gazetted		This proposal needs to be tested with member councils before the LGA forms a position The concept of a state-wide Community Engagement Charter is consistent with the LGA's previous local government reform submission. Consolidating consultation arrangements within one state-wide charter could lead to savings and efficiencies by reducing duplication and allowing for more targeted and effective consultation to occur. Local government will be consulted on the development of and any variation to the	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	and will apply across all councils. Some parts will be mandatory, others will be up to council policy (See 50A). The Minister approves and varies the Charter, after consultation with the LGA.		Charter, via a process facilitated by the LGA. To be effective, it is considered that the Charter needs to: • Clarify the matters that councils must consult on, but not require councils to consult on minor or uncontroversial decisions; and • Ensure complaints about non-compliance with the Charter are dealt with in an efficient manner through an administrative process.	
50A	Each council must have its own policy on how to implement the Community Engagement Charter.		A large number of sections in the Act relating to specific consultation on specific matters are deleted, as a consequence of new ss 50 and 50A. Councils must consult with the community regarding adoption of their Policy or if they want to vary it. This policy must be consistent with the Charter. A failure to comply with a Community Engagement Charter or the council's related community engagement policy still exposes the subsequent council decision to judicial review.	No additional comments
54 Casual vacancy	If a council member resigns to take up another position (eg Mayor) their position as member becomes vacant.		This proposal is consistent with the LGA's previous local government reform submission.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	Councils can go to next election without filling the casual vacancy if an election is to be held within the next 12 months (currently 7 months) or January 1.			
55A Elected Members running for Parliament	If a council member runs for State Parliament, they are automatically granted a 'leave of absence''. The leave commences at the close of nominations –even if the member/candidate is campaigning earlier. The provision applies to any council office - including council committees and subsidiaries. If a candidate withdraws their nomination, - they are automatically reinstated to their council position. Members will not receive remuneration/ allowances during the leave period. In subsection 5, candidates can't use council facilities in this leave period.		This proposal is consistent with the LGA's previous local government reform submission. During previous elections, there have been inconsistent approaches by candidates in relation to standing down from council roles and payment of allowances. These proposed provisions create a level playing field for all council members. It appears that council members can still call themselves 'Mayor' or 'Councillor' during the leave of absence. The LGA will seek feedback from member councils on the optimal wording for this section.	The same provisions should apply for Members nominating for federal election.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
58 Role of Principal Member (usually called Mayor)	New sections clarifying the role of a principal member of council. This includes: • "Providing leadership and guidance to the council. • To lead the promotion of positive and constructive working relationships amongst members of the council • To provide guidance to council members on the performance of their role; and • To support council members understanding on the separation of responsibilities between elected representatives and employees of the council."		This proposal needs to be tested with member councils before the LGA forms a position. Mayors are not given specific new powers. The proposed section states general principles, setting out what the principal member's leadership role entails.	The changes are more in line with how the role of the Mayor has evolved over time.
59 Role of members of council	**New.** It will be a role of council members to act with integrity.		'Integrity' is not defined and will have a common law definition. The existing Act and Bill contain specific sections about integrity, which are still primarily regulated by ICAC, the OPI and Ombudsman.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
62 General Council Member duties	The prohibitions on disclosure of confidential council information are extended to documents that the council member "knows or ought reasonably to have known is …required to be treated confidentially".		This change will clarify council member confidentiality obligations and make it easier to establish that a breach has occurred.	No additional comments
68 Council Member Register of Interests	(1a) If a council member fails to return their Register after a defined period (in most cases 12 months) the member will be suspended. (1b) If a member is suspended under this section, so are their member allowances. (3a) If the member subsequently submits a return, to the satisfaction of the CEO, the CEO will publish a notice on website to this effect. (3a)(b) The suspension is revoked upon publication of this notice. (3b) If the failure to submit a return continues, the CEO may refer to SACAT		Consultation with member councils in 2019 showed support for clear consequences for a breach of this requirement. The proposed clause gives council CEOs a role in imposing consequences, including exercising a degree of discretion (ie determining whether the return is satisfactory). The LGA will seek feedback from member councils on the optimal wording for this section.	Disagree with the CEO having a degree of discretion. The role of the CEO should be defined and therefore the role of the CEO is to administer the process within the Act.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
70 Inspection of a Register	The Register will now no longer publish the home address of a councillor. Additional information can be supressed for personal safety.		This proposal is consistent with the LGA's previous local government reform submission.	No additional comments
73 Register of gifts and benefits	The Minister will declare the threshold amount for the purpose of this clause. The Minister must consult the LGA prior to making this declaration.		This proposal is consistent with the LGA's previous local government reform submission.	No additional comments
74-75C Conflicts of Interest	The three categories of Conflict of Interest are reduced to two: 'General Conflicts of Interest' and 'Material Conflicts of Interest'. A member of a council will not be regarded as having a conflict of interest in a matter if the interest is held in common with a 'substantial proportion' of the ratepayers, electors or residents of the council area (if that interest is equal). Onus is on the council member to declare/decide		The new sections are simpler and less confusing. They should allow greater council member participation in decision-making where there is no actual conflict, or the conflict can be managed appropriately. Areas where further clarification is required include: • circumstances where the council has nominated an elected member to the board of another legal entity, • mechanisms for abstaining; and • the 'substantial proportion' test.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	whether they have a conflict. Failure to declare a conflict can result in penalties.			
75E Member 'Behaviour Standards'	The Minister may publish and vary 'Member Behaviour Standards'. These Standards are not set out in the Bill. They apply State-wide. The Minister must consult the LGA first. Minister's decision will be published in the Government *Gazette*.		There will continue to be multiple (but slightly different) sources of rules that govern member behaviour. This includes: • the Act, • in these proposed 'Member 'Behaviour Standards'; and • in the 'Council Behavioural Support Policies' (see s75F). This could be confusing, and it will be important for the LGA to provide support and guidance. These standards will be reviewable by Parliament, which provides a level of oversight of the decisions made by a Minister.	No additional comments
75F Council Behavioural Support Policies	Council may implement their own policies on how to support "appropriate behaviour by members of the council". These can't be inconsistent with the Behavioural Standards. Council must review these within 6 months of general elections.		Sector feedback indicated that dedicated meetings (usually just after elections), where councillors deliberated and then agreed on behavioural standards, led to strong improvements in meeting culture. The Bill will enable each council to address these issues and to approve their own policy. Members may face sanctions for a breach of a CBSP.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	Council must consult the public on these. Council members must comply with their CBSPs.		The Council itself can impose limited sanctions (see s262C). A breach of the CBSP could constitute 'misbehaviour' (s262E), could be referred to the new Behavioural Standards Panel and could result in more serious sanctions or penalties.	
75G Council member health and safety obligations	**New.** Council members are not 'workers' for the purpose of the WHS Act. But they will now have specific WH&S obligations. Council members must not adversely affect the health and safety of other members of council or employees. Could include a direction that a member of a council not attend a meeting of the council. Council members must follow the reasonable directions of a responsible person (usually the CEO) in this respect.		This proposal needs to be tested with member councils before the LGA forms a position. The CEO will have clear powers to put in place arrangements to ensure employee safety. This could include, for example implementing administrative arrangements to limit contact between council members or between a council member and an employee. The LGA has sought advice from Norman Waterhouse Lawyers to clarify the proposed role of CEOs in administering this provision. Where appropriate in the circumstances, provision for alternative participation in a council or committees should be considered.	No additional comments
76	Remaining:		The requirement of the Remuneration Tribunal to consult with the LGA and	Further clarity is requested on the impact of Councils no longer being a member of the LGA.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
Member Allowances	Member Allowances set by Remuneration Tribunal. LGA to pay Remuneration Tribunal their "reasonable costs".		reach agreement on arrangements has been deleted. Clarification is required regarding "reasonable costs" to ensure there are appropriate limits on the cost to councils (via the LGA). 100% of South Australian councils are currently members of the LGA and the enjoy the numerous savings and benefits that result from their membership. However, provisions need to be made that enable an equitable proportion of the costs to be recovered from a council that may withdraw or be expelled from the LGA in the future.	
80A Training & Development	'LGA Training Standards' will still be specified in the Regs. Each council must adopt their own policy for conduct and completion of training and development by their members. If a council member has not completed the training, the CEO must suspend the council member unless the council member satisfies the CEO that good reasons exist.		The LGA submission recommended that there be approved candidate training and candidates must indicate whether they have completed the approved candidate training, when nominating for council elections. At present, the State Government does not intend to include these in the (yet to be drafted) Regulations. Feedback from members is required about the proposed role for council CEOs in enforcing compliance with the training standards.	The role of the CEO should be purely be operational.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	(See s262 for referral to Behavioural Standards Panel and penalties.)			
80B Suspension of Council Member subject to an intervention order	Suspend a council member who is the subject of an intervention order. The CEO will have a discretion to suspend a member		This proposal needs to be tested with member councils before the LGA forms a position. The LGA has sought advice from Norman Waterhouse Lawyers to clarify the proposed role of CEOs in administering this provision. Feedback from members is required about the proposed role for council CEOs.	The role of the CEO should be defined and not discretionary.
90(3)(o) Meetings held in public	New exemption, allowing councils to discuss potential award recipients in confidence.		This is a minor but welcome amendment. This will allow the names of award-winners to not enter the public domain until the award is presented.	No additional comments
S90(8) Informal meetings held in public	The rules relating to informal gatherings are simplified. The Bill replaces 'informal gatherings or discussions' with a simpler scheme of clearly defined 'information and briefing sessions'.		The current provisions are confusing and unintentionally broad. These new sessions will enable councils to more easily discuss and better understand their business but will also retain the expectation that these sessions cannot be used to obtain, or effectively obtain, decisions that should be made in a public council meeting.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
New S90A	The concept of 'Information or briefing session' is described more carefully. If it is one of these, it needs to be open to the public and a record made. The CEO makes decisions regarding whether a matter will be on the agenda and if the group has 'effectively made the decision'.		As per S90(8) above.	Clarify if paperwork needs to be publicly available or just items listed for discussion.
S92 Access to meetings and documents	Councils must already have a Code of Practice about meetings and access to documents. The new obligation requires councils to consult with the public before adopting, altering or substituting this Code. Council reporting obligations are taken out of the various sections of the Act and will be replaced by a schedule, making it easier for councils and the public to understand what needs to be reported (and how).		Almost all of the reporting consultation provisions are removed from the Act and will be replaced by a schedule. Similarly, the Bill also removes requirements to have documents available to the public (online or in office) e.g. sections 77, 79, 105, 252, 259.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
97(3)(a) Terminate a CEO	Before council can terminate a CEO's employment, they must have regard to advice from a "qualified independent person". Definition: "a legal practitioner OR someone determined by the council to have appropriate qualifications or experience in human resource management".		The detail of this proposal needs to be tested with member councils before the LGA forms a position. Council must consider the advice but is not bound by it. This provision only applies to some of the grounds for termination. There is no requirement to obtain this advice if the CEO is 'guilty of an offence', etc.	No additional comments
98 Fill CEO Vacancy	Councils no longer need to advertise in a newspaper - instead, can use a website. Selection Panel: At least one is not a council member or member of staff. Before the CEO appointment, council must obtain and consider independent advice on the assessment of applications and recommendation on appointment		Councils will typically engage a suitably qualified and experienced third party to assist with CEO recruitment. The detail of this proposal needs to be tested with member councils before the LGA forms a position.	No additional comments
99 (ia) and (ib) Role of CEO	New subsections relating to CEO functions. A CEO must:		The section clarifies a role that most council CEOs perform already.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	- Ensure council has effective polices systems procedures, etc - Report annually to the relevant audit and risk committee on the council's internal audit process.			
99A Remuneration Tribunal extends to CEOs	The Remuneration Tribunal will determine minimum and maximum remuneration for CEOs. The Remuneration Tribunal may have regard to any matter set out in the Regulations. ss(4) remuneration may differ based on geographical factors or other factors. Amounts may be indexed. The LGA will pay for the Remuneration Tribunals' reasonable costs. Councils must ensure the remuneration they pay is within the range set by the Remuneration Tribunal.		The proposed provisions are modelled on the Western Australia legislative scheme are were broadly supported by councils and the LGA in previous local government reform submissions. Clarification is required about how additional allowances (such as mobile phone, travel/fuel for country CEOs etc) will be considered/determined by the Tribunal. The Bill allows for a determination to be made 'from time to time'. Greater certainty should be provided about the minimum / maximum frequency of determinations, particularly as the cost of this process will be borne by councils (via the LGA). 100% of South Australian councils are currently members of the LGA. However, provisions need to be made that enable an equitable proportion of the costs to be	Further clarity is requested on the impact of Councils no longer being a member of the LGA.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
			recovered from a council that may withdraw or be expelled from the LGA in the future.	
102A CEO Performance Review	**New.** A CEO Performance Review must occur at least once a year and "if relevant" before reappointment. Council must obtain independent advice by "qualified independent person" who is not a member of council and determined by the council (same as the requirements for CEO termination but a legal practitioner is not listed as an option. see 97(3), above).		The detail of this proposal needs to be tested with member councils before the LGA forms a position.	No additional comments
110 Code of conduct for employees	This is replaced by s119A		The employee register is designed to mirror the requirements for council members. CEOs have responsibility to manage this through council policies and industrial arrangements.	No additional comments
110A Duty to protect confidential information	Duty of employees to protect confidential information. Adds a new limb "employee knew or ought to have known that the information is to be treated confidentially".		This is consistent with the clarification for council members' confidentiality obligations.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
119A Register of Gifts and Benefits for Employees	This was previously dealt with by Code of Conduct. The limit is intended to be the same as is currently declared by Minister.		The aim is for consistency in these arrangements, for employees and council members.	No additional comments
120A Employee Behavioural Standards	Council must prepare and adopt standards. An employee must comply with these standards. These standards will set out: - grounds for suspending or dismissing, disciplinary action against the employee. Before a council adopts or alters these standards, they must consult with relevant industrial association re the Employee Behavioural standards and any subsequent variation. Within 6 months of periodic election, council must review these standards.		While the council will adopt the overall policy, the CEO otherwise remains in charge of employee matters. The LGA will consult with member councils and with the relevant trade unions	Bill says a Council MAY prepare and adopt standards.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
122 Strategic Management Plan	A Council's Long-Term Financial Plan -must be for a 10yr period. The LTFP must: (**New**) - outline council's approach to funding services and infrastructure - Set out council total revenue for the period - Outline the sources of revenue including fees, grants, rates and charges. (3a) Regulations may require the inclusion of other information.		The LGA acknowledges the significant work that almost all councils have undertaken in developing their LTFPs and is comfortable with this codification of existing practice. Note that the Consultation Charter arrangements: • will require councils to consult with their communities on their LTFPs; and • are likely to require councils to undertake further consultation before changes are made to the LTFP.	No additional comments
123 Annual Business Plan	An Annual Business Plan (ABP) must include: - **New**: a statement on the proposed change in total revenue from general rates for the financial year and if ABP sets out a growth component in relation to general rates it may only relate to growth in the no of rateable		This section would impose a series of expensive and unwarranted new requirements on councils in drafting and adopting their Annual Business Plan and Budget. This proposal introduces another layer of bureaucracy and gives a significant role to an unelected body that has no relationship with or accountability to the local community.	Council strongly opposes these amendments. Query if the Valuer General will be required to amend their timeframes for providing the valuations. Would also highlight that during a Local Government Election year it

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	properties and must not relate to the growth in the value of rateable properties. - an explanation of how the proposed change is consistent with the council's LTFP. - A summary of other reasons for the proposed change. - Details of impact of the proposed change on average rates for each land use category. - The advice received from the 'Designated Authority' (which looks like being the Essential Services Commission of SA); and - The council's response to the advice which must set out whether the proposed change in total revenue from general rates is consistent with the advice and if not the reasons for the inconsistency. (3a) The **draft** ABP must be provided to the Designated Authority by 31 Dec in the FY preceding and must include:		This process will place councils in a continuous cycle of administrative planning and reporting that will detract from the councils' role in providing local services and facilities that benefit the local community. The timeframes outlined in this section are unrealistic and unworkable. A council will be required to adopt a draft Annual Business Plan and Budget in December – 6 months prior to the commencement of the new financial year. This provides limited flexibility to respond quickly and effectively to changing economic and social circumstances, such as those we have experienced in 2020 during the Covid-19 public health emergency. In 2019, the South Australian Productivity Commission undertook an Inquiry into Local Government Costs and Efficiency. The Inquiry found that SA councils are achieving high levels of efficiency and did not make any recommendations that are consistent with the rate capping proposals contained within the Bill. The Commission did, however, find that regulatory compliance costs and the expansion of mandated responsibilities under state legislation have created additional cost pressures for councils.	would be extremely difficult timing (31 December).

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	- The proposed change in total revenue from general rates. - The council's view of the impact of the change. - Information about consideration given by council to alternatives to the proposed change including total revenue resulting from such alternative measures. (d) information as to how the proposal is consistent with the Council's LTFP. - Any other matter set out in the in Regs. The Designated Authority must provide its advice back to the council by 31 March of each year. The Designated Authority must have regard to: - Information provided by, AND any matter directed by the Minister; and - Any other matter considered relevant by the Designated Authority.		This Bill introduces a range of new compliance requirements that will need to be funded by councils. The costs of this process are likely to be significant. A 'Designated Authority' (likely to be ESCOSA) will need to undertake an individual assessment of every councils plans and budget, every year. As a reference, the Essential Services Commission in Victoria spent $2 million in 2018/19 administering its local government regulatory role. Every extra dollar that is needed to fund new reporting requirements in an extra dollar that needs to be paid by ratepayers, or one less dollar that is invested in local services and facilities. This proposal is inconsistent with the LGA's longstanding policy position to oppose rate capping in any form.	

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	The Designated Authority must publish a copy of any direction given by the Minister as soon as practicable. If the Designated Authority considers a council has failed to respond to its advice - it **May** provide a report to the Minister.			
Ch 13 s273 Reviews Initiated by Minister	Minister may ask the council to report. If the council has "failed to adequately respond" to the Minister / Designated Authority advice, then…. The Minister can give directions to the council to "rectify the matter" or to prevent recurrence of the "act, failure or irregularity". This is not limited to situations where there has been a breach or failure by a council. It could relate to any council budgetary decision - eg where the Minister and council merely have different financial priorities.		Councils already publicly consult and report on Annual Business Plans and Budgets, which outline proposed rate increases. Councils also have Audit Committees and are subject to an annual external audit. The Auditor General also has broad powers to review a councils' financial decision making. Ultimately, councils are accountable to the community and are held to account via democratic elections that are held every 4 years. This proposal centralised more power with an individual Minister, who will be given extremely broad scope to direct a council in relation to its budget and the delivery of local services and projects.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
			This proposal is inconsistent with the LGA's longstanding policy position to oppose rate capping in any form.	
125 Internal Control policies	New Regulation making powers. Councils must ensure their policies, practices and procedures comply with these Regulations.		This is a potentially significant power and has the potential for the State government to significantly encroach on the decision-making of local representatives. The scope of the section extends to any policy, procedure, etc. The section could be used to effectively take away almost all council discretion and undermines the role of local government as an independent, democratic sphere of government.	No additional comments
126 Audit and Risk Committee	A majority of members of council Audit and Risk Committees must not be members of the council and may not be an employee of the council. The role of these committees is expanded to include 'risk'. 'Functions' of Audit and Risk Committees expanded: **New** functions include: - Monitoring expenses of council.		The LGA's previous local government reform submission provided broad support for an expanded role for council Audit Committees. will seek advice on these details from the sector. The detail of this proposal needs to be tested with member councils before the LGA forms a position.	This is very similar to Marion's current Finance and Audit Committee.

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	- to make recommendations for improvements based on previous audit/risk assessments. - Review powers when CEO assists audit committee. - Liaise with council auditor in accordance with the Regulations (g) **if** a council has an internal audit function -to review/comment on an annual report by CEO in internal report re the scope of internal audit work; and - The objectivity and standard demonstrated in the carrying out of the function. If a council does **not** have internal audit function, the CEO must report on polices of council etc The must be one meeting of the Audit and risk Committee each quarter.			

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	Audit and risk Committee must provide a report to council every 3 months.			
126A	Regional audits permitted, where 2 or more councils share audit resources. This is optional.		This option may be useful for regional councils who struggle to recruit qualified independent auditors.	No additional comments
128 Auditor	Councils must use a different audit firm at least every 5 years. Then a council must wait five years before re-engaging that same auditor.		Unlike the Corporations Act, councils can't just change the particular auditor within the same firm.	No additional comments
129 Conduct of Audit	**If** the SA Auditor-General exercises (existing) powers to perform the council audit, then a normal audit is not required. **If** the Auditor -General conducts the audit, the council must pay for the reasonable costs incurred.		Note that the Auditor-General also has new powers to conduct a 'review' which is not a full audit but might be, for example, an investigation into a particular aspect of a council's affairs. The broad powers that are already available to the Auditor General to review or audit a council's financial management are further justification that the additional, expensive rates oversight processes outlined in the Bill are unnecessary and unwarranted.	No additional comments
151 Basis of rating	Delete council power to use 'site value' as a means of		The OLG advise that currently only 8 councils use site value.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	rating. All councils will use 'capital value' method.		This will mean state-wide consistency for ratepayers, but the detail of this proposal needs to be tested with member councils before the LGA forms a position.	
170 Notice of declaration of rates	Requirements to give the public notice of the declaration of rates.		The specific requirements to give the public notice of the declaration of rates will be set out in the Community Engagement Charter.	No additional comments
194 Revocation of community land	Simplification of current unwieldy process to revoke community lands. Cases where the Minister will be required to make the decision is clarified. More situations where councils can make the decision to revoke uncontroversial community land (e.g. unmade roads). Does not apply to Adelaide Parklands.		On an initial review of this proposed clause the LGA is not convinced that the drafting achieves the policy intention. With assistance from Norman Waterhouse Lawyers, we hope to clarify this and ensure the Minister is not required to approve minor or uncontroversial applications.	No additional comments
221 – Alternation of Road (item added by Marion)	Additional points added regarding consultation with council requirements.			Through the new *Planning, Development and Infrastructure Act 2016* that is slowly being switched on, there will be less control for councils as private certifiers to approve more development. The Section 221

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
				process may need to be strengthened in order to protect council assets (trees, curbs etc.).
222 (1a) – Permits for mobile food vending business	Removal of automatic granting of permits to mobile food vendors (food trucks).		Mobile food vending business will now be treated like any other business seeking a council permit. This is consistent with ongoing submissions from the sector and LGA advocacy.	No additional comments
262A Council Member Behaviour	First step requires the council deal with issue in accordance with their (new) behaviour management policy and behaviour support policy.		Council has initial obligation to deal with council member behavioural issues, according to their own 'Code'. This is consistent with previous LGA local government reform submissions.	No additional comments
262C Member Behaviour - Action	Council has powers to insert consequences/ penalties into their policy for breaches of their Council policy. Councils may: (a) censure (b) Require a public apology. (c) Require the councillor to undertake a specified course of training or instruction. (d) remove or suspend the member from 1 or more offices held by the member		Most of these changes are welcome. Legal advice, mediation and other options can be used, if a council elects. Based on the consultation with the sector in 2019, there may be some concern if a majority of council members have a power to suspend a council member, even after a formal process had been completed. The LGA will seek feedback from member councils on the detail of this proposal.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	In dealing with these, council must proceed with as little as possible formality and technicality The clause has been designed in an attempt to enable councils to operate without requiring lawyers. Councils are not bound by the rules of evidence but must provide procedural fairness Council can refuse to deal with a matter because it is frivolous, vexations, trivial. Council can also decide to take a matter no further.			
262D - Member Behaviour - Reasons	If a council refuses to deal with a complaint or determines to take no further action, then the council must provide written reasons.		This is a new administrative step that, ideally, will be part of an overall scheme that is faster and less expensive than currently operating.	No additional comments
262E Behaviour Panel	Misbehaviour means: - A failure by a member of council to comply with a requirement under 262C(1) (i.e. the council		Classifying these levels of poor behaviour will enable the new Behaviour Panel to issue guidelines on likely penalties. The proposal will give the Panel power to define bullying and harassment, for the purposes of the Local Government Act.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	determination about the complaint) - Failure to comply with a council behaviour management policy. A failure to comply with an agreement reached following mediation, conciliation arbitration, dispute resolution process (ie a councillor has agreed and re-negged). Repeated misbehaviour. Misbehaviour, repeated behaviour and serious misbehaviour are defined. 'Serious misbehaviour' means bullying or harassment of another member or employee of council.			
S262F Panel	Local Government Behaviour Panel will have 3 members: 1. Jointly appointed by Minister and LGA 2. appointed by Minister 3. appointed by LGA		This proposal is consistent the LGA's previous local government reform submissions.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
262J	Remuneration and expenses of the Panel will be determined by Governor.		Early estimates (based on Local Government Grants Commission Model) indicate costs will be $300-350K for all three Panel Members (and including an Executive Officer and one administrative person). It is proposed that the LGA pay these fixed costs with councils paying on a fee for service basis when their matters come before the Panel. The LGA seeks feedback on whether the sector is prepared to fund the proposed model.	Further clarity is requested on the impact of Councils no longer being a member of the LGA.
S262N	The Panel must: - Publish guidelines - Publish model behavioural management policies - Practice directions Panel can perform other functions assigned.		The LGA will seek further details on the funding model. At present, the LGA would pay extra, if the Minister assigned the Panel additional functions. This appears to present an open-ended financial commitment. There is a danger that the State Government could use LGA to take on extra regulatory roles (cost shifting). Extra LGA and sector funding needs to be *by agreement*.	No additional comments
S262Q Referral	Matters can be referred to the Panel by - Resolution of council - CEO of council		Council policies should have processes to deal with complaints from the public, council staff and council members. However, appeals do not need to be treated consistently.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	- at least 3 members of council - the Minister + any person dissatisfied with council decision		This clause needs to distinguish members of the public complaining about council member behaviour (already dealt with by s273 with appeals to Ombudsman) and complaints from staff and council members. The public already have the ability to complain about council member behaviour. There is no need (and have been no calls) for an additional grievance process for members of the public. Council staff and members should have access to the Panel where internal council processes have not been successful. This is the specific problem that the Panel is established to solve.	
S262S	Panel **may** arrange for investigations, compel reports from council, etc.		Council will often conduct an initial investigation. While the Panel should be a fast and low-cost forum, it may need to (but should not be required to) conduct its own investigation.	No additional comments
262W Powers of the Behaviour Panel	The Panel may: - Reprimand - Direct a council to censure - Require a public apology - Require a councillor to undertake a course of training or development.		The LGA queries why the Panel refers censures back to councils and doesn't have the power to censure, itself.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	- Require a councillor to reimburse an amount of money. - Remove or suspend an office in capacity as member of another body - Suspend for up to 3 months - Direct council to lodge complaint with SACAT (SACAT can suspend for longer or remove a person from council). If a councillor fails to comply with an order, this is defined as an integrity issue and goes to SACAT (not OPI) and the Panel must make a report to the Minister.			
S262Y	If corruption or integrity issue - it goes to Office of Public Integrity. Council or Panel can refer a matter to OPI.		Clarification is required regarding where appeals from Panel go, where there is **not** corruption.	No additional comments
S273 Action a Minister can take on report	A Minister may, on the basis of information received from: • ICAC • Ombudsman		This is the clause that gives the Minister broad powers to direct a council on matters arising out of these bodies.	No additional comments

Which section of the Act does it amend?	What does it do?	LGA Guidance	LGA Comments	Marion Comments
	• A Designated Authority under s123 • A report of the Small Business Commissioner • A report of the behavioural standards panel; or • A report of a council administrator, ask council why s/he shouldn't direct the council. If not satisfied, the Minister can **direct** the council.			

Additional Feedback in relation to the Local Government (Elections) Act 1999

- The review has failed to address the need to change the method of voting, from postal to electronic. The cost of postal voting is significant and borne by the Local Government sector.
- Section 21 – Nominations should be available to view once accepted as valid (not 24 hours after the close of nominations).
- Agree that nominations should include whether or not the candidate is resident of the council area (and ward) in which they have nominated.

Draft letter to be sent to

- **Hon. Stephan Knoll (Minister for Transport, Infrastructure and Local Government)**
- **Hon Tony Piccolo MP (Shadow Minister for Planning & Local Government)**

Dear xxx,

The City of Marion wishes to express its views regarding the Statutes Amendment (Local Government Review) Bill 2020. At the General Council meeting of 29 July 2020, Council identified the following keys points they wished to provide feedback on:

Proposed Reform Area	Feedback
Rate Monitoring System	• Strongly opposed to the requirement for councils to provide Business Plan and financial information to the designated authority by 31 December each year. Unrealistic timeframe. • The requirement is particularly unreasonable following a periodic election in November. • Query whether the Valuer General will be required to provide the valuation data to councils sooner if this proposal is enacted.
Maximum 12 Council Members	• The maximum number of members should be relative to the number of residents or electors in the Council area. A smaller cap for smaller Councils may be appropriate.
Elected Members running for Parliament	• Supported. The same provisions proposed for the State election should apply for members nominating for Federal election.
Nominations for Elections	• A nomination should be available to be viewed online as soon as it has been accepted as valid (not 24 hours after the close of nominations).
Voting in Elections	• The review has failed to address the potential for electronic voting.
Disclosure of information by candidates	• Agree with the requirement for candidates to provide more information that is of interest to voters. • The requirement for candidates to disclose campaign donations should also ensure donations are not purposely paid towards the close of voting to avoid disclosure before the conclusion of the election.
CEO ability to Suspend	• Disagree with the CEO having a degree of *discretion*. The trigger for suspension should be mandated by law so role the CEO must play a purely administrative role in relation to suspending a member.
Alteration of Road	• Through the new *Planning, Development and Infrastructure Act 2016* that is slowly being switched on, there will be less control for councils as private certifiers to approve more development. The Section 221 process may need to be strengthened in order to protect council assets (trees, curbs etc.).

DRAFT

Proposed Reform Area	Feedback
Local Government Association (LGA) increased obligations	• The Council opposes the increased role of the LGA in the Bill as it locks in Councils as members of the LGA when this should be discretionary for Councils. • Further clarity is requested on the impact of the Bill's provisions on councils which leave the LGA.
Increase in Costs	• Due to the large number of variables it is difficult to estimate the increase in costs to Councils as a result of the Bill (e.g. additional resourcing / capacity impact on the LGA, costs of the Behavioural Panel, and additional requirements for the Remuneration Tribunal etc). Has this been assessed by Government?
Behavioural regulation	• Council supports the stronger behavioural regulations in the Bill, except that costs of the behavioural standards panel etc should be borne by State Government. • Council also respectfully requests consideration of such standards being applied to Members of Parliament.

Council looks forward to reviewing any additional changes made to the proposed Bill.

