

COUNCIL AGENDA

Council Meeting

Notice is hereby given pursuant to the provisions of the Local Government Act, 1999, that the next Meeting of Unley City Council will be held in the Council Chambers, 181 Unley Road Unley on

Monday 24 April 2023 7.00pm

for the purpose of considering the items included on the Agenda.

Chief Executive Officer

OUR VISION 2033

Our City is recognised for its vibrant community spirit, quality lifestyle choices, diversity, business strength and innovative leadership.

COUNCIL IS COMMITTED TO

- Ethical, open honest behaviours
- Efficient and effective practices
- Building partnerships
- Fostering an empowered, productive culture – “A Culture of Delivery”
- Encouraging innovation – “A Willingness to Experiment and Learn”

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yailtya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

*Kurna Translation provided by Kurna Warra Karrpanthi

PRAYER AND SERVICE ACKNOWLEDGEMENT

We pray for wisdom to provide good governance for the City of Unley in the service of our community.

Members will stand in silence in memory of those who have made the Supreme Sacrifice in the service of their country, at sea, on land and in the air.

Lest We Forget.

WELCOME

ORDER OF BUSINESS

ITEM	PAGE NO
1. ADMINISTRATIVE MATTERS	
1.1 APOLOGIES	
Nil	
1.2 LEAVE OF ABSENCE	
Nil	
1.3 CONFLICT OF INTEREST	
<i>Members to advise if they have any material, actual or perceived conflict of interest in any Items in this Agenda and a Conflict of Interest Disclosure Form (attached) is to be submitted.</i>	
1.4 MINUTES	
1.4.1 Minutes of the Ordinary Council Meeting held Monday, 27 March 2023	
1.5 DEFERRED / ADJOURNED ITEMS	
Nil	
2. PETITIONS/DEPUTATIONS	
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3. REPORTS OF COMMITTEES	
To receive and adopt or otherwise the reports and recommendations of the under mentioned Committees	
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5. MOTIONS AND QUESTIONS

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5.1.1 Notice of Motion from Councillor J. Bonham Re. Goodwood Station / Rail Corridor Access 139

5.1.2 Notice of Motion from Councillor G. Hart Re: Community Consultation Regarding Property Access to the Forestville Reserve 145

5.2 MOTIONS WITHOUT NOTICE

Mayor to ask the Members if there are any motions without notice

5.3 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

5.3.1 Question on notice from Councillor J. Bonham Re: Highgate Park (Julia Farr Centre) and Open Space Strategy 148

5.4 QUESTIONS WITHOUT NOTICE

Mayor to ask the Members if there are any questions without notice

6. MEMBER'S COMMUNICATION

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SUGGESTED ITEMS FOR NEXT AGENDA

Communication Tower - Consultation	
Waste Management and Resource Recovery Plan 2021-25 Implementation	
City-wide Parking Strategy Stage 1 Outcomes	
Railway Terrace South Community Consultation Outcomes & Next Steps	
Stage 5 Wood Street to Cross Road Connection Concept Design Study Outcomes	
Community Grants - Round 2 - March 2023	
Open Data Policy and Privacy Policy	
2022-23 Quarter 2 Financial Performance Report	

NEXT MEETING

Monday 22 May 2023 - 7.00pm

Council Chambers, 181 Unley Road Unley

DEPUTATION

REPORT TITLE: MOTIONS PERTAINING TO THE PROPOSED
INFRASTRUCTURE DEVELOPMENTS IN
FORESTVILLE RESERVE

ITEM NUMBER: 2.1

DATE OF MEETING: 24 APRIL 2023

ATTACHMENTS: 1. DEPUTATION

1. Peter Mahoney, Forestville
Re. Item 5.1.2 Motions Pertaining to the Proposed Infrastructure
Developments in Forestville Reserve.
-

Deputation Request Form



Submission date: 19 April 2023, 12:16PM
 Receipt number: Public_Deputation26
 Related form version: 4

Part A - Representor Details

Representor Name: Peter Mahoney
 Telephone Number: 0411802770
 Email: petermahone@gmail.com
 Address: 15 Newman St Forestville 5035

Part B - I will be speaking

As a Spokesperson

If you are a spokesperson please enter the Groups name here Forestville Reserve Friends Inc.

If the group has a set of Rules by which the group is governed, please provide a copy of these [Rules of Forestville Reserve Friends Inc..pdf](#)

Part C - Additional Speakers (if required)

Representor 2 Name:

Representor 2 Telephone Number:

Representor 2 Email:

Representor 2 Address:

Representor 3 Name:

Representor 3 Telephone Number:

Representor 3 Email:

Representor 3 Address:

Part D - Deputation Details

This Deputation relates to the following subject matter: **Re: Motions pertaining to the proposed infrastructure developments in Forestville Reserve.**

We seek to bring the new Council's attention to the local community's serious concerns over the fate of Forestville Reserve under DIT proposals to provide a new bike and pedestrian crossing through the Reserve. The Council's YourSay survey last year showed overwhelming opposition to the handover of Reserve Land via changes to the Community Land Management Plan for the Reserve. At the Councillor briefing by PTPA on the 5th of September last year, both Unley Council and DIT committed to full community consultation on any new proposal brought forward by DIT. The Community Reference Group process was never intended as a replacement for full public consultation, and there were concerns about how it was conducted. The final report has still not been shown to the participants as promised. We believe Unley Council should refrain from supporting or opposing any infrastructure project in the Reserve until a new proposal is actually put on the table, and not before there has been sufficient opportunity for the community to provide their input.

Part E - Deputation Details

Rules of Association (Constitution)

Association: FORESTVILLE RESERVE FRIENDS INCORPORATED

Date of Creation: 21st March 2022 (submitted 06/04/2022)

Author: Joc Schmiechen, Rules authorised by an informal meeting of the Group held on 21 March 2022, to develop an application of incorporation.

[Application online 06/04/22 fee paid \$224.00 Visa]

Group Members present:

- Mr Don Connor (appointed as Public Officer)
- Mr Peter Jensen
- Mr Peter Mahoney
- Ms Ash Taylor
- Mr Joc Schmiechen
- Ms Madelaine Stocks
- [Other Committee Members may be admitted at a later date, as per Rule Rule 6 f)

Rule 1: Name of the Association

- a) The name of the incorporated association shall be **FORESTVILLE RESERVE FRIENDS INCORPORATED'**, permissibly abbreviated to **FORESTVILLE RESERVE FRIENDS Inc.'**
- b) The full name, **FORESTVILLE RESERVE FRIENDS INCORPORATED** will always be used on any official documentation

Rule 2: Definitions

- a) The Act: The Associations Incorporation Act SA 1985, and any successive amendments to the Act, or superseding Acts, of the SA Parliament. The Rules as set out in this document should be read in conjunction with the Act, and any **dispute over interpretation of the Rules should be resolved by consulting the relevant sections of the Act**, and/or in consultation with The Department of Consumer & Business Services.
- b) CBS: The SA Department of Consumer and Business Services
- c) Forestville Reserve Community Land Management Plan (FRCLMP)

Rule 3: Objects or Purposes of FORESTVILLE RESERVE FRIENDSs Inc.

- a) The **benevolent purpose of preservation and improvement of the Forestville Reserve for community use and benefit.**
- b) The benevolent purpose of **informing the community on appropriate management** of the Forestville Reserve, particularly, but not exclusively, the core parts under the Forestville Reserve Community Land Management Plan and integration with surrounding transport infrastructure.
- c) To work closely with the Unley Council in regard to implementing the Forestville Reserve Community Land Management Plan
- d) The **lawful and non-violent political** lobbying and **various forms of activism** (both on-line and off-line) to **inform the community and influence public policy** in the **appropriate management and protection of the Forestville Reserve.**

Rule 4: Powers of the Association [see Act: 23A (c)(vii); 25; 29(1)]

- a) As per Section 29 of the Act, the **Committee of the Association** is the only body enabled to enact the powers of the Association but may delegate part or all of its responsibilities to the Public Officer (or to any other Officials it chooses to appoint), who is then required to report any decisions undertaken back to the full Committee as soon as practicably possible.
- b) The Committee may, as per Section 25 of the Act, exercise the various powers outlined therein including: dealing with real or personal property or property held on trust; operate bank accounts; invest moneys; borrow money; appoint agents on behalf of the Association; and enter any other contract the Committee deems necessary or desirable.

- c) The Committee delegates responsibility for **coordinating public comment** (including online comment) by the Association to the appointed Public Officer (or to any other Officials it chooses to appoint), who will consult regularly with other Committee Members in carrying out those duties, noting that other Committee Members are also authorised to make public comments, in consultation with other Committee Members.
- d) The inaugural Committee shall be the group members of original Forestville Reserve Action Group who have initiated this application of Incorporation on 6th April 2022

Rule 5: Membership

a) Types of membership:

- i. Committee members, appointed as per rule 6
- ii. General Members. Any person who supports the objects of the association and agrees to be bound by its rules. The application for membership shall be made in writing and signed by the applicant. Upon the acceptance of the application by the committee and upon payment of the first annual subscription, the applicant shall be a member of the association.
- iii. Any person is free to 'follow' the Facebook Page, which is open to the public and free of charge, but such persons are not considered 'members' although the Committee will consider views expressed through that Forum in all of their deliberations.

b) Subscriptions:

- i. The subscription fees for membership shall be \$10 and subsequently as the members shall determine from time to time in general meeting with the initial subscription fee set by these rules from incorporation to 1 July 2023.
- ii. The subscription fees shall be payable annually on subsequent 1 July or at a time that the committee determines.
- iii. The subscription fee can be extended by a maximum of 3 months to new members who pay the annual fee between 1 April – 30 June. Members who were accepted and paid the annual fee prior to 31 March are required to pay the annual fee in full for the following year starting 1 July.
- iv. Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the association, provided always that the committee may reinstate such a person's membership on such terms as it thinks fit.

c) Resignations:

- i. A Committee Member may resign and withdraw from the Association at any time, by notifying the Public Officer in writing (email acceptable)
- ii. Replacement of a Committee Member (Committee Member) is dealt with under Rule 6.
- iii. A member may resign from membership of the association by giving written notice to the secretary or public officer of the association.

d) Register of members:

- i. Committee Members are appointed under Rule 6, and any changes to Committee Membership (either resignations or additions) will be recorded in the minutes of relevant meetings.
- ii. Any change to Committee Membership (resignations or additions), besides being recorded in the Minutes will be accompanied, in the Minutes by a full list of Committee Members both before and after the change.
- iii. A register of members must be kept by the Public Officer and shall contain:
 - iii 1 The name, postal address and email of each member.
 - iii 2 The date on which each member was admitted to the association; and
 - iii 3 If applicable, the date of and reason(s) for termination of membership

e) Expulsions of members:

- i. Expulsion of a Committee Member is dealt with under Rule 6

- ii. Expulsion of a Member. Subject to giving a member an opportunity to be heard or to make a written submission, the committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the association or which brings the association into disrepute
- iii. Particulars of the charge shall be communicated to the member in writing at least one month before the meeting of the committee at which the matter will be determined.
- iv. The determination of the committee shall be communicated to the member in writing, and in the event of an adverse determination the member shall, (subject to 6.4.4 below), cease to be a member 14 days after the committee has communicated its determination to the member.

Rule 6: The Committee [See the Act: 23A (c)(ii); 23A (c)(vi)]

- a) The inaugural **Committee Members** are those **appointed at the inaugural meeting of 21st March 2022**
 - i. Any resignations from, or additions to the Committee be dealt with under Rule 6 h)
 - ii. The **Inaugural Committee Members** (others may be added at a later stage under Rule 6 f)) are:
 - Mr Don Connor
 - Ms Ash Taylor
 - Mr Peter Jensen
 - Mr Peter Mahony
 - Mr Joc Schmiechen
 - Ms Madelaine Stocks
 - iii. A formal Committee consisting of up to ten members shall be elected from nominated financial members at the first Annual General Meeting
- b) Appointment of the subsequent Committee
 - i. The committee shall comprise up to ten committee members, elected by financial members of the association at the first Annual General Meeting.
 - ii. A committee member shall be a natural person.
 - iii. Notice of all persons seeking election to the committee shall be given to all members of the association with the notice calling the meeting at which the election is to take place.
 - iv. No person shall be eligible to stand for election unless a member of the association has nominated that person at least 14 days before the meeting by delivering the nomination of that person to the secretary of the association. The nomination shall be signed by the proposer and by the nominee.
 - v. Where a total of ten members for the committee has not been achieved through b.iv, a member can be nominated to stand for election by a proposer from the floor at the meeting at which the election is taking place.
 - vi. All office holders and committee members shall retire at the Annual General Meeting but are eligible to be nominated for election to the same or a different position on the committee at that time.
 - vii. The committee may appoint a person to fill a casual vacancy, and such a committee member shall hold office until the next annual general meeting of the association when they shall be eligible for election to the committee.
 - viii. The committee may appoint no more than three (3) individuals who have particular training or skills to assist the committee. These committee appointees have no voting rights within the committee. The committee is not bound by the input these individuals may provide. The committee can determine the timeframe for such appointments by a formal committee resolution.
 - ix. The Committee will appoint from its members the Presiding Officer and any other office bearers it decides.
- c) **Powers and Duties of the Committee:** In addition to being **bound by these Rules**, Committee Members must **conduct themselves in accordance with the Act**. The primary responsibility of the Committee Members is to:

- i. Attend meetings called by the Public Officer (or other Officer, such as a President, authorised by the Committee), who will consult with all other Committee Members to fix dates and times for meetings so that all Members can reasonably attend.
 - ii. Between Meetings: Committee Members must make themselves available, within reasonable time-limits, by phone, email or other means, to provide advice to the Public Officer as to appropriate actions contemplated by the Public Officer (or other Officer authorised by the Committee) on behalf of the Association.
 - iii. Contribute their experience and expertise in various areas related to the Forestville Reserve, to increase the knowledgebase of the Association.
- d) **Management and control of the funds and other property of the Association: The Association is not expected to hold substantial assets** (either property or cash), but the Committee delegates to the Public Officer or appointed Treasurer the management and control of all and any funds and property of the association (in consultation with the other Committee Members).
- e) The Committee may choose to elect or appoint a Treasurer, to take over the control of funds and other property of the Association.
- f) A **Public Officer** was appointed at the inaugural meeting, by unanimous consent of all the Committee Members.
 - i. The Public Officer, by unanimous consent, is **Don Connor**. Should he resign, be expelled, become incapacitated, or in any way no longer be able to continue as Public Officer, the Committee will appoint another Public Officer from amongst the remaining Committee Members
 - ii. The replacement Public Officer must then notify the Commission (CBS) of the change of name and contact details of the Public Officer within one month, as required by the Act (noting that there is a potential financial penalty for failing to do so).
 - iii. At this stage, the **Public Officer is the only Official Position**, the minimum required under Section 56 of the Act. Should the Committee subsequently consider such action necessary, other Official Positions (such as President, Secretary, Treasurer, Communications Officer, Membership officer etc.) may be created, persons elected to hold those positions, and various duties of the Public Officer transferred to these other officeholders. However, there must still be a nominated Public Officer (even if that duty is combined with the duties of another Officer). Anywhere in this document, where the term '**Public Officer**' appears (except where specified in the Act that the official Public Officer has prescribed duties), an **alternative Officer** may be appointed by the Committee to perform the functions here delegated to the Public Officer.
- g) **Terms of Office:** Committee Members are appointed for one year from incorporation, unless terminated by submitting their own resignations or, under Rule 6 h), expelled by the Committee, or determined to be incapacitated or otherwise unable or unwilling to perform their duties by the Committee.
 - i. **Casual vacancy on the Committee:**
 - i. Should there be a casual vacancy on the Committee, the remaining Committee members may put forward one or more nominations to replace that Committee Member (following the process outlined in Rule 6 f) i - ii)
 - ii. The Committee is not required to appoint a new Member to fill a casual vacancy: if the remaining Members feel comfortable and capable of continuing with a reduced Membership, they may do so, but remain free to appoint another Member at a subsequent time, as per Rule 6 f) i - ii.
- h) **Proceedings of Committee:** As per the Act, Section 51 (and making sure to comply with that Section, and all other parts of the Act):
 - i. Remote & In-Person Meetings: Meetings will be held in-person when by preference. If required Meetings may be convened remotely by the Public Officer, by a combination of email, phone, Zoom, and other methods. The Public Officer will

ensure that views of any Committee Member will be relayed in full to the rest of the Committee Members to ensure full engagement of all Members.

- ii. The **Public Officer appointed by the Committee will act as Presiding Officer** at all meetings, unless unavoidably absent, in which case the Presiding Officer will nominate a substitute Presiding Officer for that meeting, from among the Committee Members, and after consultation with the other Committee Members. The Presiding Officer retains full voting rights. The Committee may also elect a President at some future stage, who would take on the role of Presiding Officer in that case.
- iii. **Style of Proceedings:** Where possible, the Committee will consider agenda items relatively informally, allowing free participation by Members who should be accepting of the views of others, and avoid too many interruptions. A factsheet 'Holding Meetings' is available at the ACNC (Australian Charities & Not-for-profits Commission), available at <https://www.acnc.gov.au/tools/factsheets/holding-meetings>. Should meetings become **fraught and unproductive**, it may be necessary to revert to more structured meeting rules such as those used in Australian Parliamentary proceedings. If necessary, a suitable set of rules for meetings will be adapted and drawn up by the Public Officer (or other authorised Official), presented at the next meeting, discussed, and adopted for the use of the Committee, after any necessary alterations are agreed upon. If not able to be agreed upon by consensus, a strict vote may be called.
- iv. **Minutes of all proceedings of the Committee** will be recorded, then typed and distributed to all Committee Members (email acceptable). Committee members may then respond to the Public Officer requesting any additions or amendments they consider will more accurately reflect the outcomes of the Meeting, and the Public Officer will then make those requests known to all the other Members, then determine whether to make those additions or amendments, in consultation with all the other Members. The Public Officer will then redistribute the amended Minutes to all Members, at least three working days before the subsequent meeting.
- v. The first item on the **Agenda** of any Committee Meeting will be the tabling and confirming of the **Minutes** of the previous meeting, by unanimous vote of all the Committee Members, with further amendments for accuracy if necessary. Should any Member be unable to attend a Meeting, the Public Officer should attempt to receive confirmation in writing with any absent Members (email is acceptable) as to whether the absent Member supports accepting the Minutes in their amended form.
- vi. Once confirmed at the subsequent meeting, the **Minutes** will be signed by the Member who presided at the meeting where the proceedings in question took place, or by the presiding Member of the meeting where the minutes were confirmed (either is acceptable).
- vii. **Minutes** of Proceedings will be established in the custody of the Public Officer. These may take the form of digital copies on a recognised server or written minutes kept as a record of the meeting. In cases where the Presiding Officer is unable to attend a meeting, and the meeting is presided over by a substitute, the substitute Presiding Officer must follow procedures ii to iii above.
- viii. The **Minutes** must be made available for inspection to any Member of the Committee who makes a request in writing (email is acceptable) to the Public Officer, who will then make sure that these are made available for inspection by that Member within three working days.

i) Disqualification of Committee Members:

- i. A Committee Member may be disqualified by unanimous vote of the other Committee Members, for any serious behaviour or consistent behaviours considered by the other Members to be detrimental to the objectives and proper running of the Association, repeated failure to meet, or if deemed to be incapacitated or in some other way no longer fit to sit on the Committee.

- ii. A unanimous decision by the Committee to disqualify one or more Members from the Committee will be considered final, unless the disqualified person avails themselves of any relief they may be entitled to under the Act.

Rule 7: The Seal [See Act: 26(1) (a); 63 (5)]

- a) As per Section 20 (3) (a) of the Act, once incorporated, the Association becomes a **Body Corporate** with perpetual succession and a **Common Seal**.
- b) Once the Incorporation of the Association is confirmed by CBS, the Public Officer will, within a reasonable period of time, obtain a suitable **Common Seal** for use by the Association. The common seal shall consist of a rubber stamp with the full name of the association on it, which serves as the signature of the association.
- c) The Common Seal will be kept in the custody of the Public Officer (or other Official elected and authorised by the Committee, such as a Secretary or Treasurer)
- d) Should the Public Officer (or other authorised Official) resign, or otherwise be disqualified to act as Public Officer, he or she will return the Common Seal to the Committee, who will then place it in the custody of the replacement Public Officer or another appropriately elected official.
- e) The Association, or the Public Officer (or other authorised Officer) acting on behalf of the Association may, as would a private person, make a contract with another party, using the **Common Seal** as the equivalent of the signature of a private person, following all other provisions of Section 26 of the Act governing the manner in which contracts may be made.

Rule 8: Meetings (General Members)

- a) **Annual general meetings:** The committee established under 6 (a) shall call an annual general meeting in accordance with the Act and these rules.
- b) The first annual general meeting shall be held within 12 months of incorporation of the association, and thereafter within five months after the end of its financial year.
- c) The order of the business at the meeting shall be:
 - c 1 The confirmation of the minutes of the previous annual general meeting and of any special general meeting held since that meeting.
 - c 2. The consideration of the accounts and reports of the committee and the auditor's report (if an auditor's report is required by the Act).
 - c 3 The election of committee members.
 - c 4 The appointment of auditors (if required by the Act).
 - c 5 Any other business requiring consideration by the association in general meeting.
- d) **Special general meetings:** The committee may call a special general meeting of the association at any time.
 - d 1 Upon a requisition in writing of not less than 25% of the total number of members of the association, the committee shall, within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition. d 2.
 - d 2 Every requisition for a special general meeting shall be signed by the relevant members and shall state the purpose of the meeting.
 - d 3 If a special general meeting is not convened within one month, as required by d 2 above, the requisitionists, or at least 50% of their number, may convene a special general meeting. Such a meeting shall be convened in the same manner as nearly as practical as a meeting convened by the committee, and for this purpose the committee shall ensure that the requisitionists are supplied free of charge with particulars of the members entitled to receive a notice of meeting. The reasonable expenses of convening and conducting such a meeting shall be borne by the association.

Rule 9: Notice of general meetings

- a) Subject to 10 b, at least 14 days' notice of any general meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting.

- b) Notice of a meeting at which a special resolution is to be proposed shall be given at least 21 days prior to the date of the meeting.
- c) A notice may be given by the association to any member by serving the member with the notice personally, by email as permitted by the Electronic Transactions Act or by post delivery to the address appearing in the register of members allowing at least 2 additional business days to allow for delivery.

Rule 10: Minutes

- a) Proper minutes of all proceedings of general meetings of the association and of meetings of the committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose.
- b) The minutes kept pursuant to this rule must be confirmed by the members of the association or the members of the committee (as relevant) at a subsequent meeting.
- c) The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.
- d) Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

Rule 11: Proceedings at general meetings

- a) Fifteen members or one half of the membership whichever is the greater present personally or by proxy shall constitute a quorum for the transaction of business at any general meeting.
- b) If within 30 minutes after the time appointed for the meeting a quorum of members is not present, a meeting convened upon the requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.
- c) The Presiding Officer shall preside as chairperson at a general meeting of the association. 9.4.4. If the chairperson is not present within five minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the chair, the members may choose a committee member or one of their own number to be the chairperson of that meeting.

Rule 12: Voting at general meetings

- a) Subject to these rules, every member of the association has only one vote at a meeting of the association.
- b) Subject to these rules, a question for decision at a general meeting, other than a special resolution, must be determined by a majority of members who vote in person or, where proxies are allowed, by proxy, at that meeting.
- c) Unless a poll is demanded by at least five members, a question for decision at a general meeting must be determined by a show of hands

Rule 13: Dispute Resolution

- a. The Committee is appointed the **sole power of resolving disputes** within the Incorporation, whether those be: among Committee Members; complaints or issues raised by Ordinary Members; or disputes with other parties.
- b. In all resolving all disputes, the Committee must consider the **rules of natural justice** in resolving the dispute (the right of the parties to be heard, given due process etc)
- c. Should there be any dispute, on any matter, between the Members of the Committee, it is envisaged that they should be resolved by open discussion at a Meeting, and a decision reached by consensus (unanimously).

- d. If a Committee Meeting is failing to reach a consensus decision on any matter, the Presiding Officer should suspend the meeting for a reasonable period, thus allowing Committee Members to reflect on the positions of other members.
- e. If a dispute cannot be resolved, even after a reasonable period for Members to discuss matters privately, and then reach consensus at a reconvened meeting, a vote must be taken to resolve the matter.
- f. Should the vote be tied, and continued discussions cannot resolve the matter, the Public Officer could, as a last resort, dissolve the Association, and notify the Commission of the dissolution, as required by the Act.

Rule 14: Financial Reporting

- a) The Incorporation is not expected to ever hold substantial funds or property, or to ever have gross receipts in excess of \$500,000 so **would not be considered a 'prescribed association'** as defined by the Act, so will not be bound by some of the requirements of the Act regarding financial matters.
- b) **Financial Year:** the financial year will be the period commencing on the date of incorporation and ending on the next succeeding 30th June. Each succeeding financial year will be the twelve months ending on 30th June.
- c) **Accounts to be kept:** The Public Officer (or another authorised officer, such as a Treasurer) will keep appropriate records of all transactions involving funds or property of the Association and will provide an annual report to all Members of the Committee within three months of the end of each financial year and at the Annual General Meeting.
- d) **Periodic Returns:** Period returns are required of 'prescribed associations' as defined by the Act, and will not be required of this Association unless, for some reason, it reaches the definition of a 'prescribed association', in which case arrangements and Rule Changes will be required to accommodate periodic returns.
- e) **Appointment of an Auditor:** Period returns are required of 'prescribed associations' where gross receipts exceed \$500,000 per financial year, but will not be required of this Association unless, for some reason, gross receipts exceed that amount, in which case arrangements and Rule Changes will be required to accommodate the appointment of an auditor, following the relevant Sections of the Act.

Rule 15: Prohibition against securing profits for members:

- a) As described in Rule 6 b), in addition to being bound by the Rules herein set out, Committee Members must conduct themselves with **honesty and probity**, and in accordance with the Act.
- b) **The Association is strictly not-for-profit**, and **specifically prohibits** any Committee Member (or Ordinary Member if they are to be admitted in future), or the Committee collectively, from using their individual or collective powers to **derive any pecuniary profit** for themselves or any other Member.

Rule 16: Alteration of Rules:

- a) The Association rules may be altered (including an alteration to the association's name) by special resolution of the members of the association. This includes rescission or replacement by substitute rules.
- b) The registered rules shall bind the association and every member to the same extent as if they have respectively signed and sealed them and agreed to be bound by all of the provisions thereof.

Rule 17: Winding Up:

- a) The association may be wound up in the manner provided for in the Act.

REPORT OF COMMITTEE

REPORT TITLE:	MINUTES OF AUDIT COMMITTEE
ITEM NUMBER:	3.1
DATE OF MEETING:	24 APRIL 2023
ATTACHMENTS:	1. MINUTES OF AUDIT COMMITTEE - 28 MARCH 2023

1. **PURPOSE**

The minutes and recommendations of the Audit Committee meeting held on Tuesday 28 March 2023 are presented for Council's consideration.

1. **RECOMMENDATION**

That:

1. The minutes of the Audit Committee meeting held on Tuesday 28 March 2023, be received and the following recommendations contained therein be adopted by Council

(a) Item 2.1 - 2023 Audit Committee Workplan (March 2023)

MOVED Independent Member A Martin
SECONDED Independent Member N Handley

That:

1. The report be received.
2. The Audit Committee Workplan as set out in Attachment 1 to this report (Item 2.1, Audit Committee Meeting, 28/03/2023) be endorsed.

CARRIED UNANIMOUSLY

Resolution No. AC0103/23

(b) Item 2.2 - 2023 Internal Audit Plan (March 2023)

MOVED Councillor M Broniecki
SECONDED Independent Member N Handley

That:

1. The report be received.
2. The Internal Audit Work Plan as set out in Attachment 1 to this report (Item 2.2, Audit Committee Meeting, 28/03/2023) be endorsed.

CARRIED UNANIMOUSLY

Resolution No. AC0104/23

(c) Item 2.3 - Quarterly Risk Report - March 2023

MOVED Independent Member A Martin
SECONDED Councillor M Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0105/23

(d) Item 2.4 - Internal Financial Controls - Self Assessment 2023

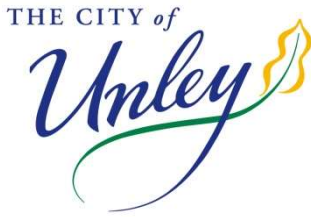
MOVED Independent Member N Handley
SECONDED Councillor M Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0106/23



**Minutes of the City of Unley
Audit Committee Meeting
Tuesday, 28 March 2023, 6.30pm
Council Chambers
181 Unley Road Unley**

1. PRESENT

Presiding Member D Powell (Presiding Member)
Independent Member N Handley
Independent Member A Martin
Councillor M Broniecki
Councillor J Gaffey

Councillor J Bonham (Observer)

2. OFFICERS PRESENT

General Manager Business Support & Improvement, Ms N Tinning
Manager Finance and Procurement, Mr A Brown

3. GUEST

Nil

4. ACKNOWLEDGEMENT

The Presiding Member welcomed Members to the meeting and opened the meeting with the Acknowledgement.