Yours faithfully

Kris Hanna

Mayor

DRAFT

CITY OF MARION

Naming of Woodend Path

Originating Officer	General Manager City Services - Tony Lines
Corporate Manager	N/A
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R08

REPORT OBJECTIVE

To determine whether Council would like to name the recently constructed shared use path from Woodend Primary School to Berrima Road, Sheidow Park.

EXECUTIVE SUMMARY

Council has recently received $290,000 from the State Government to fund the design and construction of a new shared use path from Woodend Primary School to Berrima Road, Sheidow Park, and to plant 160 mature trees in an avenue effect along the path. Council will contribute $67,000 towards this project.

Interest has been expressed from the Woodend Primary School and Minister Speirs to name the path. This report proposes a process to name the path and seeks to determine Council's support of such naming.

RECOMMENDATION

That Council:

1. **Notes the report.**
2. **Agrees to a competition with the Woodend Primary School to propose names for the new shared use path from Woodend Primary School to Berrima Road, Sheidow Park.**
3. **Receives a report recommending a preferred name for the new shared use path.**

DISCUSSION

In 2019/20 Council constructed a new 1 km shared use path for walking and cycling from Woodend Primary School to Berrima Road in Sheidow Park. The State Government funded the majority of the cost ($250,000) with Council contributing the remainder ($27,000).

A key driver behind the path is to reduce traffic congestion and parking issues near the school by encouraging families to leave their cars at home and walk / cycle to school. The path runs from Berrima Road, through three open space areas and Sandy Glass Court Reserve, right to the school oval at Franklin Court. A ramp has been included where the path meets the oval to improve accessibility.

Council delivered the project by designing the path and managing construction.

In late 2019/20 Council also received a $40,000 grant from Minister David Speirs as 50:50 funding for planting approximately 160 mature trees in an 'avenue affect' along the new path. The funding covers the planting and maintenance of the trees over the first 3 years to ensure they become well established.

The 160 trees have been ordered. Site preparation will occur in early August, and planting in late August. It is planned that the Open Space Recreation and Planning team will install some planned seating upgrades at the same time.

Minister Speirs has expressed interest in naming the new path. He has had feedback from the school to name it and potentially run a competition among the school children for a name.

Naming the path would need to comply with Council's Road and Public Place Names Policy (a public place includes a footway). Should Council decide to name the path then the following process would be utilised:

1. Work with Woodend Primary School and Minister Speirs' office to run the naming competition.
2. Short-list the name submissions and select a preferred name (by the Mayor, Ward Councillors and Minister Speirs).
3. Report to Council with a recommendation for the path name.
4. Hold an open day in late August with Council, school representatives and Minister Speirs, to announce the path name and celebrate the tree planting.
5. Notify required parties of the new name.

Consideration could be given to unveiling a small plaque on site as part of the planting day, which outlines the name of the pathway as well as acknowledgement for the financial contributions.

CITY OF MARION

CORPORATE REPORTS FOR INFORMATION/NOTING

Leases and Licences update

Originating Officer	Property Management Officer - Bianca Robinson
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis
Report Reference	SGC200729R09

REPORT OBJECTIVE

The purpose of this report is to provide an update on progress of Leasing and Licensing since the last status update report which was taken to Council on the 19 October 2019 (report reference GC1910109R).

EXECUTIVE SUMMARY

Council have been progressing leases and licences in line with the Council Owned Leasing and Licensing Policy (The Policy) which was endorsed in 2017.

Council currently manages 95 leases and licences. In summary:

- 57 are current.
- 13 leases/licences have been issued to tenants.
- 12 Letter of Offers have been issued.
- 13 agreements have expired.

RECOMMENDATION

That Council:

1. **Notes the progress of the implementation of Council's Leasing and Licensing of Council Owned Facilities Policy.**

2. **Notes the current status of all leases and licences.**

DISCUSSION

Standard Leasing and Licensing documentation was sourced from solicitors in early 2019 and an additional resource was appointed to assist in the implementation and ongoing management of the agreements.

At the time of the last Council report on the 19 October 2019 Council managed 84 leases/licences, this has now increased to 95 leases/licences due to a number of new leases/licences being entered into since October. Council currently has 42 commercial agreements these agreements are not eligible for the 93% subsidy as per the Leasing and Licensing Policy.

The table below summarises the current lease/licence status in comparison with the lease/licence status presented to Council in October 2019, noting that we have added additional categories to include where Council is the lessee/licensee and vacant facilities.

	October 2019	June 2020
Lease/licence agreement in place and current. (includes commercial and vacant)	38	45
Lease/licence issued awaiting signed lease/licence from Tenant	5	13
Letter of offer issued	21	12
Expired	20	13
CoM as Lessee	-	9
Vacant	-	3

The leases/licenses that fall under the expired category are all currently covered by hold over clauses and are being worked on to progress into revised agreements. These include agreements of a more complex nature that require further discussions and negotiations due to their complexities, such as the 8 leases that Council has with the Department of Education and Children's Services (DECS).

Impacts of COVID-19

When COVID-19 restrictions were imposed in March, most clubs, committee's and boards were not able to meet to approve any legal documentation and as a result the roll out of the Policy was stalled. This also impacted our tenant's ability to submit the compliance documentation required for the 93% discount. The information required is from different volunteers and staff and takes a collaborative approach from clubs, boards and committees to gather this. It is a priority for Council to continue to work with tenants to ensure current and up to date information is being provided to assess the tenants eligibility for the 93% discount as per the Policy and the lease/licence agreement.

Now that COVID-19 restrictions are easing, the clubs, committees and boards are now recommencing their meetings and progress and compliance with our leases and licences will ramp up to ensure that our tenants have current and up-to-date agreements with Council.

Future work

Recent feedback from some of our tenants indicated that the documentation issued can be quite difficult to interpret and understand.

The majority of Council’s tenants are volunteers and have limited experience in the formal leasing and licensing process. As a result of this, Administration is currently reviewing and simplifying the process and associated documentation to ensure Council is continuing to adapt and meet the communities needs, whilst ensuring our organisational requirements are met.

CITY OF MARION

Work Health & Safety - Monthly Performance Report - June 2020

Originating Officer	Unit Manager Risk - Sherie Walczak
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R10

REPORT OBJECTIVE

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

RECOMMENDATION

That Council:

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

DISCUSSION

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

- Positive performance indicators (PPI's); and
- Lag performance indicators (LPI's) both of which are outlined in **Attachment 1.**

Council KPI is the achievement of a 10% reduction on last year's LTIFR of 11.0, to reach 9.9 or less in 2019/20.

The rolling LTIFR, based on internal incident reports, is 6.1 with 4 lost time injuries being recorded over the last twelve months. This represents a 44% reduction resulting in the 2019-20 **KPI being MET.**

The current LTIFR, based on LGAWCS (Schemes) claims data, is 3.1 with two lost time injury claims being accepted so far this financial year (as outlined in **Attachment 1**) however it should be noted that there are another two claims awaiting determination. This is below the KPI of 9.9 and is also below the industry comparison LTIFR rate of 8.1.

Key initiatives implemented aimed at the reduction of the LTIFR includes:

- Implementation of a four year HSE 2019-23 Strategic Plan
- Review of the monthly SLT report to align with the new HSE Plan
- Recognition of and rewarding our Safety Champions
- Delivering visible safety leadership initiatives
- Delivery of further training to front-line leaders via Lead in the Field
- Review of the light duties register

- Program of hazardous manual task training and risk assessments
- Comprehensive review of Safe Work guidance documents
- Comprehensive review of Confined Space and Chemical Risk Assessments
- Improvement of hazard identification and control through mentoring of workplace inspectors
- Enhanced focus from Executive whilst LTIFR is trending upwards
- Further maturing of SkyTrust WHS Management System
- Promotion of the Safety Observation program where front-line staff are observed by people leaders
- Implementation of the internal WHS Audit and Contractor Surveillance program
- Positive fit-for-work and well-being programs.

CONCLUSION

The significant reduction in Lost Time Injuries of 62% from 28.8 in 2015-16 to 11.0 in 2018-19 has been a commendable achievement for the City of Marion as we put the community as safety at the forefront of everything we do.

This work has provided a foundation for continued significant improvement with the 2019-20 reporting period recording an achievement of a 44% reduction in the LTIFR from the previous year. **The 2019-20 KPI was MET.**

Attachment

#	Attachment	Type
1	WHS Monthly Performance Report June 2020	PDF File

APPENDIX 1 – WHS Monthly Performance Report – June 2020

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

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

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

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

➢ **Annual Target Total = 120 hazard and near miss reports during Financial Year 19-20.**

➢ **RESULT = Total of 112 hazards reported (49 hazards and 63 near misses). Target NOT met.**

Note: The reduction of employees at workplaces during Covid-19 may have reduced numbers of workplace hazards reported.

Table 1: Hazard and Near Miss Reports - Financial Year 2019-20

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

Table 2: Hazard and Near Miss Reports - Financial Year 2018-19

Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Total	Ave
17	9	13	12	3	10	6	8	9	1	11	15	**114**	**9.5**

Lost Time Injuries Reported (Internal WHS SkyTrust reporting data)

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

Table 3: Number of LTI's per month - Financial Year 2019-20

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

Table 4: Number of LTIs per month - Financial Year 2018-19

Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Total
1	0	0	0	0	0	0	1	1	0	3	1	**7**

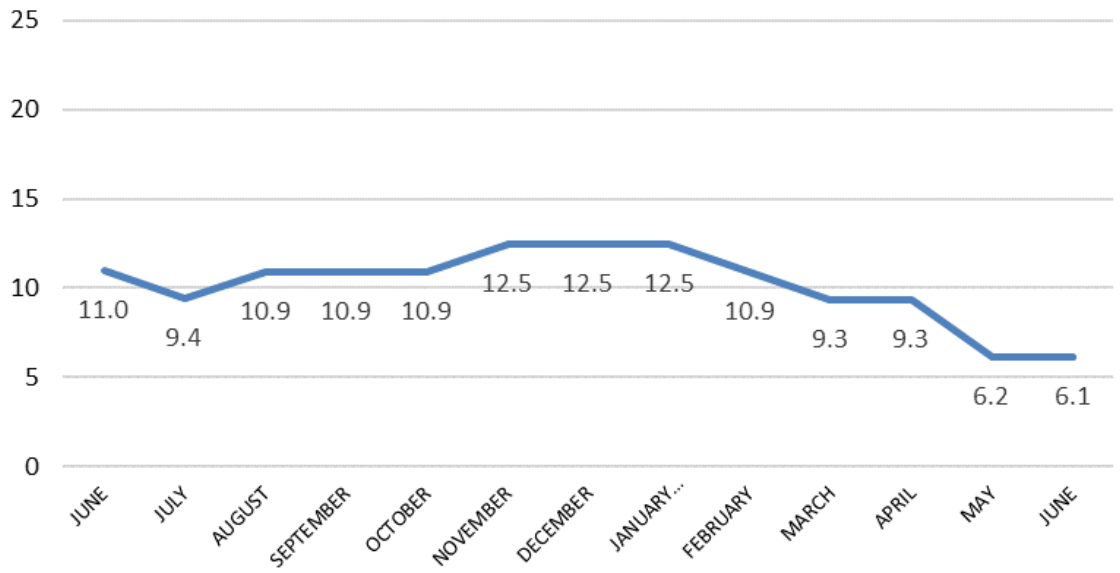
Table 5: Outline of LTIs reported - Financial Year 2019-20

No.	Description of Incident	Mechanism of Injury	Injury Description
1	Slipped on wet floor of hard rubbish truck	Slip and fall on same level	Lower back strain
2	Slipped dismounting a line marking machine	Slip on same level	Right knee strain
3	Pain in elbow from mulching activities	Muscular stress while lifting, carrying or putting down objects	Left elbow tendon strain
4	Pain in lower back from screeding concrete	Muscular stress while lifting, carrying or putting down objects	Lower back strain

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

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

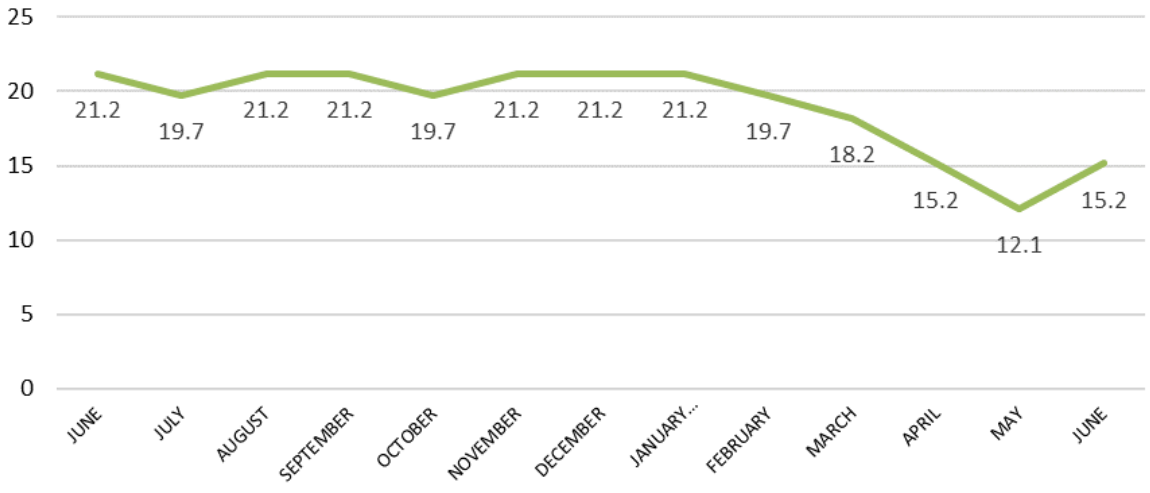
Figure 1: Rolling LTIFR over 12 months



The current rolling LTIFR for the City of Marion is 6.1, which represents a 44% reduction on the LTIFR of 11.0 at the end of last financial year. **Target of at least 10% reduction - MET.**

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

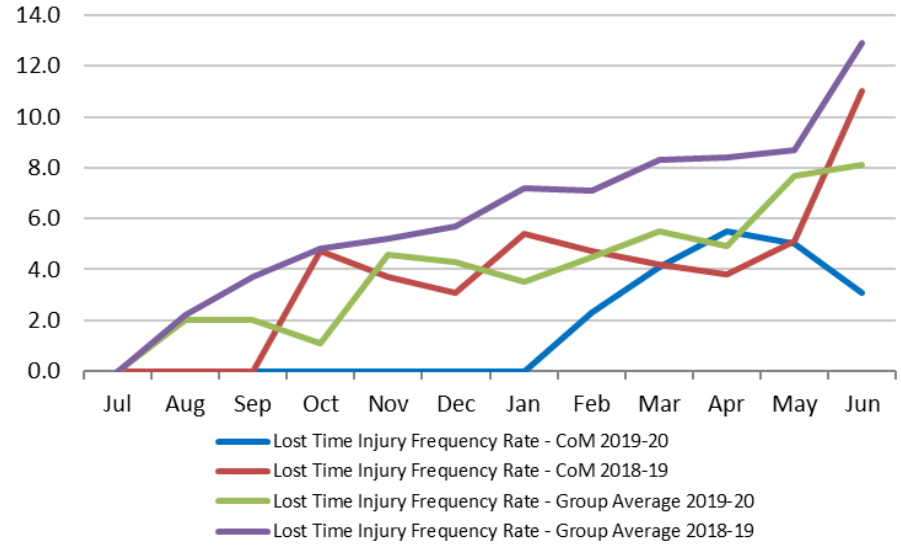


The current 12 month rolling TRIFR for the City of Marion is 15.2 which represents a 28.3% reduction on the TRIFR of 21.2 at the end of last financial year. **Target of at least 10% reduction - MET.**

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 ([1]GaC).

Figure 3: LTIFR compared against Group A Councils

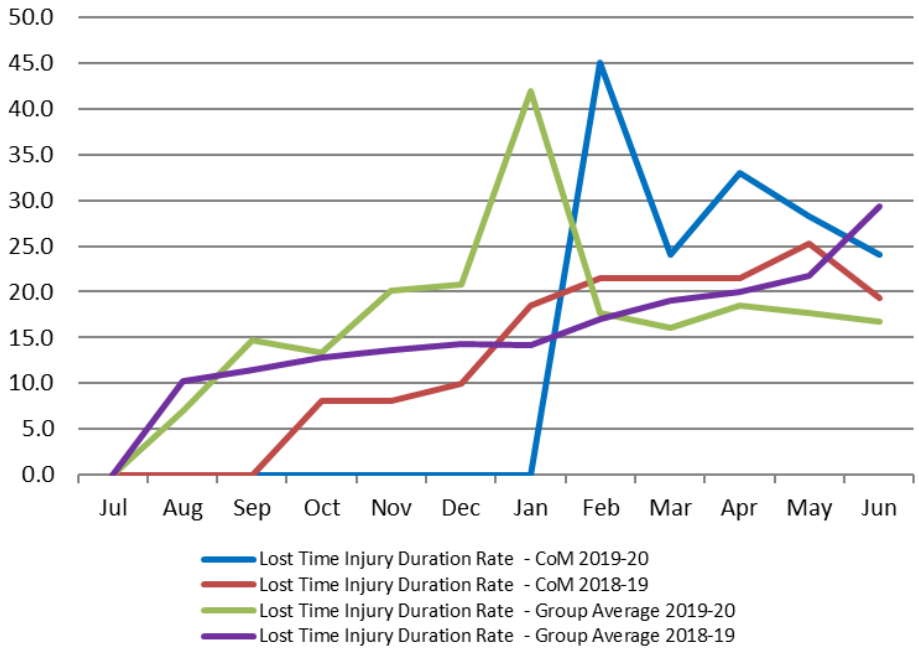


The current LTIFR for the City of Marion (represented in blue) is **3.1**, compared to GaCs recording **8.1**. However, the results only recognises 2 accepted claims, with 2 awaiting determination. Once accepted it should align with the LTIFR of 6.1 reported above from internal data.

Lost Time Injury Duration Rate (LGAWCS Claims Data)

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

Figure 4: LTIDR compared against Group A Councils



The current LTIDR for the City of Marion (represented in blue) is **24**, compared to GaCs recording **16.8**. However, the results only recognises 2 accepted claims, with 2 awaiting determination.

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

CITY OF MARION

Questions Taken on Notice Register

Originating Officer	Governance Officer - Angela Porter
Corporate Manager	Manager Corporate Governance - Kate McKenzie
General Manager	General Manager City Services - Tony Lines
Report Reference	SGC200729R11

REPORT OBJECTIVE

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

EXECUTIVE SUMMARY

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

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

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

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

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

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

RECOMMENDATION

That Council:

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

Attachment

#	Attachment	Type
1	GC200728 - QON Register	PDF File

Appendix 1

Questions Taken on Notice Register

Report Reference	Meeting Date	Councillor	Responsible Officer	Question taken on notice during the meeting	Response
GC200623R05 – RSL Carpark and Drainage Upgrades – Amendment of Decision	23 June 2020	Cr Bruce Hull	Manager City Property - Thuyen Vi-Alternetti	**Does the RSL have any plans to remove the poker machines?**	RSL have advised that they currently do not have any plans for the removal of the poker machines they have at their facility.
GC200623R07 – Valuation – Adoption for 2020-21 Financial Year	23 June 2020	Cr Ian Crossland	Manager Finance – Ray Barnwell	**Can further details be provided regarding what properties are exempt and why? Can members be provided with a list?**	Council relies on the Local Government Act 1999 to specify the types of land that are exempt from rates. Chapter 10, Section 147 of The Local Government Act 1999 stipulates that all land within the area of a council is rateable, except for land within a specific exemption. The following land is not rateable (exempt): • Unalienated Crown land. • Land used or held by the Crown for a public purpose, unless held under a lease or licence or is a domestic premises. • Land occupied by a university, but excluding domestic or residential premises. • Land that is exempt from rates by virtue of the *Recreational Grounds Rates and Taxes Exemption Act 1981.* • Land occupied or held by the council, except any such land held from a council under a lease or licence. • Land occupied or held by an emergency services organisation under the *Fire and Emergency Services Act 2005.* • Land that is exempt from council rates under or by virtue of another Act. A list of all properties held under an exemption within City of Marion is attached (Attachment 2).

Appendix 1

Questions Taken on Notice Register

GC200623R09 – Rate Rebate 2020-21	23 June 2020	Mayor Kris Hanna	Manager Finance – Ray Barnwell	**How many properties do we have that are owned by not for profit associations?**	Council's rates database does not specify which properties are owned by not for profit organisations. However, the following data was obtained from the Australian Charities and Not for Profits Commission located on the Australian Government website. The data has been sourced based on organisations that have a postal address within the City of Marion. A review of this list shows there are 89 registered not for profit organisations within the City of Marion.
GC200623Q02 – Proposed Changes to Bus Stops and Services	23 June 2020	Cr Bruce Hull	General Manager City Services – Tony Lines	**Who is responsible for the removal of bus shelters?**	On Monday 29 June 2020, the South Australian Government announced that following initial consultation and feedback from the community, the proposed changes to the Adelaide Metro bus network will not be proceeding. Council Officers were scheduled to meet with representatives from DPTI on Tuesday 30 June 2020 to clarify responsibilities for the proposed bus stop removals. This meeting was cancelled following the South Australian Government's announcement.

CITY OF MARION

WORKSHOP / PRESENTATION ITEMS

QUESTIONS WITH NOTICE

Council Verges - Reported Use of Plastic Grass

Elected Member Councillor Bruce Hull

Report Reference: SGC200729Q01

Question:

1. **What action is Council taking in regards to the reported use of plastic grass on Council verges?**
2. **What powers does Council have to uphold the Council's policy to prohibit plastic grass on Council verges?**

Supporting Information:

Nil

Response Received From:

Land Asset Officer / Registered Conveyancer - Heather Carthew

Staff Comments:

Background

From time to time Council is notified by residents of the installation of artificial turf on verges. In January 2019 the Verge Development Guidelines stated that artificial turf was not permitted on the verges.

On 23 April 2019 (GC190423R05) a report was considered by Council in response to a Motion With Notice (GC190312M07) to amend the Streetscape Policy and Verge Guidelines to include the ability for property owners to apply to install artificial turf treatments to Council verges. On 23 April 2019 it was resolved:

1. *Amend the Streetscape Policy and Verge Guidelines to include the ability for property owners to apply to install artificial turf treatments to council verges and that the purchase, installation and maintenance will be at the property owner's cost.*
2. *An appropriate application and acknowledgement form be developed to ensure:*

   A. It is the responsibility of the property owner to maintain the treatment; to avoid trip hazards, and that where services are accessed by council or utility providers, council will not be liable for reinstatement, and it will be the property owner's responsibility to reinstate the treatment; and

   B. The supplier/manufacturer of the turf material meets a minimum quality standard.
3. Staff encourage residents to explore natural verge treatments where possible.

These resolutions were rescinded on 14 May 2019 (GC190514M10) and Council then resolved:

1. *The City of Marion Verge Development Guidelines continue to identify Artificial turf as not permitted for use in Council verges.*

2. *An exemption allowing property owners to install artificial turf treatments to council verges and that the purchase, installation and maintenance will be at the property owner's cost be granted for appropriate applications received (or the application process/expression of interest began and/or received) between 23 April 2019 and 9 May 2019.*

3. *Staff encourage residents to explore natural verge treatments as much as possible.*

Definitions

A **road** extends from property boundary to property boundary and includes the verge, footpath, kerb and the carriageway.

A **verge** is the area between the kerb or made road and the property boundary.

Local Government Act 1999

Section 221 of the Local Government Act 1999 (the Act) states:

221 - Alteration of road

(1) A person (0ther than the council or a person acting under some other statutory authority) must not make an alteration to a public road unless authorised to do so by the council.
Maximum penalty: $5,000

(2) A person makes an alteration to a public road if the person -

(a) alters the construction or arrangement of the road to permit or facilitate access from an adjacent property; or
(b) erects or installs a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or
(c) changes or interferes with the construction ,arrangement or materials of the road; or
(d) changes, interferes with or removes a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the road; or
(e) plants a tree or other vegetation on the road, interferes with vegetation on the road, or removes vegetation from the road.

(3) An authorisation is not required under this section for an alteration to a road if -

(a) the person who proposes to make the alteration has some other statutory authorisation to make the alteration; or
(b) the purpose of the alteration is to permit vehicular access to and from land adjoining the road and the alteration is approved as part of a development authorisation under the Development Act 1993; or
(c) the alteration is of a kind classified under the regulations as a minor alteration.

Actions taken by Council for removal

Upon Council becoming aware that artificial turf has been laid on the Council verge, an inspection is undertaken to confirm the location and extent. Aerial photographs are used to determine the approximate installation date and the date of the purchase of the property by the current owner is verified through the Land Services Group.

A letter is written to the property owner advising that the turf is to be removed and the area is to be reinstated to the condition it was in prior to installation. The time frame for removal is between two and four weeks. Requests for extensions of time are considered by Administration on a case by case basis.

An inspection is undertaken on the due date.

- if the turf has been removed and the verge has been satisfactorily reinstated, the matter is closed.
- if the turf has not been removed, a second letter is sent.

If further action is required for enforcement, two template letters provided by Council's Solicitors are sent in succession to the owners advising them of Council's rights under the Act and providing them with an opportunity to undertake the removal themselves.

If the property owner refuses to remove the turf, Council has the right under the Act to remove the turf, reinstate the area and claim all costs from the person who installed the turf (Section 234 of the Act). The debt is not a charge against the land and cannot be added to the Rates Notice. A separate tax invoice must be raised by Council. If the property was sold after the installation of the turf, recovery of costs may be difficult if the previous owners cannot be found or refuse to pay.

Legal advice regarding Council's rights and template letters have been provided by Council's Solicitors to ensure that Council follows due process and that the property owners are given sufficient opportunity to undertake the works themselves.

Statistics

Between 23 April 2019 and 14 May 2019, three permits for the installation of artificial turf were granted by Council under delegated authority.

Since 14 May 2019, reports have been received from residents of artificial turf on the verges in front of five properties. All property owners are required to remove the turf by 31 July 2020.

Of these five properties, one was sold after the installation date. Therefore, the turf will be removed by Council staff at an estimated cost to Council of $600.

Westfield Marion Area - Residential Parking Scheme Exemptions

Elected Member Councillor Bruce Hull

Report Reference: SGC200729Q02

Question:

1. **Why have residents living around the Westfield Marion area been requested to reapply for their Residential Parking Scheme exemptions to be able to park outside their own homes, rather than the automatic renewal that applied up until recently?**

Supporting Information:

Nil.

Response Received From:

Team Leader Community Safety - Luke Manuel

Staff Comments:

All residential parking permits were automatically renewed this year as per usual, however Administration identified that some data was out of date and there are multiple permits issued to properties throughout the city.

There are permits that have been issued to people who have moved out of the City of Marion area and have not returned their permit or have not advised Council that they had. Because of this, multiple permits have been sent to addresses that may not need a permit or already have a permit. As a way to update the information in Council's database and ensure only those people who are current City of Marion residents who need a permit have one,

Administration is conducting a two yearly renewal. Residents need to make a new application for a permit, but there is still no charge for the permit.

Elected Members Code of Conduct During Elections

Elected Member Councillor Bruce Hull

Report Reference: SGC200729Q03

Question:

With regards to the Elected Members Code of Conduct, can you confirm that during General and Supplementary Council Elections the Elected Members Code of Conduct applies to all sitting Elected Members (including the Mayor) during the entire election process?

Supporting Information:

Nil

Response Received From:

Unit Manager Governance and Council Support - Jaimie Thwaites

Staff Comments:

Under the *Local Government Act 1999,* a Member of Council's term expires at the conclusion of the next general election held after his or her appointment or election as a member of the council (Section 53). All Council members must observe the code of conduct during their term of office (Section 63).

This means the code of conduct does apply to all sitting members until the conclusion of the election process, and would continue to apply if members were re-elected.

Spinnaker Crescent Reserve

Elected Member Mayor Kris Hanna

Report Reference: SGC200729Q04

Question:

What enforcement action is being taken against St Martin De Porres School, or their agents, in response to them covering a large portion of Spinnaker Crescent Reserve with dolomite, without Council permission?

Supporting Information:

Context: to assist with access the school, Council gave permission for a temporary dolomite driveway across the reserve. The School or their agents then went far beyond the permitted area, going on to cover perhaps 40-50% of the reserve with dolomite, without permission.

Response Received From:

Thuyen Vi-Alternetti

Staff Comments:

Council has contacted the School to discuss the unapproved works undertaken by them on the licensed area and have been advised that after the temporary hard base driveway was constructed, a number of parent's vehicles and machinery to lay the base were bogged at the site It was then identified and decided by the school the need for a hard surface across the entire license area in its current state it was deemed unsafe for parking and access. The school have acknowledged that they should have sought landlord approval prior to commencing further works and are currently seeking retrospective approval for the works carried out.

The license agreement currently in place for 12 months, allows for Council to request that the site be repaired/reinstated, to enforce this will more than likely impact the school's ability to utilise the licensed area for car parking. The car parking for the school is critical to reduce the local traffic congestion during peak periods of school drop off and pick ups. Administration are currently working through the complexities of the situation and will be meeting with the School to discuss this matter and the best options moving forward for the site and the community.

CITY OF MARION

MOTIONS WITH NOTICE

Genetically Modified (GM) crops - consultation

Elected Member Councillor Bruce Hull

Report Reference: SGC200729M01

Motion:

Acknowledging that there are a number of primary producers, food processors and manufacturers in our city and in response to correspondence from Primary Industries and Regions SA (PIRSA) re changes to South Australia's Genetically Modified Crops Management Act 2004.

I move that the City of Marion undertakes Community Consultation as to assess the public opinion with regards to the use of Genetically Modified Crops and that our Council advises the relevant Minister of the outcome.

Supporting Information:

Nil.

Response Received From: Senior Environmental Planner - Rebecca Neumann

Corporate Manager Manager Engineering, Assets and Environment - Mathew Allen

General Manager General Manager City Services - Tony Lines

Staff Comments:

On 4 June 2020, Council received correspondence from Primary Industries and Regions SA (PIRSA) regarding changes to South Australia's Genetically Modified Crops Management Act 2004 (Attachment 1). This letter was forwarded to Elected Members on 17 June 2020. Council also received further information from Mark Parnell MLC on this matter (Attachment 2).

The letters highlight that for a short time, local Councils can make a request to the Minister for Primary Industries & Regional Development to prohibit cultivation of genetically modified (GM) food crops within the City of Marion. The state government has advised this is a once-off opportunity.

The state government has advised that any Councils who prepare a request to the Minister must complete community engagement which is directed at people engaged in primary production activities and food processing or manufacturing activities.

If Council chooses to support this motion:

- A survey will be developed and made available through Making Marion and distributed through local community and business networks
- The survey will seek to collect evidence related to the trade and marketing impact of GM crops. This includes whether or not local food producers and manufacturers can demonstrate that their capacity to market and export their product would be affected by our area's GM status
- A summary of the consultation will be presented to the relevant Minister

Council may also wish to consider a further report to Council on the results of the consultation before it is sent to the Minister - including whether to advocate for a ban on GM crop production.

It should be noted that this decision relates to the commercial cultivation of GM food crops within the City of Marion. There is currently no large-scale commercial food crop production in the City of Marion and current land use zoning is not conducive to future large-scale food crop production.

During the University of Adelaide's ownership of Glenthorne Farm, there was some experimental trialling of GM crops, however the Department for Environment and Water haS informed Council that no future GM crops will be commercially grown or trialled within Glenthorne National Park.

There are some food producers located within the City of Marion that may have concerns with GM crop production outside of the Council area. In these instances, these businesses should be making submissions to consultations in the Council areas that the crops are grown.

ATTACHMENTS:

#	Attachment	Type
1	Attachment 1 - Letter from PIRSA - GM Exemption Process	PDF File
2	Attachment 2 - Letter from Mark Parnell MLC - GM Crops	PDF File

Government of South Australia
Primary Industries and Regions SA

OFFICE OF THE CHIEF EXECUTIVE
Level 12
25 Grenfell Street
ADELAIDE SA 5000
GPO Box 1671
Adelaide SA 5001
DX 667
Tel (08) 8429 0248

www.pir.sa.gov.au

4466940

Mr Adrian Skull
Chief Executive Officer
City of Marion
OAKLANDS PARK SA 5046

council@marion.sa.gov.au

Dear Mr Skull,

I am writing to you regarding changes to South Australia's *Genetically Modified Crops Management Act 2004* (the Act) through the South Australian Parliament.

This Act provides the power to prohibit cultivation of genetically modified (GM) food crops and aligns with the national scheme for regulating gene technology which only allows State Governments to regulate GM food crops where there are risks to markets and trade. Any risks to human health or the environment are managed by the national scheme which is administered by the Commonwealth Government regulator, the Office of the Gene Technology Regulator.

For this reason, the Act is limited in its scope and any concerns relating to health or the environment cannot be used as grounds to apply to be a non-GM designated area under the Act. Please also note that a GM moratorium under the Act only applies to the cultivation of GM food crops. It does not apply to the sale of processed foods made from GM food crops such as canola oil.

Recent amendments to the Act lift the GM moratorium in all of South Australia except Kangaroo Island. There is a time limited opportunity for local councils to apply to the Minister for Primary Industries and Regional Development to be declared an area where no GM food crops may be cultivated.

The decision to lift the GM Moratorium on mainland South Australia follows extensive public consultation and recommendations from an independent review that evaluated the market and trade benefits, or lack thereof, of the GM moratorium to the South Australian economy and agricultural industries.

While local councils have the ability to apply to be a non-GM crop cultivation designated area there is no requirement for councils to make such an application.

Section 5A of the Act governs the processes relating to designating council areas. It states the Minister may make a declaration through a notice in the Government Gazette after he has consulted with the GM Crops Advisory Committee established under the Act.

Councils that wish to make an application must firstly consult with their community, including persons engaged in primary production activities and food processing or manufacturing activities.

Applications and Ministerial declarations can only occur within the first 6 months of the Act coming into operation. This period ends on Sunday 15 November 2020.

I would like to provide you with the following guidance should your council choose to apply to the Minister.

Applications should:

- be framed within the scope of the Act i.e. relate to marketing and trade only
- demonstrate the consultation requirements of the Act have been fulfilled
- include advice on all views expressed during consultation (in favour or against declaration) and any evidence provided by the community and/or industry relating to the application.

Applications can be sent to the Minister for Primary Industries and Regional Development, Hon Tim Whetstone MP, at Minister.Whetstone@sa.gov.au with a copy to PIRSA at PIRSA.GMReview@sa.gov.au. I also request that in order to provide the Minister with sufficient time to fulfil his responsibilities under section 5A of the Act, applications be submitted by 30 September 2020.

For more information on GM food crops, background on the GM moratorium and the independent review, please visit www.pir.sa.gov.au.

You are also welcome to contact Ms Elena Anear, Assistant Director Strategy and Policy, Agriculture, Food and Wine, PIRSA, by email at elena.anear2@sa.gov.au if you have any further questions.

Yours sincerely



Michelle Edge
CHIEF EXECUTIVE

3/6/2020

MARK PARNELL

Member of the Legislative Council

Mr Adrian Skull
Chief Executive Officer
City of Marion
245 Sturt Road
Sturt SA 5047

council@marion.sa.gov.au

10 June 2020

Dear Mr Skull

I am writing to you regarding recent changes to the *Genetically Modified Crops Management Act 2004*. These changes lift the long-standing moratorium on the cultivation of genetically modified (GM) crops on mainland South Australia, however they also provide SA councils with a short window of opportunity to apply to remain a GM-free council area.

If you haven't done so already, I strongly encourage Council to urgently resolve to undertake a consultation process with your community regarding their views on this question, as required by the Act.

As you may know, the final decision on whether a local council area can remain GM-free will be made by the Minister for Primary Industries. Under the Act, the Minister will only be considering views and evidence relating to impacts on marketing and trade of allowing GM-crops to be grown in the council area, or remaining GM-free.

We know that many food businesses want South Australia to remain GM-free to provide a marketing advantage and point of difference with their competitors. However, as it may be difficult for small local food businesses to undertake a rigorous assessment and provide evidence of marketing advantages for their particular business, I would encourage Council to assist by proactively investigating existing and potential marketing and trade advantages that could be gained for food-related businesses in your council area by remaining GM-free.

Parliament House, North Terrace, Adelaide SA 5000
(08) 8237 9111
parnell@parliament.sa.gov.au
www.markparnell.org.au

THE GREENS

I'm advised that when considering an application from a council, the Minister will also be looking at implications of a decision to declare a council area GM-free for areas beyond council boundaries. For this reason, Council may wish to consider a regional approach to this matter, in conjunction with neighbouring councils. I'm also advised by the Minister's office that the Minister will be relying on the Anderson Report to inform his decisions, so it's important to note that Anderson's analysis is disputed by reputable academics. One such critique is by Dr John Paull from the University of Tasmania entitled *A Review of the Independent Review of the South Australian GM Food Crop Moratorium and Fourteen Alternative Findings*.

Given the short timeframe for this entire process, (with applications to the Minister due by 30 September), and the fact that once this process has been completed there will be no further opportunities to remain GM-free, I encourage Council to act quickly.

Finally, I would add that this issue is important for all council areas, regardless of whether or not canola is currently grown. Whilst canola is the main crop of interest today, the changes to the Act apply to ALL future GM crops, i.e. any type that may be developed in the future. This current opportunity is your only chance to apply to remain GM-free. Once this opportunity has passed, all future decisions about growing GM crops will be made at a national level with no regard to local economic circumstances.

If you require any further assistance, I can be contacted on 08 8237 9111 or at parnell@parliament.sa.gov.au.

Yours sincerely



Mark Parnell MLC
Greens Member of the Legislative Council
Parliament of South Australia

CITY OF MARION

Rescission Motion - Removal of Lower Field River Pines (Aleppo Pines)

Elected Member Councillor Matthew Shilling

Report Reference: SGC200729M02

Motion:

That Council:

1. Rescind motion GC200526P01
    1. *Council notes the petition.*
    2. *The group of approximately 30 Aleppo Pine trees in the Cormorant Drive Reserve, Hallett Cove, be removed in stages over the period of the next three years whilst a revegetation program takes affect during that period.*
    3. *The Petitioners be advised of the decision*

2. Council notes the petition of 31 signatures, discussed at General Council on 26 May 2020;
3. A report be brought to Council by 27th October 2020 regarding the Aleppo Pines which provides Council with the following information:
    a. An external expert opinion on what impacts the removal of the trees will have on:
        i. Fauna;
        ii. Flora;
        iii. Field River environment, in particular the immediate area around the trees;
    b. A plan for a staged approach to remove the 30 Aleppo Pines ranging from 5 to 7 years;
    c. Information on what natives can be used to revegetate the site.

4. That the Petitioners be advised of the amended motion.

Supporting Information:

On 26 May, Council discussed the issue of the 30 Aleppo Pines in the Lower Field River area and how they should be removed.

After the decision was made Cr Duncan and I received several phone calls on how the Friends of the Lower Field River had very little knowledge of this motion coming before Council. The group feel they were not afforded the right to be heard via a deputation. The group had no knowledge that the Deputation received by Council was going to occur or found out shortly beforehand, and it did not reflect the views and opinions of the group.

I include a letter received by all Councillors regarding the decision to remove the trees and the Trees For Life Management Plan.

Close to 30 native birds utilise the trees for a source of food or shelter. Yellow Tailed Black Cockatoos cannot live in the trees as there are no hollows, however they do utilise the seeds for a source of food and shelter throughout the day, these are not the only birds to be concerned about, but one that is raised the most as it is so commonly seen. Birds are not the only Fauna utilising the space. We need to consider ground species, even organisms that are around the trees.

I acknowledge that Aleppo Pines are declared a weed under the Natural Resource Management Act 2004 and agree that they should be removed. The main concern is that when making the decision Council did not have all the information required to make an informed decision. I note staff preferred the option to seek further advice and report back to Council, originally raising similar concerns to what is being requested for in the report.

The trees need to be removed, there is no question about that. However they need to be removed in a staged process and being done so with knowing the full impact their removal will have on the local environment.

Response Received From: Coordinator Biodiversity - Jock Conlon

Corporate Manager Manager Operations - Fiona Harvey

General Manager General Manager City Services - Tony Lines

Staff Comments:

Should Council rescind the motion passed at its meeting on 26 May 2020 (GC200526P01) and adopt this motion, staff will engage independent experts to undertake comprehensive assessments of the staged removal of the Aleppo Pines and the ecological changes on the local ecosystem. A report will be provided to Council by 27 October 2020.

ATTACHMENTS:

#	Attachment	Type
1	Speirs David_Ltr to City of Marion_Removal of Aleppo Pines, Lower Field River_09062020	PDF File
2	FoLFR_BFL Action Plan_June2019 V12	PDF File
3	ATTACHMENT A Weed Treetment Schedule	PDF File
4	ATTACHMENT B BFL Minimal Disturbance Bush Regeneration Techniques_Dec2019	PDF File
5	ATTACHMENT C Herbarium	PDF File
6	ATTACHMENT D Photopoints	PDF File
7	ATTACHMENT E Bird Monitoring Report	PDF File
8	ATTACHMENT F Australian Birdlife Vol. 8 No. 3 September 2019	PDF File

David Speirs MP
Member for Black



9 June 2020

Dear Mayor and councillors,

RE: Removal of Aleppo pines, Lower Field River

I write in response to the council's recent decision to accelerate the removal of Aleppo pine trees from the Lower Field River. I understand that this decision was an amended motion and was not the original motion placed within the council agenda.

As a number of members would know I began my involvement in community life as a foundation member of the Lower Field River and spent a number of my formative years living in the area. My parents continue to live a couple of streets back from the river.

One of the great strengths of the Friends of the Lower Field River since the group's foundation in 2006 has been the staged and conservative approach to vegetation removal as a way of bringing the wider community along on the journey. The group — with the council's long term support — has demonstrated over time what successful revegetation looks like, then removed pest vegetation in the areas immediately adjacent to the revegetation sites. This has allowed a demonstration to the community of what healthy revegetation looks like and justified the removal of the nearby (pest) vegetation.

The majority of local residents would not know that Aleppo pines were a declared pest and would assume that they are a key part of the area's ecology. I know that before I became a part of Friends of the Lower Field River I wouldn't haven known that olives, castor oils or ash trees were not part of the natural landscape and I would confidently state that my early naivety is replicated across our community. To most people the Aleppo pines would simply be part of green open space and natural habitat: to be enjoyed and treasured.

While these trees are clearly a declared pest, the legislation only requires the trees to be controlled on site. In my assessment this means that no new trees are to be planted, naturally seeding saplings are efficiently removed and as trees become old and unsafe, they should be removed in a progressive manner.

I am not sure how many councillors have visited the Lower Field River site (I would happily take you on a walking tour on the weekend), but the pine trees are an integral part of the environment, providing an important roosting and nesting site for birds. They are also stabilising the river banks and my greatest concern regarding the removal of these trees as part of an accelerated approach is that the banks of the river will be subject to sudden erosion, resulting in huge damage to the river course and sediment deposition in the gulf. I think this is likely to be worse on the western side of the river in the stretch which runs from Cormorant Drive along to the bottom of Egret Court. I suggest that the council undertake a hydrological assessment of the areas of the river flanked by the pines.

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You would also be aware that the trees provide critical habitat for the yellow-tailed black cockatoos, which have evolved to survive and thrive on their seeds which have come to replace hakea as their main food source. While there are plans to plant hakea on the site in the immediate term (and in the larger Glenthorne precinct in the medium term), these trees are slow to grow and it would take many years to establish a reliable food source in the Field River area.

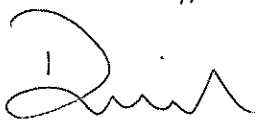
In recent years the council has engaged Trees for Life to help volunteers manage the Lower Field River precinct. This has allowed space for planning, which had been absent in the last few years due to the constraints on volunteers' time. The removal of the pines over an accelerated timeframe does not sit within the Trees for Life plan and makes a mockery of the fact that council has invested in a plan. I understand that the removal goes against the advice of the council's biodiversity team, and further it does not align with the advice of the Department for Environment and Water's expert ecologist, something that greatly concerns me as the responsible minister.

Over many years something very special has occurred at the Lower Field River. This once highly degraded site has become a small, but significant, localised biodiversity hotspot. I have learnt so much from being part of this group and there is absolutely no doubt in my mind that through my involvement in Friends of the Lower Field River I have ended up as our state's Environment Minister. Further, it would not be an exaggeration to say that the inspiration for the Glenthorne National Park and all the good that will come of that in the coming generations has grown from this little patch in the Lower Field River.

I would urge the council to rethink the removal of these trees, moving back to a longer term plan (over a couple of decades) as opposed to the accelerated approach which was endorsed.

I would be happy to answer any questions with regard to this matter.

Yours sincerely,



DAVID SPEIRS MP
Minister for Environment and Water
Member for Black

Cc: Mayor Kris Hanna, Cr Ian Crossland, Cr Tim Gard, Cr Jason Veliskou, Cr Kendra Clancy, Cr Matthew Shilling, Cr Maggie Duncan, Cr Bruce Hull, Cr Nathan Prior, Cr Raelene Telfer, Cr Luke Hutchinson, Cr Joseph Masika and Cr Sasha Mason

TreesForLife

Bush For Life
Native Vegetation Management Plan

Lower Field River – MI002T
Hallett Cove

June 2019

DRAFT

CITY OF MARION

friends of the lower FIELD RIVER

Bush For Life is a program run by **Trees For Life Inc**, a not-for-profit community based organisation, dedicated to the revegetation of South Australia and the protection of its remnant vegetation.

The Bush For Life program builds capacity amongst the community to achieve tangible on-ground improvements in the sustainability of our remnant native vegetation, as well as providing specialist technical and on-ground services through its professional staff.

Since 1994 BFL has built up a volunteer base of over 1200 active bush carers working on more than 300 sites, equivalent to an area of over 4000 ha.

A key feature of the program and a key to its success is the development of a **continuous learning pathway**, which builds awareness and understanding of ecological processes, the role of low disturbance methodology. It empowers volunteers to take direct on-ground action by providing a number of options for active participation in on-ground activities. This ranges from the adopt-a-site approach, to participation in Bush Action Teams (BATs), Bush Management Days and other group activities.

Relationships with volunteers are developed and nurtured through a network of skilled regional coordinators and volunteers are provided with opportunities to further develop their skills in advanced training courses that focus on particular habitat types, weed species, techniques and herbicides. BFL also places high value in training volunteers in the safe handling of tools, chemicals and work site operation.

BFL operates on both public lands in collaboration with local governments and other authorities, and also assists private owners of bushland who have participated in its training courses.

Funded by the City of Marion

CITY OF MARION

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Trees For Life encourages community organisations to discuss not-for-profit use of this material for community environmental activities by phoning 08 8406 0500 or e-mail: info@treesforlife.org.au

TABLE OF CONTENTS

INTRODUCTION **1**

PURPOSE **1**

OBJECTIVES FOR THE SITE **1**

SITE DESCRIPTION **2**

SITE DESCRIPTION **5**

NATIVE VEGETATION 5
SITE HISTORY 5
SITE STAKEHOLDERS 6

MANAGEMENT ISSUES AND RECOMMENDATIONS **7**

NATIVE VEGETATION MANAGEMENT ISSUES **10**

REVEGETATION 10
Best Practice Revegetation *10*
Second Best Practice Revegetation *11*
PRINCIPLES AND STRATEGIES OF BUSH REGENERATION 12
Bush Regeneration Principles *12*
Bush Regeneration Strategies *13*
Weed Management Priorities on the Friends of the Lower Field River site *14*
Priority Areas *14*
Zone Description and Actions *15*
Management Zone: 1 16
Management Zone: 2 16
Management Zone: 3 17
Management Zone: 4 17
Management Zone: 5 18
Management Zone: 6 18
Management Zone: 7 18
Management Zone: 8 20
Management Zone: 9 22
Management Zone: 10 22
Management Zone: 11 23
Management Zone: 12 24
Management Zone: 13 24
Management Zone: 14 25
Management Zone: 15 25
Management Zone: 16 25
Management Zone: 17 26
Management Zone: 18 26
Management Zone: 19 27
Management Zone: 20 29
OTHER ACTIVITITES 30
Phytophthora prevention *30*
Herbarium *30*
Monitoring *30*

USEFUL RESOURCES FOR FURTHER READING **33**

REFERENCES **35**

DRAFT

APPENDIX 1: NATIVE PLANT LIST **36**
APPENDIX 2: WEED AND NON-LOCAL PLANT LIST **38**
APPENDIX 3: SAMPLE REVEGETATION PLANT LIST **40**
APPENDIX 4: BIRD SPECIES LIST **41**
APPENDIX 5: ACTION SCHEDULE SUMMARY **43**

ATTACHMENT A: Weed Treatment Summary Table
ATTACHMENT B: Bush For Life minimal disturbance bush regeneration techniques.
ATTACHMENT C: How to create a herbarium
ATTACHMENT D: How to establish a photopoint
ATTACHMENT E: Bird Monitoring Report
ATTACHMENT F: Australian Birdlife Vol. 8 No. 3 September 2019

ACKNOWLEDGEMENTS

Thanks to the members of the Friends of the Lower Field River for their input to the management of vegetation in their project area in Cormorant Reserve over the years, including recent comments and discussion with Randall Bates (Trees For Life) and Jerry Smith and Jock Conlon (City of Marion). Thanks also for the input to this management plan by Randall, Jerry and Jock, and to Jason Van Weenen (Species Ecologist, Department for Environment and Water) for his advice regarding the use of Aleppo Pines as habitat for Yellow-tailed Black Cockatoos.

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INTRODUCTION

Australia was once covered with native vegetation. Each place had its own unique community of plants and animals, which had evolved over eons of time. While these plant communities may have been quite variable in form and composition, being part of a continuous landscape meant species could move freely between them. This allowed animals to take advantage of resources throughout their home range. Family groups were able to disperse and exchange genetic material with neighbouring populations and escape disturbance events like bush fires. Animals also helped move pollen and seeds of many plant species, so cross-pollination and distribution could take place.

Since European settlement, there has been a high level of clearance for urban, industrial and agricultural development. It is estimated that only about 13% of the pre-European vegetation cover remains in the Adelaide and Mount Lofty Ranges Natural Resource Management Region, with much of it highly degraded and some vegetation communities disproportionately cleared. This has resulted in the fragmentation of habitats into small patches of native vegetation, with populations of plants and animals that are isolated from each other. In addition, these fragments are susceptible to "edge effects". Plants and animals are subject to impacts from the surrounding land use, such as housing developments, farming, rubbish dumps and quarries.

Without actively managing these remnants, they will continue to degrade. Weed invasion is a common result of the "edge effect" and weed management to encourage bush regeneration is one of the most important activities undertaken in the Bush For Life program.

"Protecting existing remnant vegetation is by far the most efficient way of conserving biodiversity"

Australian Conservation Foundation, (1999) Getting back on track – the biodiversity challenge

PURPOSE

This plan is primarily intended to guide the Friends of the Lower Field River volunteers' on-ground bushcare work required to maintain and improve the native vegetation on the site but also provides a resource for the land owner and other stakeholders. It describes:

- the area under management,
- degrading influences on the native vegetation,
- conservation objectives,
- how appropriate actions can be taken to maintain and improve its condition and
- a recommended monitoring program.

OBJECTIVES FOR THE SITE

1. Ensure long-term conservation of the site's native plant and animal species.
2. Protect seed sources for natural regeneration and future revegetation activities.
3. Maintain the integrity of the site's native vegetation and restore degraded areas.
4. Discuss opportunities for future revegetation activities within the reserve.
5. Discuss removal of non-indigenous tree species from the reserve.
6. Encourage the public's appreciation of the native vegetation and biodiversity values of the site and provide opportunities for the local community to become involved in its management.

SITE DESCRIPTION

The Lower Field River site is approximately 20 kilometres south-west of Adelaide, bisected by Cormorant Drive at the corner of Osprey Court. The site incorporates a section of the fore-dunes, between the walking track up to Grand Central Avenue to the north and just south of the river mouth, and extends south-east along Cormorant Reserve to the fenceline of the Seaford railway line.

Reserve Name:	Cormorant Reserve
Local Government Area:	Marion
Location:	Hallett Cove, Hundred of Noarlunga.
GIS reference:	UTM GDA Zone 54H E271605 N6114558
Title Information:	Includes Parcel D33936 A265 CT 5068/796, D33936 A266 CT 5068/797, part Parcel F101647 A4 (DPTI railway corridor) and part of the coastal fore-dune
Site Owner:	City of Marion
Date established as TFL Site:	2018

The total area of the site is approximately 7.2 hectares, incorporating remnant and revegetated native vegetation, mown recreation and planted garden bed areas, and the Field River. The reserve is bound by housing developments on both the north and south sides and the Seaford railway corridor to the east. North from the river mouth there is some connectivity with the narrow coastal dune system to other remnant coastal heathlands and cliff face vegetation, while to the south Hallett Headland is a 13 hectare patch of remnant vegetation, which contains more than 100 native plant species including over 30 species considered to be of conservation significance in the Mount Lofty Ranges. Marino Conservation Park is 3.4km north of the Field River, while Hallett Cove Conservation Park is nearer at 700m north. Across the east side of the railway line and Lonsdale Road, the Field River extends through large areas of open grassy woodland of unknown quality on privately owned land containing a quarry.



Lower Field River in relation to Adelaide



Map showing the approximate boundary of the Lower Field River project site, incorporating coastal dunes at the river mouth and Cormorant Reserve, which is dissected by Cormorant Drive. The site shown includes areas managed by the City of Marion, including mown parkland areas, tracks and the Field River itself.

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SITE DESCRIPTION

The Lower Field River project site is located in Cormorant Reserve, extending from the mouth of the Field River at the southern end of Hallett Cover Beach up to the Seaford railway embankment. Here the river's natural flow was diverted through artificial concrete culverts under the railway line and the adjacent Lonsdale Road. The project site comprises a number of different landforms including coastal dune, riparian, cliff and hillslope.

Climate: The climate is typically Mediterranean with cool, moist winters and warm to hot dry summers. Peak rainfall is through the winter months with occasional rain events throughout spring and summer.[1] Mean Annual Rainfall (1976 – 2005) is 503mm.[2]

Native Vegetation

The term Vegetation Community refers to the assemblage of plants that occur in a given location, and can be described using Specht's Major Vegetation Structural Formations in South Australia (Croft, Pedler and Milne 2005).

Pre European mapping indicates that the original vegetation of this site would have been a *Eucalyptus porosa* (Mallee Box) Woodland on the slopes, *Eucalyptus camaldulensis* ssp. *camaldulensis* (River Red Gum) Woodland along the watercourse and *Acacia ligulata* (Umbrella Bush) Low Shrubland along the coast.

The two main vegetation associations that currently occur on site include[3]:

1. *Olearia axillaris* (Coast Daisy-bush) +/- *Rhagodia candolleana* (Sea-berry Saltbush) +/- *Atriplex paludosa* (Marsh Saltbush) Low Shrubland

2. *Enneapogon nigricans* (Black-head Grass) +/- *Austrostipa scabra* (Rough Spear-grass) +/- *Themeda triandra* (Kangaroo Grass) Tussock Grassland with emergent *Acacia victoriae* (Elegant Wattle), *Eucalyptus porosa* (Mallee Box) and *Acacia pycnantha* (Golden Wattle).

A number of plant species of regional conservation significance occur on the reserve, including both remnant and planted species. A full list of indigenous species and combined weed and non-local plant species are given in Appendices 1 & 2 respectively.

Site History

Much of the original vegetation within the Field River catchment has been cleared or modified since European settlement[4]. Grazing and other agricultural pursuits have resulted in a highly modified vegetative cover and, more recently, urban development surrounded the site known as Cormorant

[1] Galley, J.M., 2006, Management Action Plan for the Lower Field River Hallett Cove, City of Marion
[2] http://spatialwebapps.environment.sa.gov.au/naturemaps/?locale=en-us&viewer=naturemaps
[3] Smith, J.J., 2008, City of Marion Indigenous Vegetation Assessments Stage Two, City of Marion
[4] ECO Management Services Pty Ltd & ID&A Pty Ltd in association with Green Environmental Consultants Vivienne Wood, 2000, Field River & Waterfall Creek Riparian Zone Biodiversity Action Plan, Onkaparinga Catchment Water Management Board

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Reserve. Pockets of remnant vegetation and plantings of locally indigenous species now compete with invasive weeds and other exotic species that have been planted over the years.

A notice[5] asking for expressions of interest to form the Friends of the Field River was sent out in conjunction with a planned walk along the Field River in December 2005, from the mouth to the railway embankment. The aim was to get people from the community to become *"an integral part of the future care management and planning of the Field River by:*

- *Removal and control of problem weeds especially olives*
- *Seed collection*
- *Planting of native species*
- *Local biodiversity surveys"*

The Friends of the Lower Field River was established in 2006, with their first meeting held in February. Their website[6] has a wealth of information about the group, its history and the area of the Field River in which they concentrate their activities. It includes a downloadable information brochure and their action plan, which talks about the group's aims and objectives.

"Friends of the Lower Field River is a land care group established by Hallett Cove residents in 2006 to protect and care for the lower portion of the Field River and its environs. This area includes Cormorant Reserve, the river's estuary at Hallett Cove Beach and nearby sand dunes.

Over the years this area has been degraded, but it retains huge potential into the future. Our aim is to gather support from the community and work towards the rehabilitation and protection of these areas. Unless long-term plans are made and all of the community comes together, the degradation may not be able to be reversed.

Friends of the Lower Field River believes that all of the community should be seen as guardians of this area's exceptional natural beauty and we are keen to pass onto future generations something they can all feel proud of.

We have developed an action plan outlining our priorities and targets for the next few years and together with the City of Marion (the owners of the reserve) and other interested parties we plan to improve the condition of this urban river, control weeds, protect and enhance coastal dune vegetation and plant indigenous shrubs, trees and grasses.

Even the smallest of works will start bringing native animal and bird life back into the area. Once this starts, momentum will build and we will have an environmental gem on our doorstep."

Site Stakeholders

The following people/groups also have a role or interest in the management of this site.

Name stakeholder/group	role or project
City of Marion	Responsible for overall management of the reserve, including mowing open areas, maintaining fire fuel reduction areas, track and infrastructure maintenance, removal of rubbish dumped in reserve, tree removal where appropriate, weed management activities as requested by the FoLFR from time to time.
Friends of the Lower Field River (FoLFR)	Caring for the local environment in the lower Field River, including revegetation and bushcare activities within Cormorant Reserve.

[5] Galley, J.M., 2006, Management Action Plan for the Lower Field River Hallett Cove, City of Marion
[6] http://www.fieldriver.org/index.php

MANAGEMENT ISSUES AND RECOMMENDATIONS

Land clearance and grazing has resulted in varying levels of degradation within the project site at the lower Field River. While pockets of remnant native vegetation remain, there has been extensive planting within the area over the years. Initially this involved mainly horticultural specimen trees, palms, shrubs and turf, but more recently revegetation of locally indigenous species has taken place.

Invasive weeds represent a major threat to the remnant native vegetation present, as well as the revegetated areas. Priority should be given to weed management in remnant areas containing good native species diversity with lower levels of weed invasion. Areas previously revegetated should now be managed using the same minimum disturbance bush regeneration techniques as the remnant areas, to encourage sustainable populations without the need for constantly replacing plants that die with new tubestock.

Revegetation of local species has been a key activity of the FoLFR since their formation in 2006. This was necessary to re-establish native vegetation cover where it had been historically cleared. However, future revegetation activities are restricted by the amount of open or degraded land remaining that does not contain existing remnant vegetation, together with the need to consider fire fuel load management zones near housing and infrastructure.

Planting of trees and shrubs into remnant native grass and mat-rush areas should be avoided in the future, as this poses a threat to this vegetation community. Shading by overstorey species can reduce the health and vigour of these species, while revegetation activities create disturbance that can advantage weeds. Any future revegetation in these areas should be restricted to additional understorey species, including native lilies and groundcovers.

Potential future revegetation opportunities have been included under the Zone Descriptions and Actions section later in this plan. See also section below on revegetation

Many of the historical plantings of non-local species are not particularly invasive, although they may take up space and resources that ideally should be occupied by local species. Unless seeking to be a purist and remove *all* non-local species, efforts should concentrate on the more invasive weeds within areas already occupied by locally indigenous species.

Much discussion over the years has focussed on removal of some of the larger exotic plant species, including stands of *Pinus halepensis* (Aleppo Pine) and a screen planting of *Lagunaria patersonii* (Norfolk Island Hibiscus/ Itchy Powder Tree).

When managing vegetation and planning the removal of introduced species, their use by native wildlife is an essential part of the decision making process. In the case of the Aleppo Pine, this species is known as an important food source for the Yellow-tailed Black Cockatoo (*Calyptorhynchus funereus*), a species that is listed as vulnerable in South Australia under the National Parks and Wildlife Act.

Another tract of land within the metropolitan area of Adelaide with a large population of Aleppo Pine is the Highbury Aqueduct Reserve, managed by the Department for Environment and Water. The Reserve's *Final Master Plan Report*[7] proposes a staged removal of the Aleppo Pines while the site is returned to a more natural state in association with a revegetation program. It stresses that the activities should be undertaken slowly in order to minimise significant impacts to the Yellow-

[7] URPS, 2013, Highbury Aqueduct Reserve Final Master Plan Report, Department for Environment and Water

tailed Black Cockatoo, and that revegetation species should include a high number of their native diet species. It is proposed that the staged removal be undertaken over a 20 year period, with approximately 25% of the pines removed each five year period. Priority would be based on an independent arborist report on general hazard issues and the health, structure and condition of the trees.