5. 1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Nil

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Nil

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY AUDIT COMMITTEE MEETING HELD MONDAY, 14 NOVEMBER 2022

MOVED Councillor M Broniecki

SECONDED Independent Member A Martin

That:

1. The minutes of the Ordinary Audit Committee held on Monday, 14 November 2022 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. AC0102/23

1.5 DEFERRED / ADJORNED ITEMS

Nil

6. 2. REPORTS

ITEM 2.1

2023 AUDIT COMMITTEE WORKPLAN (MARCH 2023)

MOVED Independent Member A Martin

SECONDED Independent Member N Handley

That:

1. The report be received.
2. The Audit Committee Workplan as set out in Attachment 1 to this report (Item 2.1, Audit Committee Meeting, 28/03/2023) be endorsed.

CARRIED UNANIMOUSLY

Resolution No. AC0103/23

ITEM 2.2
2023 INTERNAL AUDIT PLAN (MARCH 2023)
MOVED Councillor M Broniecki
SECONDED Independent Member N Handley

That:

1. The report be received.
2. The Internal Audit Work Plan as set out in Attachment 1 to this report (Item 2.2, Audit Committee Meeting, 28/03/2023) be endorsed.

CARRIED UNANIMOUSLY

Resolution No. AC0104/23

ITEM 2.3
QUARTERLY RISK REPORT - MARCH 2023
MOVED Independent Member A Martin
SECONDED Councillor M Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0105/23

ITEM 2.4
INTERNAL FINANCIAL CONTROLS - SELF ASSESSMENT 2023
MOVED Independent Member N Handley
SECONDED Councillor M Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. AC0106/23

7. 3. OTHER BUSINESS

8. NEXT MEETING

Tuesday 16 May 2023 - 6.30pm

9. CLOSURE

The Presiding Member closed the meeting at 7.02pm.

.....
PRESIDING MEMBER

DECISION REPORT

REPORT TITLE:	DRAFT 2023-24 ANNUAL BUSINESS PLAN & BUDGET FOR PUBLIC CONSULTATION
ITEM NUMBER:	4.1
DATE OF MEETING:	24 APRIL 2023
AUTHOR:	ALEX BROWN, MANAGER FINANCE AND PROCUREMENT
DIVISION:	BUSINESS SUPPORT AND IMPROVEMENT
ATTACHMENTS:	1. DRAFT 2023-24 ANNUAL BUSINESS PLAN AND BUDGET FOR COMMUNITY CONSULTATION

1. **PURPOSE**

The Local Government Act 1999 (the Act) requires Council to consult with the community prior to adopting the annual budget. Specifically, the Act requires Council to develop a Draft Annual Business Plan and Budget (Draft ABP&B) and to follow a process of community consultation.

This report presents the Draft 2023-24 Annual Business Plan and Budget for Council's approval for the purposes of community consultation. Council has an opportunity to review the presented projects and their impact on funding requirements before the Draft ABP&B is finalised for consultation.

2. **RECOMMENDATION**

That:

1. The report be received.
2. The proposed list of net Operating Projects for 2023-24 of \$1.16M (pages 34-37 of Attachment 1, Item 4.1, Council Meeting, 24/04/2023) be endorsed for community consultation.
3. The proposed list of New Capital Projects for 2023-24 of \$1.74M (pages 38-40 of Attachment 1, Item 4.1, Council Meeting, 24/04/2023) be endorsed for community consultation.
4. The proposed Capital Renewal Program for 2023-24 of \$8.2M (pages 42-45 of Attachment 1, Item 4.1, Council Meeting, 24/04/2023) be endorsed for community consultation.

5. The Draft 2023-24 Annual Business Plan and Budget (Attachment 1, Item 4.1, Council Meeting, 24/04/2023) (incorporating any consequential amendments from other items considered at the meeting of 24 April 2023) be endorsed for the purpose of community consultation, to be conducted between 1 May and 22 May 2023.
6. The Chief Executive Officer be authorised to make any necessary minor edits required for consistency or clarity to the Draft 2023-24 Annual Business Plan and Budget, if required.
7. The community consultation process comprising a notice in The Advertiser, online consultation via Your Say Unley, notifications on Council's website and social media channels, and public information sessions to be held be endorsed.

3. RELEVANT CORE STRATEGIES – FOUR YEAR DELIVERY PLAN

4. Civic Leadership

4.1 We have strong leadership and governance.

4.2 Council provides the best value services to the Community.

4. BACKGROUND

In order to provide guidance for the Administration, an Elected Member budget Workshop was conducted on 20 March 2023 where Members considered:

- the draft budget financial position for 2023-24;
- proposed project bids for Operating Projects and New Capital projects; and
- scenarios for general rate increases considering the draft budget position.

This Workshop followed an earlier workshop where the key assumptions and financial targets for the Draft 2023-2033 Long-Term Financial Plan were considered.

5. DISCUSSION

Legislative Compliance

Section 123(3) of the *Local Government Act 1999* requires councils to prepare a Draft Annual Business Plan and Budget for community consultation prior to formal adoption (Attachment 1).

Attachment 1

The Annual Business Plan and Budget must be adopted after 31 May and prior to 31 August each year.

The Draft 2023-24 Annual Business Plan meets all legislative requirements of the Act.

Community Consultation

Community consultation on the Draft Annual Business Plan will occur between 1 May and 22 May 2023.

The proposed methodology for engagement is listed below:

- A public notice in The Advertiser;
- Online consultation on Your Say Unley; and
- Notification on Council's website and social media channels, with appropriate links to the Draft Annual Business Plan and Your Say Unley.

It is proposed that community consultation will include public information sessions scheduled as follows:

- Thursday 4 May, City of Unley Council Chambers, 10-11am.
- Tuesday 9 May, City of Unley Council Chambers, 6-7pm.

Council will receive submissions via Council's website (through Your Say Unley) or written submissions to PO Box 1, Unley 5061. All submissions will be accepted up until the close of business on Friday 19 May 2023.

Feedback from Community Consultation will be presented to a Council Workshop scheduled for Monday 29 May 2023.

The 2023-24 Annual Business Plan and declaration of rates will be presented to Council for adoption at its June 2023 meeting.

Proposed Rates

General Rates

Scenarios for general rate increases, ranging from 3.5% to 5.0% before growth, were presented to the Budget Workshop on 20 March 2023. Feedback from the workshop indicated a majority preference for a general rate increase of 4.0% before growth, on the basis that it would achieve a forecasted operating surplus ratio of 4.0%.

The draft ABP&B has been prepared with a general rate increase of 4.0% before additional income from new developments and additions.

The General Rate revenue is forecast to increase by 4.5%, based on:

- The 4.0% increase in rates for existing properties; and
- An estimated 0.5% increase in rate revenue from new developments and capital improvement to existing properties.

This proposed rate increase is forecast to achieve an Operating Surplus Ratio of 4.0% (before Equity Accounted Businesses).

A Council Workshop is proposed for the end of May to consider the General Rates for 2023-24 in light of:

- Public Consultation feedback on the Draft ABP&B;
- Any proposed changes to the draft budget, noting the Administration is still seeking clarity on forecast costs for aspects of operational expenditure;
- Adelaide CPI for the March Quarter, due from the Australian Bureau of Statistics on 26 April 2023; and
- The latest property valuation data from the Valuer General, including details of the property valuation movements for 2023-24, and the estimated increase in general rate income from new developments and capital improvements to existing properties.

Separate Rates

Council proposes to continue to raise a separate rate for the purposes of promoting the businesses and traders along major shopping strips. Council collects the separate rate and passes the funds collected onto the individual Trader Associations. The funds can be used for marketing, street beautification and minor value-added infrastructure.

For the 2023-24 Budget, Council considered the requests from the four associations as follows:

- The Unley Road Association has requested a 3.5% increase for 2023-24;
- The Fullarton Road South Traders Association has requested an increase from \$250 to \$300 for 2023-24;
- The King William Road Traders Association and Goodwood Road Business Association have both requested no increase for 2023-24.

Main Street Trader Associations	Separate Rate raised 2022-23	Proposed Separate Rate 2023-24	Proposed % Increase (Decrease)
Unley Road	\$117,590	\$121,706	3.5%
King William Road	\$150,350	\$150,350	-
Goodwood Road	\$57,225	\$57,225	-
Fullarton Road	\$13,750	\$16,500	20%

In 2016-17, Council also adopted a recommendation from Unley Business and Economic Development Committee (UBED) to cap the amount that any separate ratepayer pays at \$2,000. It is proposed that this is retained for 2023-24.

Regional Landscape Levy

(Formerly the Natural Resource Management Levy)

From 1 July 2020 the new *Landscape South Australia Act 2019* replaced the *Natural Resources Management Act (NRM) 2004* as the new framework for managing the State's land, water, pest animals, plants and biodiversity.

The new Act created nine landscape management regions, with the old NRM boards being replaced by eight new regional landscape boards and a metropolitan landscape board, namely Green Adelaide.

Council is required to collect the levy via a separate rate for the Board. The Green Adelaide Board has advised the collection amount for 2023-24 is \$1.666M, which represents an increase of 14%. Council does not retain this revenue, nor determine how the revenue is spent.

Following community consultation, any significant changes will require a new Draft ABP&B to be developed and considered at the May meeting. This delay will result in a delay in the adoption of the budget and declaration of rates for 2023-24 (but will still be within the required time frame).

Proposed Projects

This report provides the Council with an opportunity to formally review the presented projects and their impact on funding requirements before the Draft Annual Business Plan is finalised for consultation.

The proposed Operating and Capital Projects incorporate feedback from the Budget Workshop on 20 March 2023.

The proposed Annual Business Plan allows for the following:

- Proposed net Operating Projects of \$1.16M
- Proposed net New Capital of \$1.74M
- Proposed net Capital Renewal of \$8.2M

Council will not require any additional external borrowings and will deliver all proposed projects and maintain current service levels from existing financial resources.

Operating Projects

Council has identified proposed Operating Projects that amount to a net \$1.16M. Key Projects for 2023-24 include:

- Over \$590K of Environmental Initiatives including:
 - The expansion of tree canopy on public land \$180K
 - Initiatives to reduce Council's carbon emissions \$130K
 - Greening of City Verges \$90K
 - Delivery of Water Wells to facilitate the capture of stormwater run-off to water trees \$50K

- Delivery of an annual calendar of events \$400K including the Unley Gourmet Gala and a Stage Start for the Santos Tour Down Under;
- Economic Development initiatives including:
 - Trader Event Sponsorship Grants \$40K
 - Funding to support the delivery of economic projects identified by the Unley Business and Economic Development Advisory Committee \$20K
- Continuation of Council's Active Ageing Initiatives \$20K.

Further review of these proposals will occur between now and June 2023, including consideration of the community consultation feedback before the Budget is finalised for adoption.

A full list of the proposed Operating Projects is included within Attachment 1 on pages 34-37.

New Capital

The proposed New Capital Projects total \$1.74M. Key projects include:

- Council's contribution to the continuation of the Brown Hill Keswick Creek project \$840K.
- Continued implementation of the 2022-2027 Walking and Cycling Plan including:
 - Design of Railway Terrace South (Devon Street to Goodwood Road);
 - Improvements to the Marino Rocks Greenway on the bend between Cooke Terrace and Rose Terrace;
- Stage 3 of Wilberforce Walk upgrade between Second Avenue and Leah Street \$150K (net), co-funded with the South Australian Government;
- Solar Panels and Batteries for Council owned facilities \$100K, and an Electric Vehicle Charging Station \$20K; and
- Unley Road Streetscape Upgrade (Stage 2) \$50K.

Further review of these projects will occur between now and June 2023, including consideration of the community consultation feedback, before the Budget is finalised for adoption.

A full list of the proposed New Capital Projects is included within Attachment 1 on pages 38-40.

Capital Renewal Program

The proposed Capital Renewal Program of \$8.2M (net) has been based on current asset information and asset management plans. Key items include:

- Transport Infrastructure \$3.9M including:
 - Road renewal \$1.0M
 - Kerb & Water Table \$2.1M
 - Footpaths \$775K

- Drainage and Stormwater \$330K;
- Reserves and Open Space \$550K; and
- Property (incl. Swimming Centre) \$1.2M.

More detail of the Capital Renewal Program is included within Attachment 1 on pages 42-45.

The Draft 2023-24 Annual Business Plan (Plan)

The Plan has been developed using the Long-Term Financial Plan as a guide, with the aim of achieving the adopted financial targets.

Financial Indicator	Council Adopted Target	Draft 2023-24 Budget
Operating Surplus Ratio (excluding equity accounted businesses)	5% or greater of total operating income	4.0%
Net Financial Liabilities Ratio	Less than 80% of total operating income	16%
Asset Funding Renewal Ratio (rolling 10-year average)	100% or greater of recommended spend in the Asset Management Plans	91%
Asset Renewal to Depreciation (rolling 10-year average)	100% or greater of recommended spend in the Asset Management Plans	91%

Council will maintain its current level of service provision, raise sufficient income to cover its operating expenses, and contribute to the repayment of its debt. As such, the impact of this Draft Plan does not compromise Council's long-term financial sustainability.

Influences on the Plan

The general influences that impact on revenue and expenditure in developing the Plan include:

- Local Government Price Index increase on relevant goods and services. In recent years this has tracked close to CPI, although this was 6.9% for the year to December 2022.
- Provision for Enterprise Bargaining Agreements which, for most staff, determine conditions of employment and provide for annual salary and wages increases.
- Maintaining asset management (renewal) expenditure in-line with Council's recently endorsed Asset Management Plans.
- Additional maintenance costs due to increased capital works, and the construction of new assets over recent years.

Council has also continued its review of service sustainability to minimise the burden on ratepayers. Council recognises the increasing challenges in delivering services at a local level, while ratepayers are increasingly reluctant to see their property rates increase.

What the Plan includes

The Plan contains the following information:

- A summary of the services provided by Council.
- Details of the proposed Operating and New Capital Projects, and their alignment to Council's 4 Year Delivery Plan.
- Details of the proposed Capital Renewal Program for 2023-24.
- The funding requirements for the proposed Business Plan and Budget.
- An explanation of Council's rating structure and the proposed rates for 2023-24.
- Information regarding Council's Long Term Financial Plan; and
- Analysis of the financial ratios for the 2023-24 Budget.

In Summary

The Plan has been prepared to include the following items:

- An increase in General Rates of 4.0% in line with the Adelaide CPI, and a further 0.5% increase in rate revenue from new developments and capital improvements.
- An operating surplus ratio of 4.0%.
- Proposed net Operating Projects of \$1.16M.
- Proposed net New Capital Projects of \$1.74M.
- Proposed net Capital Renewal Program of \$8.2M.

The budget forecasts that the activities to be undertaken in 2023-24 can be fully financed from Council's existing resources without the need to borrow funds from external sources. After considering principal repayments and daily management of Council's short-term financing facilities, it is estimated that Council's borrowings will reduce to \$1.5M as at 30 June 2024.

A copy of the Draft 2023-24 Annual Business Plan and Budget is provided as Attachment 1.

6. POLICY IMPLICATIONS

The Draft 2023-24 Annual Business Plan and Budget has been developed in the context of the Council's suite of strategic management plans that include the following:

- Community Plan 2033;
- 4 Year Delivery Plan 2021-2025;
- Long Term Financial Plan; and
- Council's Asset Management Plans.

6.1 Financial/budget implications

- The Annual Business Plan and Budget will be the budget for the 2023-24 financial year upon adoption by Council in June 2023.
- The Draft Annual Business Plan and Budget incorporates analysis of Council's financial ratios and an updated 2023-2032 Long Term Financial Plan position.
- Council will raise sufficient income to cover its operating expenses and contribute to the repayment of its debt. As such, the impact of this Draft Plan does not compromise Council's long-term financial sustainability.
- The Operating Surplus Ratio Target of 5% is not met. However, the Council will monitor the budget throughout the year to see if savings can be achieved.
- The Net Financial Liabilities is well within the target of less than 80%.
- The Asset Renewal Funding Ratio is forecast to be 91%. Although this is below 100%, it should be considered as a rolling average. The forecast average for 2019-20 to 2023-24 is 100%.
- Council is forecasting an Asset Sustainability Ratio of 70%. Depreciation is presently being reviewed as part of the asset condition audits and revaluations, which will inform longer term depreciation estimates.

6.2 Risk Management (identification and mitigation)

- Section 123(3) of the *Local Government Act 1999* requires councils to prepare a Draft Annual Business Plan and Budget.
- The Draft 2023-24 Annual Business Plan meets all legislative requirements of the *Local Government Act 1999* and *Local Government (Financial Management) Regulations 2011*.

6.3 Staffing/Work Plans/Additional Resource Impact

- The draft ABP&B does not propose any changes in existing service levels.
- Resourcing considerations for the delivery of Operating and Capital Projects have been considered and included where applicable as part the project bid process.

6.4 Climate/Environmental Impact

- Projects and initiatives have been proposed and included in the Draft ABP&B to support the continued delivery of Council endorsed strategies and plans, including the Climate and Energy Plan and Tree Strategy.

6.5 Social/Economic

- Projects and initiatives have been proposed and included in the Draft ABP&B to support the continued delivery of Council endorsed strategies and plans, including the Active Ageing Strategy, and Economic Development Strategy.

6.6 Stakeholder Engagement

- Community consultation on the Draft Annual Business Plan will occur between 1 May and 22 May 2023.
- Feedback from Community Consultation will be presented to a Council Workshop, scheduled for Monday 29 May 2023, prior to adoption of the Business Plan and Budget in June.

7. ANALYSIS OF OPTIONS

Option 1 –

1. The report be received.
2. The proposed list of net Operating Projects for 2023-24 of \$1.16M (pages 34-37 of Attachment 1, Item 4.1, Council Meeting, 24/04/2023) be endorsed for community consultation.
3. The proposed list of New Capital Projects for 2023-24 of \$1.74M (pages 38-40 of Attachment 1, Item 4.1, Council Meeting, 24/04/2023) be endorsed for community consultation.
4. The proposed Capital Renewal Program for 2023-24 of \$8.2M (pages 42-45 of Attachment 1, Item 4.1, Council Meeting, 24/04/2023) be endorsed for community consultation.
5. The Draft 2023-24 Annual Business Plan and Budget (Attachment 1, Item 4.1, Council Meeting, 24/04/2023) (incorporating any consequential amendments from other items considered at the meeting of 24 April 2023) be endorsed for the purpose of community consultation, to be conducted between 1 May and 22 May 2023.
6. The Chief Executive Officer be authorised to make any necessary minor edits required for consistency or clarity to the Draft 2023-24 Annual Business Plan and Budget, if required.
7. The community consultation process comprising a notice in The Advertiser, online consultation via Your Say Unley, notifications on Council's website and social media channels, and public information sessions to be held be endorsed.

This option meets all legislative requirements.

Option 2 –

1. The report be received.
2. The Draft 2023-24 Annual Business Plan and Budget (Attachment 1, Item 4.1, Council Meeting, 24/04/2023) be amended as follows:
 - 2.1 Amendments to be determined by Council
 - Etcand returned to Council for consideration at the May Council Meeting.

Should Council wish to amend (add or remove) any of the projects presented for community consultation, consideration should be given to the impact on the proposed increase in rates revenue of 4%.

Any changes will require a new Draft ABP&B to be developed and considered at the May Council Meeting. This delay will result in a delay in the adoption of the budget and declaration of rates for 2023-24.

8. RECOMMENDED OPTION

Option 1 is the recommended option.

9. REPORT CONSULTATION

The Draft 2023-24 Annual Business Plan and Budget has been developed in conjunction with Business Unit Managers and their respective divisional General Managers.

An Elected Member workshop has been held as part of the Annual Business Plan and Budget development process. A further workshop is proposed, following community consultation, and is scheduled for 29 May 2023.

10. REPORT AUTHORISERS

Name	Title
Nicola Tinning	General Manager, Business Support & Improvement



2023-24

ANNUAL BUSINESS PLAN & BUDGET

DRAFT FOR COMMUNITY CONSULTATION





We would like to acknowledge the City of Unley is part of the traditional lands for the Kurna people and we respect their spiritual relationship with their country.

We acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

All images within this document are from the City of Unley portfolio of photos.

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The Draft Annual Business Plan and Budget can be viewed online via yoursay.unley.sa.gov.au. Printed copies are available for viewing at the Civic Centre, Libraries and Community Centres.

Submissions

**Public Consultation opens
Monday 1 May 2023**

You can make a submissions via:

Visiting **Your Say Unley** at:

yoursay.unley.sa.gov.au

Writing a submission and sending it to:

2022-23 Budget Consultation
City of Unley
PO Box 1
Unley SA 5061

Emailing a submission to:

pobox1@unley.sa.gov.au

To be received not later than 5pm
Monday 22 May 2023.

Community Consultation Meetings

Two community consultation meetings will include an overview of the proposed 2023-24 Business Plan and Budget.

Thursday 4 May

City of Unley Council Chambers
10-11am

Tuesday 9 May 2023

City of Unley Council Chambers
6-7pm

**Consultation closes 5pm Monday
22 May 2023.**

ELECTED MEMBERS

The Mayor and Elected Members are elected by the local community to represent **the interests and needs of the community**.

Elected Members provide community leadership and guidance and facilitate communication between the community and the Council.

They play an important policy-making role, requiring the identification of community needs, setting objectives to meet those needs, establishing priorities between competing demands and allocating resources.

There are 13 Elected Members on the Council of the City of Unley including the Mayor, Michael Hewitson AM.

MAYOR



Michael Hewitson AM

CLARENCE PARK Ward Councillors



Don Palmer



Rebekah Rogers

FULLARTON Ward Councillors



Jack Gaffey



Peter Hughes

GOODWOOD Ward Councillors



Chris Crabbe



Georgie Hart

PARKSIDE Ward Councillors



Jennifer Bonham



Luke Doyle

UNLEY Ward Councillors



Stephen Finos



Jane Russo

UNLEY PARK Ward Councillors



Monica Broniecki



Michael Rabbitt



Background

Under Section 123 of the *Local Government Act 1999*, Council is required to have a budget for each financial year. The budget must be considered as part of the Council's Annual Business Plan.

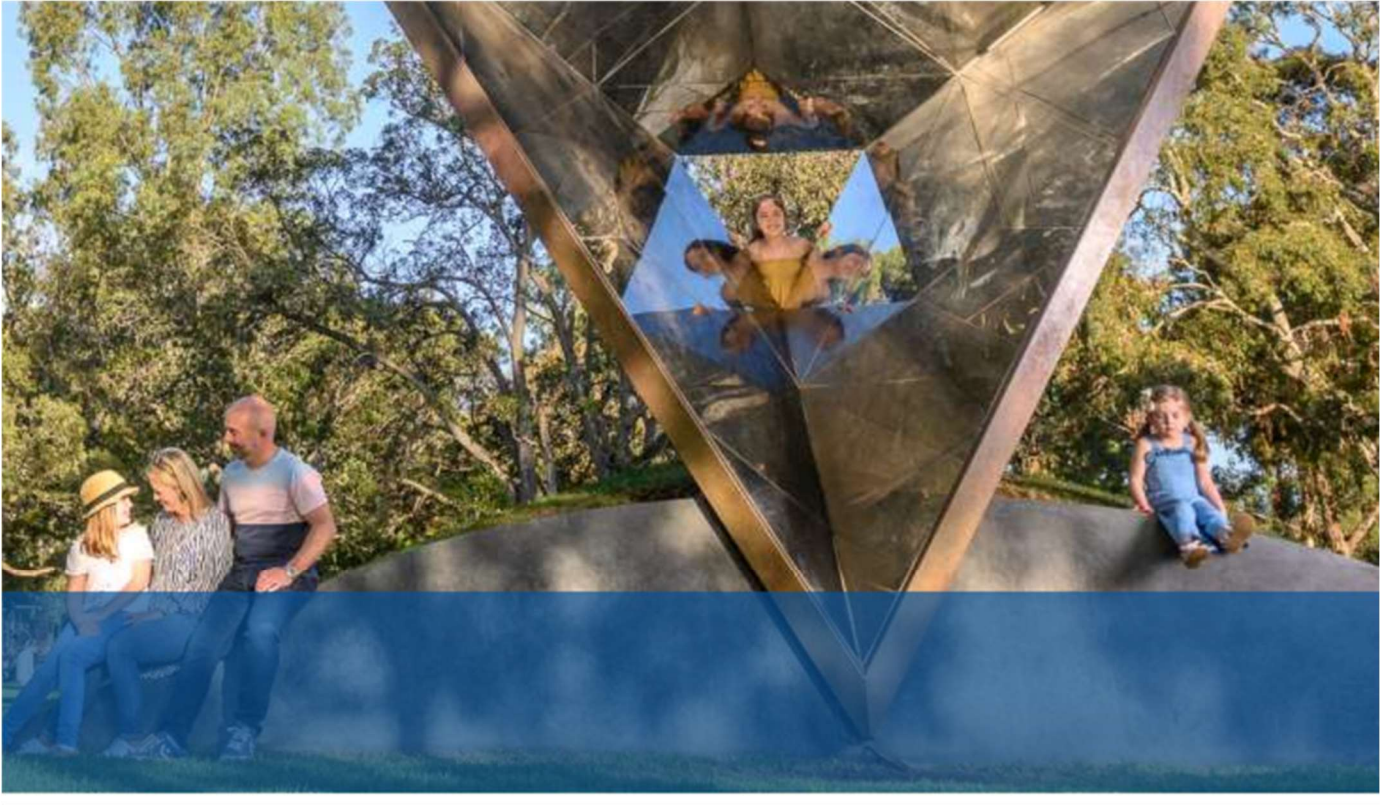
Before a council adopts its Annual Business Plan it must prepare a draft Annual Business Plan and undertake a public consultation process. Consultation on this plan will be undertaken between 1 May and 23 May 2023.

All feedback collected during this period will be considered by the Elected Members of Council at a Budget Workshop in order to finalise Council's 2023-24 Annual Business Plan and Budget.

Purpose of the Plan

The purpose of the Annual Business Plan is to impart an understanding of:

- Annual objectives for the year in the context of Council's long-term objectives
- Overview of the activities and services provided by Council
- Key financial information relating to revenue and expenditure
- Proposed new initiatives and projects
- Rating context and impact of rates for 2023-24
- Council's Financial Planning Framework including Long-Term Financial Plan and Asset Management Plans.



Strategic Planning Framework

Resourcing Strategy

- Assets
- Long Term Financial Plan
- Other plans and strategies

**Community Plan
2017 - 2033**



Vision



**Four Year Plan
2021 - 2025**



**Annual Plans
2023 - 2024**



Action

- Annual Business Plan & Budget
- Annual Operating Plan

Measuring Performance

Council measures its achievements and financial performance through the following processes:

- Regular financial reporting to Executive and Council
- Quarterly corporate performance report to Executive and Council
- Budget Reviews in accordance with legislation
- Annual review of the Long-Term Financial Plan
- Review and input from Council's Audit Committee
- Production of an Annual Report including audited financial statements
- Community Engagement.

BUDGET OVERVIEW

Background

The Draft Business Plan and Budget for 2023-24 has been prepared in accordance with the priorities of Unley's Community Plan 2033 and the 4 Year Delivery Plan 2021-2025, with due consideration of its key financial indicators.

Forecast rate income is based on the following assumptions:

- **General Rate Increase** 4.0%
- **Increase from new rateable properties and improvements** 0.5%

The proposed increase in General Rates will be considered further by Council in late May following feedback from Community Consultation.

Please note the information in this draft budget excludes:

- Council's equity accounted businesses, namely the Centennial Park Cemetery Authority, the Brown Hill Keswick Creek Stormwater Board and East Waste.
- Potential carry forwards for capital projects, noting the delivery timeframes of some 2022-23 projects have been impacted by supply issues.

Key Financial Targets

Council has reviewed its Key Financial Targets after considering its draft Long Term Financial Plan.

The Key Financial Targets are:

Financial Indicator	Adopted Target	Draft 2023-24 Budget
Operating Surplus Ratio (excl. equity accounted businesses)	> 5.0%	4.0%
Net Financial Liabilities Ratio	< 80%	16%
Asset Renewal Funding Ratio (10 Year average)	≈ 100%	91%
Asset Renewals to Depreciation (10 year average)	≈ 100%	70%

Further information regarding the financial indicators are included on pages 28-29.

RATES OVERVIEW

Council is proposing an **average** increase in General Rates income of 4.0%, plus an additional 0.5% representing the estimated increase in revenue from new developments and capital improvement to existing properties.

The rates assessment (rates payable) for a specific property will be dependent upon the 2023-24 capital valuation for the property, as assessed by the Valuer General, and the movement in that valuation relative to all other properties with the same differential rate.

The proposed increase in General Rates will be considered further by Council in May following feedback from Community Consultation.