In December 2018, Jason Van Weenen, Species Ecologist with the Department for Environment and Water, presented to the FoLFR on the subject of the use of Aleppo Pines by the Yellow-tailed Black Cockatoo. Some of the key points mentioned were:

- There are 3 main groups of Yellow-tailed Black Cockatoo with distinct genetics
    - Kangaroo Island = 1000 birds (no genetic movement across to the mainland)
    - South East = 4500 birds
    - Southern Lofty = 2000 birds
- Eyre Peninsula is down from 30 pairs in 1997 to 7 birds now. This group is expected to be extinct within the next 3-4 years.
- Southern Lofty has 600-800 breeding pairs of Yellow-tailed Black Cockatoo once non-breeding birds are accounted for.
- The historic food source was *Hakea* spp. (including *H. carinata*), *Banksia* spp. and borers in sheoaks, Yellow-tailed Black Cockatoo do not eat sheoak seeds (Glossy Black Cockatoos do though).
- The Southern Lofty flock relies on Aleppo Pine cones due to loss of their natural food source since European settlement e.g. land clearance for housing, farming and industry, weed invasion, etc.
- One Aleppo Pine cone is equivalent to 300 Hakea seeds, revegetating Hakea on a scale to replace the Aleppo Pine food source is not feasible.
- The Yellow-tailed Black Cockatoo may not feed on an Aleppo Pine tree for several years due to low quality seed on the plant, but in lean years when other Aleppo Pines are not producing enough seed, the birds will resort to the low quality seed to get them through.
- It has been suggested that Aleppo Pine seeds are not nutritionally suitable for Yellow-tailed Black Cockatoo, but they are still able to survive and successfully raise young on a variety of different diets, which includes Aleppo Pine seed together with their natural diet; the alternative is starvation.

As a result of the presentation, all attendees agreed to have a bird survey undertaken of the Aleppo Pines to assess their habitat value, including as a food source, for Yellow-tailed Black Cockatoo and other native wildlife. The Norfolk Island Hibiscus on the south west side of the river would also be surveyed for habitat value.

It should also be mentioned that Nankeen Night Herons (*Nycticorax caledonicus*) have also been found in the Aleppo Pines. This species is considered Vulnerable within the Natural Resources Adelaide and Mount Lofty Ranges region. In July 2019, a visitor from Germany was seeking locations around Adelaide to see the Nankeen Night Heron and was directed to the Aleppo Pines at Lower Field River. He was excited to report that, despite heavy rain at the time, he got a good look at two of the Nankeen Night Herons in the pines[8].

While the Aleppo Pine produces large volumes of seed, which in turn create a threat of increasing weed distribution within the area, the seedlings are relatively slow growing and easily controlled

[8] Watton P, July 2019 personal comments

before they reach maturity and produce cones at around four years[9]. As a result of this, the invasive threat to the native vegetation is considered relatively low compared to other pest plant species present. It is a recommendation of this plan that seedling and juvenile pines regenerating through the reserve should be removed.

Following the agreement of the attendees of the presentation by Jason Van Weenen to have a bird survey undertaken, John Gitsham, Birding & Nature Connections, was engaged to conduct this in November 2019. The report is included in this plan as attachment 5, with some of the results John highlighted being:

- A lot of bird activity was seen, with 23 native species and 5 introduced species.
- Bird species seen were common for urban/coastal areas.
- No Yellow-tailed Black Cockatoos or Nankeen Night Herons were seen.
- Eucalypts were flowering so there were lots of honeyeater species and Rainbow Lorikeets.
- Australian Reed Warblers were calling in the reed beds along the river as it was their breeding time.
- There was one family of Superb Fairy-wrens seen.
- An Australian Hobby was a highlight flying along the river and out across the beach.
- There were no Noisy Miners present during the survey.

John couldn't see current evidence that the Yellow-tailed Black Cockatoos were using the Aleppo Pines on the reserve, but there were chewed pine cones to indicate foraging by either these or Sulphur-crested Cockatoos. He said regular mowing would also remove more evidence of chewed cones. John recommends not removing the Aleppo Pines "*as they are a good food source for the YTBC that now depends solely on pines cones as its alternative food source*". He does suggest controlling any young pines that germinate.

Many of the other non-local tree species planted in the reserve also have a low invasive threat, and may or may not provide much habitat value for native wildlife. These are generally planted in the mown parklands areas of the reserve, which are used by the community for walking and recreation, and do not necessarily impact on the values of the native vegetation. Each will need to be assessed, in consultation with the local community, before the Council commits to their removal.

Other more invasive species, such as Weeping Willow (*Salix babylonica*) and Willow Rhus (*Searsia lancea*) have already been scheduled for removal by the Council.

There are five mature Date Palms (*Phoenix dactylifera*) growing on Cormorant Reserve and the City of Marion has suggested their sale and removal by a qualified Palm Tree dealer. This action has been incorporated into this plan.

Recommendations for tree removals have been included under the Zone Descriptions and Actions section later in this plan.

Volunteers should not work within six metres of the edge of any roads without Work Zone Traffic Management devices being in place to manage traffic. These require a person with current qualifications to be present during the activity, without which the work should be left for City of Marion staff or contractors. The areas affected are adjacent to River Parade, Osprey Court and Cormorant Drive.

[9] https://pir.sa.gov.au/__data/assets/pdf_file/0018/223191/Aleppo_pine_policy.pdf

Fire fuel load management needs to be considered throughout the reserve, particularly adjacent to housing and development. This has been included in the management actions for zones 1, 9, 15 and 18. Where possible, management of grassed areas should be modified to encourage any native grasses already growing here. Annual exotic grasses generally flower and seed earlier than perennial native grasses, and timing the slashing to take advantage of this can reduce the seed set of the annual exotic grasses, while enabling seed set of the native grasses later in the season. Ideally slashing should be at a height of 10-20cm to avoid scalping and, if this is not achievable with a mower, use of a brushcutter is a more flexible and targeted alternative. Control of woody weeds throughout the reserve is another method of reducing overall fuel load.

The City of Marion manages the path network and mown areas of the reserve. Council also engages contractors to undertake bushcare activities in various parts of the reserve, with an emphasis on large woody weed control and management on steep slopes that should be avoided by volunteers. The contractor work plan should be provided to the volunteer group on a regular basis, to ensure overlap of work does not take place.

NATIVE VEGETATION MANAGEMENT ISSUES

REVEGETATION

The following section on revegetation follows sections from "Guidelines to Protect and Enhance *Eucalyptus porosa* grassy woodlands" (2005) by Peter Tucker, produced for the Goolwa to Wellington, Murray Mallee and Eastern Hills and Murray Plains Local Action Planning groups. Much of the general principles apply for the revegetation at Cormorant Reserve.

It is widely accepted by most ecologists that blocks of native vegetation are more useful to wildlife than narrow strips, e.g. roadside vegetation. Similarly, large blocks of vegetation are more useful than smaller scattered patches. Linear strips and small patches of bushland have many edges compared to core habitat. These edges are often degraded and more likely to have a higher proportion of weeds. Paton[10] (2010) suggests that in cleared areas revegetation should cover at least 10 hectares to accommodate home ranges of declining bird species.

Revegetation should aim to increase the size of existing patches of native vegetation. Linking existing remnants or providing stepping stones through the landscape should be of next importance. The historical revegetation undertaken by the Friends of the Lower Field River reflects this thinking, aiming to increase the size of the existing remnant native vegetation.

Links should be as wide as possible, not less than 50m if possible. Barrett[11] (2000) has demonstrated that narrow links or corridors of only 10m width rarely have any benefit to declining bird species and often further threaten these species because narrow corridors tend to encourage over abundant and aggressive birds such as Noisy Miners.

Best Practice Revegetation

Natural Regeneration

[10] Paton D. & O'Connor J., 2010, The State of Australia's Birds 2009, Restoring Woodland Habitats for Birds, Birds Australia, Supplement to Wingspan, vol. 20, no. 1

[11] Barrett G., 2000, Birds on Farms. Ecological Management for Agricultural Sustainability, Birds Australia, Supplement to Wingspan vol. 10, no. 4

Natural regeneration is far more efficient, effective and respectful of existing native vegetation. Natural regeneration will usually happen if remnant vegetation is nearby, even if it is skeletal and degraded. Given time and appropriate weed control, native species flourish and new species will appear, either germinating from the soil seedbank, as wind borne seed or via animal droppings. Planting of tubestock or direct seeding is rarely necessary and is usually an expression of our desire to speed up natural processes or to meet requirements of funding bodies that are limited to a 12 month cycle. It is impossible for humans to replicate the random arrangement of plants that occur in a natural system.

Second Best Practice Revegetation

Planting and Direct Seeding

Planting tubestock or direct seeding into remnant vegetation is strongly discouraged. Such planting will compromise the integrity of the existing bushland. Efforts need to be directed towards encouraging natural regeneration using bush regeneration techniques. If, after 3 – 4 years of bush regeneration work, there is little improvement in bushland condition, it may be appropriate for revegetation to be undertaken.

Revegetation should only occur in areas that have been ploughed or cropped or otherwise cleared in the past, preferably with a minimum 10m buffer between revegetation and existing native vegetation.

Many people have an urge to plant tubestock or direct seed, even though native vegetation may be degraded or border the areas they wish to return to native vegetation. Degraded vegetation will respond better to bush regeneration techniques than revegetation.

Historically, all seed collected for planting was collected from as close as possible to the planting site. This was based on the assumption that local genotypes were best adapted to local environments. The general guideline was within 5km. Common sense still needed to be exercised when applying this guideline, in some situations there may not be any native vegetation within 5km, in others it may only be 1km. The logical answer was to collect seed from as close as practical and from the nearest similar soil type and topographical area.

Currently, however, there is a need to consider climate change when sourcing seed for revegetation projects. While the industry is still feeling its way with this issue, collecting a percentage of the propagation material from further afield may satisfy the precautionary approach. In this case, collecting say 10%[12] of propagation material from the same species growing further north may provide an element of genetic material adapted to warmer climates.

Often trees and large shrubs are planted too densely, perhaps because of an expectation that many will die, or that dense plantings will reduce the need for weed management. It will be necessary to maintain all plantings with excess trees cut down or drilled and filled. Thinned trees should be left on site to break down naturally and provide additional habitat for wildlife, provided these are not within fire fuel load management zones.

[12] Lowe AJ (2010) Composite provenancing of seed for restoration: progressing the 'local is best' paradigm for seed sourcing. In T*he State of Australia's Birds 2009: Restoring Woodland Habitats for Birds*. (Eds David Paton and James O'Conner). Supplement to Wingspan20(1) March. pp 16-17

PRINCIPLES AND STRATEGIES OF BUSH REGENERATION

Bush Regeneration Principles

Weed management in remnant vegetation requires a different approach to that in a paddock or garden situation. The most effective method of weed control in bushland is to start from the best quality bushland and work towards the weedier areas, ensuring that the best quality native vegetation is protected first. Remember to focus on the native vegetation you are trying to protect and not the weeds you are trying to get rid of – don't become weed focussed.

The following bush regeneration principles should always be followed:

1. Work from the good native vegetation outwards towards weed infested areas;
2. Cause minimal disturbance to existing plants and soil; and
3. Avoid over clearing.

An overlying principle is to only remove weeds if a native plant will be advantaged. The exceptions to this are new weeds to the site and highly threatening weeds like bridal creeper.

When these principles are put into practice, large areas of bushland can be worked upon even when time is limited. Large areas of good bushland are the easiest to work on, as there are usually fewer weeds present.

Principle 1 - Work from the Good Native Vegetation Outward Towards Weed Infested Areas

With little effort large areas of good vegetation can be maintained by removing isolated individual weeds. This denies these weeds the opportunity to set seed and become established, while also giving the native plants a chance to spread into reclaimed areas, either by new seeds and spores or by seed waiting in the ground for an opportunity to germinate after competition is removed. This method has been proven in South Australia over many years. Keeping weeds out of good quality bushland is much more efficient than trying to eradicate an infestation.

Principle 2 - Cause Minimal Disturbance to Existing Plants and Soil

Most weed infestations have resulted from either natural or human disturbance of the soil. Weeds, with their huge numbers of seed and vigour, are able to take advantage of the disturbed ground more quickly than most native species. Weed carefully using hand tools or targeted herbicide application. Tamp down and replace leaf litter over any soil disturbances.

Weeds should be removed using minimum disturbance techniques. These include:

- careful hand weeding (particularly useful near threatened plant species);
- hand spraying using Glyphosate;
- wiping foliage of broadleaf weeds and strappy-leaved bulbous weeds using Glyphosate;
- the cut and swab technique for woody weeds that are too large to be hand weeded;
- drilling and filling for larger woody weeds; and
- strategic slashing to control annual grasses and prevent seeding on perennial grasses.

Principle 3 - Avoid Over Clearing

Over clearing will result in more follow up work than is necessary and may also cause erosion. Weeds will almost invariably re-colonise the cleared area, whether it be the same species from the large quantity of seed in the soil, or possibly one that is even more difficult to control coming in. You should work in areas where native plants are able to spread into, such as:

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- halos around native plants (spot regeneration); or
- narrow strips along the edge of good quality native vegetation; or
- peninsulas surrounded by good quality native vegetation on either side.

Remember to allow the native plant regrowth to stabilise before extending further, making sure that you don't work too fast for natural regeneration to occur. Err on the side of caution and consider the possible consequences of your actions. Weeding the same ground over and over, with little native plant regeneration to show for it, can be very demoralising.

Bush Regeneration Strategies

1. Remove Isolated Weeds in Good Native Vegetation

By patrolling and removing isolated weeds in good vegetation before they have a chance to seed and increase, the good areas can be maintained with little time and effort. Native plants can then germinate in these spaces. Spending all of your time and effort clearing large patches of weeds in more degraded areas gives the isolated weeds a chance to establish in the good vegetation. It may also result in over clearing in the weedy areas.

2. Create Weed Fronts and Work along Them

A weed front is created by removing isolated and outlying weeds in good vegetation first and gradually working towards the weed infestation where the weeds are dense. The edge of this dense infestation then becomes the weed front. Once consolidated, work should then continue along the weed front, only moving further into the patch of weeds when the native plants have recovered and begun filling in the gaps. Weed fronts may wander and meander for hundreds of metres.

Working too far into weed fronts often results in soil disturbance and over clearance, providing opportunities for other weeds to take over because there are less native plants present deeper into the weed front. The few natives that remain are more likely to be out competed by weed species that rapidly colonise the void created by excessive weed removal.

Weed fronts are usually easier to identify and establish when targeting herbaceous weeds such as perennial veldt grass, soursob, watsonia, freesia and the like because they are smaller and tend to spread slowly. More difficult to establish are fronts for weeds that multiply quickly over large distances, often spread by birds and other animals or the wind. In these cases it is still important to remove individual plants or outlier populations in the good vegetation first, and then work towards the dense infestation.

Shadow weed fronts can be created by removing parts of the remaining weeds along the weed front to minimise reinfestation e.g. slashing grasses or watsonia, removing seed heads from broom/gorse or cutting back the canes of blackberry.

3. Undertake Spot Regeneration to Rescue Isolated Native Plants within Patches of Weeds

Where isolated native plants struggle amongst a host of weeds, gently and gradually remove the competition allowing them room to grow, reproduce and eventually all join together. This technique can also be used to protect small populations or individuals of a threatened species in weedy areas. Remember not to over clear, as it can be difficult to tell whether the native plant was surviving in spite of the weeds or because they were protecting it, e.g. from rabbits.

4. Prevent Weed Spread

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Where appropriate remove any parts of the weed that may reproduce e.g. seeds, bulbs, bulbils, corms, cormlets and roots. However, do not get caught up trying to remove these in large infestations. It is more important where there are only one or a few weeds in good areas of native vegetation or along weed fronts. Seek advice on how to dispose of weeds in an appropriate manner. Clean equipment, clothing and boots before leaving the site so that seeds are not transported to other locations.

5. Remove All Priority Weed Species from Areas Being Worked In

It is a waste of time removing one species of weed if it just makes room for another that may be equally as bad or worse! Your initial progress may seem slower, but you may save hours of follow up work later.

Weed Management Priorities on the Friends of the Lower Field River site

The weeds of greatest concern on the Friends of the Lower Field River site, their priority for control are listed below. It will still be necessary to search for new seedlings regularly and prevent weed species from becoming re-established.

- A list of all weeds and non-local plant species found on the site is in **Appendix 2**.

Some weeds are better treated at different times, others have a limited time before treatment becomes ineffective and some are more invasive than others. Understanding these issues will enable volunteers to efficiently manage the bushland on this site.

- An action schedule for timing of treatments on priority weeds is given in **Appendix 5**.

Priority Areas

The Friends of the Lower Field River project area includes a number of areas that contain valuable remnant native vegetation, from the coastal dunes to the grassy woodlands on the hillslopes. Minimal disturbance bushcare on these areas is the first priority.

There has also been a considerable amount of revegetation undertaken by the group since it was formed in 2006, to bring back a number of species previous lost from the area, and to increase the area covered by native vegetation. Management of these areas using the same minimal disturbance bushcare principles, strategies and techniques is the second priority. Treating these areas in the same way as remnant native vegetation should assist them becoming more sustainable and resilient, so that they form self-sustaining, regenerating populations.

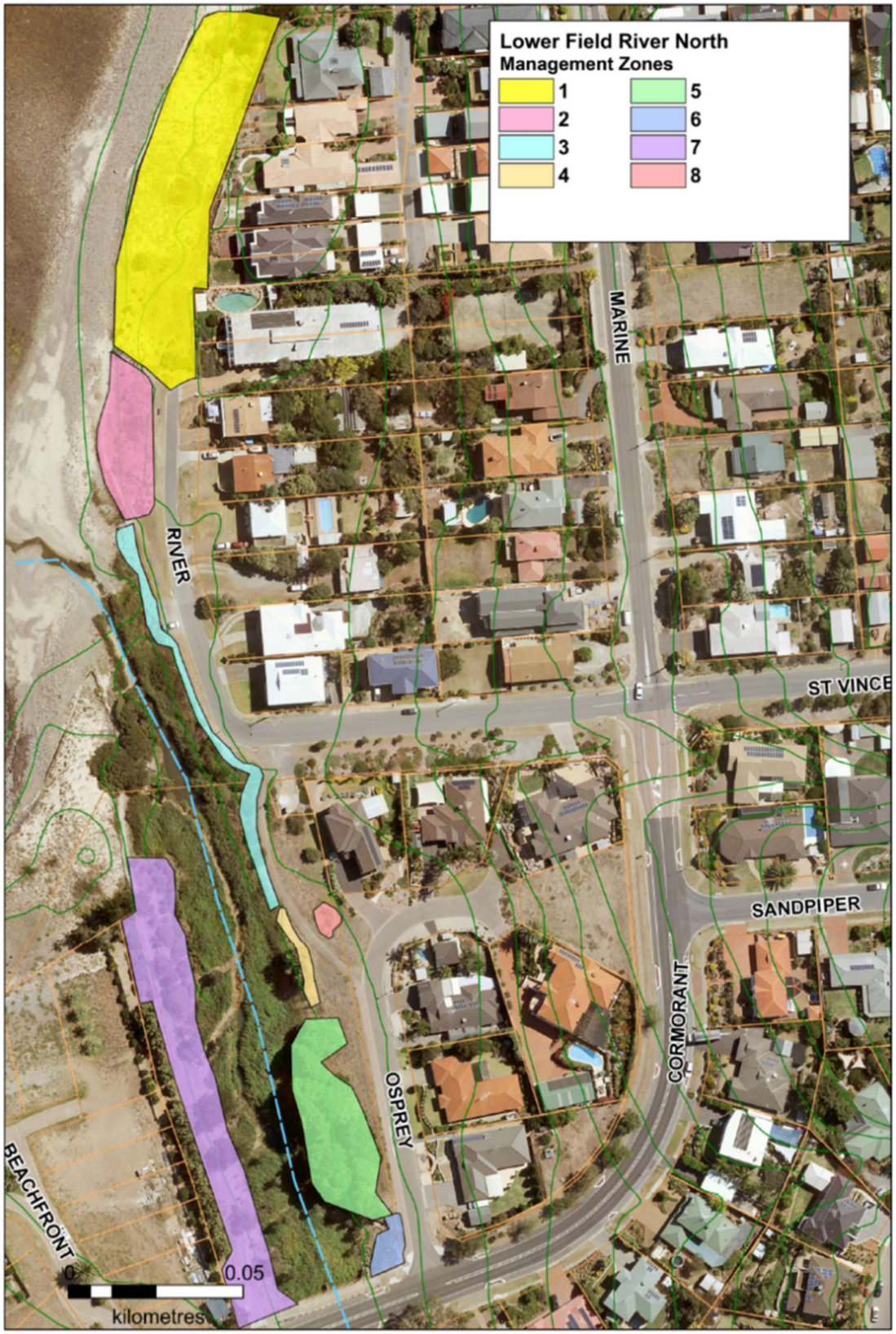
Other parts of the project area are taken up by mown grass under trees, creating a parkland atmosphere that is enjoyed as recreation areas by the community. Add to these the Field River and its associated wetland vegetation and the variety of vegetation types within a relatively small area is quite remarkable.

Trees For Life was provided with the following maps of the northern and southern parts of the project area, separated by Cormorant Drive. These show Management Zones, which have been adopted for the purpose of directing activities in this plan.

- A Weed Treatment Summary Table showing methods and seasons for weed control for the key species found on site is given in **Appendix 6**
- Profiles of many of the key weeds on the site is given in **Attachment A**
- More details of minimum disturbance weed control techniques are given in **Attachment B**.

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Zone Description and Actions



Management Zone: 1

This zone is the remnant coastal dune system, from the stairs down to the beach at the end of River Parade north to the track up to Grand Central Avenue. There are plans to realign the Coastal Walking Trail along this section of the coast, but the location and design have yet to be finalised. There is some opportunity for revegetation in this zone, but it needs to consider any impact on adjoining landholders and the final Coastal Walking Trail location and design.

The weeds in this zone are mostly sparsely scattered herbaceous species and able to be managed by careful hand weeding or cutting and swabbing. Brushcutting annual grasses near the eastern fenceline before seed set should help reduce their numbers. TFL volunteers who have attended a Brushcutter Training Workshop can borrow brushcutters from TFL to use on this site, otherwise Council staff or contractors will have to do this.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Gazania	*Gazania linearis*	Scattered
		False Sowthistle	*Reichardia tingitana*	Scattered
		Sea Spurge	*Euphorbia paralias*	Scattered
		False Caper	*Euphorbia terracina*	Scattered
		Cape Weed	*Arctotheca calendula*	Scattered
		Soursob	*Oxalis pes-caprae*	Scattered
		Hottentot Fig	*Carpobrotus edulis* ssp. *edulis*	Needs correct identification before treatment, similar to Native Pigface (*Carpobrotus rossii*)
2	Weed control	Herbaceous weeds	Various broadleaf species	Mainly on eastern part of zone hear fenceline
2	Brushcutting	Annual grasses	Various	Reduce fire fuel load, mainly on eastern part of zone near fenceline
3	Revegetation	Only shrubs and groundcovers occurring in this vegetation community	Various	Wait until Coastal Walking Trail has been completed

Management Zone: 2

This zone is the remnant coastal dune between the walking trail down to the beach and the stairs at the south end of Zone 1. There has been significant revegetation undertaken in this zone in the past, particularly on the higher, eastern parts.

The main activities in this zone should focus on management of existing native vegetation using minimum disturbance bushcare techniques. This will encourage regeneration of existing plant species and avoid reliance on additional planting. Some spraying of Soursob and Couch is currently being undertaken in this zone, particularly near the footpath. Volunteers should not work within six metres of the edge of the road.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Bucks-horn Plantain	*Plantago coronopus* ssp. *coronopus*	Next to the beach

DRAFT

		Soursob	*Oxalis pes-caprae*	Mainly top near footpath
		Couch	*Cynodon dactylon* var. *dactylon*	Mainly top near footpath
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Scattered, mainly near beach

Management Zone: 3

This zone takes in the narrow band of native vegetation next to the walking track. There has been revegetation in this area in the past, with smaller species planted closer to the footpath at the northern end more recently. The southern part of this zone is very degraded with annual grasses and broadleaf weeds between the path and the larger native shrubs further down the slope. There is some opportunity for planting in this area once the herbaceous weeds have been controlled.

The main activities in this zone should focus on management of existing native vegetation using minimum disturbance bushcare techniques. This will encourage regeneration of existing plant species and avoid reliance on additional planting. Work should include treatment of priority weeds in the remnant native vegetation between this zone and the Common Reed (*Phragmites australis*) closer to the river, which includes several small Olives.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Olive	*Olea europaea* ssp. *europaea*	Few scattered mid to southern section down the slope
		Galenia	*Aizoon secundum*	Mainly next to path
		Soursob	*Oxalis pes-caprae*	Mainly next to path
		Couch	*Cynodon dactylon* var. *dactylon*	Mainly next to path
2	Weed control	Herbaceous weeds	Various broadleaf species	Mainly next to path
2	Brushcutting	Annual grasses	Various	Mainly next to path
3	Revegetation	Only small shrubs and groundcovers occurring in this vegetation community	Various	Between existing native plants and path once herbaceous weeds have been controlled

Management Zone: 4

This zone takes in a small revegetated area that starts next to footpath at the northern end, but then takes in part of the adjacent mown area to the south. The main activities in this zone should focus on management of existing native vegetation using minimum disturbance bushcare techniques. This will encourage regeneration of existing plant species and avoid reliance on additional planting. There is some opportunity for planting along the edge in the short term once the herbaceous weeds have been controlled.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Galenia	*Aizoon secundum*	Mainly along edge
		Soursob	*Oxalis pes-caprae*	Mainly along edge
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Mainly along edge

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Management Zone: 5

This zone takes in a stand of mature Aleppo Pine growing over Common Reed (*Phragmites australis*). Amongst the Common Reed there are a number of weeds that should be controlled. The Aleppo Pines are not impacting existing native vegetation on the east side of the river, though comment has been made regarding their effect on the growth habit of planted River Red Gum (*Eucalyptus camaldulensis* ssp. *camaldulensis*) close to the river. Nankeen Night Herons are known to frequent this stand of Aleppo Pines, and were observed during two visits to the site by the author.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Rice Millett	*Piptatherum miliaceum*	Under Aleppo Pines
		Galenia	*Aizoon secundum*	Mainly along edge
		Soursob	*Oxalis pes-caprae*	Mainly along edge
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Mainly along edge
3	Weed control and tree management	Aleppo Pine	*Pinus halepensis*	Manage seedling regrowth, leave mature plants until strategy developed after survey of habitat value, as discussed under management issues and recommendations above

Management Zone: 6

This zone is at the corner of Osprey Court and Cormorant Drive and native vegetation here is the result of previous planting. The main activities in this zone should focus on management of existing native vegetation using minimum disturbance bushcare techniques. This will encourage regeneration of existing plant species and avoid reliance on additional planting. Volunteers should not work within six metres of the edge of the road.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Soursob	*Oxalis pes-caprae*	Scattered
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Scattered
3	Revegetation management	Various	Various	Remove tree guards

Management Zone: 7

This zone covers the area on the west side of the river, between Cormorant Drive and the large stand of Melaleuca and Leptospermum behind the coastal dune at the river mouth. These are very large and old planted specimens that are mingled together. The Coast Tea-tree (*Leptospermum laevigatum*) is a known environmental weed, though it does not appear to be spreading in this location. The combined stand in likely important as a windbreak and in reducing erosion of the dune and river bank. Exposed branches were seen to be used by perching Little Pied Cormorants, while other birdlife frequented the canopy. It is recommended that these remain, unless a detailed assessment is made relating to these issues.

The zone is also adjacent to the long screen of planted Norfolk Island Hibiscus (*Lagunaria patersonii*) along the western fenceline. There has been discussion regarding the replacement of these with a suitable native plant from the area, but this is in the hands of the City of Marion council staff to

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negotiate with the neighbour. The Norfolk Island Hibiscus is not considered invasive, but the seeds cause irritation to anyone who comes into contact with them. The removal and replacement of these trees should be considered in conjunction with the development of the proposed Coastal Walking Trail.

The majority of the zone comprises planted trees and shrubs, many of them non-local, including Willow Myrtle (*Agonis flexuosa*), removal of which has been discussed, Norfolk Island Pine (*Araucaria heterophylla*), which is not intended to be removed, and Oyster Bay Pine (*Callitris rhomboidea*), which has been included on the native species list along with the local Southern Cypress Pine (*C. gracilis*). While the Oyster Bay Pine was probably planted in error and is outside its natural range in the Mount Lofty Ranges it should remain as habitat.

There is a very degraded understorey with broadleaf herbaceous weeds and a large amount of Kikuyu (*Cenchrus clandestinus*) growing between the path and the river. Some areas of this have been sprayed in the past, but much more is required to prevent its continued invasion of the Common Reed along the river bank. This is probably best left to City of Marion staff or contractors. The Council's Biodiversity Team currently maintains the path network with a six week programmed cycle.

While there may be opportunity for further planting in this area, it is one of the most degraded areas of native vegetation on the site and should be a much lower priority than bushcare activities elsewhere amongst the better quality native vegetation.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Olive	*Olea europaea* ssp. *europaea*	Few scattered seedlings
		Galenia	*Aizoon secundum*	Mainly next to path
		Short-fruited Wild Turnip	*Rapistrum rugosum* ssp. *rugosum*	Mainly next to path
		Soursob	*Oxalis pes-caprae*	Mainly next to path
		Kikuyu	*Cenchrus clandestinus*	Extensive between path and river – spray by City of Marion staff or contractors, avoid slashing as this further spreads the weed
2	Weed control	Herbaceous weeds	Various broadleaf species	Mainly next to path
3	Tree management	Norfolk Island Hibiscus	*Lagunaria patersonii*	Leave mature plants until strategy developed after survey of habitat value, as discussed under management issues and recommendations above
		Willow Myrtle	*Agonis flexuosa*	Leave mature plants until strategy developed after survey of habitat value, as discussed under management issues and recommendations above

Management Zone: 8

This zone is a small island of planted local species within a mown area of grass, and requires only an occasional hand weed.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Scattered

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Lower Field River South
Management Zones
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19
EBAIRN
INGLETON
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kilometres

Management Zone: 9

This zone extends along the length of the western side of the reserve, south of Cormorant Drive, and is managed by the City of Marion for fire fuel load adjacent to neighbouring houses. Care should be taken as some parts of this zone are very steep.

Focus should be on slashing exotic grasses, while encouraging native perennial grasses and other native ground flora. If native grasses require slashing, this should be undertaken by brushcutting and timed to allow for them to set seed. In the long term, less disturbed native ground flora species, including grasses, will provide a lower fire fuel load than weedy annual grass species, which produce large volumes of dead thatch once they die at the end of the growing season. Slashing at a height of 10-20cm and avoiding scalping the ground should produce the best and healthiest native understorey.

Priority	Activity	Common Name	Scientific Name	Notes
1	Fire fuel load reduction	Herbaceous weeds	Various grasses and broadleaf species	Brushcutting by City of Marion staff or contractors

Management Zone: 10

This zone contains the best quality broad extent of remnant native vegetation within the project area. There are good stands of native grass, mat-rush, lily and other native understorey species. There has been a considerable amount of planting of locally indigenous plants in this zone, in particular in the northern half, and several of these species are now regenerating well themselves.

It is recommended that no further planting of shrub and tree species take place in this zone, as they threaten the health and vigour of the remnant understorey species, which may be shaded out. If further revegetation activities are sought in this zone, they should be restricted to native understorey species, including grasses, lilies and other ground flora.

The proximity of this zone to the fire fuel load reduction Management Zone 9 reinforces the need to avoid further planting of tree and shrub species. The removal of the small number of medium to large Aleppo Pines that have spread up this slope has also been discussed before. These trees have less habitat value than the taller ones along the sides of the creekline and it is recommended that they be removed, to reduce fire fuel load and the threat to regenerating native plants in the understorey. Accumulated pine needles also add to these threats. Any revegetation in this area should be delayed until the acidity in the soil returns to something like normal.

Spraying of Soursob in this zone has been undertaken by City of Marion staff or contractors using metsulphuron methyl in the past and this should continue. Volunteers who have attended the Introduction to Bushcare workshop run by Trees For Life are also able to attend its Broadleaf and Bulb Weed Management in Grassy Ecosystems workshop. Once this has been attended, they can also spray susceptible weeds with metsulphuron methyl provided by the Trees For Life coordinator for the site. Care needs to be taken to avoid off-target damage to native plants, in particular lilies, which are said to have been killed by spraying in this area before. Similarly, these volunteers can attend Brushcutter training with Trees For Life and then borrow a brushcutter to slash weed grasses on the site.

Priority	Activity	Common Name	Scientific Name	Notes
1	Fire fuel load reduction	Aleppo Pine	*Pinus halepensis*	City of Marion to assess fire risk of Aleppo Pines up the

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				hillside and arrange removal if appropriate
1	Weed control	Olive	*Olea europaea* ssp. *europaea*	Few scattered seedlings
		Aleppo Pine	*Pinus halepensis*	Only seedlings
		Scabious	*Scabiosa atropurpurea*	Scattered
		Plantain/Ribwort	*Plantago lanceolata* var. *lanceolata*	Scattered
		Short-fruited Wild Turnip	*Rapistrum rugosum* ssp. *rugosum*	Scattered
		False Caper	*Euphorbia terracina*	Scattered
		Soursob	*Oxalis pes-caprae*	Extensive, some areas previously sprayed, leave to City of Marion staff and contractors or trained volunteers
		Guildford Grass	*Romulea rosea* var. *australis*	Scattered patches
		Thread Iris	*Moraea setifolia*	Scattered patches
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Scattered – hand weed around native understorey
3	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Brushcutting by City of Marion staff or contractors or trained volunteers
4	Revegetation	Only low growing species occurring in this vegetation community	Various species including grasses, lilies and other herbaceous ground covers	Plant in bare areas or adjacent to remnant grassy woodland species – tubestock or hand direct seed

Management Zone: 11

Most of this zone is grassed with a few scattered non-local trees and large shrubs that were planted in the past. The area is mown by the City of Marion. Removal of a large Carob Tree (*Ceratonia siliqua*) has been discussed. Consultation with City of Marion is required prior to this taking place, with a decision on whether it can be drilled and filled and left to die standing, or whether council will arrange for its physical removal. This species is not considered invasive, but has Bridal Creeper (*Asparagus asparagoides* f. *asparagoides*) growing under it.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Bridal Creeper	*Asparagus asparagoides* f. *asparagoides*	Under Carob Tree
	Mowing	Exotic grasses	Various	Mowing by City of Marion staff or contractors
2	Tree Management	Carob Tree	*Ceratonia siliqua*	Wait for City of Marion decision regarding treatment

Management Zone: 12

This zone incorporates an old cutting with an exposed rocky embankment on the south-eastern side. This area contains some high quality remnant native grasses and herbaceous natives, including Twining Glycine (*Glycine rubiginosa*), which is only found in two small patches on this reserve, and Pink Garland-lily (*Calostemma purpureum*) and Annual Rock-fern (*Cheilanthes austrotenuifolia*). There are herbaceous weeds growing around these native understorey plants, plus One-leaf Cape Tulip (*Moraea flaccida*), Broadleaf Cotton-bush (*Gomphocarpus cancellatus*) and several large Willow Rhus (*Searsia lancea*) growing in the cutting which can be drilled and filled.

Take care to stay well away from the steep embankments.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Short-fruited Wild Turnip	*Rapistrum rugosum* ssp. *rugosum*	Scattered
		One-leaf Cape Tulip	*Moraea flaccida*	Scattered
		Herbaceous weeds	Various grasses and broadleaf species	Scattered – hand weed around native understorey
		Broadleaf Cotton-bush	*Gomphocarpus cancellatus*	Scattered
2	Weed control	Willow Rhus	*Searsia lancea*	Several large plants in cutting

Management Zone: 13

This large zone takes in much of the hillside at the south end of the reserve along the west side to the DPTI railway corridor at the locally named Hidden Valley. Care should be taken as some parts of this zone are very steep.

While there is some good remnant scattered in this zone, it has been revegetated with local species. Previously it had many Olives growing across the slopes and much of the understorey remains very degraded. Activities in this zone should focus on some of the more invasive species listed, and not on the numerous herbaceous weeds.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Olive	*Olea europaea* ssp. *europaea*	Scattered mature, regrowth and seedlings
		Aleppo Pine	*Pinus halepensis*	Only seedlings
2	Weed control	Scabious	*Scabiosa atropurpurea*	Scattered
		Short-fruited Wild Turnip	*Rapistrum rugosum* ssp. *rugosum*	Scattered
		Gazania	*Gazania linearis*	Scattered
		Artichoke Thistle	*Cynara cardunculus ssp. flavescens*	Scattered
		Rice Millet	*Piptatherum miliaceum*	Mainly along the bottom edge
		Fennel	*Foeniculum vulgare*	Mainly along the bottom edge

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3	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Brushcutting by City of Marion staff or contractors or trained volunteers

Management Zone: 14

This zone follows the walking track on the east side of the river, extending down the embankment on the west side and including the rock cutting above the site where the Diprotodon fossil remains were found. There are some remnant native grasses in this area, together with some previous planting of local native species. Much of the understorey is very degraded, with a cover of herbaceous annual grasses and broadleaf weeds.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Hand weed halo around native plants
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Brushcutting by City of Marion staff or contractors or trained volunteers

Management Zone: 15

This zone is predominantly a mix of native and introduced grasses and herbaceous weeds, which is maintained as a brushcut fire break between the reserve and the houses along the eastern side and to allow vehicle access in an emergency. Management should be modified to encourage the native grasses already growing here. Annual exotic grasses generally flower and seed earlier than perennial native grasses, and timing the brushcutting to take advantage of this can reduce the seed set of the annual exotic grasses, while enabling seed set of the native grasses later in the season. Ideally brushcutting should be at a height of 10-20cm to avoid scalping. The use of tractors and other mowers should be avoided in this area, as they damage the native grassy understorey and it is difficult to avoid scalping this uneven ground with them. If it is desirable to fill in gaps in the native grass cover in the short term, this can be achieved by some targeted hand direct seeding, without resorting to the more resource intensive tubestock planting.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Scabious	*Scabiosa atropurpurea*	Scattered
		Galenia	*Aizoon secundum*	Scattered
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Spray with selective herbicide, leave to City of Marion staff and contractors or trained volunteers
3	Fire fuel load reduction	Herbaceous weeds	Various grasses and broadleaf species	Brushcutting by City of Marion staff or contractors
4	Revegetation	Native grasses	Various low growing species	Hand direct seed in areas between existing native grass patches.

Management Zone: 16

This zone contains some remnant native grasses and planted local species. Management to advantage the spread and regeneration of the native grasses and other native species should be the priority here. There is the opportunity for some small scale tubestock planting of understorey

species, including Black-anther Flax-lily (*Dianella revoluta* var. *revoluta*) and ground covers occurring in this vegetation community.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Onion Weed	*Asphodelus fistulosus*	Scattered
		Herbaceous weeds	Various grasses and broadleaf species	Hand weed halo around native plants
2	Weed control	Herbaceous weeds including Soursob	Various grasses and broadleaf species	Spray with selective herbicide, leave to City of Marion staff and contractors or trained volunteers
3	Revegetation	Only low ground cover species occurring in this vegetation community	Various	Between existing native plants

Management Zone: 17

This zone has an open mown area, with planted local and non-local species along the east, next to the walking track, and north end at the Cormorant Drive Bridge. There is a stand of mature Aleppo Pine growing over Common Reed (*Phragmites australis*) along the west side, at the edge of the river. There are a number of priority weeds growing within the native vegetation, including Rice Millet, Galenia, Plantain and Soursob, along with annual grasses and other herbaceous weeds. Where these grow in the grassed area, management can be left to the mowing. Yellow-tailed Black Cockatoos have been seen in this stand of Aleppo Pines during a previous visit to the site by the author.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Rice Millett	*Piptatherum miliaceum*	Scattered
		Galenia	*Aizoon secundum*	Scattered
		Soursob	*Oxalis pes-caprae*	Scattered
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Widespread
3	Weed control and tree management	Aleppo Pine	*Pinus halepensis*	Manage seedling regrowth, leave mature plants until strategy developed after survey of habitat value, as discussed under management issues and recommendations above

Management Zone: 18

The main part of this zone is between the walking track and the Field River, on the west side of the river, with a small section next to the house on the northern side at the end of Egret Court. The area has been planted with local species in the past, but has a very degraded understorey with broadleaf herbaceous weeds and a large amount of Kikuyu (*Cenchrus clandestinus*) closer to the river. The most efficient way of managing this is to slash the herbaceous weeds through the growing season, with Kikuyu sprayed by City of Marion staff or contractors.

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Weeping Willow (*Salix babylonica*) has previously been treated in this zone, next to the river, but needs follow-up. This has already been contracted for removal by City of Marion.

Removal of two young Norfolk Island Pine (*Araucaria heterophylla*) at the southern end of this zone has been discussed. Consultation with City of Marion is required prior to this taking place, confirming their removal and including a decision on whether they can be drilled and filled and left to die standing, or whether council will arrange for their physical removal. This species is not considered invasive.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Weeping Willow	*Salix babylonica*	City of Marion has contracted removal
		Herbaceous weeds	Various grasses and broadleaf species	Extensive – brushcutting by City of Marion staff or contractors
		Kikuyu	*Cenchrus clandestinus*	Extensive – spraying by City of Marion staff or contractors, avoid slashing as this further spreads the weed
2	Tree Management	Norfolk Island Pine	*Araucaria heterophylla*	Wait for City of Marion decision regarding treatment

Management Zone: 19

This large zone takes in the Department of Planning, Transport and Infrastructure (DPTI) land between Cormorant Reserve and the fenceline of the Seaford railway corridor. An agreement has been reached with DPTI to enable FoLFR volunteers to work in this area.

Much of this zone is quite degraded and has been heavily disturbed in the past. The Field River was diverted through a large culvert under the railway line and adjacent Lonsdale Road, with a very deep cutting. This has been fenced off with wire mesh, including across the top, for safety and has material flaps hanging down to discourage the roosting of feral pigeons over the water, to reduce pollution.

There are a number of areas in this zone that have priority native vegetation management actions. The City of Marion has been engaging contractors to treat large Olives in the north-eastern corner of the zone above the rock face. This avoids the need for volunteers to work in this steep section and should continue, including future follow-up.

The rock face contains some valuable remnant native vegetation, including Blanket Fern (*Pleurosorus rutifolius*), Grassland Geranium (*Geranium retrorsum*), Climbing Saltbush (*Einadia nutans* ssp. *nutans*) and Tall Scurf-pea (*Cullen australasicum*). Great care needs to be taken with any weed control in the rock face, as it will be very easy to disturb the soil and cause erosion. This particularly applies to any careful hand weeding that takes place. In these circumstances it may be better to either cut and swab or swab herbaceous weeds. Naturally volunteers should not scale the rock face.

There is another nice area of remnant native vegetation growing amongst the rocky slope at the southern end of this zone, below Zone 13. The same management advice applies to this area.

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There is a nice patch of remnant native grasses with lilies either side of the track coming down from above and behind the river cutting on the north side. Minimal disturbance bushcare principles and techniques should be used to enhance this area. City of Marion has offered to provide tubestock Kangaroo Grass (*Themeda triandra*) to plant near this area, which may be done, provided the remnant native understorey plants are not disturbed.

There is also the opportunity to do some more revegetation on the modified flat area immediately to the south of the river cutting. There has previously been some planting here, but the ground flora is sparse and weedy. This is a low priority in the context of the other activities in this zone.

A stand of Common Reed (*Phragmites australis*) was removed from the old river flat, from which the Field River was diverted to the present cutting, and planted with River Red Gum (*Eucalyptus camaldulensis* ssp. *camaldulensis*). The density of this planting is too high, and should be reduced to encourage better structure and broader canopy. Since removal of the Common Reed, the understorey has been replaced by herbaceous weeds. The regeneration of Common Reed back into this area should be encouraged, and there is additional opportunity for revegetation using suitable wetland species, including Silky Tea-tree (*Leptospermum lanigerum*) and rushes and sedges.

Three Date Palms (*Phoenix dactylifera*) in Hidden Valley, in the southern section of this zone, may be sold and removed by a qualified Palm Tree dealer, in addition with two other large specimens in the mown parkland area near the playground west of zones 14 and 16. This requires further investigation by the City of Marion.

Priority	Activity	Common Name	Scientific Name	Notes
1	Weed control	Olive	*Olea europaea* ssp. *europaea*	Large plants above track to the east and in north-eastern corner of this zone above rock face to be treated by contractors arranged by City of Marion
1	Weed control	Olive	*Olea europaea* ssp. *europaea*	Scattered mature, regrowth and seedlings elsewhere
		Western Coast Wattle	*Acacia cyclops*	Near fenceline above track, north of Field River cutting
		Broad-leaf Cotton-bush	*Gomphocarpus cancellatus*	Scattered
		Castor Oil Plant	*Ricinus communis*	Scattered
		Tall Wheat Grass	*Thinopyrum elongatum*	Just east across creek from Hidden Valley palms
2	Tree management	River Red Gum	*Eucalyptus camaldulensis* ssp. *camaldulensis*	Strategic removal of individuals from dense planting north of river cutting to encourage better structure and canopy development, in consultation with City of Marion staff
2	Tree management	Date Palm	*Phoenix dactylifera*	City of Marion to investigate sale and removal by qualified Palm Tree dealer

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2	Weed control	Scabious	*Scabiosa atropurpurea*	Scattered
		Short-fruited Wild Turnip	*Rapistrum rugosum* ssp. *rugosum*	Scattered
		Gazania	*Gazania linearis*	Scattered
		Three-cornered Garlic	*Allium triquetrum*	Bottom of rock face next to planted River Red Gum area
3	Weed control	Herbaceous weeds	Various grasses and broadleaf species	Brushcutting by City of Marion staff or contractors or trained volunteers
4	Revegetation	Kangaroo Grass	*Themeda triandra*	Adjacent to remnant native grass and lily area next to track north of river cutting down to River Red Gum forest
5	Revegetation	Silky Tea-tree and other local wetland species, including rushes and sedges	*Leptospermum lanigerum* and other local wetland species, including rushes and sedges	Amongst River Red Gum planting following their strategic reduction
6	Revegetation	Various shrub and understorey species	Various species	Degrade flat area south of river cutting

Management Zone: 20

This zone is the rest of the project area, with day to day management remaining with the City of Marion. These areas include the tracks and trails throughout the Cormorant Reserve and the footpaths alongside the adjoining roads. Any vegetation within six metres of the road, where volunteers are unable to work without Work Zone Traffic Management devices and supervision are also included. There are also all the open parkland areas that are mown and the Field River and its banks. Other than regular mowing, there is the opportunity to have broadleaf weeds such as Galenia treated within these areas, to reduce their spread into adjacent native vegetation. The path network is brushcut by the City of Marion Biodiversity Team on a six weekly cycle.

Priority	Activity	Common Name	Scientific Name	Notes
1	Mowing	Exotic grasses	Various	Mowing by City of Marion staff or contractors
2	Weed control	Herbaceous weeds	Various grasses and broadleaf species	City of Marion staff or contractors

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OTHER ACTIVITITES

Phytophthora prevention

Phytophthora species are soil and waterborne fungi that cause disease and often death to a wide variety of native plant species, exotic fruits and vegetables. The most common species is *Phytophthora cinnamomi*. *Phytophthora* attacks the roots and stems of plants. Early symptoms of the disease are root-rot, and depending on the plant species, stem-rot and eventual death. In effect, the susceptible plants die from an inability to take up sufficient water and nutrients.

Phytophthora can spread from plant to plant through root contact. It is spread most rapidly when rainfall coincides with warm temperatures, generally in spring, summer and autumn. The disease can spread very quickly through the transport of infested soil and plant material by human activities, such as roadworks, firefighting, bike riding and bushwalking.

The best way to control the fungus is to prevent the transfer of infested soil and plant material by avoiding activities in an area when the soils are wet and sticky. Brush soil off footwear and tools before and after each visit to a bushland area and spray them with undiluted methylated spirits. TFL recommends this hygiene procedure take place throughout the year, not just when the soils are moist. [13]

Herbarium

A herbarium of all plants occurring within the site should be established. A herbarium is beneficial for identifying weed species and native species. It provides a permanent record of all species on the site and helps in identification, particularly when reproductive material may not be available on plants in the field. Photos (not cuttings) of orchids, lilies and any rare plant species should be used in the herbarium, as the collection of these plants could be detrimental to their existence.

- **Attachment C** provides details of how to establish a herbarium.

Monitoring

Photopoints

Photopoints are very useful for seeing change in the landscape over time. This is particularly useful when describing what an area looked like before changes occurred. It is much easier to understand a picture than a paragraph of text. Photopoints can be used to monitor effectiveness of weed control work, revegetation, regeneration and changes between seasons, i.e. summer versus winter vegetation.

Photopoints are simple to establish. A permanent marker is driven into the ground at a key location; often a star dropper is used. Brightly coloured tape or a plastic cap is placed on the star dropper to aid relocation in the future. A second marker is driven into the ground 10 metres from the first marker. A camera is placed on the first marker and photograph taken with the top of the second marker in the middle of the frame. A white board should be placed on the second marker noting the location and date. It is important the same photograph is taken each time, therefore a standard camera and settings should be used. Cameras with zoom lenses should always be used at the same focal length. In the past, the recommended format to use was a 35mm SLR camera equipped with a 50mm lens. Increasingly, digital cameras are being used instead.

[13] Adapted from the Department for Environment and Heritage biodiversity information brochure – "*Phytophthora* Root-rot fungus is killing our plants!" – revised January 2002




Photopoints depicting changes between spring and summer

When setting up a photopoint the markers should be placed in a way that will give a meaningful photograph. If a weed front is being monitored, the photopoint should be set up to give the best coverage of the weed front. There should be an unobstructed line of sight between the markers. Care needs to be taken not to have tree or shrub seedlings between the markers, as they will obscure the line of sight when they grow. It is useful to take photographs in both directions.

- **Attachment D** provides detailed explanations of how to establish a photopoint.

NCSSA Bushland Condition Monitoring

Trees For Life and the Nature Conservation Society of SA (NCSSA) are undertaking a joint project to collect scientifically based information on the condition of bushland under Bush For Life care. The condition monitoring uses the protocol described in the NCSSA's *Field Guide to Bushland Condition Monitoring (2005)*. This manual has been designed specifically so that a wide range of people can take part in monitoring their bushland's condition (from bushcarers and landholders to technical-support field workers such as Landcare officers) after undertaking a two day training course.

Use of the protocol not only provides people with a way to show the positive impact they might be having on their bushland's condition but it also raises their awareness of the vital natural processes going on in the bush and how to detect the early warning signs of threatening processes. Data from individual monitoring sites is also being collated on a regional basis to provide better information on the condition and trends in native vegetation

Apart from the practical methodology and data sheet section in the Field Guide there are two additional sections that contain extensive background information on the flora and fauna of various regions, and provide further information on condition indicators.

It is beyond the scope of this Action Plan to detail the bushland condition monitoring methodology, but further information and future training dates are available from Trees For Life or the NCSSA.

BushRAT Monitoring

The Bushland Rapid Assessment Technique[14] ('BushRAT') for native vegetation is derived from the Bushland Condition Monitoring above, including a rapid assessment version, but uses an informal quadrat of approximately 1 ha rather than the 30m x 30m quadrats used in the BCM methodology.

[14] Native Vegetation & Biodiversity Management Unit, BushRAT manual for native vegetation, May 2013

The technique is intended for use in most assessments undertaken within the Native Vegetation & Biodiversity Management Unit, including clearance via clearance application, clearance via Regulation, potential 2SEB offset areas, Heritage Agreement assessments and compliance assessments. Each area to be assessed is termed an '**application area**', within which different **vegetation associations** are identified and then linked with and compared to a '**benchmark**' **vegetation community**. Each identified vegetation association is termed a '**site'**, within which a representative 1ha quadrat is surveyed. One datasheet is completed per site.

Three 'components' of the biodiversity value of the site are measured and scored: vegetation condition, conservation value and landscape context. Vegetation condition is the main component for which field data is gathered.

A BushRAT assessment has recently been completed for the Lower Field River, and on-going monitoring using this technique should continue as a part of this plan.

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USEFUL RESOURCES FOR FURTHER READING

Flora and Plant Communities

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Electronic

Atlas of Living Australia: Search for lists of local plants and animals from your location. www.biocache. ala.org.au/explore/your-area.

Department of Primary Industries and Regions: Information about weeds and pest animals, weed identification notes, Weed Control App, Weed Control Handbook for Declared Plants in SA. www.pir. sa.gov.au/biosecurity/weeds_and_pest_animals

eflora SA: www.flora.sa.gov.au

Plant Distribution Mapper Within this tool you can use the plant distribution mapper to see where a known species has been collected from. www.flora.sa.gov.au/mapper2.shtml

Flora Fact Sheets. www.flora.sa.gov.au/factsheets.html

Census of SA Flora, a list of all the species found in SA, both indigenous and naturalised exotics, provides current names and synonyms. www.flora.sa.gov.au/census.shtml

Identification Tools

Australia's Virtual Herbarium

Natural Resources Adelaide and Mount Lofty Ranges: Includes information about native plants, animals and biodiversity, pest plants and animals, training, grant funding and volunteering opportunities. www. naturalresources.sa.gov.au/adelaidemtloftyranges/home

Nature Maps: The Department of Environment and Natural Resources' interactive online mapping site supporting South Australia's natural resource management. www.naturemaps.sa.gov.au/

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APPENDIX 1: NATIVE PLANT LIST

Based on City of Marion Remnant Vegetation Plan 2018 to 2023
Additions 26th June 2019 by Peter Watton & Randall Bates

Scientific Name	Common Name	AUS	SA	AMLR	Notes
Acacia acinacea	Wreath Wattle			NT	planted
Acacia cupularis	Cup Wattle			RA	planted
Acacia longifolia ssp. *sophorae*	Coastal Wattle			LC	planted
Acacia paradoxa	Kangaroo Thorn			LC	
Acacia victoriae ssp. *victoriae*	Elegant Wattle			VU	planted
Adriana quadripartita	Coast Bitter-bush			RA	planted
Allocasuarina muelleriana ssp. *muelleriana*	Common Oak-bush			LC	planted
Allocasuarina verticillata	Drooping Sheoak			LC	planted
Aristida behriana	Brush Wire-grass			LC	
Atriplex cinerea	Coast Saltbush			LC	
Atriplex paludosa ssp. *cordata*	Marsh Saltbush			LC	planted & remnant
Atriplex semibaccata	Berry Saltbush			LC	
Atriplex suberecta	Lagoon Saltbush			LC	
Austrostipa scabra	Rough Spear-grass			NT/LC	ssp. unknown
Banksia marginata	Silver Banksia			LC	planted
Callitris gracilis	Southern Cypress Pine			LC	planted
Callitris rhomboidea	Oyster Bay Pine			NT	planted
Calostemma purpureum	Pink Garland-lily			LC	
Calystegia sepium	Large Bindweed			RA	
Carpobrotus rossii	Native Pigface			LC	
Cheilanthes austrotenuifolia	Annual Rock-fern			LC	
Chloris truncata	Windmill Grass			LC	
Convolvulus angustissimus	Native Bindweed			NT/RA	ssp. unknown
Cullen australasicum	Tall Scurf-pea			NT	planted & remnant
Dianella revoluta var. *revoluta*	Black-anther Flax-lily			LC	
Dodonaea viscosa ssp. *spatulata*	Sticky Hop-bush			LC	planted
Einadia nutans ssp. *nutans*	Climbing Saltbush			LC	
Enchylaena tomentosa var. *tomentosa*	Ruby Saltbush			LC	
Enneapogon nigricans	Black-head Grass			LC	
Eucalyptus camaldulensis ssp. *camaldulensis*	River Red Gum			NT	planted & remnant
Eucalyptus porosa	Mallee Box			NT	
Eutaxia microphylla	Common Eutaxia			LC	
Ficinia nodosa	Knobby Club-rush			LC	
Geranium retrorsum	Grassland Geranium			LC	
Glycine rubiginosa	Twining Glycine			LC	
Hardenbergia violacea	Native Lilac			LC	planted

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Juncus sp.	Rush				
Kunzea pomifera	Muntries			RA	planted
Lomandra densiflora	Soft Tussock Mat-rush			LC	
Lomandra effusa	Scented Mat-rush			RA	
Maireana brevifolia	Short-leaf Bluebush			LC	
Maireana enchylaenoides	Wingless Fissure-plant			LC	
Melaleuca lanceolata	Dryland Tea-tree			RA	planted
Muehlenbeckia gunnii	Coastal Climbing Lignum			LC	
Myoporum insulare	Common Boobialla			NT	planted
Myoporum parvifolium	Creeping Boobialla		Rare	VU	planted
Olearia axillaris	Coast Daisy-bush			NT	
Olearia ramulosa	Twiggy Daisy-bush			LC	planted
Oxalis perennans	Native Sorrel			LC	
Phragmites australis	Common Reed			LC	
Pimelea curviflora var. *gracilis*	Curved Riceflower			RA	
Pimelea micrantha	Silky Riceflower			NT	
Pittosporum angustifolium	Native Apricot			NT	
Pleurosorus rutifolius	Blanket Fern			LC	
Poa poiformis var. *poiformis*	Coast Tussock-grass			LC	
Pseudognaphalium luteoalbum	Jersey Cudweed				
Rhagodia candolleana ssp. *candolleana*	Sea-berry Saltbush			LC	planted & remnant
Roepera confluens	Forked Twinleaf			VU	
Rytidosperma setaceum	Small-flower Wallaby-grass			LC	
Santalum acuminatum	Quandong			RA	
Scaevola albida	Pale Fanflower			LC	
Scaevola crassifolia	Cushion Fanflower			VU	
Setaria constricta	Knotty-butt Paspalidium			NT	
Sida corrugata var. *angustifolia*	Grassland Sida			RA	
Solanum laciniatum	Cut-leaf Kangaroo-apple			NT	planted
Spinifex hirsutus	Rolling Spinifex			LC	
Themeda triandra	Kangaroo Grass			LC	
Typha domingensis	Narrow-leaf Bulrush			LC	
Wahlenbergia luteola	Yellow-wash Bluebell			RA	

Number of species: 69

SA	Rare	{none}
Number of species	1	68

AMLR	VU	RA	NT/R	NT	NT/L	LC	{none}
Number of species	4	10	1	11	1	40	2

AUS= EPBC Act Status, **SA**=South Australia NPW Act Status, **AMLR** = Regional Status for Adelaide and Mount Lofty Ranges[15]
RE = Regionally Extinct, CR = Critically Endangered, E or EN = Endangered, V or VU = Vulnerable, R or RA = Rare, NT = Near Threatened, LC = Least Concern, DD = Data Deficient, NE = Not Evaluated

[15] Definitions as per IUCN Red List Categories and Criteria, ratings from Gillam, S. and Urban, R. (2014) *Regional Species Conservation Assessment Project, Phase 1 Report: Regional Species Status Assessments, Adelaide and Mount Lofty Ranges NRM Region*. Department of Environment, Water and Natural Resources, South Australia.