Council rates from new developments, and capital improvements to existing properties, will be confirmed by the Valuer General in early June, and included in the Annual Business Plan and Budget presented to Council for adoption in June.

Valuation Method

The Council uses the capital value method of valuing properties. This method values the land and all improvements on the land. It is the most widely used method across South Australian councils.

Minimum Rate

The proposed minimum rate for 2023-24 is \$943, an increase of 4.0% from 2022-23.

It is estimated there will be approximately 4,300 assessments paying the minimum rate in 2023-24.

Differential General Rates

Council will declare three differential General Rates according to the land use category, as outlined in the table below.

Category 1	Residential
Category 2	Commercial Shop Industrial Light Industry Other Vacant Land Other
Category 3	Commercial Office Commercial Other

The proposed average increase by Land Use Category is provided on page 23.

Separate Rate for Main Street Trader Associations

Council proposes to continue to raise a separate rate for the promotion of businesses and traders along major shopping strips (excluding Glen Osmond Road). Council collects the separate rate and contracts with the Main Street Trader Associations for the provision of marketing, street beautification and minor value-added infrastructure projects.

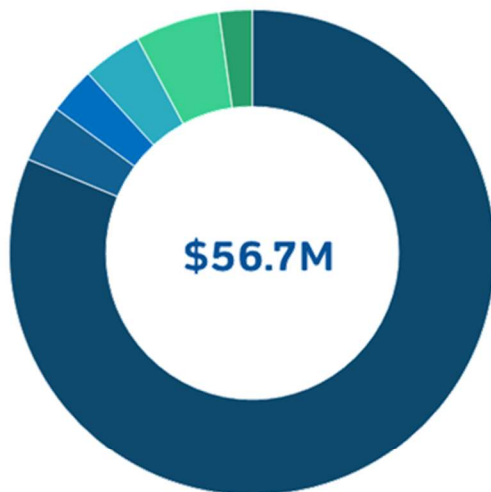
Further details regarding the Separate Rate for the Main Street Trader Associations are provided on page 24.

FINANCIAL SUMMARY

\$'000	2023-24 Draft Budget	2022-23 Q2 Forecast
Income		
General Rates Income	46,099	44,114
All Other Income	10,588	10,398
Operating Projects	18	79
Total Income	56,705	54,591
Expenditure		
Employee Costs	20,513	19,606
Materials, Contracts & Other Expenses	20,635	19,872
Depreciation, Amortisation & Impairment	12,000	10,175
Finance Costs	90	312
Operating Projects	1,180	2,275
Total Expenditure	54,418	52,240
Operating Surplus/(Deficit)	2,287	2,351
Principal Repayment of loans	277	266
Cash surplus/(deficiency) after principal repayments	2,011	2,085
Capital Renewal less income to be received	8,204	11,491
New Capital less funding to be received	1,740	4,012
(Shortfall) / Improvement in cash position	4,066	(3,243)
Fixed Term Borrowings	288	565
Cash Advance Debenture (CAD Borrowings)	1,248	5,314
Total Borrowings	1,536	5,879
Repayment of Fixed Term Borrowings	277	266
Repayment/(draw-down) of CAD	4,066	(2,935)
Net repayment/(draw down) of borrowings	4,343	(2,669)
Operating Surplus Ratio (Target 5%) (before Equity Accounted Subsidiaries)	4.0%	4.3%
Net Financial Liabilities Ratio (Target <80%)	16%	24%
Asset Renewal Funding Ratio (Target 100% average over 10 years)	91%	131%
Asset Renewal to depreciation (Target 100% average over 10 years)	70%	113%

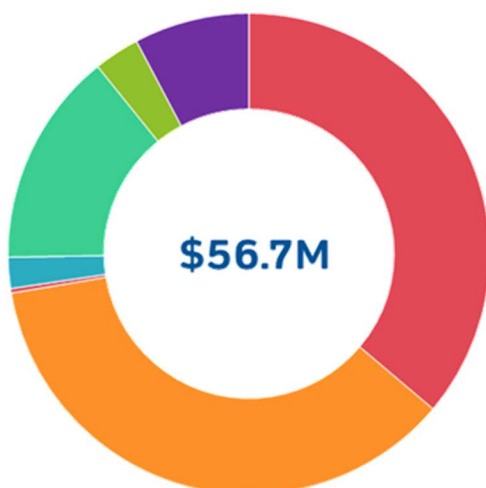
The draft Budgeted Financial Statements for the 2023-24 financial year exclude proposed Equity Account Businesses (Centennial Park Cemetery Authority, Brown Hill & Keswick Creek Stormwater Board and East Waste) for the purposes of public consultation.

Where our funding comes from



■ General Rates	\$46.1M	81.3%
■ Other Rates & Levies (includes Landscape Levy)	\$2.15M	3.8%
■ Grants & Subsidies & Contributions	\$3.1M	5.7%
■ User Fees	\$2.25M	4.0%
■ Statutory Fees	\$1.75M	5.6%
■ Other Income	\$1.25M	2.2%

How we allocate our funding



■ Employee Costs	\$20.5M	36.1%
■ Materials, Contracts & Other	\$20.6M	36.3%
■ Finance Costs	\$0.09M	0.2%
■ Operating Projects	\$1.16M	2.1%
■ New Capital Projects (Net)	\$1.74M	3.1%
■ Capital Renewal (Net)	\$8.2M	14.5%
■ Repayment of Borrowings (Principle repayments)	\$4.35M	7.7%

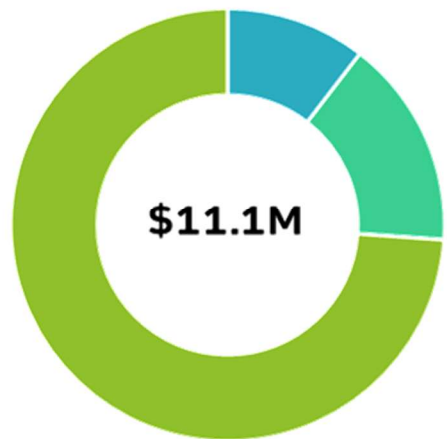


Council’s proposed project priorities for 2023-24 stem from the themes outlined in Council’s Community and 4 Year Delivery Plan.

Council has undertaken a methodical and considered approach to determine its priorities for the upcoming financial year. These are the steps that were taken to determine the proposed projects for consultation:

- The Capital Works Program was guided by Council’s Asset Management Plans
- Council proposed projects that aim to assist in achieving the Strategic Themes in Council’s Community Plan and 4 Year Delivery Plan
- Elected Members submitted projects based on identified community need
- Projects were divided into three broad categories:
 - Operating Projects (including annual initiatives)
 - New Capital
 - Capital Renewal Program
- An Elected Member workshop was used to further prioritise, refine and finalise the proposed project list for community consultation.

Our Project Expenditure



- **Operating Projects** **\$1.16M**
- **New Capital** **\$1.74M**
- **Asset Renewal** **\$8.20M**

Further information regarding the projects is included on pages 34-45.

OPERATING PROJECTS

Operating Projects are either one-off, short term projects or annual initiatives delivering environmental, cultural or economic benefits to our community.

These projects are funded by Council's rates income.

The full list and further details of each project are included on pages 34-37.

Key Highlights include

- \$590K of Environmental Initiatives including
 - The expansion of tree canopy on public land \$180K
 - Initiatives to reduce Council's carbon emissions \$130K
 - Grant funding to support the Greening of City Verges \$90K
 - Delivery of Water Wells to facilitate the capture of storm water run-off to water trees \$50K
- Delivery of an annual calendar of events \$400K including the Unley Gourmet Gala and a Stage Start for the Santos Tour Down Under
- Trader Event Sponsorship Grants \$40K.

NEW CAPITAL

New Capital projects are capital works to construct new or to significantly upgrade existing infrastructure and buildings.

These projects are expected to be funded from existing financial capacity without the need for further borrowings.

The full list and further details of each project are included on pages 38-40.

Key Highlights include

- Council's contribution to the continuation of the Brown Hill Keswick Creek project \$840K
- Stage 3 of Wilberforce Walk upgrade between Second Avenue and Leah Street \$150K, co-funded with the South Australian Government.
- Continuing the implementation of Council's Walking & Cycling Plan \$130K
- Solar Panels and Batteries for Council owned facilities \$100K, and an Electric Vehicle Charging Station \$20K
- Unley Road Streetscape Upgrade (Stage 2) \$50K.

CAPITAL RENEWAL

The Capital Renewal programs maintain an ongoing program of renewals for Council's \$500M of infrastructure, buildings and assets. They are based on Council's Asset Management Plans that were endorsed by Council in December 2020.

This 2023-24 Renewal Programs include:

- Transport Infrastructure \$3.9M including Road renewal \$1.0M, Kerb & Water Table \$2.1M and Footpaths \$775K
- Drainage and Stormwater \$330K
- Reserves and Open Space \$550K
- Property (incl. Swimming Centre) \$1.2M.

These projects are funded by Council's rates income. The full list and further details of each project are included on pages 42-45.

SERVICES PROVIDED TO THE COMMUNITY

The *Local Government Act 1999 (the Act)* prescribes a system of local government to enable councils to govern and manage areas at a local level.

All councils have basic responsibilities under the Act and other relevant legislation. These include:

- Regulatory activities, including voters' roll maintenance and Elected Members' support
- Determining longer-term strategic management plans, including a strategic plan, long term financial plan, infrastructure and asset management plans, and policies and procedures
- Setting rates, preparing an Annual Business Plan and Budget
- Management and maintenance of basic infrastructure including roads, footpaths, parks, public open space, playgrounds, street lighting and stormwater drainage
- Street cleaning and rubbish collection
- Development planning and control, including building safety assessment
- Provision of various environmental health services
- Management and maintenance of Councils urban forest in streets and parks
- Management and maintenance of Council owned Community Centres and other buildings.

A detailed list of Council's Operational Activities, including respective income and expenditure, is included on pages 30-33.

In response to community needs, Council also provides the following services and programs, over and above those listed above:

- Aged and Social Care
- Animal Management
- Arts & Cultural Development
- Community Centres
- Community Development
- Community Engagement
- Community Event Programs
- Community Services
- Community Transport
- Community Grants
- Corporate Services
- Economic Development
- Environmental Management
- Library Services
- Museum
- Open Space Management
- Parking Control
- Sport and Recreation
- Sustainable Landscapes
- Volunteers
- Urban Policy and Planning
- Youth Development.

The Council also maintains a number of facilities and services on a fee for service basis, some of which are subsidised and include:

- Unley Swimming Centre
- Commonwealth Home Support Program (CHSP)
- Community Bus Service
- Halls for hire
- Ovals, courts, parks and reserves for hire.

INFLUENCES ON THE BUDGET

Significant Influences

Council is cognisant of the financial pressure many households and businesses are experiencing from high inflation and rising costs. While council is also experiencing increasing costs, especially in contractual services, it continues to carefully manage its budget and minimised increases in its expenditure budget while balancing it's long term financial sustainability.

This approach has enabled Council to minimise the proposed average general rate increase to 4%, while maintaining an operating surplus ratio of 4%. This proposed rate increase is well below the anticipated increase in Adelaide CPI for the year ended March 2023.

The proposed operating projects and new capital expenditure for 2023-24 are driven by the continued implementation of Council's plans and strategies. These include, but are not limited to, the following:

- Climate and Energy Plan
- Tree Strategy
- Walking and Cycling Plan
- Local Area Traffic Management Plan
- Economic Growth Strategy
- Active Ageing

Council is also commitment to continue long-term major projects including the Brown Hill Keswick Creek Storm Water Management Project.

The proposed capital expenditure on new assets for 2023-24 is \$1.74M. The extent of these works can be met from existing financial resources without the need to borrow funds.

Other Influences on the Budget

There are also other annual items that we consider when setting rates and deciding on council's program of works. These include:

- Local Government Price Index increases on relevant goods and services. In recent years this has tracked close to CPI, although this was 6.9% for the year to December 2022.
- Provision for Enterprise Bargaining Agreements which, for most staff, determine conditions of employment and provide for annual salary and wages increases
- Maintaining asset management (renewal) expenditure in-line with Council's recently endorsed Asset Management Plans
- Additional maintenance costs due to increased capital works, and the construction of new assets over recent years
- The Regional Landscape Levy, which Council collects and pays to the Green Adelaide Board, is increasing by 14%.

Council has continued its review of service sustainability to minimise the burden on ratepayers.



COMMUNITY LIVING

People value our City with its enviable lifestyle, activities, facilities and services

Objectives

- 1.1 Our Community is active, healthy and feels safe
- 1.2 Our Community participates in community activities, learning opportunities and volunteering
- 1.3 Our City meets the needs of all generations
- 1.4 Our Community is proud to be part of our City
- 1.5 Our City is connected and accessible

Key Projects

- Continued implementation of the 2022-2027 Walking and Cycling Plan including:
 - Design of Railway Terrace South (Devon Street to Goodwood Road)
 - Improvements to the Marino Rocks Greenway on the bend between Cooke Terrace and Rose Terrace
- Stage 3 of Wilberforce Walk upgrade between Second Avenue and Leah Street \$150K (net), co-funded with the South Australian Government
- Staging of the Unley Gourmet Gala and a stage start for the Santos Tour Down Under
- Delivery of initiatives relating to Council's Active Ageing Strategy endorsed by Council in 2020
- Construction of a pedestrian refuge in East Avenue, Clarence Park
- Safety and amenity improvements to Heywood Park.



ENVIRONMENTAL STEWARDSHIP

We will maintain and enhance our urban environment, and strengthen our City's resilience to climate change by providing leadership to our Community

Objectives

- 2.1 Unley's urban forest is maintained and improved
- 2.2 Excellence in waste management is achieved through avoidance, re-use and diversion
- 2.3 The energy efficiency of the City is increased and our carbon footprint reduced
- 2.4 Efficient, effective & sustainable water management is ensured
- 2.5 The City's resilience to climate change is increased

Key Projects

- Council's continued financial contribution to the Brown Hill Keswick Creek regional project works
- Implementation of Year 3 of the Council's Climate and Energy Plan, including
 - initiatives to reduced Council's carbon emissions,
 - the installation of solar panels and batteries in Council facilities, and
 - installation of an electric vehicle charging station
- Continuing the implementation of Council's Tree Strategy to increase canopy cover across the district through the planting of 440 additional new trees
- The City Wide Greening Verges Program with the conversion of further verges to support residents in beautifying their streets
- The continued installation of water wells to retain water flows from roadways to assist with greening and establishing new tree plantings.



ECONOMIC PROSPERITY

Our businesses are valued because of the range of goods, services and facilities they provide and new businesses are supported, not burdened with bureaucracy

Objectives

- 3.1 Unley is recognised as an easy place to do business
- 3.2 Thriving main streets and other business activities operate across our City

Key Projects

- Implementing Year 3 of the Economic Development Growth Strategy including funding to support the delivery of economic projects identified by the Unley Business & Economic Development Board
- Event sponsorship for the four Mainstreet Trader Associations to stage events to attract visitation to the precincts and generate economic activity.



CIVIC LEADERSHIP

Council will listen to the community and make transparent decisions for the long term benefit of the City

Objectives

- 4.1 We have strong leadership and governance
- 4.2 Council provides best value services to the community
- 4.3 Our business systems and solutions are effective and transparent

Key Projects

- The continued development of digitised systems and processes within Development and Regulatory Services to improve customer experience and operating efficiency
- Installation of vehicle tracking to improve operational planning, achieve improved environmental outcomes and improve staff safety when in the field
- Implementation of carbon accounting system to support the monitoring and reporting of carbon emissions.



Over 80% of Council’s funding is generated from rates with the balance largely relating to fees and charges set by Council or statutory fees.

In setting the rates for 2023-24 Council proposes to continue with its current method of rating, which involves three differential rates with the application of a minimum rate, applied against the capital improved value of properties. Council considers this to be a fair and equitable method of rating for the City of Unley.

Rates income is used to deliver services. Rates are a form of property taxation, and property values determine how much each property contributes. This system of taxation means that the rates paid may not directly relate to the services used by each ratepayer.

Rate Statistics

Council is estimating 19,470 assessments in 2023-24 including:

- 17,520 assessments within residential Category 1
- 915 assessments within non-residential Category 2 (including commercial shops, industrial, and vacant)
- 915 assessments within non-residential Category 3 (commercial offices and commercial – other)
- 200 non-rateable assessments.



2023-24 General Rates

Council is proposing an **average** increase in General Rates income of 4.0%, plus an additional 0.5% representing the estimated increase in revenue from new developments and capital improvement to existing properties.

The rates assessment (rates payable) for a specific property will be dependent upon the final 2023-24 capital valuation for the property, as assessed by the Valuer General, and the movement in that valuation relative to all other properties with the same differential rate.

The proposed increase in General Rates will be considered further by Council in May following feedback from Community Consultation.

Council rates from new developments, and capital improvements to existing properties, will be confirmed by the Valuer General in early June, and included in the Annual Business Plan and Budget presented to Council for adoption in June.

COUNCIL'S RATES

Valuation Method

The Council uses the **capital value** method of valuing properties. This method values the land and all improvements on the land. It is the most widely used method across South Australian councils.

Council considers this valuation method the most equitable method to spread the rates burden across the measure of wealth within the City. It equates to the taxation principle that people should contribute to community, social and physical infrastructure in accordance with their capacity to pay as measured by property wealth.

In determining how rates are applied, and in determining the rate in the dollar, Council uses the following options.

Minimum Rate

Council has decided that there will be a minimum rate on every rateable property. Council considers it appropriate that all rateable properties make a contribution to the cost of administering the Council's activities and creating and maintaining the physical infrastructure that supports each property. The proposed minimum rate for 2023-24 is \$943, an increase of 4.0% from 2022-23.

It is estimated there will be approximately 4,300 assessments paying the minimum rate in 2023-24.

Differential General Rates

Council will declare three differential General Rates according to the land use category. The land use categories provided in the table below.

Council considers the principle of rate stability when assessing the rates distribution across 3 categories. The change in capital value across the land use categories and the rates income provided by each category will also be considered.

Category 1 Income estimate \$36.5M	Residential
Category 2 Income estimate \$3.9M	Commercial Shop Industrial Light Industry Other Vacant Land Other
Category 3 Income estimate \$5.7M	Commercial Office Commercial Other

General Rate Revenue

General Rate Revenue is forecast to increase from \$44.1M to \$46.1M (\$44.2M to \$46.2M before discretionary rebates). This represents an increase of 4.5% (inclusive of a 0.5% increase from new developments and capital improvements) compared to the 2022-23 financial year before estimated mandatory and discretionary rebates.

The average rates payable for each differential rate category, which are based on the land use categories, will increase as outlined in the following table.

Estimated rate increase by land use category

The following average increases are estimates only as the final property valuations will not be received from the Valuer General until early June.

Differential Rate Category/ Land Use Category	Average Rates Payable \$		Estimated Increase	
	2022-23	2023-24 Estimate	\$	%
Category 1				
Residential	1,986	2,065	79	4.00%
Category 2				
Commercial - Shop	3,242	3,372	130	4.00%
Industrial Light	3,891	4,047	156	4.00%
Industry Other	7,454	7,752	298	4.00%
Vacant Land	4,857	5,051	194	4.00%
Other	9,836	10,229	393	4.00%
Category 3				
Commercial - Office	6,575	6,838	263	4.00%
Commercial - Other	5,464	5,683	219	4.00%
Minimum Rate Payable	907	943	36	4.00%

The rates assessment (rates payable) for a specific property will be dependent upon the 2023-24 capital valuation for the property, as assessed by the Valuer General, and the movement in that valuation relative to all other properties with the same differential rate.

COUNCIL'S RATES

Separate Rate for Main Street Trader Associations

Council proposes to continue to raise a separate rate for the promotion of businesses and traders along major shopping strips (excluding Glen Osmond Road). Council collects the separate rate and contracts with the Main Street Trader Associations for the provision of marketing, street beautification and minor value-added infrastructure projects.

The revenue generated by the proposed separate rates for 2023-24 has been considered following consultation with the Main Street Trader Associations.

Unley Road

Currently there are approximately 465 ratepayers with a land use of Commercial Shop, Commercial Office and Commercial Other that pay the separate rate. The Unley Road Association has requested a 3.5% increase for 2023-24.

King William Road

Currently there are approximately 130 ratepayers with a land use of Commercial Shop with addresses along King William

Road between Greenhill Road and Commercial Road that pay the separate rate. The King William Road Traders Association has requested no increase for 2023-24.

Goodwood Road

Currently there are approximately 95 ratepayers with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along Goodwood Road between Leader Street / Parsons Street to the north and Mitchell Street / Arundel Avenue to the south that pay the separate rate. The Goodwood Road Business Association has requested no increase for 2023-24.

Fullarton Road

Currently there are approximately 55 ratepayers with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along Fullarton Road between Cross Road and Fisher Street that pay the separate rate.

Fullarton Road Traders pay a fixed amount. The Fullarton Road South Traders Association has requested an increase from \$250 to \$300 for 2023-24.

Main Street Trader Associations	Separate Rate raised in 2022-23	Proposed Separate Rate 2023-24	% Increase (Decrease)
Unley Road	\$117,590	\$121,706	3.5%
King William Road	\$150,350	\$150,350	Nil
Goodwood Road	\$57,225	\$57,225	Nil
Fullarton Road	\$13,750	\$16,500	20%

Discretionary Rebates

The Council may grant a discretionary rebate of rates under Section 166 of the *Local Government Act 1999*.

To ensure all ratepayers contribute an amount towards basic service provision, the maximum discretionary rebate is 75%.

Applicants seeking a discretionary rebate are required to submit an application form to the Council on or before 1 May prior to the rating year. When deciding an application for a Discretionary Rebate, Council considers whether the applicant:

- is not-for-profit
- provides services or activities that are aligned to Councils Community Plan and key strategies
- provides a direct benefit to the residents of the City of Unley
- allows access to the services or activities by the community and general public
- provides direct services to the community as distinct from administration or advocacy.

Council's Rate Rebate Policy is available on the City of Unley website, www.unley.sa.gov.au.

Regional Landscape Levy

(Formerly the Natural Resources Management Levy)

The Green Adelaide Board has advised the collection amount for 2023-24 is \$1.666M, and increase of 14%.

Council does not retain this revenue, nor determine how the revenue is spent.

Expected Impact on Rate Payers

To deliver the proposed outcomes of the Annual Business Plan for 2023-24, the total General Rates Income required is \$46.1M inclusive after discretionary rebates. This equates to an average general rate increase of 4.0% plus 0.5% growth from new developments and capital improvements.

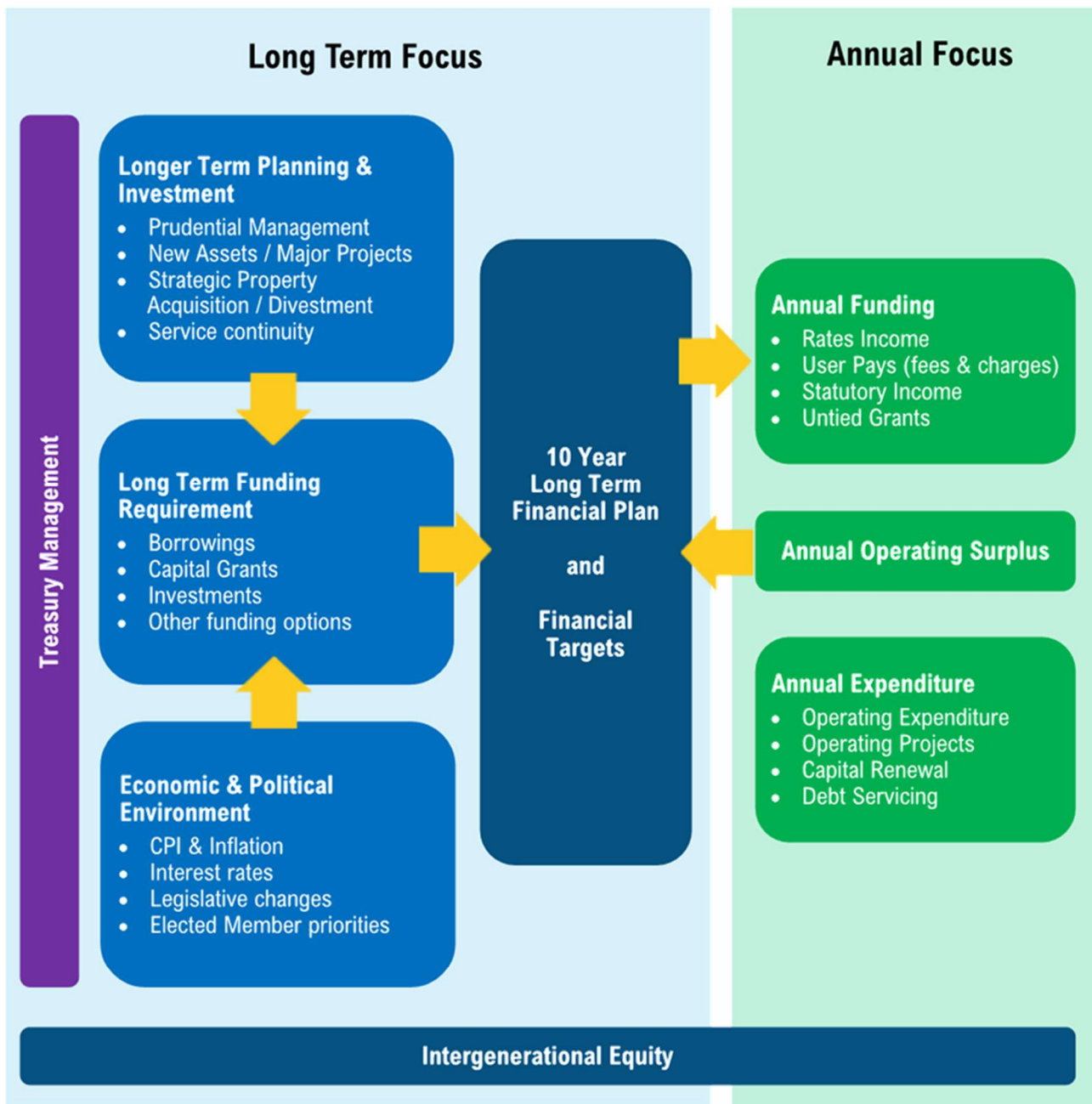
Council is cognisant of the financial pressure many households and businesses are experiencing from high inflation and rising costs. While council is also experiencing increasing costs, especially in contractual services, it continues to carefully manage its budget and minimised increases in its expenditure budget while balancing it's long term financial sustainability.

This approach has enabled Council to minimise the proposed average general rate increase to 4%, while maintaining an operating surplus ratio of 4%. This proposed rate increase is well below the anticipated increase in Adelaide CPI for the year ended March 2023.

FINANCIAL SUSTAINABILITY

Council’s Financial Sustainability is managed through its Financial Planning Framework and Long Term Financial Plan.

The following diagram illustrates the overall funding framework for the City of Unley and the use of the Annual Operating Surplus and longer-term funding sources including strategic property divestment.



Long-Term Financial Plan

Council uses a long-term financial plan (LTFP) to guide its financial decisions to ensure it is diligent in its financial management and considers a longer-term view. The LTFP has been reviewed and updated to reflect the most current information available.

The key components of the plan are:

- Assessment of Council’s current financial position and achieving longer-term financial sustainability
- Ensuring the Financial Targets are considered
- Consideration of Council’s appropriate role and responsibilities in service delivery
- Aligned with the Community Plan and 4 Year Delivery Plan and maintenance of high priority strategies
- Aligned with agreed service provision and delivery standards
- Consider Asset Management Plans and Maintenance Standards
- Supported with funding and treasury principles (rating stability, Treasury Policy, fees and charges, external funding and investments) as well as intergenerational equity.

Financial Ratios

Under the requirements of Regulation 5(c) of the Local Government (Financial Management) Regulations 2011, Council’s LTFP, Budget and Annual Financial Statements must include the following ratios:

- Operating Surplus Ratio
- Net Financial Liabilities Ratio
- Asset Renewal Funding Ratio

These ratios are to be presented in a manner consistent with the Financial Indicators required in the Model Financial Statements.

Council has adopted the following key financial targets relating to these ratios to guide the direction of the LTFP and Annual Business Plan and Budget. These targets have been reviewed by the Audit Committee as a part of the review of the draft 2023-2031 Long Term Financial Plan.