APPENDIX 2: WEED AND NON-LOCAL PLANT LIST

Compiled by Peter Watton and Randall Bates 26th June 2019

Scientific Name	Common Name	SA	Notes
**Acacia cyclops*	Western Coastal Wattle		
**Acacia salicina*	Willow Wattle		
**Acacia* sp.	Wattle		
**Agonis flexuosa*	Willow Myrtle		planted
**Aizoon secundum*	Galenia		
**Allium triquetrum*	Three-cornered Garlic	Declared	
**Apium graveolens*	Celery		
**Araucaria heterophylla*	Norfolk Island Pine		planted
**Arctotis stoechadifolia*	White Arctotis		
**Arctotheca calendula*	Cape Weed		
**Asparagus asparagoides* f. *asparagoides*	Bridal Creeper	Declared	
**Asphodelus fistulosus*	Onion Weed	Declared	
**Avena* sp.	Oats		
**Brachychiton populneus ssp. populneus*	Kurrajong		planted
**Cakile maritima* ssp. *maritima*	Two-horned Sea Rocket		
**Carpobrotus edulis* ssp. *edulis*	Hottentot Fig		
**Casuarina glauca*	Grey Buloak		planted
**Cenchrus clandestinus*	Kikuyu		
**Ceratonia siliqua*	Carob Tree		
**Chondrilla juncea*	Skeleton Weed	Declared	
**Chrysanthemoides monilifera* ssp. *monilifera*	Boneseed	Declared	
**Cynara cardunculus* ssp. *flavescens*	Artichoke Thistle	Declared	
**Cynodon dactylon* var. *dactylon*	Couch		
**Ehrharta longiflora*	Annual Veldt Grass		
**Erodium* sp.	Storksbill		
**Euphorbia paralias*	Sea Spurge		
**Euphorbia terracina*	False Caper	Declared	
**Foeniculum vulgare*	Fennel		
**Fraxinus angustifolia* ssp. *angustifolia*	Desert Ash	Declared	
**Fumaria* sp.	Fumitory		
**Galium aparine*	Cleavers		
**Gazania linearis*	Gazania		
**Gomphocarpus cancellatus*	Broad-leaf Cotton-bush		
**Lagunaria patersonii*	Itchy Powder Tree/ Norfolk Island Hibiscus		planted
**Lagurus ovatus*	Hare's Tail Grass		
**Leptospermum laevigatum*	Coast Tea-tree		planted
**Lycium ferocissimum*	African Boxthorn	Declared	
**Malva* sp.	Mallow		
**Marrubium vulgare*	Horehound	Declared	
**Medicago* sp.	Medic		
**Melaleuca hypericifolia*			

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**Moraea flaccida*	One-leaf Cape Tulip	Declared	
**Moraea setifolia*	Thread Iris		
**Olea europaea* ssp. *europaea*	Olive	Declared	
**Oxalis pes-caprae*	Soursob	Declared	
**Paspalum dilatatum*	Paspalum		
**Phalaris aquatica*	Phalaris		
**Phoenix dactylifera*	Date Palm		
**Pinus halepensis*	Aleppo Pine	Declared	
**Piptatherum miliaceum*	Rice Millet		
**Plantago coronopus* ssp. *coronopus*	Bucks-horn Plantain		
**Plantago lanceolata* var. *lanceolata*	Plantain/Ribwort		
**Polygonum aviculare*	Wireweed		
**Rapistrum rugosum* ssp. *rugosum*	Short-fruited Wild Turnip		
**Reichardia tingitana*	False Sowthistle		
**Ricinus communis*	Castor Oil Plant		
**Romulea rosea* var. *australis*	Guildford Grass		
**Rosmarinus officinalis*	Rosemary		planted
**Salix babylonica*	Weeping Willow		
**Scabiosa atropurpurea*	Scabious/Pincushion		
**Searsia lancea*	Willow Rhus		
**Solanum nigrum*	Black Nightshade		
**Sonchus oleraceus*	Common Sow-thistle		
**Stellaria media*	Chickweed		
**Symphyotrichum subulatum*	Wild Aster		
**Thinopyrum elongatum*	Tall Wheat-grass		
**Tropaeolum majus*	Nasturtium		
**Vicia* sp.	Vetch		

Number of species: 68

SA	Declared	{none}
Number of species	12	56

SA=South Australia NPW Act Status

NOTE:
This list consists of known environmental weeds together with planted specimens that are not indigenous to the area. This is not an exhaustive list and others are expected to exist within the boundaries of this site.

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APPENDIX 3: SAMPLE REVEGETATION PLANT LIST

Scientific Name	Common Name	Form	Riparian	Zone(s)
Acacia cupularis	Cup Wattle	S		3
Aristida behriana	Brush Wire-grass	G		10, 15, 16, 19
Arthropodium strictum	Common Vanilla-lily	H		10, 16, 19
Atriplex cinerea	Coast Saltbush	S		1
Atriplex semibaccata	Berry Saltbush	GC		3
Austrostipa scabra	Rough Spear-grass	G		10, 16, 19
Calostemma purpureum	Pink Garland-lily	H		10, 16, 19
Carex appressa	Tall Sedge	Se	yes	19
Carex bichenoviana	Notched Sedge	Se	yes	19
Carpobrotus rossii	Native Pigface	GC		1, 3
Chloris truncata	Windmill Grass	G		10, 15, 16, 19
Convolvulus angustissimus	Native Bindweed	Tw		10, 15, 16, 19
Cullen australasicum	Tall Scurf-pea	H		10, 16, 19
Cyperus gymnocaulos	Spiny Flat-sedge	Se	yes	19
Dianella revoluta var. *revoluta*	Black-anther Flax-lily	Tu		10, 16, 19
Einadia nutans ssp. *nutans*	Climbing Saltbush	Tw		10, 16, 19
Enneapogon nigricans	Black-head Grass	G		10, 16, 19
Ficinia nodosa	Knobby Club-rush	Se		1, 3, 19
Geranium retrorsum	Grassland Geranium	H		10, 16, 19
Glycine rubiginosa	Twining Glycine	Tw		10, 16, 19
Juncus pallidus	Pale Rush	R	yes	19
Kunzea pomifera	Muntries	GC		3
Leptospermum lanigerum	Silky Tea-tree	ST	yes	19
Leucophyta brownii	Coast Cushion Bush	SS		1, 3
Lotus australis	Australian Trefoil	H		10, 16, 19
Maireana enchylaenoides	Wingless Fissure-plant	SS		19
Malva preissiana	Australian Hollyhock	S		19
Myoporum parvifolium	Creeping Boobialla	GC		1, 3
Poa poiformis var. *poiformis*	Coast Tussock-grass	G		3
Rytidosperma setaceum	Small-flower Wallaby-grass	G		10, 15, 16, 19
Scaevola albida	Pale Fanflower	GC		10, 16, 19
Sida corrugata var. *angustifolia*	Grassland Sida	H		10, 16, 19
Spinifex hirsutus	Rolling Spinifex	G		1
Themeda triandra	Kangaroo Grass	G		19
Wahlenbergia luteola	Yellow-wash Bluebell	H		10, 16, 19

Plant Form	Code	Plant Form	Code
Grass	G	Sedge	Se
Ground Cover	GC	Shrub – Small	SS
Herb	H	Shrub – Tall	ST
Rush	R	Tussock – non-grass	Tu
Shrub	S	Twining plant	Tw

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APPENDIX 4: BIRD SPECIES LIST

Compiled by Peter Watton & Randall Bates from personal observations, John Gitsham survey 23rd November 2019, and Atlas of Living Australia records[16]

Common Name	Scientific Name	AUS	SA	AMLR
Australasian Gannet	*Morus serrator*			
Australian Hobby	*Falco longipennis*			LC
Australian Magpie	*Gymnorhina tibicen*			LC
Australian Pelican	*Pelecanus conspicillatus*			RA
Australian Reed-Warbler	*Acrocephalus australis*			LC
Black Swan	*Cygnus atratus*			RA
Black-faced Cuckoo-shrike	*Coracina novaehollandiae*			LC
Black-faced Cormorant	*Phalacrocorax fuscescens*			RA
Black-shouldered Kite	*Elanus axillaris*			LC
Caspian Tern	*Sterna caspia*			VU
Common Blackbird	*Turdus merula*			F
Common Starling	*Sturnus vulgaris*			F
Crested Pigeon	*Geophaps lophotes*			LC
Crested Tern	*Thalasseus bergii*			VU
Crimson Rosella	*Platycercus elegans*			LC
Dusky Moorhen	*Gallinula tenebrosa*			LC
Eastern Reef Egret	*Egretta sacra*		RA	CR
European Goldfinch	*Carduelis carduelis*			F
Fan-tailed Cuckoo	*Cacomantis flabelliformis*			NT
Feral Pigeon	*Columba livia*			F
Galah	*Cacatua roseicapilla*			LC
Great Egret	*Ardea alba*			VU
Greater Crested Tern	*Thalasseus bergii*			VU
Grey Fantail	*Rhipidura fuliginosa*			LC
Grey Shrike-thrush	*Colluricincla harmonica*			LC
Grey Teal	*Anas gracilis*			LC
Hooded Plover	*Thinornis rubricollis*		VU	EN
House Sparrow	*Passer domesticus*			F
Little Black Cormorant	*Phalacrocorax sulcirostris*			LC
Little Grassbird	*Megalurus gramineus*			LC
Little Pied Cormorant	*Phalacrocorax melanoleucos*			LC
Little Raven	*Corvus mellori*			LC
Magpie-lark	*Grallina cyanoleuca*			LC
Masked Lapwing	*Vanellus miles*			LC
Musk Lorikeet	*Glossopsitta concinna*			LC
Nankeen/Australian Kestrel	*Falco cenchroides*			LC
Nankeen Night Heron	*Nycticorax caledonicus*			VU
New Holland Honeyeater	*Phylidonyris novaehollandiae*			LC

[16] https://www.ala.org.au/

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Noisy Miner	*Manorina melanocephala*			LC
Pacific Black Duck	*Anas superciliosa*			VU
Pacific Gull	*Larus pacificus*			VU
Pied Cormorant	*Phalacrocorax varius*			LC
Rainbow Lorikeet	*Trichoglossus haematodus*			LC
Red Wattlebird	*Anthochaera carunculata*			LC
Silver Gull	*Larus novaehollandiae*			LC
Silvereye	*Zosterops lateralis*			VU
Sooty Oystercatcher	*Haematopus fuliginosus*		RA	EN
Spotted Turtle-Dove	*Streptopelia chinensis*			F
Superb Fairy-wren	*Malurus cyaneus*			LC
Welcome Swallow	*Hirundo neoxena*			LC
White-faced Heron	*Egretta novaehollandiae*			LC
White-plumed Honeyeater	*Lichenostomus penicillatus*			LC
Willie Wagtail	*Rhipidura leucophrys*			NT
Yellow-tailed Black Cockatoo	*Calyptorhynchus funereus*		VU	VU

Number of species: 53

SA	VU	RA	{none}
Number of species	2	2	49

AMLR	CR	EN	VU	RA	NT	LC	F	{none}
Number of species	1	2	8	3	2	30	6	1

AUS= EPBC Act Status, **SA**=South Australia NPW Act Status, **AMLR** = Regional Status for Adelaide and Mount Lofty Ranges[17]
RE = Regionally Extinct, CR = Critically Endangered, EN = Endangered, VU = Vulnerable, RA = Rare, NT = Near Threatened, LC = Least Concern, F = Feral

[17] Definitions as per IUCN Red List Categories and Criteria, ratings from Gillam, S. and Urban, R. (2014) *Regional Species Conservation Assessment Project, Phase 1 Report: Regional Species Status Assessments, Adelaide and Mount Lofty Ranges NRM Region*. Department of Environment, Water and Natural Resources, South Australia.

APPENDIX 5: ACTION SCHEDULE SUMMARY

Timing	Who	Priority	Activity	Location & Strategy	Technique
Summer & Autumn	Friends of the Lower Field River	1	Woody weeds – including Boneseed, Olive, Aleppo Pine seedlings only, Broadleaf Cotton-bush, Castor Oil Plant, Willow Rhus, Weeping Willow	Patrol entire site with focus on following up regrowth in areas previously worked and then extending weed fronts in Zones 13 & 19	Hand weed seedlings, cut & swab or drill & fill larger plants (glyphosate 1:5)
		2	Perennial broadleaf herbs – including Sea Spurge, Gazania, Buckthorn Plantain, Galenia	Coastal areas, Zones 1, 2 & 3	Hand weed seedlings and small plants, cut & swab/wipe larger plants (glyphosate 1:5)
		2	Perennial broadleaf herbs – including Scabious, Galenia, Plantain, Onion Weed	Woodland areas, Zones 10, 12 & 16	Hand weed seedlings and small plants, cut & swab/wipe larger plants (glyphosate 1:5)
		3	Perennial weed grasses – including Rice Millet, Tall Wheat Grass (only in Hidden Valley)	Prioritise follow-up of areas previously worked in and then continue to expand along weed fronts – focus on better remnant native vegetation areas, Zones 10, 12 and then 5, 13, 17 & 19	Cut below crown with serrated knife, cut & swab/wipe canes of larger plants (glyphosate 1:5)
		4	Perennial broadleaf herbs – including Scabious, Galenia, Plantain, Onion Weed	Zones 7, 13, 17, 18 & 19	Hand weed seedlings and small plants, cut & swab/wipe larger plants (glyphosate 1:5)
		Optional	Revegetation		Collect seed (permit required), grow or order tubestock for any revegetation activities planned, undertake weed management in revegetation area

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	Trees For Life Coordinator	On-going	Coordination of Friends of the Lower Field River group		Attend FoLFR field day activities and respond to requests from the group as required
		On-going	Management plan		Review and update action schedule and management plan as required
	City of Marion	On-going	Tree management – including Aleppo Pine, Norfolk Island Hibiscus, other large planted tree specimens	Mainly Zones 5, 7, 17 and adjacent to Zone 11	Arrange public consultation and removal if appropriate following survey of use as habitat by native fauna
		Low	Date Palm	3 in Zone 19 Hidden Valley, 2 in parkland area with playground	Arrange sale and removal by qualified Palm Tree dealer
		On-going	Mowing	Parkland areas	Mower (staff)
		Annual	Couch	Along the edge of footpath and in Zones 1, 2 & 3	Spray (staff or contractor)
		6-monthly	Kikuyu	Along creekline and amongst Common Reed	Spray (staff or contractor)
		On-going	Olive	Zone 19 north-eastern corner above rock face	Engage contractor to treat

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Winter & Spring	Friends of the Lower Field River	1	Bridal Creeper	Patrol entire site for any plants, known under Carob Tree adjacent to Zone 11	Carefully hand weed, removing bulbs from the site for safe disposal or wipe foliage with tongs (glyphosate 1:5)
		2	Strappy-leaved bulb weeds – including One-leaf Cape Tulip, Guildford Grass, Thread Iris, Three-cornered Garlic (Zone 19 only)	Prioritise follow-up of areas previously worked in and then continue to expand along weed fronts – focus on better remnant native vegetation areas, Zones 10, 12, 16 & 19	Carefully hand weed, removing bulbs from the site for safe disposal, or wipe foliage with tongs (glyphosate 1:5), remove flowerheads and seed later in season
		2	Soursob	Prioritise follow-up of areas previously worked in, halo around native understorey plants – focus on better remnant native vegetation areas, Zones 10, 12 & 16	Wipe foliage with swabber (glyphosate 1:5) Trained volunteers – spot spray with metsulphuron methyl
		3	Annual and perennial broadleaf herbs – including Sea Spurge, Gazania, Buckthorn Plantain, Galenia, False Sowthistle, Capeweed – and annual grasses	Prioritise follow-up of areas previously worked in, halo around native understorey plants, Zones 1, 2, 3, 4 & 8	Carefully hand weed around native understorey species
		3	Annual and perennial broadleaf herbs – including Scabious, Galenia, Plantain, Onion Weed, Capeweed	Prioritise follow-up of areas previously worked in, halo around native understorey plants – focus on better remnant native vegetation areas, Zones 10, 12 & 16	Carefully hand weed around native understorey species
		4	Annual grasses	Prioritise follow-up of areas previously worked in, halo around native understorey plants – focus on better remnant native vegetation areas, Zones 10, 12 & 16	Carefully hand weed around native understorey species, Trained volunteers – brushcut prior to seed maturity
		Optional	Revegetation		Undertaken planting or hand direct seeding as planned

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	Trees For Life Coordinator	Annual	Soursob	Prioritise core areas, Zone 10	Spray with metsulphuron methyl with trained volunteers
		Annual	Annual grasses	Prioritise core areas, Zones 10. 12 & 19 in remnant native grass areas	Brushcut with trained volunteers
	City of Marion	On-going	Mowing	Parkland areas	Mower
		Prior to fire season	Fire fuel load management	Zones 1, 9 & 15	Time brushcutting to reduce seed set of annual grasses and encourage native grasses
		Annual	Soursob	Zone 10	Engage contractor to spray with metsulphuron methyl
		6-monthly	Kikuyu	Along creekline and amongst Common Reed	Spray (staff or contractor)
		On-going	Olive	Zone 19 north-eastern corner above rock face	Engage contractor to treat

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ATTACHMENT A: WEED TREATMENT SUMMARY TABLE

African Boxthorn
Lycium ferocissimum




Family: Solanaceae
Origin: native to southern Africa
Introduction: hedge, ornamental uses
Habit: upright and spiny shrub 2-3m tall and 3m across
Invades: grasslands, open woodlands, coastal environs, inland waterways, pastures, roadsides, disturbed areas
Spread: mainly seed dispersed by birds and other animals, and in water, machinery, garden waste and contaminated soil, sometimes vegetatively from root and stem fragments

	J	F	M	A	M	J	J	A	S	O	N	D
hand weed seedlings				A	M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D
drill & fill				A	M			A	S	O	N	D

Aleppo Pine
Pinus halepensis





Family: Pinaceae
Origin: native to northern Africa, southern Europe and western Asia
Introduction: forestry, windbreaks, ornamental uses
Habit: large evergreen tree 5-50m tall
Invades: open woodlands, forests, grasslands, roadside, disturbed areas
Spread: seed dispersed by wind and birds

	J	F	M	A	M	J	J	A	S	O	N	D
hand weed seedlings				A	M	J	J	A	S	O		
ring bark/cut down saplings	J	F	M	A	M	J	J	A	S	O	N	D
drill & fill saplings	J	F	M	A	M	J	J	A	S	O	N	D

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Artichoke Thistle
Cynara cardunculus ssp. *flavescens*




Family: Compositae/Asteraceae
Origin: Mediterranean region
Introduction: garden ornamental and/or culinary plant
Habit: upright herbaceous plant 75-150cm tall growing from basal rosette of leaves, re-grows from underground crown each year
Invades: grasslands, open woodlands, crops, roadsides, disturbed sites
Spread: seed dispersed by wind and animals

hand weed seedlings				A	M	J						
cut & swab/wipe						J	J	A	S	O	N	
spot spray						J	J	A	S	O		

Black Nightshade
Solanum nigrum




Family: Solanaceae
Origin: north-western Africa, Europe, western and central Asia
Introduction: likely medicinal
Habit: short-lived herbaceous plant up to 1.25m tall but usually shorter
Invades: disturbed sites, crops, pastures, roadsides
Spread: seed dispersed by birds and other animals

hand weed	J				M	J	J	A	S	O	N	D
cut & swab	J							A	S	O	N	D

Boneseed
Chrysanthemoides monilifera




Family: Compositae/Asteraceae
Origin: southern Africa
Introduction: garden ornamental, beach and sand stabiliser
Habit: upright or spreading shrub usually 1-3m tall and wide
Invades: open woodlands, forests, coastal environs, waterways, roadsides and waste areas
Spread: seed dispersed by birds and other animals and in water, soil

hand weed				A	M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D
drill & fill	J	F	M	A	M	J	J	A	S	O	N	D

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Bridal Creeper
Asparagus asparagoides f. *asparagoides*





Family: Liliaceae
Origin: southern Africa
Introduction: ornamental uses
Habit: rhizomatous, perennial bulb species, climbing to 4m, annual leaves
Invades: grassy woodlands, heath, forest, rocky escarpments, riparian areas
Spread: seed and rhizomes, by birds, diggings, water, machinery

hand weed					M	J	J	A	S	O		
swab/wipe/tongs						J	J	A	S			
spray – glyphosate						J	J	A	S			
spray – metsulphuron methyl						J	J	A	S			

Broad-leaf Cotton- bush
Gomphocarpus cancellatus




Family: Asclepiadaceae
Origin: south-western Africa
Introduction: ornamental uses, food for Wanderer butterfly larvae
Habit: perennial shrub 0.5-1.5m tall, branches grow from an underground fibrous rootstock (lignotuber), exudes milky sap
Invades: degraded roadsides, grasslands and grassy woodlands
Spread: seeds with feathery tops spread by wind

hand weed seedlings								A	S	O	N	
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D
drill & fill	J	F	M	A	M	J	J	A	S	O	N	D

Bucks-horn Plantain
Plantago coronopus ssp. *coronopus*





Family: Plantaginaceae
Origin: northern Africa, Eurasia
Introduction: likely culinary
Habit: annual to perennial broadleaf herb forming a rosette
Invades: mostly sandy or gravelly soils close to the sea
Spread: seed spread by wind

hand weed seedlings				A	M	J	J	A	S	O		
cut & swab/wipe	J	F	M	A	M	J	J	A	S	O	N	D
spot spray					M	J	J	A	S	O		

Cape Tulip (One-leaf)
Moraea flaccida




Family: Iridaceae
Origin: southern Africa
Introduction: ornamental uses, toxic to stock
Habit: corm species with annual leaves and flowers
Invades: degraded grasslands and grassy woodlands
Spread: corms and seed

hand weed not recommended							J	A	S	O		
tongs							J	A	S	O		
spray – metsulphuron methyl								A	S			
remove seedheads								A	S	O	N	D

Cape Weed
Arctotheca calendula




Family: Compositae/Asteraceae
Origin: southern Africa
Introduction: likely contaminant of feed and packing, toxic to stock
Habit: annual broadleaf herb forming a rosette
Invades: overgrazed pasture and degraded grasslands and grassy woodlands
Spread: seed spread by wind

hand weed					M	J	J	A				
wipe foliage					M	J	J					
spot-spray – glyphosate					M	J	J	A	S			

Desert Ash
Fraxinus rotundifolia ssp. *rotundifolia*





Family: Oleaceae
Origin: Mediterranean region and western Asia
Introduction: ornamental uses
Habit: upright deciduous tree reaching 10-20m high
Invades: riparian areas and drainage lines and spreading into woodlands where rainfall exceeds 600mm pa
Spread: seed and root suckers, spread by wind, water and in garden refuse

hand weed seedlings					M	J	J	A	S	O		
cut & swab	J	F							S	O	N	D
drill & fill	J	F							S	O	N	D

False Caper
Euphorbia terracina




Family: Euphorbiaceae
Origin: Mediterranean
Introduction: possibly ornamental uses, toxic to stock
Habit: perennial herb to 1m high, exudes milky sap
Invades: disturbed sites and coastal dunes
Spread: seed ejected explosively from capsule several metres, also spread in water and mud attached to animals and machinery

	J	F	M	A	M	J	J	A	S	O	N	D
hand weed				A	M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D

False Sowthistle
Reichardia tingitana




Family: Compositae/Asteraceae
Origin: Mediterranean region and western Asia
Introduction: likely ornamental uses
Habit: short-lived perennial herb
Invades: mainly river flats and coastal dunes, also semi-arid woodlands
Spread: seed spread by wind

	J	F	M	A	M	J	J	A	S	O	N	D
hand weed				A	M	J	J	A	S			
cut & swab/wipe					M	J	J	A	S	A		
spray				A	M	J	J	A				

Fennel
Foeniculum vulgare





Family: Umbelliferae
Origin: Eurasia
Introduction: medicinal or culinary uses
Habit: perennial herb to 2.5m high
Invades: disturbed sites and watercourses
Spread: seed

	J	F	M	A	M	J	J	A	S	O	N	D
hand weed seedlings					M	J	J					
cut & swab				A	M	J	J	A				
cut & spot spray				A	M	J	J	A				
slash to reduce seed										O	N	D

Galenia
*Aizoon secundum (*syn. *Galenia secunda)*




Family: Aizoaceae
Origin: southern Africa
Introduction: likely ornamental uses
Habit: perennial creeping, herbaceous plant, spreading to 1–2 m wide
Invades: coastal dunes, pastures, disturbed sites, semi-arid woodlands
Spread: seed spread by wind, water, birds and livestock, in contaminated soil

hand weed seedlings					M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D
spray glyphosate + penetrant					M	J	J	A	S	O		

Gazania
Gazania linearis




Family: Compositae/Asteraceae
Origin: southern Africa
Introduction: ornamental uses
Habit: perennial herb
Invades: coastal dunes, disturbed roadsides, semi-arid woodlands
Spread: stolons, rhizomes and to a minor extent by seed, dumping of garden refuse, soil movement by machinery

hand weed seedlings					M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D
spot spray				A	M	J	J	A	S	O	N	D

Guildford-grass / Onion-grass
Romulea spp.




Family: Iridaceae
Origin: southern Africa
Introduction: possibly ornamental uses
Habit: corm species with annual leaves
Invades: disturbed sites, grasslands and grassy woodlands
Spread: seed and bulbils, soil movement by machinery

hand weed							J	A	S	O		
tongs							J	A	S	O		
spray – metsulphuron methyl							J	A				
remove seedheads	J	F									N	D

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Horehound
Marrubium vulgare




Family: Labiatae/Lamiaceae
Origin: Europe, western Asia, northern Africa
Introduction: possibly medicinal or ornamental uses
Habit: spreading bushy perennial herb to 75cm high
Invades: disturbed sites
Spread: seed and stem fragments, seed spread attached to animals, clothing and machinery, garden refuse, stems root at nodes

hand weed					M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D
spot spray					M	J	J	A	S	O	N	D

Kikuyu
Cenchrus clandestinus




Family: Gramineae/Poaceae
Origin: eastern Africa
Introduction: turf, soil stabilisation, pasture uses
Habit: rhizomatous-stoloniferous perennial grass
Invades: disturbed sites, especially near creeklines, drains and waterways
Spread: vegetatively, stem fragments in garden refuse and spread in soil by machinery, varieties that produce seed now widely planted

hand weed	J	F	M	A	M	J	J	A	S	O	N	D
spray/wipe	J	F	M						S	O	N	D

Olive
Olea europaea ssp. *europaea*





Family: Oleaceae
Origin: Mediterranean
Introduction: ornamental, oil and fruit production
Habit: evergreen tree 5-10m high with lignotuber
Invades: grasslands and grassy woodlands
Spread: seed spread by birds and foxes, suckers freely from the base after disturbance or fire

hand weed seedlings						J	J	A	S	O		
cut below lignotuber	J	F	M	A	M	J	J	A	S	O	N	D
drill & fill	J	F	M	A	M	J	J	A	S	O	N	D

Onion Weed
Asphodelus fistulosus





Family: Liliaceae/Asphodelaceae
Origin: southern Europe, northern Africa and western Asia
Introduction: probably ornamental uses
Habit: perennial broadleaf herb
Invades: disturbed sites, coastal dunes and semi-arid woodlands
Spread: seed spread by soil or water movement and moved in dead plants

hand weed seedlings					M	J	J	A	S	O	N	
cut & swab/wipe	J	F	M	A	M	J	J	A	S	O	N	D
spray – glyphosate	J	F	M	A	M	J	J	A	S	O	N	D
spray – metsulphuron methyl								A	S	O		

Plantain / Ribwort
Plantago lanceolata





Family: Plantaginaceae
Origin: Eurasia
Introduction: likely culinary
Habit: perennial broadleaf herb forming a rosette
Invades: disturbed sites, grasslands, grassy woodlands
Spread: seed spread by wind

hand weed seedlings				A	M	J	J	A	S	O		
cut & swab/wipe	J	F	M	A	M	J	J	A	S	O	N	D
spot spray					M	J	J	A	S	O		

Rice Millet
Piptatherum miliaceum




Family: Gramineae/Poaceae
Origin: Eurasia
Introduction: ornamental uses
Habit: perennial tussock grass to 1.5m high with caney stems
Invades: disturbed sites, riparian areas
Spread: seed

hand weed						J	J	A				
cut & swab/wipe	J	F	M	A	M	J	J	A	S	O	N	D
slash							J	A	S	O	N	
spray regrowth								A	S	O		

Scabious
Scabiosa atropurpurea






Family: Dipsacaceae
Origin: southern Europe
Introduction: ornamental uses
Habit: perennial broadleaf herb to 80cm high
Invades: disturbed sites, grasslands, grassy woodlands, roadsides
Spread: seed spread by wind and machinery, especially mowing

hand weed seedlings				A	M	J	J	A	S	O	N	
cut & swab/wipe	J	F	M	A	M	J	J	A	S	O	N	D
spot spray seedlings					M	J	J	A	S	O		

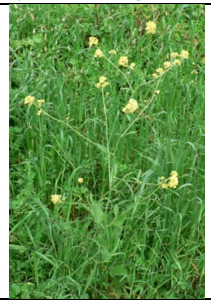
Sea Spurge
Euphorbia paralias




Family: Euphorbiaceae
Origin: western Europe, Mediterranean, Siberia
Introduction: ornamental uses, sand dune stabilisation
Habit: perennial herb to 60cm high, exudes milky sap
Invades: coastal dunes
Spread: seed spread by the seas and in sand, root fragments spread by wave action and earth-moving

hand weed				A	M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D

Short-fruited Wild Turnip
Rapistrum rugosum ssp. *rugosum*






Family: Cruciferae/Brassicaceae
Origin: Eurasia and northern Africa
Introduction: possibly as a contaminant or as fodder plant
Habit: branching annual broadleaf herb to 1m high
Invades: disturbed sites, roadsides
Spread: seed

hand weed				A	M	J	J	A	S			
cut & swab/wipe	J	F	M	A	M	J	J	A	S	O	N	D
spray – glyphosate					M	J	J	A	S			
spray – metsulphuron methyl					M	J	J	A				

Soursob
Oxalis pes-caprae





Family: Oxalidaceae
Origin: southern Africa
Introduction: ornamental uses
Habit: perennial bulb species with annual leaves
Invades: disturbed sites, grasslands, grassy woodlands, forest, riparian areas
Spread: bulbs spread by water, animals, soil, garden refuse, during removal

hand weed – to exhaust bulb					M	J	J	A				
wipe					M	J	J	A	S	O		
spray – glyphosate							J	A	S	O		
spray – metsulphuron methyl					M	J	J					

Three-cornered Garlic
Allium triquetrum





Family: Liliaceae
Origin: Mediterranean
Introduction: ornamental uses
Habit: perennial bulb species with annual leaves
Invades: disturbed sites, drainage lines and waterways
Spread: seed and bulbs spread by water, soil, garden refuse, during removal

hand weed					M	J	J	A	S			
tongs							J	A				
remove flower/seedhead								A	S	O		
spray – glyphosate							J	A				
spray – metsulphuron methyl							J	A				

Trees – various non-local evergreen species
e.g. (i) Wattle (*Acacia* spp.), (ii) Willow Rhus (*Searsia lancea*)

(i) 
(ii) 

Family: various including Leguminosae, Anacardiaceae, Myrtaceae
Origin: various including other parts of Australia
Introduction: often ornamental uses
Habit: large woody shrubs and trees
Invades: often planted in disturbed sites and woodlands and then reproduce by seed
Spread: usually seed spread by wind, animals, soil, slashing, garden refuse

hand weed seedlings				A	M	J	J	A	S	O		
cut & swab	J	F	M	A	M	J	J	A	S	O	N	D
drill & fill	J	F	M	A	M	J	J	A	S	O	N	D

Weeping Willow
Salix babylonica




Family: Salicaceae
Origin: China
Introduction: ornamental uses, riverbank stabilisation
Habit: deciduous woody tree
Invades: riparian areas
Spread: seed spread by wind, stem fragments by water, root suckers

hand weed seedlings				A	M	J	J	A	S	O		
cut & swab	J	F	M						S	O	N	D
drill & fill	J	F	M						S	O	N	D
basal bark treatment	J	F	M						S	O	N	D

Annual grasses various species




Family: Gramineae/Poaceae
Origin: various
Introduction: cropping, fodder, contaminants, ornamental uses
Habit: annual grass tussocks of various sizes up to 2m high
Invades: disturbed sites, roadsides, grasslands, grassy woodlands
Spread: seed spread by wind, water, soil, mowing, garden refuse

hand weed						J	J	A	S	O	N	
slash								A	S	O	N	

Broadleaf weeds various species




Family: various, including Leguminosae, Compositae/Asteraceae
Origin: various
Introduction: various including pasture improvement, herbal remedies
Habit: annual and perennial broadleaf herbs
Invades: disturbed sites, roadsides, grasslands, grassy woodlands
Spread: seed spread by wind, water, animals, soil, mowing, garden refuse

hand weed				A	M	J	J	A	S	O		
cut & swab/wipe	J	F	M	A	M	J	J	A	S	O	N	D
spot spray				A	M	J	J	A	S			

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Notes on hand weeding:

- Carefully hand weed only when the soil is moist, firm the soil back down and replace leaf litter.

Notes on herbicide application (unless otherwise stated, herbicide referred to is glyphosate 360, BFL mainly uses "Weedmaster Duo"):

- Herbicide application is most effective when the target plant is actively growing and not under stress (either too dry or from frost damage).
- Herbicide application is unlikely to be effective on deciduous plants such as blackberry and desert ash when they are dormant.
- Cut & swab with 75ml foam applicator or wipe with Weedbrush using 1 part glyphosate to 5 parts water, adding 2ml dye marker.
- Drill & fill using 1 part glyphosate to 5 parts water, adding 2ml dye marker per 100ml prepared mixture.
- Spot spray using label rate, with most weeds this is 1 part glyphosate to 100 parts water (10ml per litre), add 5ml dye marker per litre of prepared mixture. Adding surfactant may increase efficiency of treatment on waxy or hairy-leaved weeds, BFL uses 2ml of Maxiwet per litre of prepared mixture.
- Bulb and broadleaf weeds can be sprayed with low rate metsulfuron methyl herbicide. Spraying with this herbicide requires calibration of spray unit by operator and BFL runs training workshops in its use. Refer to TFL staff to book into training and for correct rate of application for target weed.

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ATTACHMENT B: BUSH FOR LIFE MINIMAL DISTURBANCE BUSH REGENERATION TECHNIQUES

Manual Weed Control Methods 1
Hand weeding 1
Slashing 2
Herbicide Application Methods 3
Spraying 4
Wiping Foliage: Foam Swabber 5
Wiping Foliage: Weedbrush 6
Wiping Foliage: "Tongs of Death" 6
Cut and Swab 7
Drill and Fill 8

Manual Weed Control Methods

Hand weeding



This needs to be done carefully to ensure minimal disturbance is caused to existing plants and the soil. Many bushland weeds flourish when the soil is disturbed. Appropriate removal can be achieved by placing one hand flat on the ground with the weed between two fingers. As the hand is pressed toward the ground the second hand can carefully remove the weed. If soil is disturbed it should be tamped back in place and leaf litter replaced to minimise the opportunity for another weed to become established. The same principle is used when removing slightly larger weeds like young broom and boneseed. In this situation place a foot on either side of the stem base and, bending the knees, firmly grasp the base of the stem, and then straighten up using the legs to pull the plant out gradually. A pair of pliers can be useful for gripping the base of small woody weeds, such as broom and Erica, and then slowly levering them out of the ground.





For plants with bulbous or truncated roots a levering device such as a knife, screwdriver or two pronged weeder can get under the root system so as to lever the plant up out of the ground. This method helps overcome the possibility of leaving bulbs or roots in the ground from which the weed species may re-grow. Pulled bulbs and roots should be removed from the site.





A grape knife or serrated knife can be used to cut below the crown of some perennial weed grasses, such as pentaschistis and perennial veldt grass, where the crown is fairly shallow. These don't tend to regrow from the fine fibrous roots that are left in the ground and, if they do, are smaller and weaker so that they are more easily removed when following up.

Note: hand pulling of weeds should only be done when the soil is relatively moist. If the soil is too dry, it will be excessively disturbed or the plant may break away from the roots resulting in regrowth from roots left in the ground. When soil is dry, weeds should be cut and swabbed using the method described later in this section.

Slashing

Strategic slashing can be used on annual and perennial weed grasses. It can be undertaken using a brushcutter or in sensitive areas using hedge shears. Brushcutters are available for loan from Trees For Life to volunteer bushcarers who have done the required training. When using this method, care needs to be taken to minimise damage to herbaceous native plants.

With annual grasses, preventing the production of seed will ensure their seed bank will diminish with time. The best result for minimising production of viable seed in annual grasses is achieved by slashing just below their flower heads and then slashing again close to the ground. This should be done before seed heads start to develop, typically in late winter to early spring, and may require follow-up slashing after 4-6 weeks. Depending on the year and rainfall received it may be necessary to follow-up slash several times. Slashing close to the flower head will reduce the opportunity for the cut flowers to continue to develop into seed while on the ground. Slashing low means the grass has less resources left to produce more flower heads.

In large areas of native grassland, mowing or grazing can be excellent methods of controlling annual weed grasses if these methods are timed to coincide with annual grass flowering and conducted in a way that minimises disturbance to native plants.

Perennial weed grasses can be slashed at any time of the year, however best results will be obtained during winter and spring. Once slashed, the grasses should be allowed 3-4 weeks to develop lush growth and then spot sprayed (see Herbicide Application Methods below). The herbicide works best when the plants are healthy and actively growing. By removing dry stems and forcing the plant to put on new growth the uptake of herbicide will be improved and the success rate will be greatly improved.



Note: when slashing with a brushcutter it is essential that the equipment is clean and completely free of weed seeds. Mechanical slashing is frequently responsible for the introduction of new weeds or further spread of existing weeds.

Herbicide Application Methods

This section deals with the application of herbicide by various means to the targeted weed species. Numerous herbicides are available from local hardware shops, however each herbicide has advantages and disadvantages. Used carefully and appropriately for bush regeneration, Glyphosate is a very useful herbicide.

The main advantages of Glyphosate are:

- generally less persistent in soil, although will persist longer in sandier soils;
- generally considered less harmful to humans and animals;
- easy to measure and use; and
- relatively inexpensive.

The most important disadvantage with Glyphosate is that it is non-selective, this means that it can potentially kill any plant that it comes into contact with. It is essential that correct training in bush regeneration be undertaken before Glyphosate is used amongst native vegetation.

Irrespective of which herbicide is used, all people to come in contact with the herbicide must read the label to ensure they are familiar with application rates and safety requirements. It should be noted that very little information is available on the long-term effects of any herbicide. Caution should always be used and it is recommended that no herbicide be used if the operator is pregnant or breastfeeding.

Note: herbicide use should be avoided near creeks, drainage lines and dams, as it may be toxic to aquatic wildlife. Weedmaster Duo is the usual Glyphosate product supplied by Trees For Life and is considered to be of lower toxicity to aquatic wildlife. Any addition of surfactant to a herbicide will make it harmful to aquatic wildlife.

Spraying

Spraying with herbicide is often the most efficient method of controlling herbaceous weeds. Before using herbicide people should be trained in the safe use of chemicals. Appropriate safety equipment and training must be undertaken to minimise harm to the operator and the environment.

When spraying, Glyphosate 360g/L is generally used at a rate of 1:100 (50ml of Glyphosate 360g/L with 5 litres of clean water). The manufacturer's label rates should be referenced and used accordingly. Dye marker should be added to the spray unit. This is to ensure that weeds are not sprayed twice, to avoid off target damage and to increase personal safety levels.



Great care needs to be taken as it is easy for off target damage to occur. The spray unit often requires very little pressure when spraying weeds in a bushland setting. In some circumstances the herbicide can be dribbled onto weeds, but not to the point where herbicide run off occurs. This will help minimise the potential for off target damage.

Note 1: It is inappropriate to spray larger woody weeds in remnant vegetation. Unacceptably high levels of off target damage usually occur due to spray drifting onto native plants or dripping from the woody weed. Sometimes native plants are entwined in woody weeds. Cutting and Swabbing or Drilling and Filling are better alternatives and are discussed below.

Note 2: Glyphosate should not be sprayed in close proximity to any delicate or threatened species, to ensure these plants do not become victims of off target damage.

Note on bridal creeper: when spraying bridal creeper amongst native vegetation, Pritchard (2002) found that metsulfuron methyl (Brush-Off) was highly effective at a concentration of 1.5gms per 100L (volume 500L or 7.5gms per hectare) and had minimal impact on native vegetation (foliage of trees and shrubs, ground vegetation comprised mainly *Lepidosperma* spp. and grasses).

A significant finding was that bridal creeper was not noticeably affected in the year it was sprayed. The plant continued to flourish, but did not reappear the following season. After one year a 97% control of foliage was achieved with this herbicide, although there was a high variation in the results for control of roots. Follow-up spraying of seedlings using Glyphosate is essential in subsequent years.

Note on broad leaved weeds: When spraying broad leaved weeds amongst native grasses some practitioners have found that metsulfuron methyl (Brush-Off) is effective at a concentration of 3gms per hectare if applied when weeds were young. At this low rate native grasses and hard leaved shrubs are little affected. It should be noted that J. Stafford in Davies (1997) found *Themeda triandra* (kangaroo grass) became stunted and produced less seed when metsulfuron methyl was applied at a higher rate. He also found some dieback in older trees of *Eucalyptus leucoxylon* (SA blue gum). Care must always be taken before using this herbicide to ensure no native herbaceous species are present. If so, this herbicide should not be used.

Metsulfuron methyl can be persistent in soils for up to 22 months (Davies 1997) and therefore should not be used in consecutive years to avoid accumulation in the soil. A surfactant needs to be used with herbicide, but penetrants should be avoided as some practitioners have found this will also kill native grasses.

Metsulfuron methyl herbicide is only available to bushcarers who have undertaken specific training in its use from Bush For Life and have calibrated their spraying technique with their spray unit to ensure the appropriate per hectare rate is applied. This will vary between individuals and spray units.

Wiping Foliage: Foam Swabber

A foam swabber (shoe polish applicator) can be used to dab individual broadleaf weeds and small perennial grasses, both tussock and rhizomatous. Tussock grasses, such as pentaschistis, tend to need some herbicide to be applied to all leaves for best effect. This can be achieved by pushing the leaves on the edge of the tussock towards the middle with the swabber. Fill the 75ml foam swabber with a mix of Glyphosate 360g/L at the rate of 1:5 (one part Glyphosate 360g/L to five parts clean water with a few drops of dye marker). The foam swabber can also be used on climbing weeds, such as bridal creeper, by bunching the foliage together and dabbing, either onto bare ground or into a hand wearing a chemical glove. Foam swabbers are available from Trees For Life for volunteer bushcarers to use on their BFL site.

Wiping Foliage: Weedbrush

A Weedbrush is extremely useful where isolated broadleaf weeds occur in good quality vegetation. The Weedbrush is light and easy to carry when walking in bushland. Weeds can be treated immediately, avoiding the need to return at a later time and relocate the weed. It is also useful when there is a high risk of off target damage, eg broadleaf weeds occurring amongst native grasses and lilies. Mix Glyphosate 360g/L at the rate of 1:5 (one part Glyphosate 360g/L to five parts clean water) with 2ml dye marker per 100ml of prepared mixture. The Weedbrush holds 375ml of herbicide mixture, so add about 62.5ml Glyphosate 360g/L, 7ml dye marker and top up with clean water. The brush is dabbed onto the foliage of individual weeds.



Wiping Foliage: "Tongs of Death"

Pre-made 'Tongs of Death' are used to apply herbicide on to the leaves of strappy bulbous weeds such as watsonia, sparaxis, freesia and cape tulip. You can make your own using twine to attach foam sponge to both sides of appropriately sized stainless steel kitchen tongs (depending on the size of the target weed). Mix Glyphosate 360g/L at the rate of 1:5 (one part Glyphosate 360g/L to five parts clean water) with 2ml dye marker per 100ml of prepared mixture. Use a 500ml chemical wash bottle to apply the herbicide mixture to the foam on the tongs, then wipe up and along the leaves of the weed. "Tongs of Death" can also be used on climbing weeds, like bridal creeper, by bunching the foliage and squeezing between the tongs along as much of the stem as possible. Using a wiping action along the stem is likely to defoliate or break the stem on these weeds. 'Tongs of Death' and chemical wash bottles are available from Trees For Life for volunteer bushcarers to use on their BFL site.





Above: tongs and chemical wash bottle
Left: tongs wiping foliage of watsonia

Cut and Swab

The Cut and Swab technique is often used when a weed is too large or the soil too dry for hand weeding, but the weed is not large enough to drill and fill (see next section). This method is best carried out by two people where long handled loppers are required the cut the stem of the weed. One cuts the stem close to the ground, if possible within 1cm of it, while the second quickly applies Glyphosate using a foam swabber. The herbicide needs to be applied immediately, as some weeds begin sealing wounds within seconds and this can reduce the absorption and effectiveness of herbicide. The operation can be comfortably managed by one person if secateurs are used for cutting the stem.

Fill the 75ml foam swabber with a mix of Glyphosate 360g/L at the rate of 1:5 (one part Glyphosate 360g/L to five parts clean water with a few drops of dye marker). Use with a dabbing action rather than wiping, to ensure the herbicide mixture flows into the foam top and to avoid it tearing on the cut stem.





Above: Cut and swab demonstrated in the field
Left: Cut and swab herbicide applicator

Weeds like blackberry, which can be difficult to kill with Glyphosate, can be treated using the scrape, cut and swab method. In this case, scrape the sides of the base of the stem with secateurs, cut about 5cm high and swab both the sides and the cut to get some extra herbicide into the plant.

Trimming the cut weed foliage into small (30-60cm) lengths and spreading around the ground aids decomposition and reduces tripping hazards. This also avoids piling up of cut material, which can create a compost heap, and native plants are able to grow up through the cut material rather than being smothered by it.



Above: Cut and distribute debris, don't create piles.

Drill and Fill

The Drill and Fill technique has been used successfully on a range of large woody weeds that have a base of 4cm in diameter or larger, but is best known for killing olive trees. The plant usually drops its leaves within six weeks and dies within a few months. It will be necessary to monitor the plant and if it resprouts, the process will need to be repeated. The soil beneath large woody weeds usually contains huge numbers of seeds from the parent plant. These seeds will germinate and if left untreated will become a worse problem than the original plant. It is essential that follow-up control of seedlings is undertaken in subsequent years.



Above: olive fruit
Right: olives infest large areas of the Adelaide Hills



There are a number of ecological advantages in using the drill and fill technique over cut and swab. Primarily, habitat structure remains in place. Birds and other animals utilise weeds for shelter, the drill and fill technique retains most of the plant in the short term and is therefore less disruptive on an animal using the plant as habitat.

The drill and fill technique usually achieves a better kill rate on larger woody weeds than cut and swab, because the plant absorbs more herbicide. This is because the herbicide is applied into the plant's cambium layer (where sap flows under the bark) and is then transported, by the plant itself, throughout its root and branch network. The plant's foliage helps distribute the herbicide, so only prune off branches that prevent you from accessing its base. There is also much less cut material to be disposed of using this technique.



Above: volunteers drill & fill a multi-stemmed olive

A cordless drill is used to drill steep angled holes into the base of the lignotuber of olives and into the stem of other weeds. If the lignotuber is not easily located near the soil surface it may be necessary to scrape some of the soil away to expose it. The holes should be about 20mm apart and as deep as possible, taking care not to drill right through to the other side. Wipe away any sawdust to prevent loss of herbicide by capillary action and fill the holes with the herbicide mixture.



Above: cordless drill and laboratory wash bottle

The hole is filled by inverting a 500ml laboratory wash bottle just outside the hole and filling with the herbicide mixture, making sure it is filled with liquid rather than froth. The bottle is filled with Glyphosate 360g/L at the rate of 1:5 (one part Glyphosate 360g/L to five parts clean water) with 2ml dye marker per 100ml of prepared mixture. We find that higher volumes of weaker strength herbicide solution seem to work best, as it appears to be more readily taken up by the plant. Continue drilling and filling around the entire base of the tree, filling each hole as it is drilled, one at a time. On larger trees, after going around the trunk once, the holes can be topped up again with the herbicide mixture. It is also beneficial to drill holes in the middle of lower forks in the stem. A narrower diameter drill bit can be used to drill and fill smaller woody weeds, such as olive and wild rose, that may be difficult to kill with Glyphosate using the cut and swab technique.



Above: it is easiest to drill & fill olives when they are single trunked, before they coppice from a cut or burnt trunk



Left: holes drilled steeply around edge of lignotuber

Right: two rows were drilled around the base of this olive to ensure sufficient herbicide uptake to kill the lignotuber



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ATTACHMENT C: MAKING YOUR OWN PLANT COLLECTION

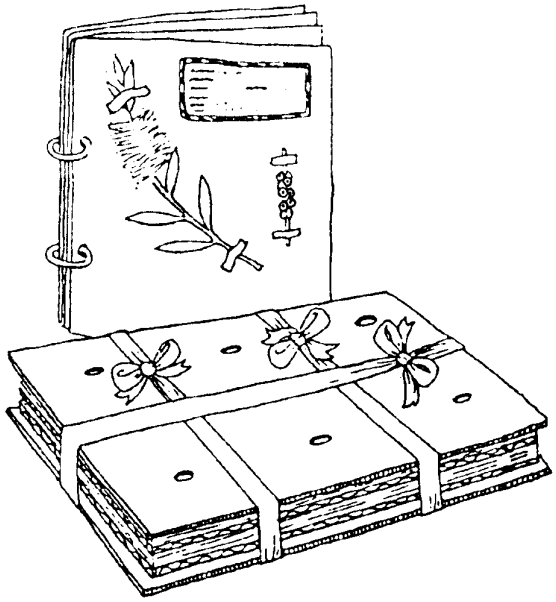
Compiled by Barbara Martin

Collecting samples of native plants is a valuable way to find out more about the scrub and plants in your local area. It helps to build a picture of the character of your district. Are the plants you collect typical for the soil for that region? Are they unusual or perhaps even rare?

This leaflet explains some ways to collect examples of the plants in your scrub or local area and to find out what they are.

Herbarium: A Dried Plant Collection

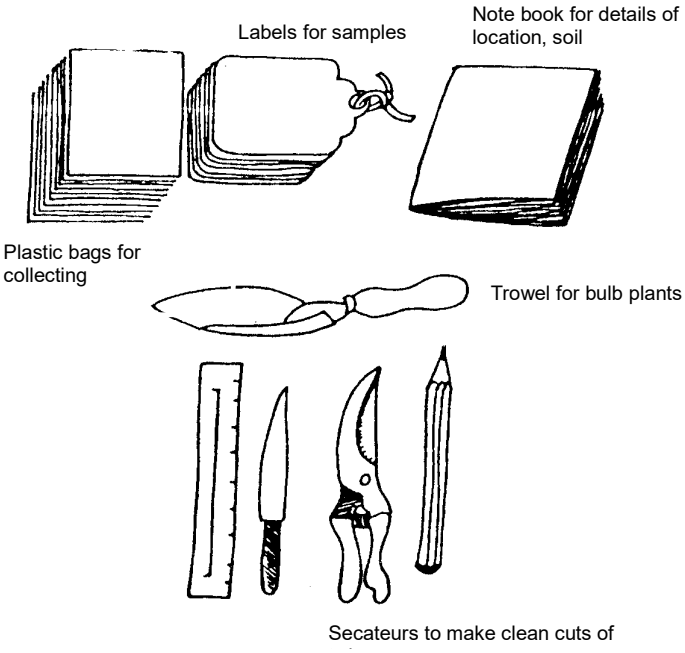
A dried plant collection is a herbarium. They can vary in size from a small personal collection, to the State Herbarium's eight hundred thousand specimens, or to the collection of more than six million specimens in the Kew Herbarium, London. Plant specimens are used for comparison and identification. Examples of variation and from a geographical range are kept.



Collecting equipment

You will need secateurs, adhesive labels or tags, a pencil, plastic bags and notebook. A knife, trowel and ruler will also be useful. When you come to dry and mount your specimen, you will need a stack of newspapers, cardboard, glue and plant press or some heavy objects.

Some tools you will require for collecting.



Before collecting specimens

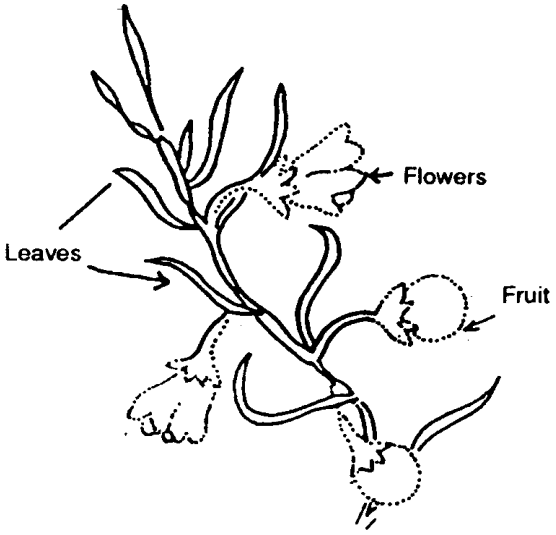
Flowers and fruit are the main distinguishing details of a plant while the leaves are next in importance. Superficially, some different plant species will look alike; alternatively, you may find members of the same species appear quite dissimilar.

Take time to examine plants carefully, noting the colour of the flower, its shape, number of petals and number of stamens.

For further information phone (08) 8226 0222, or any office of Primary Industries and Resources South Australia.
Information may be used with acknowledgment.
www.pir.sa.gov.au

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AGDEX 301/23
ISSN 1323-0409
Revised
September 1999

Example of reasonable specimen material needed for identification.



What to collect

The ideal specimen includes all parts of the plant. A stem with buds, flowers or fruit (including woody capsules) and leaves is the minimum requirement for an accurate collection. Bark, seeds and even roots can also be collected.

Several pieces of one plant can be used to show all features clearly. With plants such as grasses, sedges and small rushes, the whole plant can be included. When small plants are collected, a number of complete individuals can be taken. Collect enough material to cover the herbarium sheet.

To find all plant species in flower and fruit, you will need to collect regularly throughout the year.

Specimens can be placed in plastic bags at the time of collection to maintain their moisture level and flexibility until pressed into appropriate shape, but should be transferred to newspaper folders as soon as possible to speed drying and pressing.

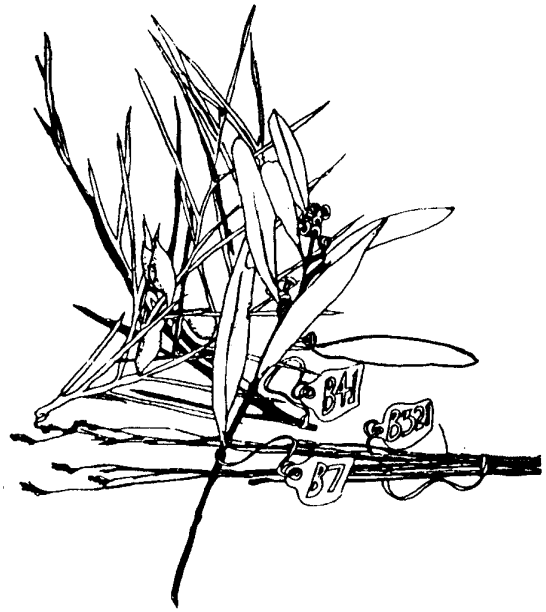
What to record

It is best to number each specimen at the time of collection. If several pieces are collected from the same tree or shrub at the same time (duplicates), they should bear the same number. If you collect duplicates, one can be sent to the State Herbarium for identification. Small herbs, which are clearly of the same kind from one small defined locality and collected at the same time can also be given the same number.

It is advisable to select a sequential numbering system and not to repeat numbers used previously, even when returning to the same spot and collecting the same plant at another time.

The collection number should be recorded on a sticker or tag attached to the specimen. Other data can be recorded on the tag or in a notebook and transferred to a label when the specimen is mounted. A plant without the necessary information, although well collected and carefully prepared, has little value as a botanical record. Although familiar at the time, information about the plant and where it is growing is easily forgotten.

Number collected specimens sequentially.



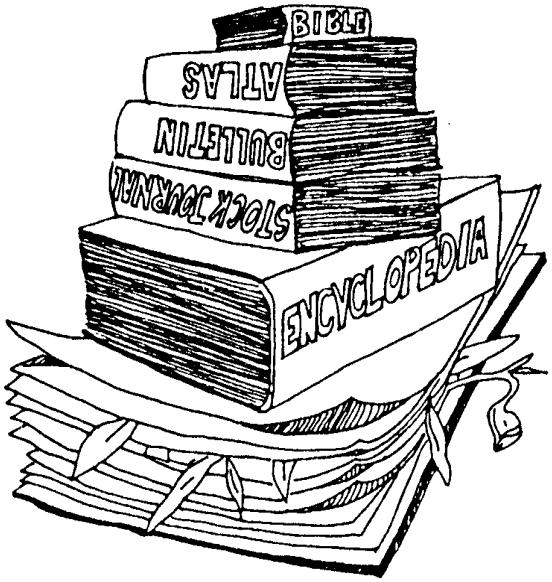
Later identification of a plant can be helped by knowing where the plant is growing. Is it a wet spot or a rocky outcrop, and what plants grow nearby? For trees, take note of height, shape of leaves and type of bark.

Other details to record are the date of collection, flower colour (this could change in the drying process) and any local names used for the plants. The local names for the area (for example 'Harvey's Swamp') as well as information such as section number or latitude and longitude are necessary to allow others to relocate the spot later.

How to press and dry plants

Arrange the specimen on one half of a sheet of newspaper, spreading or trimming it to show important details such as flowers or buds, avoiding crumpled leaves. When collecting grasses or herbs, long stems can be bent several times to fit onto one piece of card. Fold over the paper and continue to make a stack of specimens. Separate each specimen by several thicknesses of dry newspaper. Sheets of corrugated cardboard between groups of samples helps to ensure good drying. Cardboard cut from old boxes is suitable for this purpose. The stack can be enclosed between latticed frames of metal or wood and firmly secured with straps, twine or nylon tape. A lattice is used for increased aeration. You may be able to find material such as old refrigerator shelves to make your own plant press. Heavy books or house bricks are sometimes used for pressing. Use about 25 kg of weight for the purpose.

Plants can be pressed under a heavy weight.

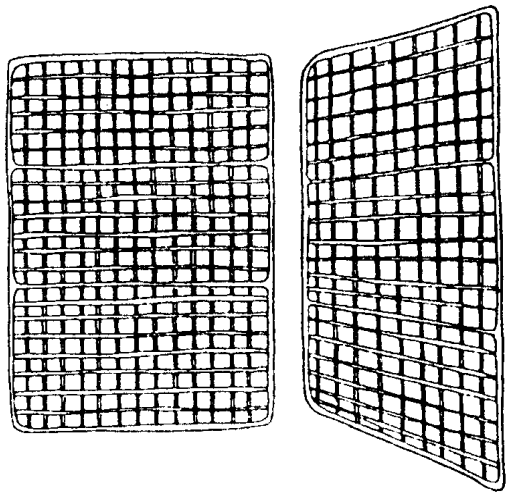


Use an envelope or packet to retain loose seeds and staple it to the herbarium card later.

Change newspapers in the stack regularly until the samples are dry. How often and when to change will depend on the moisture content of the plant and the absorbency and dryness of the paper used. Succulents will require a newspaper change of the specimen page and all surrounding pages every day to speed up drying and prevent mould. Specimens dried quickly under pressure will help to retain the colour of the flowers. It is not usually recommended that artificial heat be used in the SA climate, but you would do well to leave the stack in a non-humid environment.

Well prepared specimens can be preserved indefinitely, but they must be protected from insects and dampness and not left exposed to daylight.

Ideally, press plants within a lattice frame to increase aeration.



How to mount specimens

Lightly fix the specimen on heavy paper or light cardboard, using a clear glue such as Aquadhere. Mounted specimens can then be covered in plastic or slipped into a clear plastic bag that is then folded over and stapled through the card. Store samples in ring binders or cardboard boxes; arrange them alphabetically or in any other convenient order. Glue a clearly recorded label on the card with the specimen.

You could also attach a colour photograph or transparency.

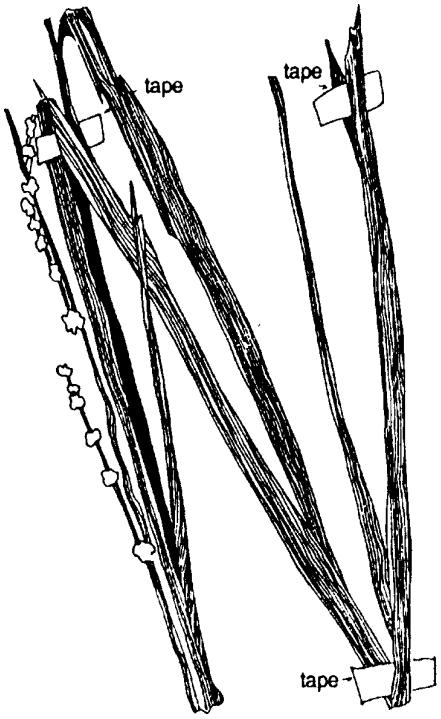
Wood glue is an ideal adhesive for fixing plant specimens to herbarium sheets.



Suggested pattern for a label.

NAME:	Plantago varia
FAMILY:	PLANTAGINACEAE
COMMON NAME:	Small leaf-wort
LOCATION:	Gum Lagoon Conservation Park
MAP NO.:	NARACOORTE: 250.090
A.M.G. REF.:	1 ONE 54 217532
HABIT:	low forb
HABITAT:	Acacia brachybotrya low shrubland fringing dry lagoon
COLLECTED BY:	P.S. LAMB
DATE:	7/12/1984
NUMBER:	A.H. 22731

When collecting grasses or herbs, long stems can be bent several times when being pressed.



How to identify specimens

Plants can be identified from books. You may be able to get help identifying plants from a local native plant enthusiast.

Alternatively, you could send a duplicate dried specimen to:

Chief Botanist
State Herbarium,
Botanic Gardens,
North Terrace,
Adelaide SA 5000

Include a copy of the tag notes giving details of the plant and location, and say that you would like to have the plant identified.

You may send a maximum of ten specimens, if you wish a reasonably quick response.

The State Herbarium is the final reference collection for SA. Sometimes they may wish to retain a specimen for their records, especially if the plant is rare or growing outside its suspected usual home range.

Some books that may be of help in naming plants are listed under Reference Material.

Tricky plants to collect

To complete your herbarium you may wish to collect plants that do not dry or press readily. Here are some ideas that may help.

Mushrooms and toadstools

Mosses, lichens and fungi should be collected in paper bags and not pressed. Each specimen must be separately wrapped. Dry them in their bags, and number and label them.

Wet collections

Sometimes delicate plants such as small orchids are stored in liquid in small bottles or phials. A storage solution of 70 per cent methylated spirits/30 per cent water is quite suitable. When flowers such as orchids are preserved in this way they still lose their colour, but it [illegible] of

BFL: Do not collect orchids or other delicate plants. Take photographs.