Financial Indicator	Adopted Target
Operating Surplus Ratio *	5% of total operating income
Net Financial Liabilities Ratio	Less than 80% of total operating income
Asset Renewal Funding Ratio (rolling 10-year average)	100% of recommended spend in the Asset Management Plans
Asset Renewals to Depreciation (10 year average)	100% of recommended spend in the Asset Management Plans

*(excluding equity accounted businesses)

FINANCIAL SUSTAINABILITY

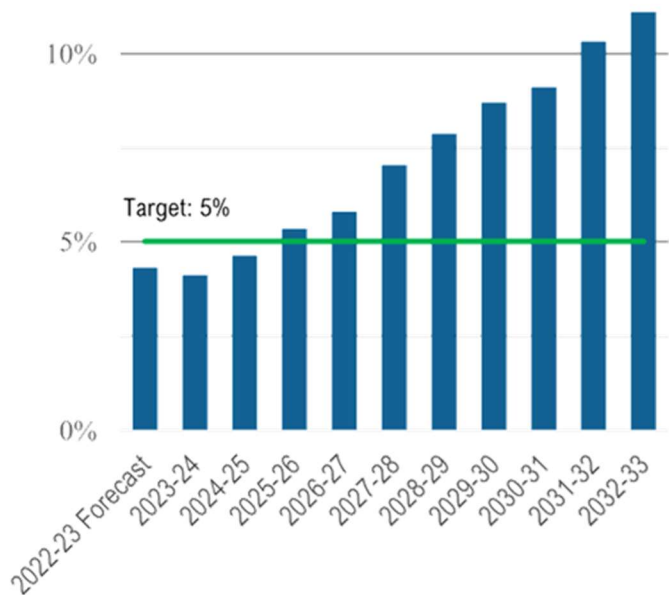
Operating Surplus Ratio

Operating surplus as a percentage of operating income.

The operating surplus ratio reflects Council's capacity to fund capital works (New Assets) and repay its borrowings.

Council is forecasting an operating surplus ratio of 4.0% for the 2023-24 Budget, which is marginally below the target of 5%.

The lower target is primarily due to an increase in depreciation arising from increases in construction costs.



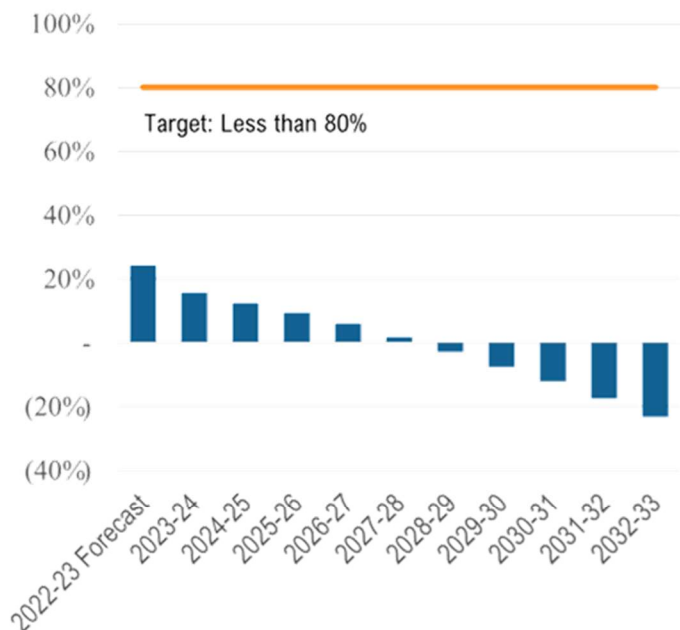
Net Financial Liabilities Ratio

Net financial liabilities as a percentage of operating surplus.

The net financial liabilities ratio measures Council's net debt relative to its operating income.

Council is forecasting a net financial liabilities ratio of 16% for the 2023-24 Budget, well within the target range of 80%.

Council borrowed to undertake a significant capital works program in 2019-20 including the upgrade of King William Road. Council's borrowings are forecast to reduce by \$4.3M in 2023-24 to \$1.5M.

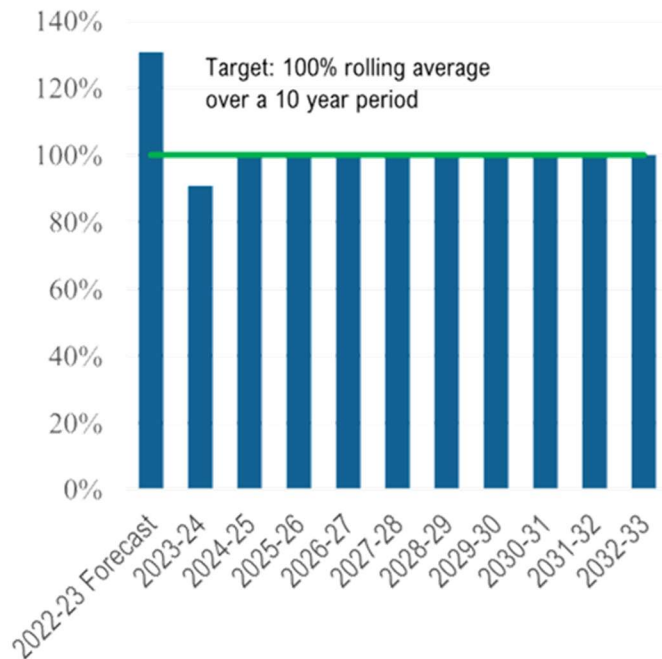


Asset Funding Renewal Ratio

Capital renewal expenditure as a percentage of recommended expenditure in the Asset Management Plans.

The Asset Funding Renewal Ratio represents the level of capital expenditure on the renewal of assets relative to the level of such expenditure identified as warranted in a council's asset management plans.

Council is forecasting an Asset Sustainability Ratio of 91%, noting the forecast for 2022-23 is 131%.



Asset Renewal to Depreciation

Capital renewal expenditure as a percentage of depreciation.

This ratio compares capital renewal expenditure relative to the annual consumption of the asset lives.

Council is forecasting an Asset Sustainability Ratio of 70%.

Depreciation is presently being reviewed as part of the asset condition audits and revaluations, which will inform longer term depreciation estimates.



OPERATING BUDGET

Operating Programs	Income	Expenditure	Net Expenditure
	\$'000		
Active Ageing Coordination, administration and support for community based services and projects aimed at facilitating independence and promoting social inclusion.	1,331	1,492	161
Animal Management Promote community safety through education, awareness and compliance with the legislation relating to the <i>Dog and Cat Management Act</i> and <i>Local Government Act</i> .	190	252	63
Arts & Cultural Development Provision of Art and Cultural Development programs to support a vibrant and active community.	-	169	169
Business Support & Improvement Provides general management, executive support and leadership to the services provided by Business Support & Improvement Division and supports Elected Members.	-	515	515
Business Systems & Solutions Manages and maintains Council's Information Communication Technology infrastructure, applications and supporting systems to provide high levels of secure service that support business operations and performance.	3	3,418	3,415
City Development Management Provides general management, executive support and leadership to the services provided by City Development and to Elected Members.	-	473	473
City Services Management Provide general management, executive support and leadership to the services and programs provided by City Services and to Elected Members.	-	523	523
Community Bus Program A community transport service within the City of Unley provided by fully trained and accredited volunteer drivers, aimed at improving mobility plus connection to more City Services.	8	129	121
Community Centres Management and provision of a thriving network of Community Centres that promote social inclusion, belonging and connection.	463	1,038	575
Community Development Provision of social planning and community development including the coordination of Age Friendly City, Welcoming City initiatives, responding to social issues (homelessness and suicide prevention).	-	155	155

Operating Programs continued	Income	Expenditure	Net Expenditure
	\$'000		
Community Development & Wellbeing Management Provide management, support and leadership of the projects, programs and services provided by the Community Development & Wellbeing Team.	-	180	180
Community Events Efficient and effective coordination of Council-run community and cultural events and activities, as well as the successful facilitation and attraction of external events into the City of Unley to encourage place activation, cultural celebration and vibrancy.	-	213	213
Community Grants Funding for community organisations, groups and individuals to implement programs and initiatives that promote community connectivity, belonging, participation and cultural diversity.	-	137	137
Corporate Activities The accumulation of corporate costs including leave on-costs, treasury management, levy and taxes and insurances.	2,622	2,899	277
Culture & Business Capability This service supports the continuous improvement of overall business capability focused on the provision of 'best value' services to customers. Critical to improved business capability and customer experience is having the best organisational culture possible.	-	40	40
Customer Experience Coordinate and manage the City of Unley brand through customer service, provision of frontline customer service plus resolve customer enquiries and build goodwill within the City of Unley community.	1	652	652
Development Services Planning and building control within the City in accordance with the <i>Development Act</i> and Regulations and other legislative requirements.	564	1955	1,392
Economic Development Manage the implementation, monitoring and evaluation of economic development activities and strategic initiatives within the City of Unley.	351	720	369
Environmental Initiatives Drive improved environmental sustainability through policies, strategies, programs and projects.	101	249	147
Finance & Procurement Delivers accounting, financial, procurement, risk management and treasury management services required to support Council's operations, including statutory and financial reporting obligations.	46,337	1,871	(44,466)
Governance Undertakes administration of legislative and corporate governance requirements.	-	354	354

Operating Programs continued	Income	Expenditure	Net Expenditure
	\$'000		
Human Resources Provides support in recruitment, change management, employee relations, injury management, occupational health & safety and Welfare.	-	1,498	1,498
Library Services Provision of library services, programs and facilities to encourage literacy, lifelong learning and social inclusion and connection.	337	2,360	2,022
Marketing & Communications Coordinate and manage the City of Unley reputation and brand in digital and printed communications and media relations.	-	634	634
Office of the CEO Organise and manage the governance of the City of Unley, including support for Elected Members and Civic Functions.	352	1,548	1,195
Operational Services Provides maintenance services to Council's infrastructure, property, open space, street and park trees, plant and equipment assets.	1,115	16,374	15,259
Parking Enforcement Promote community safety through education, awareness and compliance with the legislation relating to the <i>Road Traffic Act</i> and <i>Local Government Act</i> , and Council By Laws.	1,108	800	(309)
Property Services Provides sustainable strategic management of Council's building and property asset portfolio.	684	3,309	2,625
Public & Environmental Health Promote community health and safety through education, awareness and compliance with the legislation relating to the <i>Environment and Protection Act</i> and the <i>Local Government Act</i> .	48	441	393
Strategic Asset Management Provides sustainable strategic management of Council's asset portfolio.	-	690	690
Strategic Projects Facilitates delivery of major strategic initiatives from the 4 Year Delivery Plan and Community Plan.	-	182	182
Transportation & Traffic Provides coordination, administration and support to provide an effective, safe and equitable management of transport spaces for all modes, ratepayers and visitors to improve local accessibility and safety.	-	744	744
Unley Museum Provision of the Unley Museum to showcase the cultural heritage and history of the area through the provision of collection, exhibitions and programs.	6	172	167
Unley Swimming Centre Provision of a premier outdoor swimming facility, encouraging community health, wellbeing and water safety.	903	1,203	299

Operating Programs continued	Income	Expenditure	Net Expenditure
	\$'000		
Urban Design (incorporating Recreation and Sport) Development and management of high quality public realm and open space. Coordination, administration and support to provide an effective, safe and equitable management of movement spaces for all modes, ratepayers and visitors to improve local accessibility and safety.	-	501	501
Volunteer Development Provide coordination, administration and support for community based volunteer services and projects.	-	104	104
Waste Management Collection and disposal of general waste, kerbside recycling, green waste and a hard rubbish collection service.	165	5,096	4,931
Youth Development Engage and empower young people in the community by identifying, developing and providing activities, programs and events.	-	108	108
Total Operating Programs	56,687	53,198	(3,489)
Operating Projects (as per the following pages)	18	1,180	1,162
Total Operations (including Operating Projects)	56,705	54,378	(2,327)



OPERATING PROJECTS & INITIATIVES

Operating Projects & Initiatives	Income	Expenditure	Net Expenditure
Environmental Initiatives			
Sustainability Projects Officer (Year 2 of 3)	-	115,000	115,000
City Wide Greening Verges	-	60,000	60,000
Additional funding - City Wide Greening Verges	-	30,000	30,000
Water Wells (Treenet Inlets) Program	-	50,000	50,000
Tree Strategy Expanding Canopy Target - Public Land	-	180,000	180,000
Carbon Accounting and Communications	-	25,000	25,000
Council Operations Carbon Emissions Reduction	-	130,000	130,000
	-	590,000	590,000
Events			
Christmas In Unley	-	30,000	30,000
Australia Day 2024	-	45,000	45,000
2024 Tour Down Under Stage Start	-	55,000	55,000
Unley Gourmet Gala 2024	18,000	261,000	243,000
	18,000	391,000	373,000
Economic Development Initiatives			
Trader Association - Major Event Sponsorship	-	40,000	40,000
Unley Business & Economic Development Board	-	20,000	20,000
	-	60,000	60,000
Other Projects			
Active Ageing Strategy Program (Year 7)	-	20,000	20,000
Clarence Park Community Contribution	-	15,000	15,000
RAHS Show Traffic Management	-	27,000	27,000
Unley Civic Precinct - 183 Unley Rd Car Park Design	-	32,000	32,000
Fleet Tracking	-	45,000	45,000
	-	139,000	139,000
Total Operating Projects	18,000	1,180,000	1,162,000

Operating Projects & Initiatives	Net Expenditure
Environmental Initiatives	
<p>Sustainability Projects Officer (Year 2 of 3) Funding a fixed-term contract position which assists with the implementation and delivery of the actions of Council's key sustainability strategies including: Climate & Energy Plan, Tree Strategy, Environment & Sustainability Strategy and Waste Management & Resource Recovery Plan 2021-25.</p>	115,000
<p>City Wide Greening Verges Convert Council verges located within the City from dolomite to loam which are then planted and maintained by residents. The program has enabled the conversion of over 449 verges and a total area of 7,933m² across the City in the last 6 years.</p>	90,000
<p>Water Wells (Treenet Inlets) Program The continued delivery of Council's water wells initiative for 2023-24. The installation of inlets in Council verges across the City to assist with their greening and establishing new tree plantings by increasing moisture in the soil through capturing and retaining flows from the roadway.</p>	50,000
<p>Tree Strategy Expanding Canopy Target - Public Land One of the key objectives of Council's Tree Strategy is to increase canopy cover within the City on Council land. This project will see the planting of 440 additional trees throughout the City in 2023-24.</p>	180,000
<p>Carbon Accounting and Communications To continue funding the licensing of a consolidated carbon accounting tracking system to enable Council to continue to monitor and prioritise its operations emission reduction actions and to communicate greenhouse emissions inventories, sustainability reporting and benchmarking.</p>	25,000
<p>Council Operations Carbon Emissions Reduction Reducing Council's operations carbon emissions in line with its Climate & Energy Plan:</p> <ul style="list-style-type: none"> • Contribution to purchasing up to 3 new Council Electric Vehicles • Installation of an Electric Vehicle charging station at Council's Operations Depot • Installation of a 30kw solar panel system at Council's Operations Depot • Investment in Scope 3 pilot materials such as road sealing. 	130,000
Total Environmental Initiatives	590,000

Operating Projects & Initiatives	Net Expenditure
Events	
<p>Christmas In Unley To provide festive decorations and theming on the front of the library building facing Unley Road and the entry to the Civic Centre building year to celebrate the festive season in Unley. This initiative also includes an Ignite Unley Outdoor Cinema Christmas community event to launch the festive season.</p>	30,000
<p>Australia Day 2024 A free community event to be held in conjunction with the Citizenship and Australia Day Awards ceremony.</p>	45,000
<p>2024 Tour Down Under Stage Start Funding to host a stage start of the 2023 Santos Tour Down Under should the City of Unley receive an offer from Events SA. The hosting of a TDU Stage is dependent on a stage being granted by SA Tourism Commission.</p>	55,000
<p>Unley Gourmet Gala 2024 Staging of the Unley Gourmet Gala Street Party the evening prior to a Tour Down Under Stage Start.</p>	243,000
Total Events	373,000



Operating Projects & Initiatives	Net Expenditure
Economic Development Initiatives	
<p>Trader Association - Major Event Sponsorship The provision of financial support to Council's four Trader Associations to stage annual events in 2023-24. The intent of the funding is to attract visitation to the precincts and generate spending on the back of a significant event on each of the main streets.</p>	40,000
<p>Unley Business & Economic Development Board One of the initiatives identified in Council's Economic Development Strategy is to establish an Advisory Committee that will provide advice and support to Council on Economic Development matters and opportunities. This funding supports the delivery of economic projects identified by the Advisory Committee.</p>	20,000
Total Economic Development Initiatives	60,000
Other Projects	
<p>Active Ageing Strategy Program (Year 7) Initiatives that have been developed in consultation with Council's Active Ageing Alliance. The project aims to realise Council's vision of the City of Unley to be celebrated as a great place to grow older. The program will include facilitation of the Active Ageing Alliance, an intergenerational Grandfriends connection project, a new research program called the Mid-life Chrysalis and an extensive education, information and communication program.</p>	20,000
<p>Clarence Park Community Contribution Request from the Clarence Park Community Centre to contribute to the salary of the Shed Coordinator.</p>	15,000
<p>Royal Adelaide Show Traffic Management Council's financial contribution to the cost of traffic management to stage the 2023 Royal Adelaide Show.</p>	27,000
<p>Unley Civic Precinct - 183 Unley Rd Car Park Design To deliver a detailed design for an upgrade of the car park which is part of the Unley Civic Precinct and establish a new Deed between Council and the land owner. This will inform future construction to continue the shared use of the car park by Council.</p>	32,000
<p>Fleet Tracking Installation of vehicle tracking to assist operation management, identify efficiencies and improved WHS for remote and isolated staff.</p>	45,000
Total Other Projects	139,000
Total Operating Projects	1,162,000

NEW CAPITAL

New Capital Projects	Income	Expenditure	Net
Brown Hill Keswick Creek (BHKC) City of Unley Contribution	-	840,000	840,000
Walking and Cycling Plan Implementation (Year 1 of 5)	-	130,000	130,000
Wilberforce Walk (Stage 3)	150,000	300,000	150,000
Unley Road Streetscape Upgrade (Stage 2)	-	50,000	50,000
Local Area Traffic Management (LATM) Implementation	-	25,000	25,000
Development, Environmental Health and Regulatory - Mobility & Operational Management Improvements (Year 2 of 2)	-	45,000	45,000
East Avenue Pedestrian Refuge	-	70,000	70,000
Solar Panels	-	50,000	50,000
Batteries to Store Solar Power	-	50,000	50,000
Public Electric Vehicle (EV) Charging Station	-	20,000	20,000
Heywood Park Safety & Amenity Improvements	-	15,000	15,000
Improve amenity of Gladstone Street	-	30,000	30,000
Sub-total	150,000	1,625,000	1,475,000
Overhead Allocation	-	265,000	265,000
Total New Capital Projects	150,000	1,890,000	1,740,000



New Capital Projects	Net Expenditure
<p>Brown Hill Keswick Creek (BHKC) City of Unley Contribution</p> <p>The City of Unley together with the Cities of Burnside, Mitcham, West Torrens and the Corporation of the City of Adelaide have collaborated to develop a catchment based approach to mitigating flood risk and use of stormwater where feasible in the Brown Hill and Keswick Creek catchment. The City of Unley contributes 21% of the Boards capital costs as identified in its Stormwater Management Plan.</p>	840,000
<p>Walking and Cycling Plan Implementation (Year 1 of 5)</p> <p>Continued implementation of priorities as endorsed by Council in its Walking & Cycling Plan 2022-2027. The proposed projects to be delivered in 2023-24 are:</p> <ul style="list-style-type: none"> • Railway Terrace South (Devon Street to Goodwood Road) - detailed design and documentation • Wood-Weller Bikeway (Stage 5) Wood Street to Cross Road Connection – consultation • Young Street Neighbourhood Bicycle Route Stages 2 and 3 (Unley Road to Goodwood Road) - concept design • Jellicoe-Ningana Avenue Neighbourhood Bicycle Route - concept design. • Marino Rocks Greenway / Cooke Terrace / Rose Terrace Bend Walking and Cycling Improvements – construction • Bicycle End of Trip Facilities - installation of up to five bicycle racks and one bicycle repair station. 	130,000
<p>Wilberforce Walk (Stage 3)</p> <p>The construction of the Wilberforce Walk (Stage 3) between Second Avenue and Leah Street. The delivery of this project is proposed to be funded on a 50-50 basis between Council and the State Government. In this respect, the project will only proceed in the event Council is successful in securing grant funding.</p>	150,000
<p>Unley Road Streetscape Upgrade (Stage 2)</p> <p>The continued delivery of Council's Unley Road Public Realm Streetscape Upgrade which for 2023-24 will be in the section that is between Park Street and Thomas Street. The proposed Stage 2 streetscape works are:</p> <ul style="list-style-type: none"> • Street furniture (Seating, Bins, Bike Racks, Planter Boxes, Fencing etc) • Bollards (EAB or standard as required). • New planting beds and other greening opportunities. • Way-finding signage. <p>In addition to the streetscape upgrade works, renewal of footpaths and kerbing will also be undertaken and funded through Council's 2023-24 Capital Renewal Program.</p>	50,000
<p>Local Area Traffic Management (LATM) Implementation</p> <p>Continued implementation of recommendations and measures resulting from Local Area Traffic Management Plans developed, including:</p> <ul style="list-style-type: none"> • Thomas Street and Mornington Road Intersection Improvements (LATM 1) - concept design and consultation. • Haslop Reserve Walking and Cycling Improvements (LATM 2) - concept design and consultation. • Porter Street Parking Review - consultation and implementation. 	25,000
<p>Development, Environmental Health and Regulatory - Mobility & Operational Management Improvements (Year 2 of 2)</p> <p>Continuation of digitisation and mobility improvements to support the service review implementation across Development and Regulatory Services.</p>	45,000

New Capital Projects	Net Expenditure
<p>East Avenue Pedestrian Refuge The installation of a pedestrian refuge adjacent to Langdon Avenue for people crossing East Avenue to access cafes and Page Park.</p>	70,000
<p>Solar Panels To increase the kW production from solar panels installed on Council owned and occupied by Council properties. Staff will assess properties that would return the best value for money.</p>	50,000
<p>Batteries to Store Solar Power Council staff will investigate Council owned facilities that export power to the grid. The preferred facilities would have a reasonable degree of use to draw from battery when insufficient solar is being produced.</p>	50,000
<p>Public Electric Vehicle (EV) Charging Station Provide a publicly available electric vehicle (EV) rapid charging station on Council owned property. Charging Station should consider use of 100% renewable energy provider, provision of a portion of each charge for free and third-party opportunities.</p>	20,000
<p>Heywood Park Safety & Amenity Improvements Establishment of a natural barrier of low-level plantings on the eastern side of Heywood Park adjacent to Grove Street to reduce the risk of very young children wandering from the Ninja Playground onto the road.</p>	15,000
<p>Improve amenity of Gladstone Street To improve the condition and amenity of Gladstone Street by the following measures:</p> <ul style="list-style-type: none"> • Increase greening • Reduce opportunities for over-length vehicles parking in the street. 	30,000
Capitalised Project Delivery Costs	265,000
Total New Capital Projects	1,740,000





The City of Unley is responsible for the management, operation and maintenance of a diverse asset portfolio that provides services and facilities for City users. Asset Management Plans have been revised and were adopted by Council in December 2020.

The development of the Asset Management Plans demonstrate Council's ongoing commitment to operate and maintain its asset portfolio efficiently to both meet strategic and legislative requirements, and to deliver the required levels of service for the community.

Asset management is driven from a service perspective. Council has implemented an agreed level of service for property, bridge, road and footpath asset classes.

The asset system collects real time data coupled with ongoing regular condition audits, to allow more accurate predictive modelling in regard to treatments and life expectancy of each asset class.

Over the next few years the management of assets will balance the target levels of service for each specific asset with the long-term costs.

The Asset Management Plans provide the basis for the Capital Renewal Program included in Council's LTFP and is refined as part of the Annual Business Plan and Budget process. In 2023-24 the Capital Renewal Program has a projected net expenditure of \$8.2M.

CAPITAL RENEWAL

Capital Renewal Program	Income	Expenditure	Net Expenditure
Buildings			
Property Program	-	915,000	915,000
Swimming Facilities Program	-	275,000	275,000
	-	1,190,000	1,190,000
Open Space			
Reserves & Open Space Program	-	550,000	550,000
	-	550,000	550,000
Stormwater			
Drainage & Stormwater Program	-	330,000	330,000
	-	330,000	330,000
Transport			
Road Program	-	1,000,000	1,000,000
Kerb & Water Table Program	-	2,100,000	2,100,000
Footpath Program	-	775,000	775,000
	-	3,875,000	3,875,000
Plant, Fleet and Equipment			
Plant and Equipment	142,000	619,000	477,000
Light Fleet	75,000	118,000	43,000
	217,000	737,000	520,000
ICT Assets			
ICT Asset Renewal	-	552,000	552,000
Library RFID Kiosk Replacement	-	200,000	200,000
	-	752,000	752,000
Sub-total	217,000	7,434,000	7,217,000
Capitalised Project Delivery Costs	-	987,200	987,200
Total	217,000	8,421,200	8,204,200

Capital Renewal Program

Property Program

Facility	Component Renewal	Scope
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Civic Buildings

Unley Civic Centre	Renewal of A/C cooling tower
	Renewal of floor carpets
	Renewal of kitchen areas
	Renewal of blinds
	Renewal of customer service area
	Renewal of office furniture
	Renewal of staff changeroom amenities
Operations Depot	Renewal of amenities

Community Buildings

Sturt Lawn Tennis Club Walls	Repair/renewal of internal walls
Unley Oval	Renewal of toilet facilities
Unley Oval	Renewal of Oval lighting to LED
Goodwood Community Centre	Renewal of A/C system
Various	Various other works on Council buildings based on latest condition auditing which has been undertaken in 2023

Swimming Facilities Renewal Program

Component Renewal	Scope
Plant Room	Renew internal walls and floor
Pool Cover	Replace pool cover to main pool
Pumps	Replace heat pumps
Control System	Replace control system panel
Flow Sensors	Replace all flow sensors
Balance Tank	Repair to internal and external walls
Valves	Replace valves in all pools

Capital Renewal Program continued

Reserves and Open Space Program

Location	Works
Dora Gild Reserve	Renew softfall to individual play equipment
Orphanage Park	Renew softfall – inlaid beach pattern
Soutar Park	Renew picnic tables and seating
Everard Park Reserve	Renew irrigation to turf and garden areas
Everard Park Reserve	Renew reserve lighting
Soldiers Memorial Park	Renew reserve memorial lighting
North Unley Park	Design and documentation for future renewal
Various parks and reserves	Renewal of failed timber slat seats

Drainage & Stormwater Renewal Program

Location	Works
Foundry Street, Goodwood	Renew laneway pipe and outlet
Northgate Street, Unley	Re-line failed pipe in easement
Side Entry Pits (Various)	Renew single side entry pits to double side entry pits during kerb renewal works
Ridge Park Managed Aquifer Recharge (MAR) Scheme	Renew SCADA (supervisory control and data acquisition) and telemetry system
Heywood Park Managed Aquifer Recharge (MAR) Scheme	Renew SCADA (supervisory control and data acquisition) and telemetry system

Road Renewal Program

Road Name, Suburb	To/From	Scope
Greer Street, Hyde Park	Commercial Road to Commercial Road (loop road)	Asphalt Resurfacing
Foundry Street, Wayville	Albert Street to End	Asphalt Resurfacing
Andrew Avenue, Millswood	Wood Street to Regent Street	Asphalt Resurfacing
Miller Street, Unley	Young Street to Roberts Street	Asphalt Resurfacing
Birks Street, Parkside	Fullarton Road to Myra Street	Asphalt Resurfacing
Myra Street, Parkside	Birks Street to Collins Street	Asphalt Resurfacing
Percy Street, Millswood	Mitchell Street to End	Asphalt Resurfacing
Leicester Street, Parkside	Porter Street to End	Pavement Patching
Miegunyah Avenue, Unley Park	Northgate Street to End	Asphalt Resurfacing

Capital Renewal Program continued**Kerb & Water Table Renewal Program**

Road Name, Suburb	To/From	Scope
Unley Road, Unley	Unley Shopping Centre to Park Terrace	Western side full reconstruction
Greer Street, Hyde Park	Commercial Road to Commercial Road	Both sides full reconstruction
Foundry Street, Wayville	Albert Street to End	Both sides full reconstruction
Bendall Lane, Wayville	John Street to End	Western side partial reconstruction
Andrew Avenue, Millswood	Wood Street to Regent Street	Both sides full reconstruction
Birks Street, Parkside	Fullarton Road to Myra Street	Both sides full reconstruction
Myra Street, Parkside	Birks Street to Campbell Road	Both sides full reconstruction
Miller Street, Unley	Young Street to Roberts Street	Both sides full reconstruction
Percy Street, Millswood	Mitchell St to End	Both sides full reconstruction
Hillsley Ave, Everard Park	Africaine Avenue to Nibley Avenue	Southern side partial reconstruction
Miegunyah Avenue, Unley Park	Northgate Street to End	Both sides full reconstruction

Footpath Renewal Program

Road Name, Suburb	To/From	Side, Scope
Unley Road, Unley	Thomas Street to Park Terrace	Western side renewal in line with Unley Rd guidelines
Greer Street, Hyde Park	Commercial Street to Commercial Street	Both sides partial pick up and relay
Trevelyan Street, Goodwood	Young Street to John Street	Both sides partial pick up and relay
John Street, Goodwood	Albert Street to Trevelyan Street	Both sides partial pick up and relay
Foundry Street Laneway, Wayville	Foundry Street to Bendall Street	Reconstruction linked with stormwater renewal
Bendall Street, Wayville	John Street to End	Both sides partial pick up and relay
Nibley Avenue, Everard Park	Hillsley Avenue to Africaine Road	Northern side adjacent reserve
Highgate Street, Highgate	Cross Road to Avenue Road	Northern side adjacent school
Collins Street, Parkside	Campbell Road to End	Eastern side renew with interlock pavers
Ridge Park, Myrtle Bank	Oval Path Loop	Renew gravel path with asphalt

Plant, Fleet & Equipment

Plant & Equipment Renewal	Renewal of major and minor plant.
Light Fleet Renewal	Replacement of three vehicles scheduled for replacement.