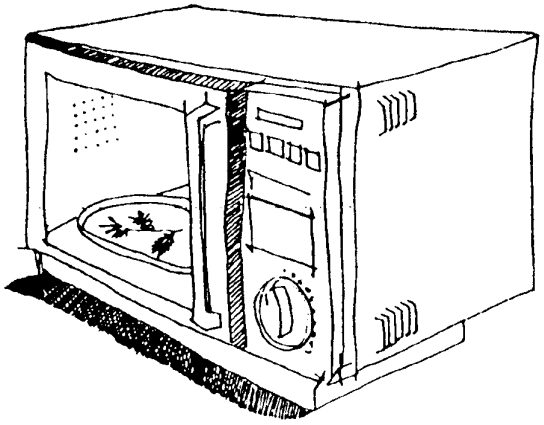
Delicate plants such as orchids can be kept in a methylated spirit solution.



Succulents

Succulents are probably the hardest plants to collect. Some succulents can be treated in the usual way. Sometimes, they can have the skin removed from one side so that they dry easier, or they can be frozen to rupture the cells. When unfrozen, liquid can then be absorbed by the newspaper more quickly. The problem with these techniques is they make the sample liable to mould. A possible solution to this problem is to use a microwave oven.

Microwave ovens can be used to aid in drying some types of plants.



You may have to experiment to correctly dry plants. Start with the recommendation in the owner's manual for drying parsley. Some collectors claim that microwave-dried specimens retain better colour, and the treatment certainly achieves a sterile sample. Never dry specimens of very rare plants in a microwave. When a plant is approaching extinction, herbarium collections have been used to provide seed and keep the species going.

A large fleshy succulent, such as pigface, can require one to one-and-a-half minutes for primary drying, followed by some pressing. Other more delicate plants, such as some of the chenopods (saltbush), may need only 30 seconds to one minute exposure.

Never rely on the microwave for complete drying because the plants can become brittle. It is best to reduce the moisture content in this way and then put them in the plant press. A microwave is not recommended for woody plants.

For further information contact:

Native Vegetation Management, Department of Environment and Natural Resources, ph 8204 8888, State Herbarium ph 8228 2311 and Natural Resource Centre, ph 8372 0100

Reference material

Bates, R. and Weber, J. (1990*) Orchids of South Australia*. Government Printer, Adelaide.
The most complete, botanically accurate book of the native orchids of South Australia.

Boomsma, C. D. (1981) *Native trees of South Australia*. Bulletin 19, 2nd edition, Woods and Forests.
Out of print, but the most complete, botanically accurate book of trees, mainly Eucalyptus species, of South Australia.

Clarke, I and Lee, H (1993*) Name That Flower: Identification of Flowering Plants*. Melbourne University Press. Carlton, Victoria.
A good introduction about how to identify flowers and flowering groups using taxonomic principles.

Costermans, L. (1981) *Native trees and shrubs of south-eastern Australia*. Rigby, Adelaide.
A useful comprehensive book of illustrations and photographs of species of higher rainfall parts of SE Australia and works well in the Mount Lofty Ranges and SE corner of South Australia.

Cunningham, G. M., Mulham, W. E., Milthorpe, P. L. and Leigh, J. H. (1992) *Plants of Western New South Wales*. Inkata Press, Melbourne, Victoria.
A useful comprehensive book of photographs of semi-arid species of NSW but works well in the arid and semi-arid part of South Australia. Best for this type of area but could be considered expensive.

Dashorst, G. and Jessop, J. (1990) *Plants of the Adelaide Plains and Hills*. Kangaroo Press Pty Ltd, Kenthurst, NSW.
Out of print, but contains fine colour illustrations of many of the plants of the Adelaide Region. Includes fungi, mosses, lichens, grasses, sedges, rushes as well as flowering plants.

Holliday, I., Overton, D. and Overton, B. (1994) *Kangaroo Island's Native Plants*. Ivan Holliday, Bev and Dean Overton, Adelaide.
A good sampling of colour photographs of common flowers on Kangaroo Island.

Jessop, J. and Tolkien, H. (1986) *Flora of South Australia*. Fourth edition, parts I, II, III, and IV. Government Printer, Adelaide.
The official four volume taxonomic reference book to the plants of South Australia. Could be considered expensive.

Lamp, C. A., Forbes, S. J. and Cade, J. W. (1990) *Grasses of temperate Australia*. Inkata Press, Melbourne.
A good photographic guide to the common grasses.

McCann, I. R. (1989) *The Mallee in Flower*. The Victorian National Parks Association, Mitcham, Victoria.
A good sampling of colour photographs of common mallee flowers in the Murray Mallee.

Mitchell, M. (1996) *Native Grasses: Identification Handbook for Temperate Australia*. Agmedia, East Melbourne, Victoria.
A good photographic guide to some of the common grasses of higher rainfall country. Can be used in SA in simular rainfall zones.

Prescott, A. M. (1994) *It's Blue with Five Petals: Wildflowers of the Adelaide Region*. Revised Edition, A Prescott Publishing, Adelaide. 400 pages, 1000 illustrations.
A comprehensive, easy to use guide sorted by flower colour and shape.

Prescott, A. M. (1995) *It's Blue with Five Petals Kangaroo Island Field Guide*. Anne Prescott and Associates Pty Ltd, Adelaide. 200 pages, 700 illustrations. A comprehensive, easy to use guide sorted by flower colour and shape.

Whibley, D. J. E. and Symon, D. E. (1992*) Acacias of South Australia*. Revised Second Edition. Handbook Committee of South Australia, Adelaide.
The most complete, botanically accurate book of the Acacias of South Australia.

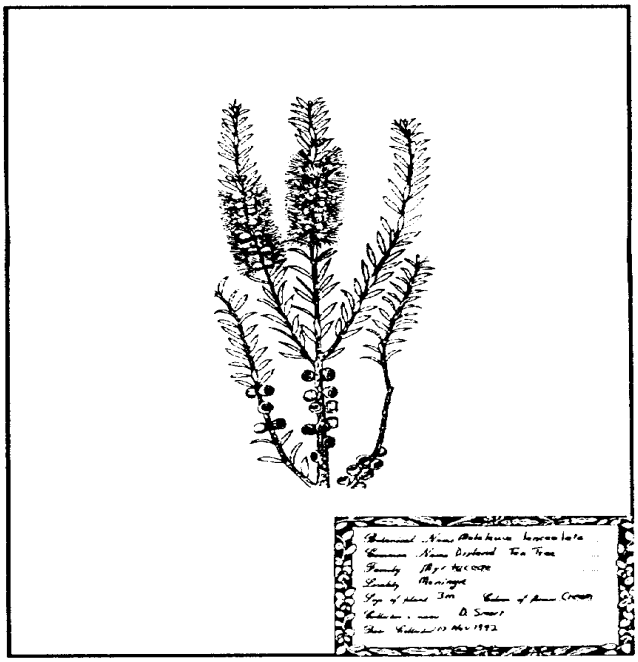
Series of *Plant Identikits* for different regions.
- *Common plants of the Coorong*
- *Wildflowers of the Southern Flinders Ranges*
- *Wildflowers of Lower Eyre Peninsula*
- *Wildflowers of the Northern Flinders Ranges*

Available from: Society For Growing Australian Plants, SA
Inexpensive, pocket size booklets, showing the common plants for each area.

Acknowledgments

Native Vegetation Management, Department of Environment and Heritage and Ann Prescott.

Example herbarium page.



ATTACHMENT D: TAKING PHOTOPOINTS

ESSENTIAL

Your photograph MUST have an A4 size board in it with the date and the location in big letters written on a sheet of paper– see to the right for minimum size and photograph below for example.

PROCESS

1. Put in 2 stardroppers 10 m apart OR
   Use a sturdy corner fence post and one stardropper 10 m away.
2. Put the 2nd stardropper to the south of the 1st stardropper if possible.
3. Put the date board in the picture where it can be clearly seen (preferably at the 2nd stardropper).
4. Take photograph from 1st stardropper with the sun behind you (facing south) and with 2nd stardropper in the middle of the picture.
5. Complete index card with relevant information.

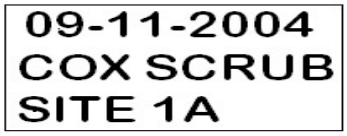
HINTS

1. Put the photopoint near a track or road so it is easy to get to and find again next year.
2. Put your location as one of these:
   GPS reading (best)
   map grid reference (good)
   reserve hundred & section (okay)
   name of owner (not very useful)

Use numbers this big for the date and location.



Example of Date and Location Board



INDEX CARD

ADD **Name of landholders** **Address** **Phone number** **Map name and number** **Hundred and Section** **Grid reference OR** **GPS reading** **Direction camera pointed when taking photo** **Distance to 2nd stardropper** **Note board in photo with location & date →** **Date when photo taken**	

ATTACHMENT E: BIRD MONITORING REPORT

birding &nature connections

Summary Report of the

Lower Field River Reserve Bird Monitoring

23rd Nov 2019

by John Gitsham

Introduction

A bird survey was conducted to see what bird species are utilising the Lower north and south sections of the Field River Reserve at Hallett cove. A three hour bird survey was conducted by John Gitsham of Birding & Nature Connections from 9.30am to 12.30pm on Saturday 23rd November 2019. The area was divided into four zones (A, B, C and D) for ease of establishing bird habitat usage (this is seen on Maps 1 and 2). Extra attention was to be given to the Itchy Pod trees and the Aleppo Pines to see if any and what bird species are using them, in particular the Yellow-tailed Black Cockatoo and the Nankeen Night Heron.

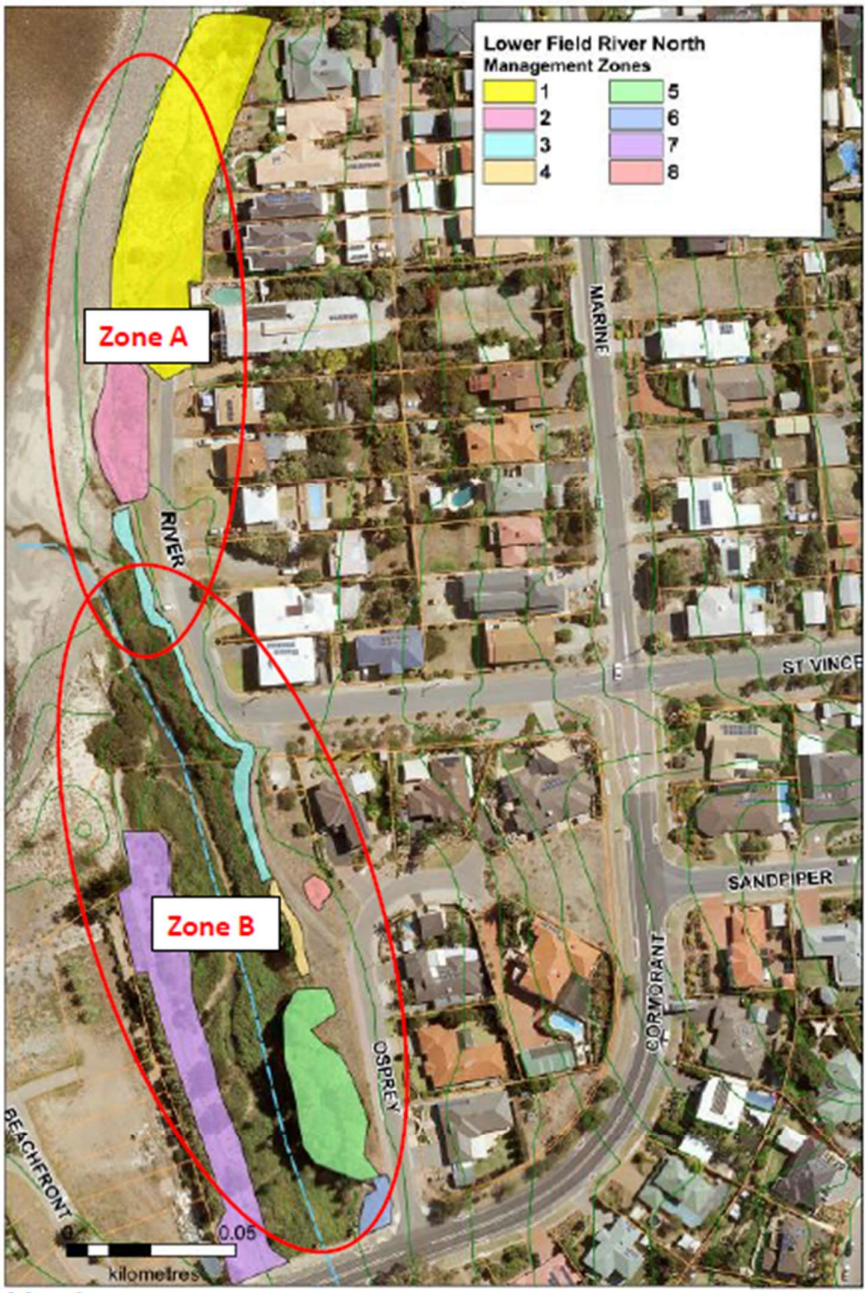
Bird Survey results

First of note was the abundance of Monarch butterfly in the reserve, they must've just hatched. The bird survey showed a lot of bird activities a total of 28 species of birds were recorded during the three hour survey, 23 native species and 5 introduced species (See Table One).

Bird species seen are common for urban/coastal areas; there was no showing of Yellow-tailed Black Cockatoos and no positive evidence of roosting Nankeen Night Herons. The Eucalyptus's were flowering, so lots of honeyeater species and Rainbow Lorikeets present. Australian Reed Warblers were calling in the reed beds along the river as it's their breeding time at the moment. Only lone family of Superb Blue Wrens observed in Zone C. A highlight was an Australian Hobby (formerly known as the Little Falcon) that came flying along the River and out across the beach at the river outlet area. There was an abundance of introduced species e.g. House Sparrows, Starlings, Turtle Doves and Rock pigeon's, but that's common in built up urban areas of Adelaide. Overall a pretty good suite of birds observed in a small time frame. I was impressed that there were no Noisy Miners present during the bird survey, not saying they're not around the area, just not there today.

Lower Field River Reserve - Hallett Cove SA, Bird Survey conducted 23rd Nov 2019 9.30am to 12.30pm					
Bird species	**Zone A**	**Zone B**	**Zone C**	**Zone D**	**Comments**
Grey Teal					On the Beach
Pacific Black Duck					On the River
Pied Cormorant					On the Beach
Crested Tern					On the Beach
Silver Gull					On the Beach
Pacific Gull (juv)					On the Beach
Australian Hobby (Little Falcon)					Flying through the River across the Beach (uncommon)
Spotted (Turtle) Dove*					Mostly at start of river outlet
Crested Pigeon					Near start of river outlet
Masked Lapwing					On the Beach
Rock Dove (Feral Pigeon)*					Mostly at start of river outlet
Magpie Lark					Near River
Starling*					On the Beach and next to river
Common Blackbird*					Along the River undergrowth
House Sparrow*					Around river outlet vegetation
Willie Wagtail					Along the River
Silver Eye					In the Itchy pod Trees
Australian Reed Warbler					In the Reed along the River
Rainbow Lorikeet					In the Gums and Itchy pod trees
Crimson Rosella (incl. Adelaide Rosella)					In the Gums and Itchy pod trees
Superb Blue Wren					Only seen and heard in Zone C
Red Wattlebird					Almost everywhere
New Holland Honeyeater					Almost everywhere
White-plumed Honeyeater					Mostly towards the back of the reserve area
Black-faced Cuckoo Shrike					Seen only in Zone C
Little Raven					Seen in all Zones
Australian Magpie					Seen in all Zones
28 species observed (23 native sp.)					
** Introduced species (5)*					
# Of note, no Noisy Miners where seen or heard during the Bird survey time frame!					
Also no YTBC or nankeen Night Herons were seen or heard during Survey					

Table one


Lower Field River North
Management Zones
1
2
3
4
5
6
7
8
Zone A
Zone B
MARINE
RIVER
ST VINCE
SANDPIPER
CORMORANT
OSPREY
BEACHFRONT
0.05
kilometres

Map 1


Lower Field River South
Management Zones
9
10
11
12
13
14
15
16
17
18
Zone C
Zone D

Map 2

Summary



In Summary, there was no current evidence of YTBC using the Aleppo Pines anywhere along the four zones, although talking to a local resident (Bob) on Osprey drive who lives across the road from a stand of Aleppo Pines (Zone B), Bob a member of the Field River Friends Group informed me that they (YTBC) are seen reasonably regularly in the pines along with Sulphur-crested Cockatoos and the occasional Short-billed Corella. The three photos above of the chewed Pine cones does indicate some foraging by either YRTBC or Sulphur Crested Cockatoo's, I was informed that the grass underneath is mowed every fortnight by the local council, and has been cut only recently, so more evidence of chewed cones has gone.

I looked in the Pines for roosting Nankeen Night Herons and couldn't find any at the time. The Itchy Pod trees were being utilised by Crimson Rosellas, Rainbow Lorikeets and Silver Eyes, these trees are also suitable as nesting habitat for birds as well. I certainly wouldn't cut down the Aleppo's as they are a good food source for the YTBC that now depends solely on pines cones as its alternative food source. I certainly would control any new Aleppo pines that shoot along the river reserve, that wouldn't be a problem.

John Gitsham

birding &nature connections

Birding Tours & Birdwatching Workshops

Bird Habitat Assessment and Birdscaping Design

Bird Surveys & Monitoring Services

M (+61) 0438 900 393

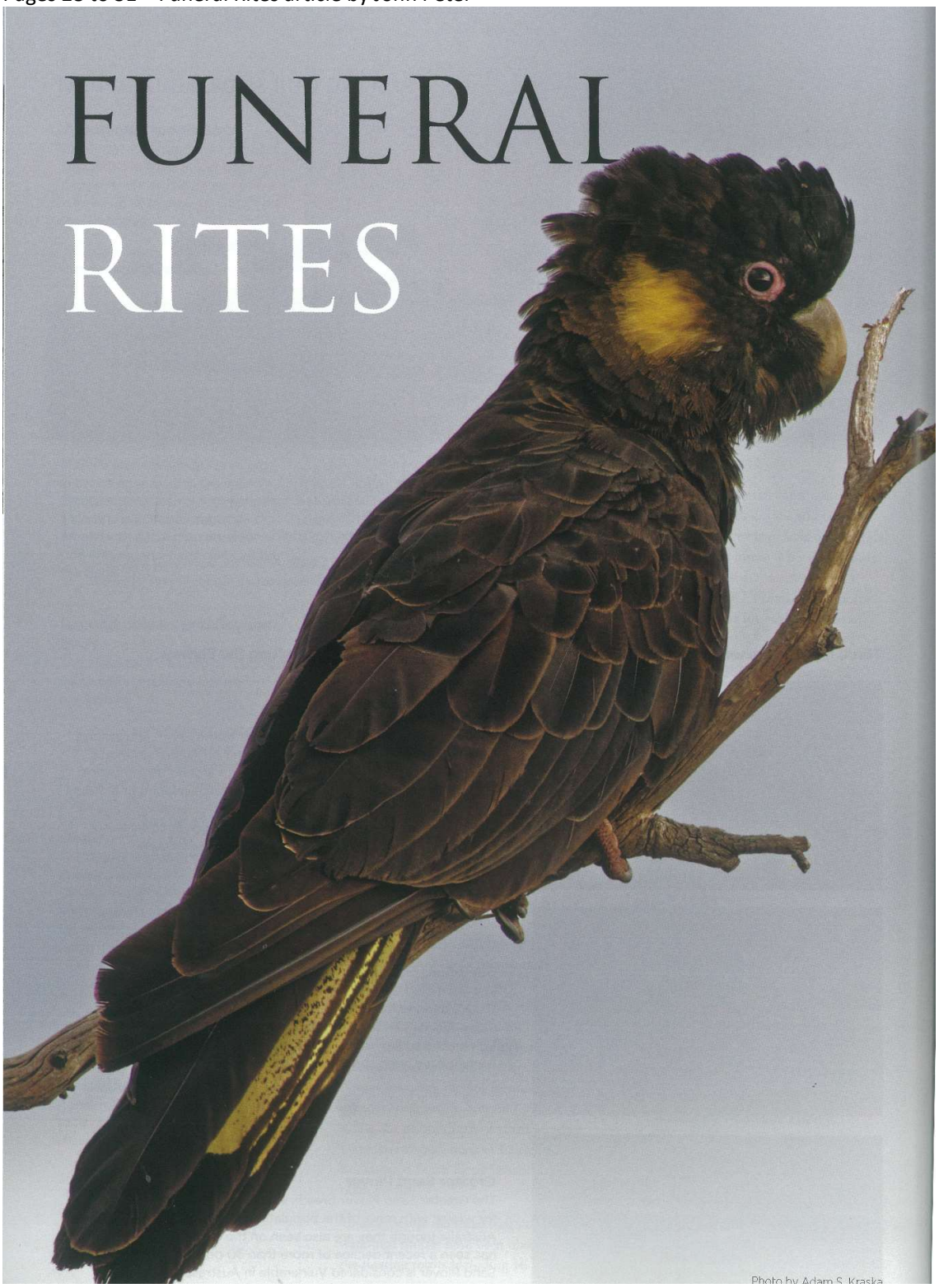
PO Box 243 Macclesfield SA 5153

E-mail: John.gitsham@bigpond.com

Web: johngitsham.wix.com/nature-connections

APPENDIX 6: AUSTRALIAN BIRDLIFE Vol. 8 No. 3 September 2019

Pages 28 to 31 – Funeral Rites article by John Peter



Once known as the 'Funereal Cockatoo' because of its sombre plumage and mournful cry, the Yellow-tailed Black-Cockatoo may be heading towards its own funeral. **John Peter** explains.



A mangled pine cone tumbled from near the top of the tree, bouncing off some branches on its way down, before landing with a muffled thud on the thick, russet bed of pine needles that carpeted the ground below.

Soon another did the same thing. And another. It was no accident—there were half a dozen Yellow-tailed Black-Cockatoos scattered among the outer branches of the huge pine tree, feeding quietly. Each cone was removed from its branch with a quick nip of the beak, and then held in the bird's left foot, while it was slowly and meticulously dismembered to extract the winged seeds hidden within, before being dropped earthwards.

The rustle made by the discarded cones plunging through the foliage was the loudest sound they made, but if you listened carefully, you could hear the birds talking to each other with gentle creaking notes, accompanied by a constant crackling sound as they prised more pine cones open with their strong beaks.

It's a familiar scene in many parts of south-eastern Australia, including in built-up areas, largely because introduced pine trees have become a critical source of food for these majestic birds.

In years gone by, the black-cockies relied on natives—banksias, hakeas and sheokes—whose seed pods were so hard that most other birds couldn't split them open. However, with the widespread establishment of commercial Monterey Pine plantations since the 1920s, the black-cockatoos were presented with a bounteous food source that has seen them shift their preference from natives to the exotic conifers.

Pines have become such an important resource that cockies have become dependent on them in many areas. Indeed, even in eucalypt woodlands where a few feral pine trees have sprouted as weeds among the gum trees, cockies often seek them out to feed in, even though they may comprise less than one per cent of the tree cover.

The reasons for this dependence are threefold. Firstly, a pine cone contains many more seeds than banksia, sheoke or hakea seedpods—a pine cone may hold two hundred seeds or more, while a banksia or sheoke seedpod may have dozens, and a hakea has two.

Second, expansive areas of south-eastern Australia have been turned over to Monterey Pines, with whole mountainsides supporting plantations, and, in some regions, swathes of lowlands as well. The result has been a superabundance of food, encouraging increases in cocky numbers in some areas. Naracoorte and Ballarat, for example, experienced population increases after plantations were established nearby.

And third, the woodlands and shrublands which support traditional food sources have been cleared extensively, and now occupy a fraction of their former range.

Away from plantations, farmers planting shelter-belts of pines along the boundaries of their paddocks also allowed black-cockies to occupy open areas of farmland.

With food so widely available by the middle of the 20th century, these were halcyon days for the cockies, which had previously been reeling after decades of habitat loss through clearing for agriculture.

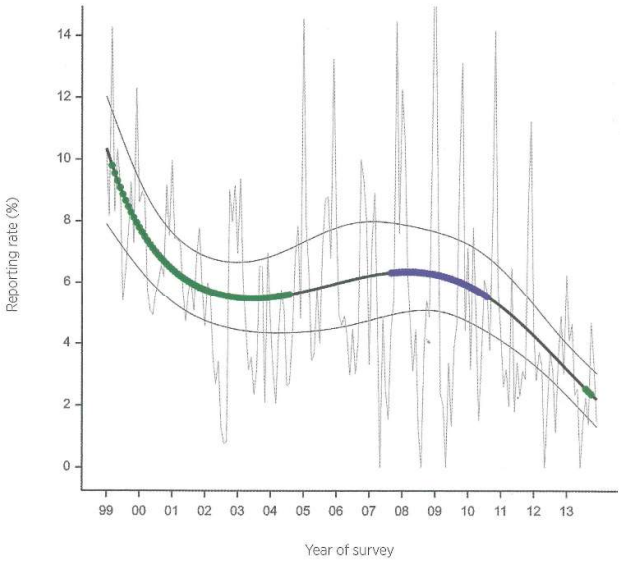
But it couldn't last forever. And it didn't.

By the late 1990s, many pine plantations were being harvested but not replaced—at least not with pines, but often with Tasmanian Blue Gums instead. In addition, shelter-belts planted in the early 20th century are now becoming senescent (well past their prime) and they are beginning



Right: Disappearing pine plantations are making life tough for cockies. Photo by Adam Blyth

Far right: photo by Andrew Silcocks



Above: Reporting rates of Yellow-tailed Black-Cockatoos in the South-east Mainland Bio-region declined by around 70 per cent between 1999 and 2013. (Source: *The State of Australia's Birds*, 2015). Similar rates were found in the East Coast region, though reporting rates in Tasmania appeared relatively stable.

to die or blow over in the very winds they were planted to withstand. Many farmers are now removing them, and they're often not replaced. Further, there's an effort to eradicate feral pines that are invading national parks.

Gradually, a once-reliable source of food has become scarcer, forcing cockies to travel more widely in search of food.

That's not to say that Yellow-tailed Black-Cockatoos haven't always wandered. They are traditionally altitudinal migrants, spending the warmer months in steep, timbered mountains, then heading down to the lowlands in autumn and winter, when they tend to move around.

It's just that they wander more now, and they're increasingly being seen in built-up areas—regional centres, the suburbs and sometimes even in the heart of the city. For example, in a study at Wolli Creek, in Sydney's south, they weren't recorded at all between 1940 and 1992; thereafter, they've been seen regularly. Similarly, in a 17-year study in Box Hill, in Melbourne's eastern suburbs, black-cockies were seen just twice in weekly surveys between 1989 and 2005; now they're seen every winter. It's a trend repeated in many towns.



FUNERAL RITES

Regularly seeing flocks of black-cockies in built-up areas gives the impression that their population is booming, but if a species is becoming more common in the suburbs, does it mean their overall numbers are increasing? For species like Crested Pigeon and Little Corella, yes, but with Yellow-tailed Black-Cockatoos, almost certainly not. In fact, *The State of Australia's Birds 2015* (SOAB) revealed that their population in south-eastern mainland Australia has declined significantly in recent years. Indeed, their influx into 'new' areas recently is likely to reflect their displacement into unfamiliar territory rather than an increase in their population. Most records in the suburbs are of flocks flying overhead or feeding in isolated stands of Monterey Pines—essentially flocks of refugees searching for food.

On South Australia's Eyre Peninsula, the plight of the Yellow-tailed Black-Cockatoos is even more dire. There, the population numbers in the dozens, rather than the thousands. Their former habitat of Sugar Gum woodlands has been fragmented, and they have come to rely on the seeds of introduced Aleppo Pines as their primary food source. Aleppo Pines have become so central to their survival that the movements of some subpopulations are dictated by the distribution of stands of the trees. However, like Monterey Pines further east, these conifers are regarded as environmental weeds. There was previously a program to eradicate the pines, but now, with the plight of the cockies better understood, there is a more balanced approach towards sustainable control of Aleppo Pines in concert with maintaining adequate food sources for the cockatoos.

The predicament of yellow-tails throughout their range is about more than just food—it's also about recruiting new birds into the population; in other words, breeding. Most of the pine plantations that were established across south-eastern Australia replaced native eucalypt forests or woodlands. A key ecological difference between pines and eucalypts is that eucalypts often form hollows when they're old, while pines in plantations never reach a venerable age, as they're harvested after a few decades, so hollows never form. Yellow-tailed Black-Cockatoos require large hollows to nest in, and suitable hollows are now at a premium.

Extensive clearing of old-growth eucalypt forests in the Great Dividing Range and the Otways has had a massive impact on the availability of breeding sites. And in some areas, particularly in western parts of its distribution, there has been an incursion into the breeding range of Yellow-tailed Black-Cockatoos by Galahs and corellas, which have spread out from drier country. Could their expansion be impacting on the breeding success of their Yellow-tailed relatives? Are the Yellow-tailed Black-Cockatoos losing out in the race to secure the diminishing number of suitable tree hollows? Continuing to log remaining old-growth forests can only exacerbate the issue.

The net result is fewer breeding opportunities, leading to fewer young cockies being incorporated into their numbers, so the population is probably growing older. With a low rate of recruitment of young birds, a critical threshold will be crossed one day, and we could see local populations crash as a result, at least in some regions. With the SOAB analysis in mind, this could be what we're witnessing now.

The Yellow-tailed Black-Cockatoos seem to be confronted with pretty much the same threats as Carnaby's Black-Cockatoos in the West. The main difference, at the moment, seems to be that there are more Yellow-tails. Still, there were plenty of Carnaby's not so long ago…

Is the Funereal Cockatoo heading inexorably towards its own funeral?

X Convenience Service Station Development Application

Elected Member Councillor Bruce Hull

Report Reference: SGC200729M03

Motion:

With regard to the pending ERD Court Category review – 2020_0568 X Convenience Service Station Development – 373 Diagonal Road, Sturt, that Council:

1. Requests that the Council will remain neutral, by advising the Court that it will abide the decision of the Court. Council will leave it to the ERD Court to hear from the resident/s and to make its own assessment about the correctness or incorrectness of the Categorisation Decision.

2. Does not actively defend its position, but does participate to the extent of explaining the decision and its basis.

Supporting Information:

Nil

Response Received From: 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

Staff Comments:

The decision of categorisation for the X Convenience development application as Category 2, was made by the Development Planning Team under delegation from Council as per the standard process for determining categorisation.

The Planning Team process applications in accordance with Council's Development Plan, Development Act 1993 and Development Regulations 2008.

Noting the intent of the motion and that a review has been lodged with the ERD Court, the Council will have to abide by the decision of the Court with regard to any determination concerning categorisation.

In consideration of not actively defending its position, Council must participate in any obligation to assist the Court to the extent of explaining the categorisation decision and its basis and any other matters required by the Court.

Council should also be aware and stress where necessary that in taking a position of impartiality it is without favour over either party in this matter, the residents or the developer.

Council should also note that should it not actively defend the review by remaining neutral, the likelihood of findings against the Council may be more likely.

MOTIONS WITHOUT NOTICE

QUESTIONS WITHOUT NOTICE

OTHER BUSINESS

MEETING CLOSURE

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