ICT Assets =

ICT Renewals Replacement of various ICT assets, including server room equipment, network hardware and user computing devices. Enhancement and replacement (where applicable) of Council corporate software applications to improve operational efficiencies. Implementation of new and expansion of existing cloud technology solutions.

Library RFID Kiosk Replacement Replacement of the Radio Frequency Identification (RFID) kiosks in the Unley and Goodwood Libraries and the associated technology.

DRAFT BUDGETED FINANCIAL STATEMENTS

Uniform Presentation of Finances

\$'000s	2023-24 Draft Budget	2022-23 Forecast
Income	56,705	54,590
less Expenses	(54,418)	(52,241)
Subtotal	2,287	2,351
Equity Accounted Subsidiaries	-	13
Operating Surplus / (Deficit) before Capital Amounts	2,287	2,364
less Net Outlays on Existing Assets		
Net Capital Expenditure on Renewal & Replacement of Existing Assets	(8,421)	(11,959)
less Depreciation, Amortisation and Impairment	12,000	10,175
less Amounts received specifically for Replacement of Existing Assets	-	-
less Proceeds from the Sale of Replaced Assets	217	468
Net Outlays on Existing Assets	3,796	(1,316)
less Net Outlays on New and Upgraded Assets		
Net Capital Expenditure on New and Upgraded Assets	(2,010)	(7,298)
less Amounts received specifically for New and Upgraded Assets	270	3,519
less Proceeds from Sale of Assets	-	-
Net Outlays on New and Upgraded Assets	(1,740)	(3,779)
Net Lending / (Borrowing) for the Financial Year (inclusive of Equity Accounted Businesses (for 2022-23 Forecast))	4,343	(2,731)
less Equity Accounted Businesses		(13)
Net Lending / (Borrowing) for the Financial Year excluding Equity Accounted Businesses	4,343	(2,744)
Net Financial Liabilities at Beginning of Year	13,174	10,184
Decrease / (increase) in Other	-	-
Net Financial Liabilities at End of Year	8,831	13,174

The draft Budgeted Financial Statements for the 2023-24 financial year exclude proposed Equity Account Businesses (Centennial Park Cemetery Authority, Brown Hill & Keswick Creek Stormwater Board and East Waste) for the purposes of public consultation.

Statement of Comprehensive Income

\$'000s	2023-24 Draft Budget	2022-23 Forecast
Income		
Rates	48,251	46,051
Statutory Charges	1,762	1,863
User Charges	2,253	2,039
Grants, Subsidies & Contributions	3,195	3,246
Asset Disposal	-	21
Investment Income	15	103
Reimbursements	286	396
Other Income	925	793
Net gain - Equity Accounted Council Businesses	-	13
Operating Projects	18	79
Total Income	56,705	54,604
Expenditure		
Employee Costs	20,513	19,731
Materials, Contracts & Other Expenses	20,635	19,747
Depreciation, Amortisation & Impairment	12,000	10,175
Finance Costs	90	312
Operating Projects	1,180	2,275
Total Expenditure	54,418	52,240
Operating Surplus / (Deficit) inclusive of Equity Accounted Businesses	2,287	2,363
Asset Disposal & Fair Value Adjustments	217	468
Amounts received specifically for new, upgraded or replacement assets	270	3,519
Net Outlays on New and Upgraded Assets	487	3,987
Net Surplus / (Deficit)	2,774	6,351
Share of Other Comprehensive Income – Equity Accounted Council Businesses	-	1,050
Total Comprehensive Income	2,774	7,401

The draft Budgeted Financial Statements for the 2023-24 financial year exclude proposed Equity Account Businesses (Centennial Park Cemetery Authority, Brown Hill & Keswick Creek Stormwater Board and East Waste) for the purposes of public consultation.

DRAFT BUDGETED FINANCIAL STATEMENTS

Statement of Financial Position

\$'000s	2023-24 Draft Budget	2022-23 Forecast
Assets		
Current Assets		
Cash & cash equivalents	1,485	1,485
Trade & other receivables	1,697	1,697
Other financial assets	2	2
Total Current Assets	3,184	3,184
Non-current Assets		
Financial Assets	-	-
Equity accounted investments in Council businesses	32,954	32,954
Infrastructure, Property, Plant & Equipment	547,682	549,252
Total Non-current Assets	580,636	582,206
Total Assets	583,820	585,390
Liabilities		
Current Liabilities		
Trade & Other Payables	6,181	6,181
Borrowings Fixed Term	276	266
Provisions	3,996	3,996
Total Liabilities Assets	10,453	10,443
Non-current liabilities		
Borrowings	1,254	5,607
Provisions	308	308
Total Non-current Liabilities	1,562	5,915
Total Liabilities	12,015	16,358
Net Assets	571,806	569,032
Equity		
Accumulated Surplus	180,477	177,702
Asset Revaluation Reserves	391,132	391,132
Other Reserves	197	197
Total Equity	571,806	569,032
Net Financial Liabilities	8,831	13,174

The draft Budgeted Financial Statements for the 2023-24 financial year exclude proposed Equity Account Businesses (Centennial Park Cemetery Authority, Brown Hill & Keswick Creek Stormwater Board and East Waste) for the purposes of public consultation.

Statement of Cash Flow

\$'000s	2022-23 Draft Budget	2021-22 Forecast
Cash Flows from Operating Activities		
Receipts		
Operating Receipts	56,690	54,488
Investment Receipts	15	103
Payments		
Operating Payments to suppliers and employees	(42,328)	(41,753)
Finance Payments	(90)	(312)
Net Cash provided by (or used in) Operating Activities	14,287	12,526
Cash Flows from Investing Activities		
Receipts		
Amounts specifically for new or upgraded assets	270	3,519
Amounts received specifically for Replacement of Existing Assets	-	-
Proceeds from Sale of Surplus Assets	-	-
Sale of replaced assets	217	468
Repayments of loans by community groups	-	-
Payments		
Expenditure on renewal/replacement of assets	(8,421)	(11,959)
Expenditure on new/upgraded assets	(2,010)	(7,299)
Net purchase of Investment Securities	-	-
Capital Contributed to Equity Accounted Council Businesses	-	-
Distributions Received from Equity Accounted Council Businesses (Loss)	-	-
Net Cash provided by (or used in) Investing Activities	(9,944)	(15,271)
Cash Flows from Financing Activities		
Receipts		
Proceeds from borrowings	-	2,744
Payments		
Repayments of borrowings	(4,343)	-
Net Cash provided by (or used in) Financing Activities	(4,343)	2,744
Net Increase/(Decrease) in cash held	-	-
Plus: Cash & cash equivalents at beginning of period	1,485	1,485
Cash & cash equivalents at end of period	1,485	1,485

The draft Budgeted Financial Statements for the 2023-24 financial year exclude proposed Equity Account Businesses (Centennial Park Cemetery Authority, Brown Hill & Keswick Creek Stormwater Board and East Waste) for the purposes of public consultation.

DRAFT BUDGETED FINANCIAL STATEMENTS

Statement of Equity

\$'000s	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves	Total Equity
2023-24 Draft Budget				
Balance at end of previous reporting period	177,703	391,132	197	569,032
Net Surplus/(Deficit) for Year	2,774	-	-	2,774
Other Comprehensive Income				
Gain/(loss) on revaluation of Infrastructure and Assets	-	-	-	-
Share of Other Comprehensive Income – Equity Accounted Council Businesses	-	-	-	-
Other Comprehensive Income	-	-	-	-
Total Comprehensive Income	2,774	-	-	2,774
Balance at end of period	180,477	391,132	197	571,806
2022-23 Forecast				
Balance at end of previous reporting period	170,301	391,132	197	561,630
Net Surplus/(Deficit) for Year	6,351	-	-	6,351
Other Comprehensive Income				
Gain/(loss) on revaluation of Infrastructure and Assets	-	-	-	-
Share of Other Comprehensive Income – Equity Accounted Council Businesses	1,050	-	-	1,050
Other Comprehensive Income	1,050	-	-	1,050
Total Comprehensive Income	7,401	-	-	7,401
Balance at end of period	177,703	391,132	197	569,032

The draft Budgeted Financial Statements for the 2023-24 financial year exclude proposed Equity Account Businesses (Centennial Park Cemetery Authority, Brown Hill & Keswick Creek Stormwater Board and East Waste) for the purposes of public consultation.

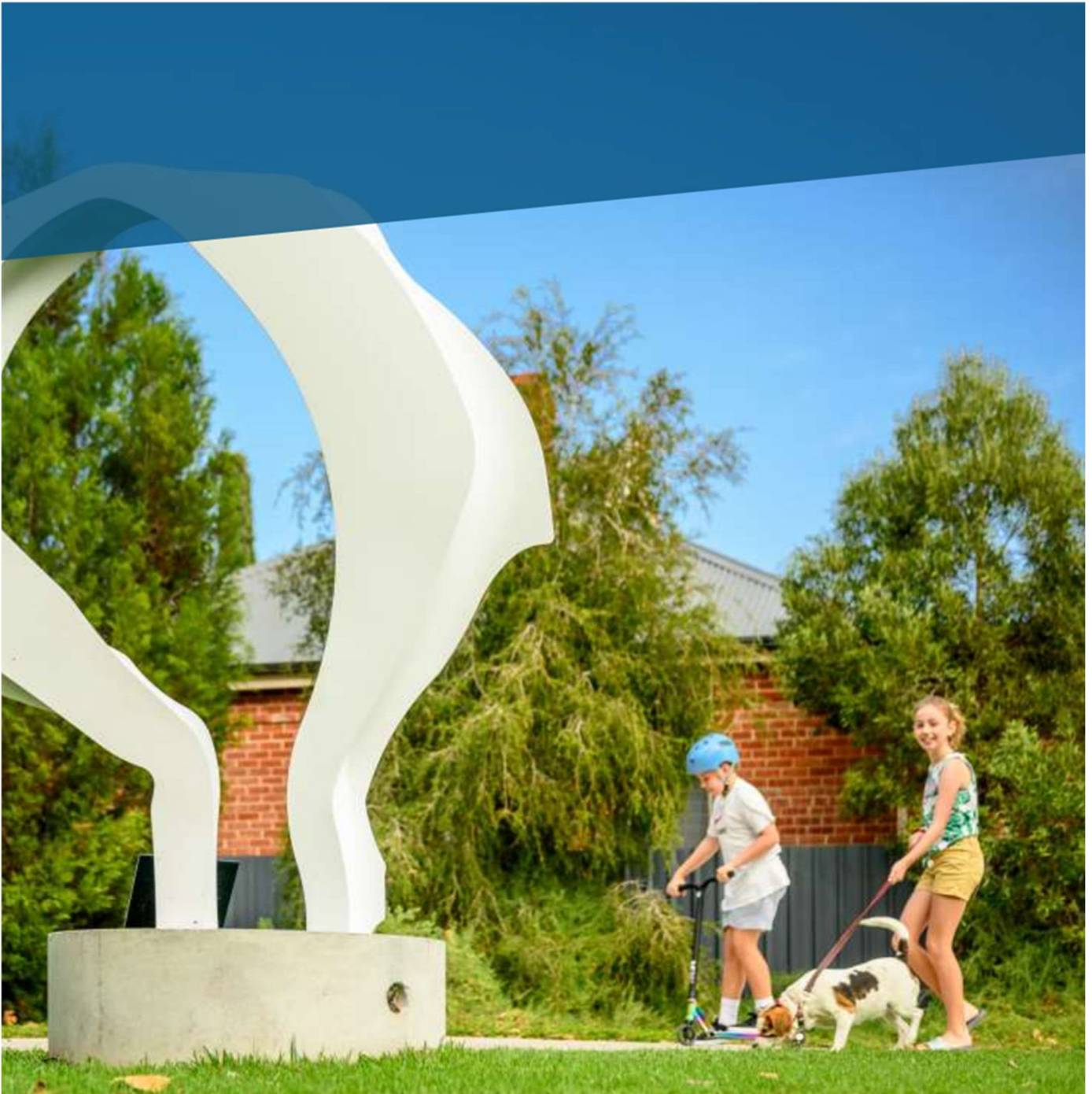


DRAFT LONG-TERM FINANCIAL PLAN

\$'000	2022-23	2023-24	2024-25
	Q2 Forecast	Draft Budget	LTFP Year 2
Income			
General Rates Income	44,114	46,099	48,173
All Other Income	10,398	10,588	10,621
Operating Projects	79	18	-
Total Income	54,591	56,705	58,795
Expenditure			
Employee Costs	19,606	20,513	21,440
Materials, Contracts & Other Expenses	19,872	20,635	21,460
Depreciation, Amortisation & Impairment	10,175	12,000	12,070
Finance Costs	312	90	-
Operating Projects	2,275	1,180	1,227
Total Expenditure	52,240	54,418	56,198
Operating Surplus/(Deficit)	2,351	2,287	2,597
Principal Repayment of loans	266	277	288
Cash surplus/(deficiency) after principal repayments	2,085	2,011	2,309
Capital Renewal less income to be received	11,491	8,204	9,723
New Capital less funding to be received	4,012	1,740	3,500
(Shortfall) / Improvement in cash position	(3,243)	4,066	1,156
Fixed Term Borrowings	565	288	-
Cash Advance Debenture (CAD Borrowings)	5,314	1,248	92
Total Borrowings	5,879	1,536	92
Repayment of Fixed Term Borrowings	266	277	288
Repayment/(draw-down) of CAD	(2,935)	4,066	1,156
Net repayment/(draw down) of borrowings	(2,669)	4,343	1,444
Operating Surplus Ratio (Target 5%) (excl Equity Accounted Subsidiaries)	4.3%	4.1%	4.6%
Net Financial Liabilities Ratio (Target <80%)	24%	16%	12%
Asset Renewal Funding Ratio (Target 100% average over 10 years)	131%	91%	100%
Asset Renewal to depreciation (Target 100% average over 10 years)	113%	70%	81%

The draft Budgeted Financial Statements for the 2023-24 financial year exclude proposed Equity Account Businesses (Centennial Park Cemetery Authority, Brown Hill & Keswick Creek Stormwater Board and East Waste) for the purposes of public consultation.

2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33
LTFP Year 3	LTFP Year 4	LTFP Year 5	LTFP Year 6	LTFP Year 7	LTFP Year 8	LTFP Year 9	LTFP Year 10
49,739	51,356	52,896	54,483	56,118	57,801	59,535	61,321
10,962	11,316	11,675	12,048	12,439	12,838	13,271	13,704
-	-	-	-	-	-	-	-
60,701	62,671	64,571	66,531	68,556	70,639	72,806	75,025
22,140	22,749	23,318	23,900	24,498	25,110	25,738	26,382
22,051	22,657	23,223	23,804	24,399	25,009	25,634	26,275
12,140	12,212	12,286	12,361	12,439	12,518	12,599	12,683
-	-	-	-	-	-	-	-
1,261	1,556	1,328	1,361	1,395	1,710	1,466	1,503
57,591	59,173	60,155	61,427	62,731	64,348	65,438	66,842
3,110	3,498	4,416	5,104	5,825	6,291	7,368	8,183
-	-	-	-	-	-	-	-
3,110	3,498	4,416	5,104	5,825	6,291	7,368	8,183
10,255	10,325	10,514	10,815	11,298	11,580	11,870	12,166
3,500	3,596	3,686	3,778	3,873	3,970	4,069	4,171
1,495	1,788	2,501	2,872	3,093	3,259	4,029	4,529
-	-	-	-	-	-	-	-
(1,403)	(3,191)	(5,692)	(8,564)	(11,658)	(14,917)	(18,946)	(23,475)
(1,403)	(3,191)	(5,692)	(8,564)	(11,658)	(14,917)	(18,946)	(23,475)
-	-	-	-	-	-	-	-
1,495	1,788	2,501	2,872	3,093	3,259	4,029	4,529
1,495	1,788	2,501	2,872	3,093	3,259	4,029	4,529
5.3%	5.8%	7.0%	7.9%	8.7%	9.1%	10.3%	11.1%
9%	6%	2%	(3%)	(8%)	(12%)	(18%)	(23%)
100%	100%	100%	100%	100%	100%	100%	100%
84%	85%	86%	87%	91%	93%	94%	96%



Civic Centre

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INFORMATION REPORT

REPORT TITLE:	ROGERS STREET LIVING STREET CO-DESIGN AND ENGAGEMENT OUTCOMES
ITEM NUMBER:	4.2
DATE OF MEETING:	24 APRIL 2023
AUTHOR:	BEN WILLSMORE, MANAGER CITY DESIGN
DIVISION:	CITY DEVELOPMENT
ATTACHMENTS:	1. ATTACHMENT 1 - SURVEY RESPONSES - ROGERS ST

1. **PURPOSE**

To provide Council with a summary of the co-design approach undertaken in the development of the 'Rogers Street Living Street' and the results of the community consultation process undertaken.

2. **RECOMMENDATION**

That:

1. The report be received.
-

3. **RELEVANT CORE STRATEGIES – FOUR YEAR DELIVERY PLAN**

1. Community Living
 - 1.1 Our Community is active, healthy and feels safe.
 - 1.5 Our City is connected and accessible
2. Environmental Stewardship
 - 2.1 Unley's urban forest is maintained and improved
 - 2.5 The City's resilience to climate change is increased
- 4 Civic Leadership
 - 4.1 We have strong leadership & governance

4. **BACKGROUND**

The 'Living Streets Program' aims for Council to work with local residents to create safer, greener, shared streets within the City. The enhancements undertaken seek to add to the quality of life for residents, and support Council's commitment to be a leading age-friendly City.

Living Streets provides Council with a strategic approach to achieving the following objectives:

- Rethink our local streets: providing more places for people to gather with friends, play and meet their neighbours.
- Provide better access: for residents to walk and ride to public transport and move across the street safely.
- Green Cover Targets: helping to achieve green cover targets across the City by 2025.
- Creating Community: empowering local communities to shape their own street outcomes and create community supported projects.

Two living streets have been successfully delivered by Council, namely Norman Terrace (2019/20) and Richards Terrace (2020/21). These works were delivered with grant funding assistance from Green Adelaide.

In its 2022/23 Annual Business Plan and Budget, Council allocated funding for Rogers Street as its next location to deliver a Living Streets co-design process. This location was selected by Council to deliver local improvements to resolve ongoing issues that have been raised by local residents during the Mike Turtur Bikeway Upgrade Project.

The three key objectives of the project are:

1. Reinstatement of a pram ramp leading to the tram crossing and kerb realignment.
2. Provision of a footpath extension to improve safety at the corner of Rogers Street and the Mike Turtur Bikeway southwest end.
3. Identification of opportunities for additional tree planting.

5. DISCUSSION

In December 2022, property owners and residents of Rogers Street and neighbouring Almond Street were invited to attend a co-design workshop facilitated by Council staff. The intent of the workshop was to commence a design of Rogers Street, in accordance with the intent of the Living Street concept. At this initial workshop, discussions also took place regarding key principles that needed to be considered, existing street conditions, and the anticipated project budget.

The outcomes of the co-design workshop helped to establish a preferred concept design for Rogers Street. This included new garden beds, alternate pathways and pedestrian crossings, in-road tree planting, change of surface treatment and improved parking management.

In late January 2023, the concept design was presented to property owners and local residents via Council's YourSay survey, seeking to confirm the level of support for the proposed changes.

Consultation was undertaken from 6 February to 27 February 2023, with letters delivered to all residents along Rogers Street and Almond Street. Signage with QR Code displayed was placed along Rogers Street, at the tram crossing, and the adjacent section of Mike Turtur Bikeway, to raise greater community awareness of the consultation period.

At the end of the consultation period, a total of 12 written submissions were received via YourSay, comprised of four (4) hard copy surveys, as well as individual submissions.

A detailed summary of the consultation results and feedback received is provided in Attachment 1.

Attachment 1

In general, the majority of comments received through the survey supported the proposed design and valued the proposed changes to the streetscape. Of note, the following comments were received regarding:

- Further slowing of the Rogers Street/Almond Street corner.
- Use of light-coloured materials to address urban heat island effects.
- Expansion of landscape treatments to Parsons/Joslin Street corner.
- Maintaining on-road drainage.
- On-street parking and traffic management.
- Bin pads within the tree planters.

From the feedback received, minor changes have been incorporated into the final design, including the following:

- Rain garden and soakage pit.
- Raised mesh pedestrian crossing over the existing water table to maintain on road drainage.

Council staff have amended the final documentation in response to community feedback. Construction is anticipated to commence in May 2023 and is expected to be completed by the end of June 2023.

This information report has been presented to Council to inform Elected Members of the outcomes of the consultation process and to advise that delivery of the works will now progress, as resolved by Council in adopting the works as part of its 2022/23 Annual Business Plan and Budget.

6. REPORT AUTHORISERS

Name	Title
Claude Malak	General Manager, City Development

Survey Responses

05 February 2023 - 05 March 2023


Survey Concept Design Feedback

Your Say Unley

Project: Rogers Street - Living Streets Program



VISITORS					
23					
CONTRIBUTORS			RESPONSES		
10			12		
9	0	1	11	0	1
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous

	Respondent No: 1 [Redacted] [Redacted]	Responded At: Feb 07, 2023 19:36:44 pm
		Last Seen: Feb 07, 2023 08:57:29 am [Redacted] [Redacted]

Q1. **Name:** not answered

Q2. **Address:** not answered

Q3. **Email address:** not answered

Q4. **Phone number (optional)** not answered

Q5. **Did you attend the Co-Design Session?** No


Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes

Q7. **If you said no, are there any changes to the design that would address your concerns?**

not answered


Q8. **Do you have any other comments about the proposed design?**

A second slow point should be considered at the Rogers/Almond St corner- vehicle traffic approaches the corner quickly despite zero visibility around the corner and very large numbers of pedestrian/cycling traffic using contraflow. The only cycling exit to Rogers Street is at the Almond St corner which creates a short sight line, and with a proposed tree on the corner potentially exacerbating the visibility. Please consider a ramped gutter section towards the western end where sight lines are much better for cyclists exit/entry to Rogers St. Thanks, it looks great!!

 **Respondent No:** 2
[Redacted]
[Redacted]

Responded At: Feb 10, 2023 09:55:22 am
Last Seen: Apr 03, 2023 06:22:22 am
[Redacted] [Redacted]

- Q1. **Name:** [Redacted]
-
- Q2. **Address:** [Redacted]
- Q3. **Email address:** [Redacted]
-
- Q4. **Phone number (optional)** not answered
- Q5. **Did you attend the Co-Design Session?** No
- Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes
- Q7. **If you said no, are there any changes to the design that would address your concerns?**
not answered
-
- Q8. **Do you have any other comments about the proposed design?**
not answered

 **Respondent No:** 3
[Redacted]
[Redacted]

Responded At: Feb 11, 2023 10:33:08 am
Last Seen: Feb 11, 2023 00:02:28 am
[Redacted] [Redacted]

Q1. **Name:** [Redacted]

Q2. **Address:** [Redacted]

Q3. **Email address:** [Redacted]

Q4. **Phone number (optional)** [Redacted]

Q5. **Did you attend the Co-Design Session?** No


Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes

Q7. **If you said no, are there any changes to the design that would address your concerns?**

not answered

Q8. **Do you have any other comments about the proposed design?**

No. All looks great to me.

 **Respondent No:** 4
[Redacted]
[Redacted]

Responded At: Feb 12, 2023 22:20:23 pm
Last Seen: Feb 12, 2023 11:36:38 am
[Redacted] [Redacted]

Q1. **Name:** [Redacted]

Q2. **Address:** [Redacted]

Q3. **Email address:** [Redacted]

Q4. **Phone number (optional)** [Redacted]

Q5. **Did you attend the Co-Design Session?** No


Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes

Q7. **If you said no, are there any changes to the design that would address your concerns?**

not answered

Q8. **Do you have any other comments about the proposed design?**


This should make the street a much more welcoming area for people walking, riding and sharing the area. Please do it.
Thanks

	Respondent No: 6 [Redacted]	Responded At: Feb 15, 2023 16:47:39 pm
	[Redacted]	Last Seen: Feb 15, 2023 06:06:49 am
	[Redacted]	[Redacted]

- Q1. **Name:** [Redacted]
-
- Q2. **Address:** [Redacted]
- Q3. **Email address:** [Redacted]
-
- Q4. **Phone number (optional)** not answered
- Q5. **Did you attend the Co-Design Session?** No
- Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes
- Q7. **If you said no, are there any changes to the design that would address your concerns?**
not answered


Q8. **Do you have any other comments about the proposed design?**

This is a great initiative. Thanks to everyone who has contributed. Could I make 2 requests please. 1. For this and other projects, can Council consider using non-bitumen/light coloured recycled materials on roads and bike paths to reduce suburban heat. 2. As you will be working in this precinct, can the curb planting work be extended across the tram line to the Parsons/Joslin Sts inside corner. Neighbours have created a wonderful garden on the tram track side of the corner while the other side is covered in environmentally disastrous astroturf. Could that corner footpath be redone with natives as per the gardens along the Mike Turtur bike path please while you're doing the Roger St garden extension and plantings. thank you

 **Respondent No:** 7
[Redacted]
[Redacted]

Responded At: Feb 19, 2023 09:33:54 am
Last Seen: Feb 18, 2023 23:02:07 pm
[Redacted] [Redacted]

- Q1. **Name:** [Redacted]
- Q2. **Address:** [Redacted]
- Q3. **Email address:** [Redacted]
- Q4. **Phone number (optional)** not answered
- Q5. **Did you attend the Co-Design Session?** No
- Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes
- Q7. **If you said no, are there any changes to the design that would address your concerns?**
not answered
- Q8. **Do you have any other comments about the proposed design?**
not answered

 **Respondent No:** 8
[Redacted]
[Redacted]

Responded At: Feb 22, 2023 09:14:08 am
Last Seen: Apr 03, 2023 06:22:22 am
[Redacted] [Redacted]

Q1. Name: [Redacted]

Q2. Address: [Redacted]

Q3. Email address: [Redacted]

Q4. Phone number (optional) [Redacted]

Q5. Did you attend the Co-Design Session? No


Q6. Do you support the proposed changes to Rogers Street?(Concept shown in online forum) Yes

Q7. If you said no, are there any changes to the design that would address your concerns?

not answered

Q8. Do you have any other comments about the proposed design?

Number 4 is a great idea, more trees! But I am concerned that this will impede the flow of storm water in the gutter. In Almond St there is no DRAIN so even the slightest blockage on Rogers St gutter can cause significant pooling in Almond St, because of this I sweep it regularly ;].

	Respondent No: 9	Responded At: Feb 23, 2023 11:23:01 am
	██████████ ████████████████████	Last Seen: Apr 03, 2023 06:22:22 am ██████████ ██████████

Q1. Name: ██████████

Q2. Address: ██████████

Q3. Email address: ████████████████████

Q4. Phone number (optional) ██████████

Q5. Did you attend the Co-Design Session? No


Q6. Do you support the proposed changes to Rogers Street?(Concept shown in online forum) Yes

Q7. If you said no, are there any changes to the design that would address your concerns?

not answered

Q8. Do you have any other comments about the proposed design?

[NOTE: Resident ticked both Yes and No to supporting proposed changes] 1. Put a speed hump where key move no.2 is! 2. At the start of Rogers St have the No Thru Road sign on the other side of the street as the majority of the cars come at a speed from Goodwood Road for a quick short cut. 3. Put up a 25km speed sign. 4. Change the No Parking signs to 3hr parking - too many people are leaving their cars and catching a tram. 4hrs parking is too hard to police. 5. This is the 4th time I've had dealings with reps from Unley Council over to this street issue, all we have had over the 3 plus years is 4hr parking and a No Thru Road sign on the wrong side of the street! This to me will be another maybe and if anything is done lets rename Roger St to Rogers Terrace for a laugh!


 **Respondent No:** 10
[Redacted]
[Redacted]

Responded At: Feb 27, 2023 08:52:30 am
Last Seen: Feb 26, 2023 22:09:01 pm
[Redacted] [Redacted]

- Q1. **Name:** [Redacted]
-
- Q2. **Address:** [Redacted]
- Q3. **Email address:** [Redacted]
-
- Q4. **Phone number (optional)** [Redacted]
- Q5. **Did you attend the Co-Design Session?** Yes
- Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes
- Q7. **If you said no, are there any changes to the design that would address your concerns?**
not answered

Q8. **Do you have any other comments about the proposed design?**

support changes EXCEPT - for Bin Pad Installation - don't believe necessary as indicated on the design - all other houses on Rogers Street besides [Redacted] ([Redacted]) can (and therefore will) still put their bins opposite their houses. The only house it effects is [Redacted] - which means that I just have to put the bin out diagonally opposite. Bin Pad installation unnecessary - please more trees or planting instead of space used for concreted bin pads. please don't install. would love an extended garden bed running along the side of the kerb of the path for its entirety - Many thanks for all of the hard work so far!

 **Respondent No:** 11
[Redacted]
[Redacted]

Responded At: Feb 27, 2023 22:42:43 pm
Last Seen: Feb 27, 2023 11:55:44 am
[Redacted] [Redacted]

Q1. **Name:** [Redacted]

Q2. **Address:** [Redacted]

Q3. **Email address:** [Redacted]

Q4. **Phone number (optional)** [Redacted]

Q5. **Did you attend the Co-Design Session?** Yes

Q6. **Do you support the proposed changes to Rogers Street?(Concept shown in online forum)** Yes

Q7. **If you said no, are there any changes to the design that would address your concerns?**
not answered

Q8. **Do you have any other comments about the proposed design?**

The design is pretty good and will improve the interchange but there are a few parts which could be better engineered for safety: 1) A bicycle ramp should be reinstated on the northern almond street curb near the tram crossing. This will allow bicycles to join the path at the most open visible point and move them away from the pedestrian ramps at either end. 2) while it is great to see a garden bed buffer included at the eastern end, ideally this should be bigger and extend more towards the west. This is the most dangerous corner for pedestrians and cyclists and moving the pedestrian traffic away from the blind corner would greatly reduce the risk of accidents. If this is not possible due to required service vehicle access, could the bollards be replaced with a fixed gate panel which could double as street art? 3) The two small trees to the west of the tram crossing ramp block visibility of the bike ramp in a dangerous way so that pedestrians (including children and the elderly) cannot see oncoming bike traffic easily when crossing the path. Could these trees be moved? If not, could their lower branches be pruned away? 4) It would be great to see the entire length of Rogers Street turned into a living street to slow traffic at all points and safely connect Soutar Park (as well as the library and community centre) to Wayville and the tram and bike baths and slow vehicle traffic to make it safer for pedestrians. The residents in this area have a track record of volunteering gardening and art which this could be done with a minimal investment of built garden bed barriers, with residents providing landscaping and ongoing gardening.

Monday 27 February 2023.
 You can complete the online survey at
yoursay.unley.sa.gov.au/rogers-street

Page 1 of MTB - It looks good on paper, PDF
 "Relief for me was immediate when residents acknowledged this to be a horseshoe road situation".

The Rogers Street Concept Design considers opportunities to improve the local street. For any outstanding community issues relating to the Mike Turtur Bikeway or the Overpass projects, please direct your enquiries to the Department for Infrastructure and Transport ph. 1300 872 677.

Subject to community support for the proposed changes, it is anticipated that construction could commence along Rogers Street by May 2023.

What is the Living Streets Program?
 Attached brochure provides more details on Living Streets program.

Living Streets could include:
 Things to see, do and experience on the journey.
 Places to stop and rest that are age friendly.
 Making safer crossing points that are easy to cross and connect.
 More trees and greenery to create cooler neighbourhoods.
 More freedom to walk along local streets.
 More colour and interest in local streets.
 Additions to slow local vehicle speeds.

Where are the previous examples of Living Streets?
 Council has undertaken Living Streets improvements at Norman Terrace, Forestville and Harolds Terrace, Goodwood.



What is the project area?
 The project is focused on the section of Rogers Street fronting onto the Mike Turtur Bikeway.

What is the budget?
 Council has allocated a construction budget of \$50,000 towards the Living Streets program to undertake the works in 2022/23.

How will the works be prioritised?
 Works will be prioritised with the community through the co-design process to resolve key concerns and ensure value for money.

What is co-design?
 Co-design is a collaborative process that Council uses to develop a design in conjunction with the local community as the key stakeholders. Options and outcomes are explored through a series of workshops and consultations.

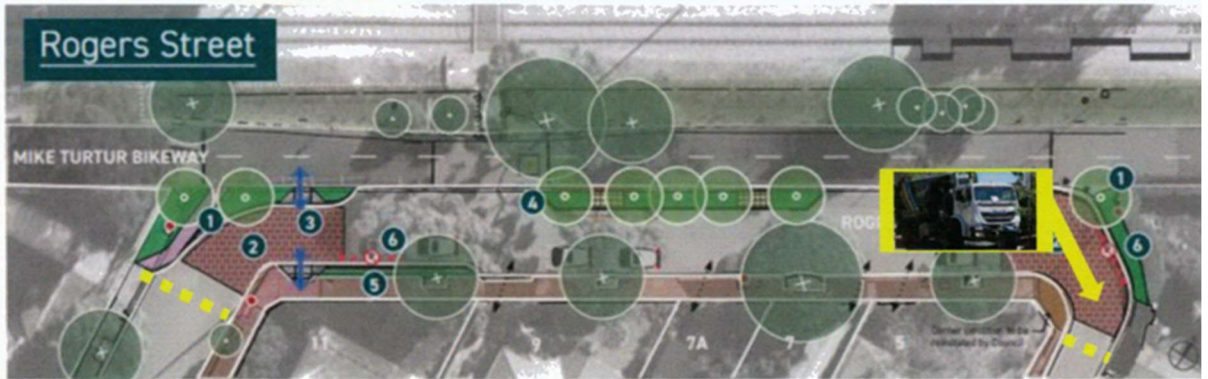
What is the indicative project time frame?

Co-design: December 2022 - January 2023
 Community Feedback: February 2023
 Construction: May 2023

What is the consultation process?

1. Co-design workshop with adjacent residents confirm project objectives, discuss ideas and test design options.
2. Council staff will consolidate community ideas and feedback into a preferred design for the street, which addresses the key issues, as well as budget requirements of the project.
3. Council engagement using YourSay online engagement platform to raise awareness and receive further community endorsement or feedback on the proposed design.

If necessary, a subsequent report to Council may be required to confirm the final design for Rogers Street.



KEY MOVES

1. Create new garden bed with new trees and footpath extension to improve pedestrian safety when accessing the bikeway.
2. Create new coloured pressed bitumen surface treatment to help reduce vehicle speeds and create a localised environment.
3. Improve pedestrian connections, making it easier and safer to cross Rogers Street.
4. Introduce new tree planting into the existing road way. Consolidate bin collection areas to improve access and reduce conflict between bikeway users.
5. Introduce new rain garden using WSUD principles for stormwater management.
6. Restrict onstreet parking on waste collection day. Tuesday 6am - 12noon.

LEGEND

- Driveway Access
- Front Ramp Access
- Existing Street Posts
- Existing Trees
- New Proposed Trees
- Textured Surface Treatment
- Permeable Pathway
- Garden Bed Extension
- Bin-Pad Installation
- Signposting Tuesday 6am-12noon

The focus of the program was the extent of Rogers Street adjacent to the Mike Turtur Bikeway.

Concept Design feedback for Rogers Street

The City of Unley is seeking feedback on the concept design which was developed from ideas raised during the Co-Design Session held in December 2022. Council were delighted to have residents from Rogers Street and surrounds working together with their neighbours to identify opportunities for change.

A resident of Rogers Street raised a major ongoing issue that impacts badly on both Rogers Street and Almond Street. (Below) If this is **not** installed as part of this project, which is to improve the locale and help address the risks, every type of **danger or damage** they create will remain.

The exclusion is likely in connected to the **project scope**, if defined before understanding the actual situation, then it also impacts on the budget. In fact, the budget for this restoration should be generous given the total damage and disruption our shared environment has had to 'live' with. Below (on this page) is from my MTB - It looks good on paper PDF - 23rd December, 2022



Install a physical 'Entrance Statement' at Rogers (W). It is wide, currently with only signage; signs that are confusing, poorly placed, producing no impact on the drivers' behaviour, such as attempting to shortcut to Joslin St. Truck drivers, did not see or believe or just ignored the 'Unsuitable For Large Vehicles' which over time has caused safety issues, problems turning corners, and property damage.

(all within a few minutes)

Rogers Street

MAKE TURTLE BIKE WAY

This map shows the south side of Rogers Street (north). Above: the south west corner. Below: east of that corner, then the south east corner. South side were also taken: **14th February, 20**

It is not an illusion.

None of my photos are staged, including where the bins were left.

Below: These 4 photos 1 Friday, **24th February, 20**

A Rogers St's Entrance exclusion from the *Draft Plan* is likely in connected to this **project scope**, if defined before understanding the actual situation. It does happen. This opinion originated from my **MTB - 'It looks good on paper' PDF**, (which I will also email today). I sent it to those below on **23rd December, 2022**, being a timely tell for each level of government, and on proper funding.

To: Minister.Koutsantonis@sa.gov.au
Cc: badcoe@parliament.sa.gov.au; 'Unley EO'; 'Michael Hewitson'

**PLUS LONG LOAD
OVERSIZE LOAD TRUCKS
GET TO THIS POINT..!**

ALMOND STREET

NO ENTRY



MTB – It looks good on paper...

23rd Dec, 2022.

Last week I attended a workshop arranged by the *City's Design Team*, looking at Rogers St as the next '*Living Street*'. It was a good turnout, and amongst the residents three had already given deputations at the *City of Unley* 24.8.2020 Council Meeting on local concerns, including Rogers St's connection to the *Mike Turtur Bikeway Upgrade* proposal.

Two were from Rogers Street, and I from Almond Street. Each of us spoke on different issues raised by the community. (1) The dangerous, blind north-west corner/intersection of Rogers St and the MTB. (2) The lack of changes made to the concept design given the amount of community's concerns on unnecessary loss of trees and on speed. (3) The need for separation. Each were based on safety, each ignored, yet Council's request to insert blonde pavers was implemented. Also attending this community workshop were our recently elected Goodwood Ward Councillors, Hart & Crabbe.

Relief for me was immediate when residents acknowledged this to be a *horseshoe road* situation, and agreed on the most important areas needing guaranteed attention. Again, their reasoning was safety. With this level of unity and strong opinions, I decided to straight up ask questions about the **budget and external funding opportunities**. Other residents also had unexpected questions. I hope these images will help provide answers, and secure improvements.



E.g. Install a physical '*Entrance Statement*' at Rogers (W). It is wide, currently with only signage; signs that are confusing, poorly placed, producing no impact on the drivers' behaviour, such as attempting to shortcut to Joslin St. Truck drivers, did not see or believe or just ignored the '*Unsuitable For Large Vehicles*' which over time has caused safety issues, problems turning corners, and property damage.

Local transit hub. It will reduce vehicular access and use, especially over-sized or any aggression, and will support safer, *greener* changes.





This unexpected question was asked at the workshop, **“How could anyone mistake the Mike Turtur Bikeway for a road?”** It was necessary for the **City of Unley** to arrange orange barriers, until bollards could be ordered and installed, because drivers **did** think it was a road and at the time, I experienced this first hand. **(1-2) Did not** drive down the MTB. **(3) They did.** **(4) They would,** but couldn't. Surface changes is common, and makes **no** difference.



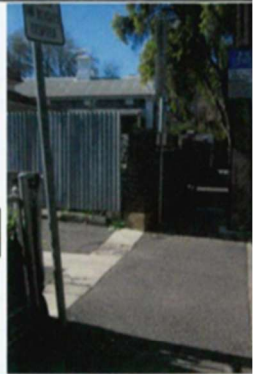
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8



10



9



(5) A crude way of showing without and with bollards. **(6)** It was the central *green* division that stopped cars entering. **(6)** The corridor old access and width. An unexpected question, what is required *today*, and whether the new access is still necessary. **(7)** Shows Rogers (N) households' bin placement before pick-up. **(8)** Almond St (N) and width. **(9)** Turning into Almond St. **(10)** Almond St (S) end, onto Albert S **(11)** Locals were misled about their LATM. Council's experts had road closures as the principle treatment, with kerb build-outs as support. By not implementing road closures, the *build-outs* failed under the pressure and volume of cars. **(12)** New W & C Plan endorsed in August. Particularly the last Council term, obsession and **funds available** were directed toward cycling at a cost to our safety and environment. Of novice ward councillors weren't able to give constructive representation when it was most needed, a vital consideration for 2023 – 2027. Below: Issues on safety, equality in design and the funding. A new resident raised the local use of build-outs as an unexpected question.



18 December 2017

Albert Street – Kerb build-outs at intersections

11

Dear Resident/Property Owner

A Local Area Traffic Management (LATM) study was undertaken in your area in 2015-16. Council is currently implementing the recommendations of this study. One of the recommendations is the installation of kerb build-outs at the intersections of Albert Street with Hardy Street and Weller Street.

Left: Hardy & Albert Below: Albert, Weller & Simpson



E.g. damaged build-out in Weller & Hardy reduction, (Simpson also has problems)

https://www.youtube.com/watch?v=4XscjRaOM_0

“It looks good on paper” Mikael Colville-Anderson (*expert*) used this expression throughout this 5 minute video, along with the popular idiom of **“Winging it”**. (*To do or attempt something with little preparation in advance; to improvise*). This LATM is worthy of joining MTB's Upgrade & Overpass on a *Winging It* list.



Below August 2022. The green circled response tells you a lot.

12

An LATM is a **‘complete’** Local Area Traffic Management (scheme). **ot** a functioning LATM in connection to the *MTB Upgrade* in Goodwood/Wayville. **suspect** maybe an inadequate LATM to handle in and near the *Forestville Reserve*. **ATMs are not the project, they're put in place to control traffic in the area for all.**



For decades experts have recommended road closures as the principle treatment for this LATM area involving Goodwood & Wayville. **Instead** the Wood, Weller & Simpson Bikeway was completed. Expensive, less effective and has not made this neighbourhood any safer.



A total of 42 submissions were received, comprising 37 responses to the Your Say survey, 3 emails, and letters from the Unley Bicycle User Group (Unley BUG) and Walking SA. Summary of Community Feedback

8	Greater focus on walking required	3	Four comments including from Unley BUG that the plan should have a greater emphasis on improvements for people walking.	It is considered that the Plan is balanced in delivering outcomes for people walking and bike riding. It should also be noted that a number of pedestrian improvement initiatives take place outside of the Walking and Cycling Plan including Council LATM Plans and asset renewal projects.
ITEM 4.5 WALKING AND CYCLING PLAN 2022-2027				
Pedestrian improvements ... via LATMs. True if there was a LATM.				Action A1 - improve and extend the walking and cycling network has been updated to increase emphasis on pedestrian improvements.

All build-outs were significantly altered, have remained and fail their purpose. Another case of the designer thinking, **“It looks good on paper”**

DECISION REPORT

REPORT TITLE:	REVIEW OF COUNCIL BY-LAW - LOCAL GOVERNMENT LAND AMENDMENT BY-LAW NO.6
ITEM NUMBER:	4.3
DATE OF MEETING:	24 APRIL 2023
AUTHOR:	LARA GREGORY, EXECUTIVE ASSISTANT TO THE CEO AND MAYOR
DIVISION:	OFFICE OF THE CEO
ATTACHMENTS:	<ol style="list-style-type: none">1. LEGISLATIVE REVIEW COMMITTEE CORRESPONDENCE2. LOCAL GOVERNMENT LAND BY-LAW NO. 3 OF 20223. PROPOSED LOCAL GOVERNMENT LAND AMENDMENT BY-LAW NO.6

1. **PURPOSE**

For Council to consider the feedback and suggested amendments from the Legislative Review Committee to the Local Government Land By-law No. 3 2022. The report details these proposed changes and seeks Council's endorsement for statutory public consultation for the Proposed By-law No. 6 2023.

2. **RECOMMENDATION**

That:

1. The report be received.
 2. The Council is satisfied that proposed By-law 6 adequately addresses the feedback provided by the Legislative Review Committee in respect of the Council's Local Government Land By-law 2022 and endorses Proposed By-law No. 6 as set out in Attachment 1 to this Report (Item 4.3, Council Meeting 24/04/2023) for public consultation in accordance with section 249 of the Local Government Act 1999.
 3. The CEO be authorised to make minor editorial and formatting changes as required to the proposed By-law as set out in Attachment 1 to this Report (Item 4.3, Council Meeting 24/04/2023), in order to finalise the documents for the purposes of undertaking public consultation.
-

3. RELEVANT CORE STRATEGIES – FOUR YEAR DELIVERY PLAN

4. Civic Leadership

4.1 We have strong leadership and governance.

4. BACKGROUND

In 2022, Council undertook the process of reviewing its By-laws and following public consultation, these were submitted to the Legislative Review Committee for approval.

In November 2022, the Legislative Review Committee wrote to the CEO, suggesting several amendments with respect to the City of Unley Local Government Land By-law 2022-No 3 (Attachment 1).

Attachment 1

5. DISCUSSION

Following receipt of this correspondence, Council's legal advisors recommended that the suggested amendments be incorporated into the By-law.

Consequently, the current Local Government Land By-law 2022 was amended to reflect the Committee's changes and is now provided to Council for consideration.

The original Local Government Land By-law No. 3 of 2022, and the Local Government Land Amendment By-law No. 6 of 2023 are included as Attachments 2 and 3 respectively.

Attachment 2

Attachment 3

In summary, the proposed changes are:

- Amendment to 'Donations' clause

As and from the date that this By-law takes effect, subclause 9.13 of the LGL By-law is deleted and substituted with the following:

9.13 Donations

Ask for or receive or indicate that the person desires a donation of money or any other thing.

- Amendments to 'Overhanging articles' clause

As and from the date that this By-law takes effect, subclause 9.24 of the LGL By-law is deleted and substituted with the following:

9.13 Overhanging Articles

Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be unsightly (in the reasonable opinion of an authorised person).

- Amendments to ‘Ablutionary facilities clause’
As and from the date that this By-law takes effect, subclause 10.1.5 of the LGL By-law is deleted and substituted with the following:
 - 10.1.5 enter any ablutionary facility unless the person is of the gender indicated in writing or on a sign located on that facility except:
 - 10.1.5.1 in the case of a genuine emergency; or
 - 10.1.5.2 where a vulnerable person is being assisted by the vulnerable person’s caregiver, parent or guardian; or
 - 10.1.5.3 if the person is intersex, transgender or gender diverse; or
 - 10.1.5.4 if the person is a person with a disability; or
 - 10.1.5.5 if the person is assisting a person with a disability.
- Amendment to ‘Directions’ clause
As and from the date that this By-law takes effect, subclause 11.3 of the LGL By-law is deleted and substituted with the following:
 - 11.2 A person who, in the opinion of an authorised person (acting reasonably), is likely to commit or has committed, a breach of this By-law must immediately comply with a reasonable direction of an authorised person to leave that part of Local Government land.

Public and Government Consultation

Council’s approval is now sought to commence public consultation on the proposed By-law. Consultation will be carried out in accordance with section 249 of the Act and Council’s Community Engagement & Public Consultation Policy.

In accordance with section 249 of the Act and Council’s Community Engagement & Public Consultation Policy, a notice of the public consultation period will be placed in the Advertiser and on Council’s website. In addition, information regarding the public consultation will be promoted on our social media channels.

Copies of the proposed By-law will be available for public inspection without charge at the City of Unley.

At the conclusion of the public and government consultations, all feedback will be considered, and where appropriate, amendments will be proposed to the draft By-law for Council’s further consideration.

Conclusion

This report seeks a Council resolution to undertake statutory public consultation on the proposed By-law.

Following public consultation, the proposed By-law and associated documentation will be presented to Council for formal adoption.

If amendments to the proposed By-law are significant, then there may be a requirement to undergo a further round of consultation.

Under the Act, at least two-thirds of Elected Members will be required to be present at the Council meeting (where the By-law will be presented for adoption), with support by an absolute majority of Elected Members.

Once the By-law is finalised, lawyers will prepare the Certificate of Validity, a National Competition Policy report, Government Gazette notice and submit the report to the Legislative Review Committee report for the By-law.

The By-law will come into effect four (4) months after the date that it is published in the Government Gazette, which is likely to be on or around (but no later than) 1 September 2023.

6. POLICY IMPLICATIONS

6.1 Financial/budget implications

- N/A

6.2 Risk Management (identification and mitigation)

- By-laws are supplementary legislation set by Council to manage, control and regulate activities within our Council area. The power to set By-laws is provided under the *Local Government Act 1999*.
- The Council's By-laws do not replace or override existing State legislation but are additional and often relate to various matters of public interest. Some offences are subject to the expiation fees set by Council in the annual fees and charges schedule.

6.3 Staffing/Work Plans/Additional Resource Impact

- The work associated with the By-law review has been managed within the Office of the CEO with assistance from an external legal provider.

6.4 Climate/Environmental Impact

- Nil

6.5 Social/Economic

- Nil

7. ANALYSIS OF OPTIONS

Option 1 –

1. The report be received.
2. The Council is satisfied that proposed By-law 6 adequately addresses the feedback provided by the Legislative Review Committee in respect of the Council’s Local Government Land By-law 2022 and endorses Proposed By-law No. 6 as set out in Attachment 1 to this Report (Item 4.3, Council Meeting 24/04/2023) for public consultation in accordance with section 249 of the Local Government Act 1999.
3. The CEO be authorised to make minor editorial and formatting changes as required to the proposed By-law as set out in Attachment 1 to this Report (Item 4.3, Council Meeting 24/04/2023), in order to finalise the documents for the purposes of undertaking public consultation.

This option would allow Council to commence the statutory public consultation period with our community.

Option 2 –

1. The report be received.
2. The following further option be considered with regard to the proposed By-law review:
2.1 to be determined by Council
2.2 etc

and a revised version of the proposed By-law No. 6 be presented to Council for endorsement for public consultation.

Council may wish to request that consideration be given to different options developed as part of the proposed By-law No. 6 review. The revised By-law would need to return to Council for endorsement at a future date prior to public consultation commencing.

8. RECOMMENDED OPTION

Option 1 is the recommended option.

9. REPORT AUTHORISERS

Name	Title
Peter Tsokas	Chief Executive Officer

LEGISLATIVE REVIEW COMMITTEE
PARLIAMENT OF SOUTH AUSTRALIA



PARLIAMENT HOUSE
NORTH TERRACE
ADELAIDE SA 5000

Mr Peter Tsokas
Chief Executive Officer
City of Unley
(by email)

8 February 2023

Dear Mr Tsokas,

Re: City of Unley Local Government Land By-Law 2022 – No 3

I refer to the Legislative Review Committee's ('the Committee') correspondence to you dated 3 November 2022 and to correspondence from Ms Cimon Burke, Legal Practitioner, Kelledy Jones Lawyers, dated 9 November 2022 with respect to the City of Unley Local Government Land By-law 2022 – No 3 ('the by-law').

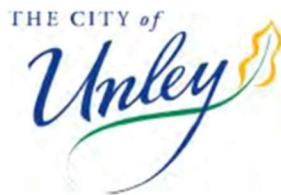
At its meeting today, the Committee confirmed that, should the City of Unley make an amending by-law to address the matters raised by the Committee, the Committee would not proceed with its notice of motion to disallow the by-law.

The Committee looks forward to your response on or before the close of business on Thursday 16 February 2023. If you have any questions or would like to discuss this matter further, please contact Mr Matt Balfour, Secretary to the Committee, on (08) 8237 9415.

Yours sincerely,

Hon Irene Pnevmatikos MLC
PRESIDING MEMBER

cc Mr Clinton Jury, CEO, Local Government Association
Mr David Whiterod, Team Leader, Office of Local Government
Ms Cimon Burke, Legal Practitioner, Kelledy Jones Lawyers



CITY OF UNLEY

LOCAL GOVERNMENT LAND BY-LAW 2022

By-law No. 3 of 2022

This By-law is to manage and regulate the access to and use of Local Government land (other than roads), and certain public places.

PART 1 – PRELIMINARY

1. Title

This By-law may be cited as the *Local Government Land By-law 2022* and is By-law No. 3 of the City of Unley.

2. Authorising law

This By-law is made under sections 238 and 246 of the *Local Government Act 1999* and section 18A of the *Harbors and Navigation Act 1993*.

3. Purpose

The objectives of this By-law are to regulate the access to and use of Local Government land (other than roads), and certain public places:

- 3.1 to prevent and mitigate nuisances;
- 3.2 to prevent damage to Local Government land;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council's area; and
- 3.5 for the good rule and government of the Council's area.

4. Commencement, revocation and expiry

4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation:¹

*By-law No. 3 – Local Government Land 2015.*²

4.2 This By-law will expire on 1 January 2030.³

Note-

1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted: (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.

3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

5. Application

- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.
- 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council's area.
- 5.3 Subclauses 9.2, 9.20.3, 9.20.3, 9.20.4, 9.23.2, 9.33, 10.6 and 10.11 of this By-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with section 246(3)(e) of the Act.
- 5.4 Subclauses 9.7.1- 9.7.3, 9.10.2, 9.20.1, and 9.29.1 of this By-law apply throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.

6. Interpretation

In this By-law, unless the contrary intention appears:

- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **animal** includes birds and insects but does not include a dog unless otherwise stated;
- 6.3 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
- 6.4 **boat** includes a raft, pontoon, houseboat, personal watercraft or other similar device;
- 6.5 **camp** includes setting up a camp, or causing a tent, swag and/or similar bedding, a caravan, motor home or other camping vehicle, to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.6 **Council** means the City of Unley;
- 6.7 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 6.8 **effective control** means a person exercising effective control of an animal either:
 - 6.8.1 by means of a physical restraint; or
 - 6.8.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.9 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.10 **funeral ceremony** means a ceremony only (i.e. a memorial service) and does not include a burial;
- 6.11 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;

Item 4.10 - Attachment 3 - By-law No.3 Local Government Land

- 6.12 **Local Government land** means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.13 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.14 **open container** means a container that:
- 6.14.1 after the contents of the container have been sealed at the time of manufacture:
 - 6.14.1.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - 6.14.1.2 being a can, it has been opened or punctured;
 - 6.14.1.3 being a cask, it has had its tap placed in a position to allow it to be used;
 - 6.14.1.4 being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
 - 6.14.2 is a flask, glass, mug or other container able to contain liquid.
- 6.15 **personal watercraft** has the same meaning as in the *Harbors and Navigation Act 1993*, which is a device that –
- 6.15.1 is propelled by a motor;
 - 6.15.2 has a fully enclosed hull;
 - 6.15.3 is designed not to retain water if capsized; and
 - 6.15.4 is designed to be operated by a person who sits astride, stands, or kneels on the device;
- and includes the device commonly referred to as a jet ski;
- 6.16 **tobacco product** has the same meaning as in the *Tobacco and E-Cigarette Products Act 1997*;
- 6.17 **road** has the same meaning as in the Act;
- 6.18 **vehicle** has the same meaning as in the *Road Traffic Act 1961*;
- 6.19 **waters** includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council; and
- 6.20 **wheeled recreational device** has the same meaning as in the *Road Traffic Act 1961*.

Note-

Section 12 of the *Legislation Interpretation Act 2021* provides that an expression used in a By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.

PART 2 – ACCESS TO LOCAL GOVERNMENT LAND

7. Access

Note-

Pursuant to section 238(3) of the Act, if a Council makes a By-law about access to or use of a particular piece of Local Government land (under section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the By-law applies.

The Council may:

- 7.1 close, or regulate or restrict access to, any part of Local Government land to the public for specified times and days; and
- 7.2 fix charges or fees payable for entry onto any part of Local Government land.

8. Closed lands

A person must not without permission, enter or remain on any Local Government land:

- 8.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with subclause 7.1;
- 8.2 where entry fees or charges are payable, without paying those fees or charges; or
- 8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked or, where a sign is displayed at the entrance of the land notifying that the land has been closed.

PART 3 – USE OF LOCAL GOVERNMENT LAND

9. Activities requiring permission

Note-

Pursuant to section 238(3) of the Act, if a Council makes a By-law about access to or use of a particular piece of Local Government land (under section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the By-law applies.

A person must not without the permission of the Council, do any of the following on Local Government land.

9.1 Advertising

Display, paint or erect or cause to be displayed, painted or erected, on Local Government land or a structure, building or fixture on Local Government land any sign, advertising or hoarding for the purpose of commercial advertising or any other purpose.

9.2 Alcohol

Consume, carry or be in possession or in charge of any liquor in an open container on Local Government land comprising parks or reserves to which the Council has determined this paragraph applies.

9.3 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of amplifying sound or broadcasting announcements or advertisements.

9.4 Animals

- 9.4.1 Cause or allow an animal to stray onto, move over, graze or be left unattended.
- 9.4.2 Cause or allow an animal to enter, swim, bathe or remain in any waters located thereupon.
- 9.4.3 Lead, herd or exercise any animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and provided that the animal or animals are under effective control.

9.5 Attachments

Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.

9.6 Bees

Place a hive of bees thereupon, or allow it to remain thereon.

9.7 Boats & Mooring

Subject to the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*:

- 9.7.1 launch or retrieve a boat to or from any waters except in an area to which the Council has resolved this subclause applies:
- 9.7.2 use, propel, float or operate, or cause to be used, propelled, floated or operated, a boat in any waters except in an area to which the Council has resolved this subclause applies and in accordance with any conditions that the Council may have determined by resolution apply to that use:
- 9.7.3 hire out a boat or otherwise use a boat for commercial purposes except in an area to which the Council has resolved this subclause applies; or
- 9.7.4 Moor any boat on or to Local Government land.

9.8 Buildings

Use a building, or structure on Local Government land for a purpose other than its intended purpose.

9.9 Burials and Memorials

- 9.9.1 Bury, inter or spread the ashes of any human or animal (including a dog) remains.
- 9.9.2 Erect any memorial.

9.10 Camping and Tent

- 9.10.1 Subject to this subclause 9.10, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.
- 9.10.2 Camp, sleep overnight or occupy any caravan or other camping vehicle for or in connection with undertaking camping activities (including but not limited to washing, cooking, sleeping) except in an area which has been

designated by resolution of the Council for that purpose and only then, in accordance with any conditions determined by resolution of the Council and contained in any signage erected thereon.

9.11 Canvassing

Subject to subclause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other.

9.12 Defacing Property

Deface, remove, paint, spray, write upon, cut names, letters or make marks on any tree, rock, gate, fence, object, monument, building, sign, bridge or property of the Council.

9.13 Donations

Ask for or receive or indicate that he or she desires a donation of money or any other thing.

9.14 Encroachment

Erect, maintain or place, or cause to be erected, maintained or placed, any fencing, post, vegetation or other structure or item so as to encroach onto the land.

9.15 Entertainment and Busking

9.15.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of entertaining others whether or not receiving money.

9.15.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.16 Equipment

Use an item of equipment, facilities or property belonging to the Council other than in accordance with any conditions of use contained on a sign or notice in the vicinity of the equipment, facility or property.

9.17 Fires

Subject to the *Fire and Emergency Services Act 2005* light a fire except:

9.17.1 in a place provided by the Council for that purpose; or

9.17.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four (4) metres.

9.18 Fireworks

Ignite, explode or use any fireworks.

9.19 Flora and Fauna

Subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:

9.19.1 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;

Item 4.10 - Attachment 3 - By-law No.3 Local Government Land

- 9.19.2 cause or allow an animal (including a dog) to stand or walk on any flower bed or garden plot;
 - 9.19.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
 - 9.19.4 take, interfere with, tease, harm or disturb any animal, bird or aquatic life or the eggs or young of any animal, bird or aquatic life;
 - 9.19.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
 - 9.19.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
 - 9.19.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or aquatic life; or
 - 9.19.8 collect or take any dead wood or timber or burn any timber or dead wood; –
- with the exception that subclauses 9.19.4 and 9.19.7 do not apply to lawful fishing activities or to catching yabbies.

9.20 Games & Sport

- 9.20.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play except on any Local Government land to which the Council has determined this subclause applies.
- 9.20.2 Play, practise or participate in any game which involves the use of a ball, missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.
- 9.20.3 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.
- 9.20.4 Play or practise any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on a sign on or in the vicinity of the land (if any).
- 9.20.5 Participate in any game, recreational activity or event where the Council has caused a notice to be erected indicating the game, recreational activity or event is prohibited.

9.21 Golf

Except on a properly constructed golf course or practice fairway, play or practice golf.

9.22 Interference with Land

Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:

- 9.22.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;

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- 9.22.2 erecting or installing a structure in, on, across, under or over the land;
- 9.22.3 changing or interfering with the construction, arrangement or materials of the land;
- 9.22.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 9.22.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.

9.23 Model Aircraft, Boats and Cars

- 9.23.1 Fly or operate a model or drone aircraft, boat or model or remote control vehicle in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land, or detract from or be likely to detract from another person's lawful use of and enjoyment of the land.
- 9.23.2 Fly or operate a model or drone aircraft, boat or model or remote control vehicle on any Local Government land to which the Council has resolved this subclause applies.

9.24 Overhanging Articles

Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature in the opinion of an authorised person.

9.25 Playing Area

Use or occupy a playing area:

- 9.25.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);
- 9.25.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 9.25.3 contrary to directions of the Council made by resolution and indicated on a sign displayed on or in the vicinity of the playing area.

9.26 Preaching

Preach, harangue or solicit for religious purposes.

9.27 Rubbish Bins

Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government land, or placed on Local Government land for collection by the Council (or its agent).

9.28 Shared Transport Devices

- 9.28.1 Operate a share transport device scheme.

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9.28.2 Leave a share transport device on Local Government land other than in accordance with conditions determined by the Council (including as may be set out in a policy from time to time) that are published on the Council's website (if any).

9.28.3 For the purposes of this subclause 9.28:

9.28.3.1 **share transport device** means a bike, scooter or similar that is available for hire (for fee or otherwise) in the Council's area by members of the public in connection with a share device scheme, including through the use of a special purpose smartphone application; and

9.28.3.2 **share transport device scheme** means a scheme operated in the Council's area which involves share bikes, scooters (dockless or otherwise) being made available for hire by any person for a fee or otherwise.

9.29 **Swimming**

Subject to the *Harbors and Navigation Act 1993*, swim in, bathe or enter any waters except:

9.29.1 in an area which the Council has determined may be used for such purposes; and

9.29.2 in accordance with any conditions that the Council has determined by resolution apply to such use (if any) and which are specified on signage on or in the vicinity of the area.

9.30 **Trading**

9.30.1 Sell, buy, offer or display anything for sale, hire or lease any goods, merchandise, commodity, article or thing.

9.30.2 Carry on or cause to be carried on any business.

9.30.3 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the purpose (as determined by an authorised officer acting reasonably) of buying, selling, offering, displaying for sale or the hiring or leasing of any goods merchandise, commodity, article or thing.

9.31 **Vehicles**

9.31.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose.

9.31.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.

9.31.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.

9.32 **Weddings, Functions and Special events**

9.32.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.

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9.32.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.

9.32.3 Hold or conduct any filming where the filming is for a commercial purpose.

9.33 **Wheeled Recreational Devices**

Subject to the *Road Traffic Act 1961*, ride a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.

10. Prohibited activities

A person must not do any of the following on Local Government land or on the foreshore.

10.1 Ablutionary Facilities

In any ablutionary facility (being showers, washing and toilet facilities) on Local Government land:

10.1.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;

10.1.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage or damage to the facility or any drain, pipe or property associated with the facility;

10.1.3 use the facility for a purpose for which it was not designed or constructed;

10.1.4 deface, or make use of a facility other than for its proper purpose or cause any unsanitary or unclean condition in any ablutionary facility;

10.1.5 subject to the *Equal Opportunity Act 1984 (SA)* enter any ablutionary facility that is set aside for use of the opposite gender except:

10.1.5.1 where a child under the age of ten (10) years is accompanied by an adult parent or guardian of that gender;

10.1.5.2 to provide assistance to a person with a disability; or

10.1.5.3 in the case of a genuine emergency.

Note-

To avoid doubt, clause 10.1 does not operate to prohibit a transgender person or, a person who identifies as 'gender diverse', from lawfully using an ablutionary facility for the gender with which that person identifies.

10.2 Animals

10.2.1 Cause or allow an animal (including a dog) to:

10.2.1.1 damage a flowerbed, garden plot, tree, lawn or like thing or place;
or

10.2.1.2 swim or bathe in any waters to the inconvenience, annoyance or danger of any other person in the vicinity.

10.2.2 Lead, herd or exercise an animal in such manner as to cause a nuisance or endanger the safety of a person.

10.3 Annoyances

10.3.1 Annoy, or unreasonably interfere with any other person's use of Local Government land by making a noise or by creating a disturbance that has not been authorised by the Council.

10.3.2 Spit, urinate or defecate other than in toilet provided thereon.

10.4 Climbing

Climb on or over any fixture, fitting, plant, object or building thereon other than in a playground or similar area that the Council has set aside for that purpose.

10.5 Equipment

Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.

10.6 Fishing

Fish in any waters to which the Council has determined this subclause applies.

10.7 Glass

Willfully break any glass, china or other brittle material.

10.8 Interference with Permitted Use

Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.

10.9 Nuisance

Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.

10.10 Playing games

Play or practise a game:

10.10.1 which is likely to cause damage to the land or anything on it; or

10.10.2 in any area where a sign indicates that the game is prohibited.

10.11 Smoking

Subject to the *Tobacco and E-Cigarette Products Act 1997*, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has determined this subclause applies.

10.12 Obstruction

Obstruct or cause to be obstructed:

10.12.1 any path or track;

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10.12.2 any door, entrance, stairway or aisle in any building; or

10.12.3 any gate or entrance thereon.

10.13 Solicitation

Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.

10.14 Waste & Rubbish

10.14.1 Deposit or leave thereon anything obnoxious or offensive.

10.14.2 Deposit any rubbish other than in receptacles provided by the Council for that purpose.

10.14.3 Deposit in any rubbish bin on Local Government land that is owned or provided by the Council:

10.14.3.1 any trash emanated from a domestic, trade or commercial source;
or

10.14.3.2 any rubbish contrary to any information on signs on the bin or in its vicinity.

PART 4 – ENFORCEMENT

11. Directions

11.1 A person on Local Government land of the foreshore must comply with a reasonable direction from an authorised person relating to:

11.1.1 that person's use of that land;

11.1.2 that person's conduct and behaviour on that land;

11.1.3 that person's safety on that land; or

11.1.4 the safety and enjoyment of other persons on that land.

11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this By-law must immediately comply with a direction of an authorised person to leave that part of Local Government land.

12. Orders

If a person fails to comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this By-law, the Council may seek to recover its costs of any action taken under section 262(3) of the Act from the person to whom the order was directed.

Note-

Section 262(1) of the Act states:

1. *If a person (the offender) engages in conduct that is a contravention of this Act or a By-law under this Act, an authorised person may order the offender-*

a) If the conduct is still continuing - to stop the conduct; and

b) whether or not the conduct is still continuing- to take specified action to remedy the contravention.

Subsections (2) and (3) of section 262 also provide that it is an offence to fail to comply with an order

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and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out.

For example, an authorised person may order a person to

- cease smoking on Local Government land;
- remove an object or structure encroaching on Local Government land;
- dismantle and remove a structure erected on Local Government land without permission.

13. Removal of animals and objects

An authorised person may remove an animal or object that is on Local Government land in breach of a By-law if the authorised person reasonable believes that no person is in charge of the animal or object.

PART 5 – MISCELLANEOUS

14. Exemptions

- 14.1 The restrictions in this By-law do not apply to any Police Officer, emergency worker, Council officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision or in accordance with a direction of a Council Officer.
- 14.2 The restrictions in subclauses 9.11 of this By-law do not apply to electoral matter authorised by a candidate and which is:
- 14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
- 14.2.2 related to an election under the Act or the *Local Government (Elections) Act 1999* and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

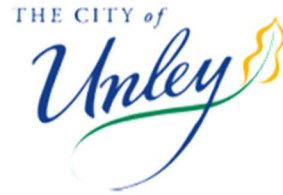
15. Liability of vehicle owners

- 15.1 For the purposes of this clause 15, **owner** in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 15.2 the owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the City of Unley held on **[INSERT DATE]** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

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.....
PETER TSOKAS
Chief Executive Officer



CITY OF UNLEY

LOCAL GOVERNMENT LAND AMENDMENT BY-LAW 2023

By-law No. 6 of 2023

A By-law to amend the Local Government Land By-Law of the City of Unley to address matters raised by the Legislative Review Committee

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PART 1 – PRELIMINARY**1. Title**

This By-law may be cited as the '*Local Government Land Amendment By-law 2023*' and is By-law No. 6 of the City of Unley.

2. Authorising Law

This By-law is made under sections 246 and 249 of the *Local Government Act 1999*.

3. Purpose

The objective of this By-law is to make minor amendments, as requested by the Legislative Review Committee and as set out in Part 2, to various provisions in the Council's Local Government Land By-law that was made by the Council on 27 June 2022 and published in the *Government Gazette* on 21 July 2022.

4. Commencement, Revocation and Expiry

4.1 Pursuant to section 249(6)(d) of the *Local Government Act 1999*, this By-law will take effect on the date that it is published in the *Government Gazette*.

4.2 This By-law will expire on 1 January 2030.

5. Interpretation

In this By-law, unless the contrary intention appears:

5.1 **Act** means the *Local Government Act 1999*;

5.2 **Council** means the City of Unley; and

5.3 **LGL By-law** means the *Local Government Land By-law 2022* made by the Council on 27 June 2022 and published in the *Government Gazette* on 21 July 2022.

PART 2 – AMENDMENT TO LOCAL GOVERNMENT LAND BY-LAW**6. Amendment to 'Donations' clause**

As and from the date that this By-law takes effect, subclause 9.13 of the LGL By-law is deleted and substituted with the following:

9.13 Donations

Ask for or receive or indicate that the person desires a donation of money or any other thing.

7. Amendments to 'Overhanging articles' clause

As and from the date that this By-law takes effect, subclause 9.24 of the LGL By-law is deleted and substituted with the following:

9.24 Overhanging Articles

Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land, or be unsightly (in the reasonable opinion of an authorised person).

8. Amendments to ‘Ablutionary facilities’ clause

As and from the date that this By-law takes effect, clause 10.1.5 of the LGL By-law is deleted and substituted with the following:

- 10.1.5 *enter any ablutionary facility unless the person is of the gender indicated in writing or on a sign located on that facility except:*
 - 10.1.5.1 *in the case of a genuine emergency; or*
 - 10.1.5.2 *where a vulnerable person is being assisted by the vulnerable person’s caregiver, parent or guardian; or*
 - 10.1.5.3 *if the person is intersex, transgender or gender diverse; or*
 - 10.1.5.4 *if the person is a person with a disability; or*
 - 10.1.5.5 *if the person is assisting a person with a disability.*

9. Amendments to ‘Directions’ clause

As and from the date that this By-law takes effect, subclause 11.2 of the LGL By-law is deleted and substituted with the following:

- 11.2 *A person who, in the opinion of an authorised person (acting reasonably), is likely to commit or has committed, a breach of this By-law must immediately comply with a reasonable direction of an authorised person to leave that part of Local Government land.*

This By-law was duly made and passed at a meeting of the City of Unley held on **INSERT DATE** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....
PETER TSOKAS
Chief Executive Officer

COUNCIL ACTION REPORT

REPORT TITLE: COUNCIL ACTION RECORDS
ITEM NUMBER: 4.4
DATE OF MEETING: 24 APRIL 2023
AUTHOR: LARA GREGORY, EXECUTIVE ASSISTANT
TO THE CEO AND MAYOR
DIVISION: OFFICE OF THE CEO
ATTACHMENTS: 1. COUNCIL ACTION REPORT

1. PURPOSE

To provide an update to Members on information and actions arising from resolutions of Council.

2. RECOMMENDATION

That:

1. The report be noted.
-

COUNCIL ACTION REPORTS - ACTIONS TO APRIL 2023					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
26/09/22	5.1.1	<p>NOTICE OF MOTION FROM COUNCILLOR P. HUGHES RE: ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT USING BEST PRACTICE PRINCIPLES</p> <p>2. The Mayor raises the topic of environmentally sustainable development at the next Eastern Regional Alliance (ERA) Mayors and CEOs meeting, seeking agreement for a joint project to be undertaken using ERA funds to create Best Practice Principles for Environmentally Sustainable Development with the intention to:</p> <ul style="list-style-type: none"> - be a guide for development being proposed in ERA Councils; - advocate for commensurate changes to the Planning and Design Code; and - advocate for better construction standards. 	CEO	The matter was discussed at the ERA Mayors and CEOs Group Meeting in March 2023. The Mayors requested more information and the modules from City of Yarra were sent to the Group. The matter will be considered at the next ERA meeting scheduled for May 2023.	May 2023
24/10/22	5.1.2	<p>NOTICE OF MOTION FROM COUNCILLOR K. ANASTASSIADIS RE: INVESTIGATE OPTIONS FOR HARD TO RECYCLE MATERIAL INCLUDING MEDICATION BLISTER PACKS</p> <p>1. Administration investigate options for recycling hard to recycle materials by:</p> <ol style="list-style-type: none"> a. considering the results of the RecycleSmart scheme currently being trialled by the City of West Torrens and the merits of adopting this program; b. exploring options for recycling medication plastic foil blister packs and other significant hard to recycle items not covered by the RecycleSmart scheme; and c. that a report be presented to Council for its consideration following the conclusion of the current investigations being undertaken into the various initiatives as contained within Council's Waste Management and Resource Recovery Plan for 2022/23. <p>2. A letter be sent to pharmaceutical and recovery industries including Green Industries SA, the Waste Management and Resource Recovery Association, and the Australian Packaging Covenant Organisation, advocating for changes to blister packaging to improve the ability to recycle these items and also provide alternative options to this type of packaging to reduce the amount of plastic entering landfill or requiring costlier recycling.</p> <p>3. Until Council considers the report regarding the RecycleSmart scheme and options for hard to recycle material not covered by the scheme, considers incorporating information for the community on recycling that is consolidated and easily accessible, about where all materials can be recycled, including hard to recycle items, as part of Council's current education programs and initiatives.</p>	GM City Development	The Administration will present a report for Council's consideration in May 2023. This report will be prepared following completion of the current priorities that have been set by Council in implementing the Waste Management and Resource Recovery Plan.	May 2023
				The Administration sent letters in December 2022, as resolved by Council. A letter has been received from GISA in response to Council's letter sent Dec 2022. The letter will be made available to the elected members.	Completed
				A review of the information currently contained on Council's website is being reviewed by the Administration. Information regarding hard to recycle items will be considered and updated as part of this review. The review is expected to be completed in April 2023.	April 2023
23/01/23	4.1	<p>E-SCOOTER EXTENDED TRIAL EVALUATION</p> <p>2. The outcomes of the extended six-month trial (July to November 2022) as outlined in this report be noted.</p> <p>3. A further extension to the e-scooter trial for a further 12-month period (from 14 February 2023 to 14 February 2024) be approved, whilst the State Government review on e-scooters is being undertaken, and for the terms of conditions of the current permits to be retained.</p> <p>4. The CEO is authorised to write to the Department for Infrastructure and Transport, requesting approval to extend the e-scooter trial gazettal for the City of Unley up to (and including) 14 February 2024.</p> <p>5. The Administration continues to work with the e-scooter operators to address complaints and concerns raised during the further extended trial period from 14 February 2023 to 14 February 2024, and a report be presented to Council prior to 14 February 2024 to determine the next steps for e-scooter use within the City of Unley based on the State Government review outcomes.</p>	GM City Development	Completed	Completed
				Approval has been provided by the State Government for the extension of the trial by 12-months.	Completed
				Completed	Completed
				A further report will be presented to Council for its consideration to determine next steps for e-scooter use within the City of Unley.	January 2024

COUNCIL ACTION REPORTS - ACTIONS TO APRIL 2023					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
23/01/23	5.1	<p>NOTICE OF MOTION FROM COUNCILLOR J. GAFFEY RE: IMPROVEMENTS TO GLEN OSMOND ROAD</p> <p>1. The Mayor of the City of Unley write to the Mayor of the City of Burnside seeking to commence initial engagement and discussions to investigate the opportunity for the Cities of Unley and Burnside to work together in a joint partnership for the improvement of Glen Osmond Road.</p>	CEO	Mayor Hewitson corresponded with Mayor Monceaux and it was agreed that the councils would meet to investigate opportunities to work together, with a meeting scheduled for April 2023 to commence discussions.	TBA
27/03/23	5.1.1	<p>NOTICE OF MOTION FROM COUNCILLOR C. CRABBE RE: THE IMPORTANCE OF THE ADELAIDE PARK LANDS TO THE CITY OF UNLEY</p> <p>3. A letter be sent to the CEO of the City of Adelaide requesting a briefing by ACC staff to the City of Unley's Elected Members on the Adelaide Park Lands Management Strategy 2015-2025, highlighting opportunities for projects and further engagement in the review process in the vicinity of Greenhill Road, which would provide amenity to residents from both cities, as well as outline opportunities for Council to further engage in the City Council's current review of the Strategy.</p>	General Manager City Development	A letter was sent to the CEO Adelaide City Council requesting a briefing by ACC staff to City of Unley's Elected Members. The CEO has responded advising that they will provide a briefing regarding the review of the Adelaide Park Lands Management Strategy 2015-2025 and explore projects for the two Councils to work together on.	July 2023
27/03/23	5.1.5	<p>NOTICE OF MOTION FROM COUNCILLOR R. ROGERS RE: RAILWAY SAFETY WITHIN THE CITY OF UNLEY</p> <p>1. A letter be sent to the Hon Tom Koutsantonis MP, Minister for Infrastructure and Transport, indicating that the City of Unley requests that the Department of Infrastructure and Transport undertakes a safety audit to investigate either activating or grade separating railway crossings within the City of Unley as outlined below:</p> <p>(a) pedestrian crossings adjacent to train station platforms;</p> <p>(b) pedestrian crossings adjacent to train level crossings;</p> <p>(c) intermediate pedestrian crossings which do not comply with the risk assessment criteria.</p>	General Manager City Development	A letter was sent to the Hon Tom Koutsantonis MP, requesting that DIT undertakes a safety audit to investigate railway crossing safety in the City of Unley.	TBA
27/03/23	7.5	<p>MANAGEMENT OF GOODWOOD COMMUNITY CENTRE</p> <p>4. A review of the Goodwood Community Centre operations in terms of hours of service and programs offered be undertaken in 2023/24.</p>	General Manager City Services	Negotiation of the transition of the Community Centre is currently underway. A review of Community Centre arrangements will only occur once centre management is returned to Council and adequate time has passed to assess the existing operation and determine opportunities for council consideration.	TBA

MOTION OF WHICH NOTICE HAS BEEN GIVEN

REPORT TITLE:	NOTICE OF MOTION FROM COUNCILLOR J. BONHAM RE. GOODWOOD STATION / RAIL CORRIDOR ACCESS
ITEM NUMBER:	5.1.1
DATE OF MEETING:	24 APRIL 2023
ATTACHMENTS:	1. GOODWOOD RAILWAY STATION - PREVIOUS RELEVANT COUNCIL RESOLUTIONS

Councillor J. Bonham has given notice of intention to move the following motion at the Council meeting to be held on 24 April 2023 .

MOTION

That:

1. Council reiterates its support for the Department for Infrastructure and Transport (DIT) to construct an overpass at the Goodwood Railway Station to facilitate safe access to the station platform and across the railway for pedestrians, cyclists, and mobility aid users.
 2. Council reiterates its request to the Minister for Infrastructure and Transport to expand the scope of the overpass to include:
 - 2.1 Widening of openings beneath the existing tram overpass at Lyons Parade (western side) and Railway Terrace South (eastern side) to safely accommodate for increased pedestrian and cyclist movements.
 - 2.2 Establishment of a 4.0m wide shared use path (lit) and additional landscaping to connect the eastern ramp with Richards Terrace, which connects to the Marino Rocks Greenway (adjacent to the showgrounds).
 - 2.3 Improvement to the Goodwood Station subway and access ramps to allow Disability Discrimination Act compliant access to the station.
 - 2.4 Provision of useable open space within [any] eastern ramp loop (Lot 32/42 Devon Street).
 3. A letter be sent to the Minister for Infrastructure and Transport indicating the outcome of this motion.
-

Background

Relevant Core Strategies/Policies

1. Community Living
- 1.5 Our City is connected and accessible
 - Climate Change and Energy Plan
 - Disability Access and Inclusion Plan
 - Integrated Transport Strategy
 - Walking and Cycling Plan

On 29 November 2021, Elected Members were briefed by the Department for Infrastructure and Transport (DIT) on its intention to construct an overpass (aka Mike Turtur Bikeway Overpass) over the Goodwood Rail Corridor at the Goodwood Station. At its 31 January 2022 Meeting, Council unanimously carried a Motion (Item 4.3) to receive a report on the Overpass project and write to the Minister for Infrastructure and Transport, requesting an expansion of the scope of the project, including further greening on the eastern side of the railway corridor (see Attachment 1). At that same Meeting, Council unanimously carried a Motion (Item 4.4) to go to community consultation on whether to allow DIT access to the relevant land (Forestville Reserve) to construct the Overpass (see Attachment 1).

Attachment 1

Two questions were put to the community regarding granting DIT access to the land. Quantitative results show that the community was strongly opposed to granting access to the land while qualitative results demonstrated community opposition was based on DIT's proposed design, rather than an overpass per se. At its 26 April 2022 Meeting, Council unanimously carried a Motion (Item 4.1) to write to the Minister for Infrastructure and Transport providing quantitative and qualitative results of the consultation (see Attachment 1). That Motion included a request for a meeting between Council staff, DIT, and the Member for Badcoe.

DIT, via Public Transport Projects Alliance (PTPA), subsequently established a Community Reference Group (CRG) to investigate alternative proposals for access across the corridor. At the 5 September 2022 Elected Member Briefing, PTPA outlined the consultation process to Council but did not provide any information about the CRG deliberations or alternative proposals. The Briefing was halted due to persistent disruption from a member of the Gallery.

This Motion seeks to re-start the process of addressing safe access both to the Goodwood Station platforms and across the railway corridor for pedestrians, cyclists, and people using mobility aids. At its 20 March 2023 Meeting, Council carried a Motion unanimously, asking DIT to audit safety at all rail corridor crossing points in Unley and put in place measures to ensure safe access to station platforms and across the rail corridor.

Safe access at the Goodwood Station is imperative if Council is to meet its commitments to increase walking and cycling (see Integrated Transport Strategy, Walking and Cycling Plan), ensure access for all residents (Disability Access and Inclusion Plan) and support our community to reduce transport related Greenhouse Gas Emissions (see the Climate and Energy Plan).

Our Commitment to reducing GHG emissions

At a national scale, transport sector GHG emissions are forecast to increase from 93 million tonne per annum (2020) to 108 million tonne/year by 2030. In South Australia, transport accounts for 6 million tonnes (24%) of GHG emissions annually (Dept Climate Change, Energy, the Environment and Water). Latest figures from Snapshotclimate put the Unley community's emissions at 225,000 tonnes/year with 38% of those emissions (85,500) being road transport related.

Shifting people from driving to active (walking and cycling) and public transport is one important measure to reduce GHG emissions. An average new light vehicle generates about 1 tonne of GHG emissions/6,000 kms travelled and recent research (Buberger et al 2022) put GHG emissions created during manufacture of a mid-sized sedan at 8 - 12 tonnes depending on the brand. Reducing the need to buy a (first, second or third) car or use a car for some (many, most) journeys can significantly reduce our GHG emissions.

Providing infrastructure to enable the shift toward active and public transport is critical. There are well established principles for provision of walking and cycling infrastructure. To support utility cycling (i.e. for everyday people to ride to work, school, local precincts, visiting friends) the following principles are well understood:

- cohesive network – all routes are connected
- direct – are not circuitous
- safe – personal and traffic related safety, do not require hypervigilance
- comfortable – surfaces are well-maintained, shaded
- aesthetic – including greening, public art

Safe access to the Goodwood Station Platforms and across the rail corridor is essential if we are to increase rates of active and public transport use to, within, and through the City of Unley.

Our commitment to equity and liveability

At the moment, pedestrians and mobility aid users (e.g. wheelchair, mobility scooter users) can only cross the railway corridor or access the Goodwood Station Platforms via an underpass that is not disability compliant and poses serious personal safety risks, especially at night. Walking or taking a wheelchair or mobility scooter to cross the corridor via Victoria Street or Leader Street significantly extends the east-west journey and increases interactions with motor/electric vehicles at each intersection. Facilitating access for pedestrians and mobility aid users to the station platforms and across the rail corridor is an equity issue.

An overpass would allow bike riders travelling east-west to avoid riding through Forestville Reserve. This will reduce the level of interactions between pedestrians/park users and bike riders.

The liveability of the inner suburbs, both in Adelaide and other capital cities, risks being undermined by motor vehicle traffic. Traffic in Leader Street has fluctuated around 6,500 – 7,500 vehicles per day (sometimes higher, sometimes lower) over the past 20 years. Residents already express concern about the difficulty of exiting their driveways or turning into Leader Street from intersecting roads. With more businesses and residents locating in Unley (with mixed use, medium rise developments), we need to provide alternative access to ensure our City remains liveable. Facilitating bicycle access to, within and through Unley, especially from the west and south-western suburbs can help reduce future increases in motor/electric vehicle traffic and will help maintain access and liveability for local residents.

Reference

Buberger J., Kersten, A., Kuder, M., Eckerle, R., Weyh, T., Thiringe, T. (2022) Total CO₂-equivalent life-cycle emissions from commercially available passenger cars. *Renewable and Sustainable Energy Reviews*, 159:112158. [DOI.10.1016/j.rser.2022.112158](https://doi.org/10.1016/j.rser.2022.112158)

Administration Comments

The Administration have received no further updates from the Public Transport Projects Alliance (PTPA) or Department of Transport since the conclusion of the Community Reference Group review in 2022. A letter will be sent to the Minister seeking a briefing from DIT staff as to the status of this project.

This motion reinforces Council's existing position.

Motion on Notice

Goodwood Railway Station / Rail Corridor Access

Attachment 1

ITEM 4.3

MIKE TURTUR BIKEWAY OVERPASS

MOVED Councillor J. Bonham

SECONDED Councillor D. Palmer

That:

1. *The report be received.*
2. *The City of Unley write to the Minister for Infrastructure and Transport, requesting that the Department for Infrastructure and Transport (DIT) expand the current scope of the Mike Turtur Bikeway Overpass project to include:*
 - 2.1 *Widening of openings beneath the existing tram overpass at Lyons Parade (western side) and Railway Terrace South (eastern side) to safely accommodate for increased pedestrian and cycle movements.*
 - 2.2 *Establishment of a 4.0m wide shared use path (lit) and additional landscaping to connect the eastern ramp with Richards Terrace and the Marino Rocks Greenway (adjacent to the showgrounds).*
 - 2.3 *Improvements to the Goodwood Station subway and access ramps to allow Disability Discrimination Act compliant access to the station; and*
 - 2.4 *Provision of usable open space within the eastern ramp loop (Lot 32 / 42 Devon Street).*
3. *A copy of the letter to the Minister for Infrastructure and Transport also be sent to the Member for Unley, Member for Badcoe, and the Unley Bike User Group.*

CARRIED UNANIMOUSLY
Resolution No. C0695/22

ITEM 4.4

MIKE TURTUR BIKEWAY OVERPASS COMMUNITY CONSULTATION REGARDING PROPERTY ACCESS

MOVED Councillor E. Wright

SECONDED Councillor M Broniecki

That:

1. *The report be received.*
2. *Community consultation be undertaken regarding the proposed amendments to the Forestville Reserve Community Land Management Plan, and the Licence Agreement which is to be granted to the Minister for Infrastructure and Transport.*
3. *The Administration be authorised to negotiate the terms and conditions for the granting of the Licence Agreement (Forestville Reserve) and Permit (Railway North Terrace), pursuant to Section 202 and Section 221 of the Local Government Act 1999, respectively.*
4. *A further report be presented to Council outlining the results of the community consultation processes for the amendment to the Forestville Community Land Management Plan and issuing of the Licence Agreement.*

CARRIED UNANIMOUSLY
Resolution No. C0696/22

ITEM 4.1

MIKE TURTUR BIKEWAY OVERPASS – CLMP AND LICENSE AGREEMENT CONSULTATION RESULTS

MOVED Councillor J. Boisvert

SECONDED Councillor J. Bonham

That:

1. *The report be received.*
2. *The submissions in response to the Forestville Reserve Community Land Management Plan (CLMP) public consultation process indicating that 80.6% of respondents did not support amendments to the CLMP, be noted.*
3. *The submissions in response to the Licence for Construction Access for a portion of the Mike Turtur Bikeway Overpass public consultation process indicating that 92.9% of respondents did not support the granting of the licence to the Minister for Infrastructure and Transport, be noted.*
4. *In recognition of the consultation results for the Forestville Reserve Community Land Management Plan (CLMP) and the Licence for Construction Access for a portion of the Mike Turtur Bikeway Overpass, a letter be sent to the Minister for Infrastructure and Transport which:*
 - 4.1 *provides a summary of the key issues raised from the Forestville Reserve Community Land Management Plan (CLMP) and Licence for Construction Access public consultation;*
 - 4.2 *requests a meeting be convened with relevant Council, and Department of Infrastructure and Transport staff, along with the Member for Badcoe to facilitate a review of the Mike Turtur Bikeway Overpass project and includes a review of the project scope of works.*

CARRIED UNANIMOUSLY
Resolution No. C0754/22

Councillor M. Broniecki MOVED a FORMAL MOTION

That:

1. *The Item be adjourned for discussion until the Department of Infrastructure and Transport meets with Council Staff to discuss the Mike Turtur Bikeway Overpass Project.*

SECONDED Councillor M. Rabbitt

LOST

MOTION OF WHICH NOTICE HAS BEEN GIVEN

REPORT TITLE:	NOTICE OF MOTION FROM COUNCILLOR G. HART RE: COMMUNITY CONSULTATION REGARDING PROPERTY ACCESS TO THE FORESTVILLE RESERVE
ITEM NUMBER:	5.1.2
DATE OF MEETING:	24 APRIL 2023
ATTACHMENTS:	NIL

Councillor G. Hart has given notice of intention to move the following motion at the Council meeting to be held on 24 April 2023.

MOTION

That:

1. In the event that the State Government decides to proceed with an infrastructure project (such as the Mike Turtur Bikeway Overpass) that impacts the Forestville Reserve, that:
 - 1.1 Community consultation be undertaken by Council regarding any proposed amendments to the Forestville Reserve Community Land Management, and the License Agreement which is to be granted to the Minister for Infrastructure and Transport.
 - 1.2 The Administration be authorised to negotiate the terms and conditions for the granting of the License Agreement (Forestville Reserve) and Permit (Railway Terrace and TBA), pursuant to Section 202 and Section 221 of the Local Government Act 1999, respectively.
 - 1.3 A further report be presented to Council outlining the results of the community consultation processes for the amendment to the Forestville Community Land Management Plan and issuing of the License Agreement.
-

Background

At its Meeting on 31 January 2022 Council considered Item 4.4 Mike Turtur Bikeway Overpass Community Consultation Regarding Property Access, and voted unanimously to conduct community consultation regarding property access to the Forestville Reserve for a development proposal (Mike Turtur Bikeway Overpass) that would impact the Reserve and require a permit for Railway Terrace, and resolved that:

1. *The report be received.*
2. *Community consultation be undertaken regarding the proposed amendments to the Forestville Reserve Community Land Management Plan, and the Licence Agreement which is to be granted to the Minister for Infrastructure and Transport.*
3. *The Administration be authorised to negotiate the terms and conditions for the granting of the Licence Agreement (Forestville Reserve) and Permit (Railway North Terrace), pursuant to Section 202 and Section 221 of the Local Government Act 1999, respectively.*
4. *A further report be presented to Council outlining the results of the community consultation processes for the amendment to the Forestville Community Land Management Plan and issuing of the Licence Agreement.*

Resolution No. C0696/22

Community consultation was then undertaken by Council, commencing 7 February 2022 and concluding 21 March 2022. A Community Engagement Summary Report detailing the responses to a YourSay consultation survey seeking community support for: 1. Proposed Amendments to Forestville Community Land Management Plan (CLMP); and 2. Granting of a License for Construction Access, was then presented as a report to Council at its Meeting of 26 April 2022 as Item 4.1 Mike Turtur Bikeway Overpass – CLMP and License Agreement Consultation Results, with the summary report provided as Attachment 2 <https://www.unley.sa.gov.au/files/content/public/council/about-the-council/meetings-minutes/full-council-meetings/april-2022/agenda-april-2022/26.04.22-aa-council-agenda-public.pdf>

The results of the community consultation indicated an overwhelming lack of support for amending Council's current Community Land Management Plan or granting a License Agreement for DIT to conduct the Project.

The Project was not a Council project, although it has historically been strongly supported by Council and with efforts to encourage DIT to expand the scope of the works to improve our local cycling and walking infrastructure for the long-term benefit of our community.

The Project was also not the subject of Council's consultation, however the concerns of residents with the Project and their views on how it would adversely impact the Reserve were noted by Council. At its Meeting on 26 April 2022 Council voted unanimously to write to the new Minister for Infrastructure and Transport providing a summary of the key issues raised from the Forestville Reserve Community Land Management Plan (CLMP) and License for Construction Access public consultation (per Attachment 3 – refer above url).

The letter states that Council is pleased that the State Government would be reviewing the Project and forming a Community Reference Group (CRG). In relation to access to the Forestville Reserve it also states, "This will more than likely require Council to undertake a new community consultation process of its own, regarding changes which may need to be made to our Forestville Reserve CLMP and the granting of a license regarding construction works on Council owned land."

This Motion simply seeks to ensure that community consultation regarding access to the Forestville Reserve is a definite decision of Council should the State Government announce an infrastructure project, which is imminent according to our local MP Jayne Stinson.

Given that Council is likely to support an Overpass and that Overpass will likely impact Forestville Reserve, it is not premature to officially reassure our local community that consultation on access to the Forestville Reserve will be undertaken. How that consultation is conducted, the scope of the consultation, including whether Council chooses to receive and give community feedback to the State Government on their project, is something that should be discussed and decided [on](#) once a project is announced.

Engagement that both Councillor Crabbe and I have had with members of our local community has indicated strong support for us to advocate for this consultation through this Motion to Council.

Administration Comments

The motion restates the recommendations contained in the report to Council at its meeting on 31 January 2022.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

REPORT TITLE:	QUESTION ON NOTICE FROM COUNCILLOR J. BONHAM RE: HIGHGATE PARK (JULIA FARR CENTRE) AND OPEN SPACE STRATEGY
ITEM NUMBER:	5.3.1
DATE OF MEETING:	24 APRIL 2023
ATTACHMENTS:	NIL

The following Questions on Notice have been received from Councillor J. Bonham and the answers are provided:

QUESTIONS

1. Did Council pass a resolution to apply for a grant for Highgate Park land purchase from the Open Space Fund and when was that decision made?
2. How much did Council request in the grant application (for land at Highgate Park) as against the amount received?
3. If Council purchases 12.5% of the land (as per the maximum set out in the background to Item 5.1.2 Council Meeting 27 March 2023) would this constitute a local, neighbourhood, or district park?
4. If the developer chose to match the 12.5% (rather than elect to make a contribution to the State Open Space Fund) would the 25% constitute a neighbourhood or district park? What further investment would be required to bring it up to the standard of either park?
5. If Council were able to purchase some land at Highgate Park, is it possible that we would then have to pay further costs for remediation – e.g. removing bitumen – and repurposing of the land (say from car park to park)?
6. Given that the EOIs for Highgate Park are to be submitted in early May, how long is it likely to take for a decision to be made on the preferred developer? Say, based on the experience of the Le Cornu site - in other words how much time do we have to make a decision on purchasing any land?
7. In light of the recommendations in our Open Space Strategy, has Unley pursued negotiations with Concordia College to use their Oval for public access (similar to the arrangement with Parkside Primary) and, if so, what has been their response?

8. How much is it likely to cost to fully implement the Ridge Park Master Plan and complete the Glen Osmond Creek linear park? Perhaps a better bang for our borrowing buck?
9. What are the implications of borrowing money to purchase land at Highland Park for implementing other elements of our Open Space strategy?
10. The Open Space strategy is at odds with the Open Space Asset Management Plan. The former recommends against land purchase, while the latter states land could be purchased on a case-by-case basis. Leaving aside the concerns over the mis-alignment of the strategy and the plan, what are the criteria that we would use to decide whether or not to purchase land?
11. Can Point 2 of Item 5.1.2 Council Meeting 27 March 2023 be acted upon by the CEO anyway? I understood that the Highgate Park prospectus prepared by Council was precisely to allow the CEO to discuss Open Space with developers putting in EOIs.

ANSWERS

1. **Did Council pass a resolution to apply for a grant for Highgate Park land purchase from the Open Space Fund and when was that decision made?**

The Administration did not require a resolution of Council to prepare a grant for the State Government's open space fund.

At that time, the Council became aware that the (then) State Government were looking at vacating Highgate Park to enable the site to be sold and were keen to see some open space retained on the site. The submission therefore targeted Highgate Park.

Following the announcement of Highgate Park's sale, the State Government indicated that the grant could be used towards the purchase of land in the vicinity of Highgate Park if Council was not successful in purchasing land in Highgate Park itself.

2. **How much did Council request in the grant application (for land at Highgate Park) as against the amount received?**

In September 2021, the Council requested \$345,000 in the grant application. This was on the basis that the total value of the agreement would be \$705,000, comprising a \$345,000 contribution from the State Government and \$360,000 from the City of Unley.

The amount of \$705,000 was based on 2.5% land (2021 value) so that a total of 15% open space could be achieved (12.5% developer contribution and 2.5% through grant application).

3. **If Council purchases 12.5% of the land (as per the maximum set out in the background to Item 5.1.2 Council Meeting 27 March 2023) would this constitute a local, neighbourhood, or district park?**

If Council purchased 12.5% of the land, this would constitute a Neighbourhood Park.

4. **If the developer chose to match the 12.5% (rather than elect to make a contribution to the State Open Space Fund) would the 25% constitute a neighbourhood or district park? What further investment would be required to bring it up to the standard of either park?**

If 25% of the land was to be retained as open space, this would still constitute a Neighbourhood Park. Additional investment would likely be required to establish a park (e.g. Landscaping, facilities etc).

5. **If Council were able to purchase some land at Highgate Park, is it possible that we would then have to pay further costs for remediation – e.g. removing bitumen – and repurposing of the land (say from car park to park)?**

The current funding is for the purchase of land only. Additional costs for any remediation and repurposing of land, as well as the design and construction costs of a new park are not covered. Subject to any partnership that may be established between developer and Council, these costs could be shared, or would be at Council's cost (with the potential for further grant funding).

6. **Given that the EOIs for Highgate Park are to be submitted in early May, how long is it likely to take for a decision to be made on the preferred developer? Say, based on the experience of the Le Cornu site - in other words how much time do we have to make a decision on purchasing any land?**

It is difficult to put a time frame on this, as ultimately it will depend on the quality of the responses and offering that the Trust receives. There is also a process in place that involves an Independent Probity Auditor. To date there has been significant interest in the site, and depending on the number of applications, it could result in a short-listing process, or further and more detailed information may be sought from prospective developers. It is unlikely that the decision process will happen within weeks, but rather, it is more likely that it will be months.

7. **In light of the recommendations in our Open Space Strategy, has Unley pursued negotiations with Concordia College to use their Oval for public access (similar to the arrangement with Parkside Primary) and, if so, what has been their response?**

The Administration has been working to update the current agreements with the Department of Education regarding the shared use arrangements for Parkside Primary and Black Forrest Primary Schools, as well as the conclusion of the agreement with Highgate Primary School.

There have been no negotiations with Concordia College in the last five (5) years regarding public access to their oval.

8. **How much is it likely to cost to fully implement the Ridge Park Master Plan and complete the Glen Osmond Creek linear park? Perhaps a better bang for our borrowing buck?**

The Ridge Park Master Plan was supported by a high-level first order estimate to implement the proposed components of the Master Plan which is approximately \$13.8 million (2022 dollars).

The August 2022 Council report identified the implementation of the Master Plan would be over a minimum 10-year period.

There is no planning works or associated costings for the Glen Osmond Creek linear park at this stage.

9. **What are the implications of borrowing money to purchase land at Highgate Park for implementing other elements of our Open Space strategy?**

In 2022, the Council endorsed long term improvement plans for Ridge Park and North Unley Park, achieved through the renewal of existing infrastructure and new capital works.

Opportunities for investment associated with Highgate Park would need to be considered against opportunities for Ridge Park or North Unley Park as part of the development of the Annual Business Plan each year, as well as the suitability of funding grants from Federal and State Government agencies.

10. **The Open Space strategy is at odds with the Open Space Asset Management Plan. The former recommends against land purchase, while the latter states land could be purchased on a case-by-case basis. Leaving aside the concerns over the mis-alignment of the strategy and the plan, what are the criteria that we would use to decide whether or not to purchase land?**

The Open Space Strategy was written in 2014/15 and at the time did not recommend generally the purchasing of land as a practical or sustainable strategy to increase the provision of open space across the city given:

- High purchase costs of available land, inflated from competition with the local development market,
- Relatively small areas of open space that would be available, with limited open space benefits to the community, and
- Would not address diversity of open space types required.

The Strategy identified other opportunities to adapt local streets and other public spaces as well as opportunities for development partnerships as a more practical approach. However, consistent with the Asset Management Plan, the purchase of land on a case-by-case perspective should be considered.

Ideally, opportunities to expand the footprint of some of the Council's smaller local parks and pocket parks by the purchase of adjacent land and amalgamation of titles should be considered. Increased areas of open spaces will provide the ability to cater for a greater diversity of needs and uses across the city, rather than further adding to the small pocket parks and local parks across Unley.

A review of the Open Space Strategy could consider a set of criteria to inform the appropriate purchase and establishment of new useable open spaces, noting there is current provision in the current Terms of Reference of the Council's Strategic Property Committee to purchase property for open space.

The following criteria from the State Government's *30 Year Plan for Greater Adelaide – Policy 99: Ensure quality open space is within walking distance of all neighbourhoods*, could be considered:

- link, integrate and protect biodiversity assets and natural habitats
- provide linkages to encourage walking and cycling to local activities, local activity centres and regional centres
- be multi-functional, multi-use (including the shared use of strategically located school facilities), and able to accommodate changing use over time
- incorporate the principles of Crime Prevention Through Environmental Design for safety and amenity
- encourage unstructured recreation opportunities such as the provision of a variety of paths and children's play equipment
- foster a connection to the natural environment through the provision of nature play spaces and urban forest opportunities

11. **Can Point 2 of Item 5.1.2 Council Meeting 27 March 2023 be acted upon by the CEO anyway? I understood that the Highgate Park prospectus prepared by Council was precisely to allow the CEO to discuss Open Space with developers putting in EOIs.**

Based on Council's position, the CEO has reinforced the need to maintain open space on the site whenever the opportunity arises in discussions with external parties. The difference is that the resolution in 5.1.2 point 2, specifies the actual amount of open space (25%) Council would like to see on the site. This position has been communicated to one potential purchaser who has met with the CEO.

MAYOR'S REPORT

REPORT TITLE: MAYOR'S REPORT FOR MONTH OF APRIL 2023
ITEM NUMBER: 6.1.1
DATE OF MEETING: 24 APRIL 2023
ATTACHMENTS: NIL

1. RECOMMENDATION

That:

1. The report be received.
-

Some Functions attended (22/03/23 to 18/04/23)

Legend for attendance type at Function/Event:	
Attendee – only, no duties	Guest – specifically invited as an event guest
Interview – on-air radio guest	Host – hosted a meeting as Mayor
Mayor – attended as the Mayor of City of Unley	Presenter – involved in presenting awards
Representative – attended as Council representative	Speaker – attended and gave a speech as Mayor

Date	Function/Event Description	Type
23/03/23	Meet The Mayor	Host
23/03/23	Elected Member Briefing	Attendee
24/03/23	State / Local Govt Economic Partnership Forum – Convention Centre	Attendee
25/03/23	Ageing Well Expo – Village Green	Attendee
26/03/23	Special Sitting of Parliament and State Ceremony to Acknowledge the First Nations Voice Bill 2023	Attendee
26/03/23	Unley Neighbour Day 2023 Concert – Capri Theatre	Speaker
27/03/23	Meeting with Deputy Mayor	Host
27/03/23	Council Meeting	Mayor
28/03/23	2023 Hostplus SANFL League Season Launch – Adelaide Oval	Attendee
30/03/23	Meet The Mayor	Host
31/03/23	Meeting with Fullarton Ward Crs Gaffey and Hughes	Host
31/03/23	Ignite Unley Outdoor Cinema, Ratatouille – Village Green	Speaker

Date	Function/Event Description	Type
01/04/23	Rally to Save Mirnu Wirra / Golden Wattle Park	Attendee
01/04/23	Launch of Unley Oval Community Hub	Host
01/04/23	Sturt V Glenelg Game – Unley Oval	Attendee
03/04/23	Elected Member Briefing	Attendee
06/04/23	Lord Mayor Luncheon with Metro Mayors	Mayor
06/04/23	Meet The Mayor	Host
06/04/23	Norwood v Sturt Pre-Match Function and Game – Norwood Oval	Mayor
11/04/23	Elected Member Briefing	Attendee
12/04/23	SANFL Carlton Team Meet and Greet – Unley Oval	Mayor
13/04/23	Meeting with Deputy Mayor	Host
13/04/23	Meet The Mayor	Host
13/04/23	Welcome Reception LGA OGM – Convention Centre	Mayor
14/04/23	LGA OGM – Convention Centre	Mayor
14/04/23	SANFL Swans v Richmond Chairman’s Function – Adelaide Oval	Mayor
15/04/23	SANFL Collingwood Team Meet and Greet – Unley Oval	Mayor
17/04/23	Meeting with Clarence Park Ward Crs Rogers and Palmer	Host
17/04/23	Elected Member Briefing	Attendee

Date	Radio / TV Interviews	
23/03/23	5AA Radio, Leith Forrest – Re. Active Ageing Expo	
31/03/23	Channel 7 News – Re. Highgate Park	
04/04/23	ABC Radio, Peter Goers – Re. Unley Museum Expansion and Highgate Park	

Leave of Absence

Mayor Michael Hewitson will take a leave of absence from his position as Mayor for the period 29 May 2023 to 23 July 2023. Deputy Mayor Monica Broniecki will be Acting Mayor during this time.

Mayor's report re the LGA Ordinary General Meeting

The LGA OGM was attended by five elected members from the City of Unley.

At the LGA OGM the Mayor of Unley spoke in support of the arguments presented in the paper, and focussed on Social Justice for renters.

"In Unley, a third of our residents are renters. Our future build is important to them. Living in Environmentally Sustainable Developments means lower electricity costs and a better life. Tenants do not have the right to install solar panels, plant trees, or re-develop the properties that they rent."

I took it as read that members had read the report and the motion was overwhelmingly passed by a vote well over 90% of the meeting.

8.1 Environmentally Sustainable Development – City of Unley Recommendation Reports from the GAROC Committee Submitted by: City of Unley

Meeting Ordinary General Meeting 14 April 2023 ECM: 7884909 Attachment: 787485.

Recommendation: That the Ordinary General Meeting request the LGA to:

- 1. Promote the concept of Environmentally Sustainable Development using Best Practice Principles;*
- 2. Advocate for commensurate change to the Planning and Design Code; and*
- 3. Advocate for better constructions standards.*

LGA Officer's Comments, Stephen Smith, Policy Advisor - Planning:

The primary objective of the Planning, Development and Infrastructure Act 2016 (the PDI Act) is to:

'support and enhance the state's liveability and prosperity in ways that are ecologically sustainable; meet the needs, expectations and reflect the diversity of the state's communities by creating an effective, efficient and enabling planning system that:

- promotes and facilitates development and the integrated delivery and management of infrastructure and public spaces and facilities, consistent with planning principles and policies.*
- provides a scheme for community participation in relation to the initiation and development of planning policies and strategies.*

The PDI Act requires the State Government to prepare State Planning Policies that help guide policy within both regional plans and the Planning and Design Code. The following three State Planning Policies align with the City of Unley motion:

Design Quality

Good design improves the way our buildings, streets and places function, making them more sustainable, more accessible, safer and healthier. The integration of design within the planning system encourages creative solutions to complex social, economic and environmental challenges including those arising from our changing settlement patterns. Version: 3, Version Date: 09/03/2023 Document Set ID: 788409 LGA Ordinary General Meeting - Agenda & Papers - 14 April 2023 - Page 46 of 65 Version: 4, Version Date: 12/04/2023 Document Set ID: 789342 Local Government Association of South Australia

Adaptive Reuse

Adaptive reuse of buildings, sites and places in both urban and rural settings can have cultural, social, economic and environmental benefits. It can rejuvenate neighbourhoods and strengthen a sense of place and familiarity with the surrounding environment. A strong link to the past can enhance a sense of place, history and belonging and unlock new opportunities and promote innovation in design.

Climate Change

Climate change will impact all areas of our society. Our future prosperity, the liveability of our cities and towns, the health and wellbeing of our communities and the resilience of our built and natural environment all depend on how well we adapt to and mitigate the impacts of climate change. In addition, good planning should focus on the following principles: Long-term focus principles

- Policy frameworks should be based around long- term priorities, be ecologically sound, and seek to promote equity between present and future generations.*
- Policy frameworks should be able to respond to emerging challenges and cumulative impacts identified by monitoring, benchmarking and evaluation. Urban renewal principles.*
- Urban renewal should seek to make the best use (as appropriate) of underlying or latent potential associated with land, buildings and infrastructure. High-quality design principles.*
- Built form should be durable, adaptive (including the reuse of buildings or parts of buildings) and compatible with the relevant public realm.*

This motion seeks to ensure that development approved through the planning system is social and environmental sustainability. For this to be achieved policy within the Planning and Design Code needs to be developed being cognisant of the object of the PDI Act and the relevant State Planning Policies.

The LGA, through its submissions on the Planning and Design Code and more recently with the Expert Panel Review of the Planning System, have raised the concerns outlined by the City of Unley and have identified the need for improved planning policy relating to environmental sustainability.

DEPUTY MAYOR'S REPORT

REPORT TITLE: DEPUTY MAYOR'S REPORT FOR MONTH OF APRIL 2023
ITEM NUMBER: 6.2.1
DATE OF MEETING: 24 APRIL 2023
ATTACHMENTS: NIL

1. **RECOMMENDATION**

That:

1. The report be received.
-

Functions attended (22/03/23 to 18/04/23)

Date	Function/Event Description
22/03/2023	White Lady Funeral Black Forest opening
23/03/2023	Council Briefing: Confidential
24/03/2023	Audit & Risk Training
25/03/2023	Ageing Well Expo
27/03/2023	Council Meeting
28/03/2023	Unley Community Centre Ride
28/03/2023	Audit Committee
31/03/2023	Audit Subcommittee meeting
1/04/2023	Unley Oval Community Hub Opening
3/04/2023	City Wide Parking Strategy - Workshop 2
4/04/2023	Unley Community Centre Ride
5/04/2023	ICEI Global Covenant of Mayors meeting
11/04/2023	Unley Community Centre Ride
11/04/2023	Council Briefing: Stormwater Management Induction Training: Tree Strategy, Assets, Waste Management
13/04/2023	Meeting with Mayor
14/04/2023	LGA Ordinary General Meeting
17/04/2023	Council Briefing: Confidential
18/04/2023	Unley Community Centre Ride
18/04/2023	Audit Committee interviews

REPORTS OF MEMBERS

REPORT TITLE:	REPORTS OF MEMBERS FOR APRIL 2023
ITEM NUMBER:	6.3.1
DATE OF MEETING:	24 APRIL 2023
ATTACHMENTS:	1. COUNCILLOR D. PALMER 2. COUNCILLOR J. BONHAM

Council to note attached reports from Members:

1. Councillor D. Palmer
 2. Councillor J. Bonham
-

MEMBER REPORT**REPORT TITLE:** REPORT FROM COUNCILLOR D. PALMER**DATE OF MEETING:** 24 APRIL 2023**1. RECOMMENDATION**

That:

1. The report be received.

Functions attended (22/03/23 to 18/04/23)

Date	Function/Event Description
22 Mar	East Waste Annual Mayors & CEOs Program (on behalf of the Mayor)
	Clarence Park Community Centre Board of Management meeting
23 Mar	Elected Members Briefing
24 Mar	State/Local Government Economic Partnership Forum
25 Mar	Ageing well in Unley Expo
26 Mar	Celebrating Neighbour Day with the City of Unley Community Centres at the Capri.
27 Mar	Council meeting
28 Mar	Millswood/Clarence Park Neighbourhood Watch
29 Mar	Mandatory Training Modules 1 & 2
30 Mar	Mandatory Training Module 3
31 Mar	Buddies Breakfast
1 Apr	Opening of new grandstand @ Unley Oval
2 Apr	Goodwood Saints Football Club Junior Guernsey Presentation
3 Apr	Elected Member Briefing
4 Apr	Coffee with Mayor of Mitcham Heather Holmes-Ross discussing GAROC business
	Community Forum with the Premier
11 Apr	Elected Member Briefing
13 Apr	Opening of Unley Oval Community Hub
14 Apr	Local Government Association Ordinary General Meeting
17 Apr	Mayoral Ward Briefing with Cr Rogers
17 Apr	Elected Member Briefing
18 Apr	CAP meeting

MEMBER REPORT**REPORT TITLE:** REPORT FROM COUNCILLOR J. BONHAM**DATE OF MEETING:** 24 APRIL 2023**1. RECOMMENDATION**

That:

1. The report be received.

Functions attended (22/03/23 to 18/04/23)

Date	Function/Event Description
23 March 2023	Council Briefing: GCCC and Unley Central
24 March 2023	LGA Audit and Risk Committee Training
27 March 2023	Council Meeting
28 March 2023	Audit Committee (as observer)
1 April 2023	UnleyBUG community ride, Mirnu Wirra Forum, Unley Oval Community Hub Opening
3 April 2023	Council Workshop: Parking Strategy
8 April 2023	Residents meeting re Development at 163a-164 Greenhill Road
11 April 2023	Parkside Ward Workshop and Briefing: Stormwater Management, Tree Strategy, Asset Management Strategy, Waste Management
17 April 2023	Council Briefing: Property

CORRESPONDENCE

REPORT TITLE:	CORRESPONDENCE
ITEM NUMBER:	6.4.1
DATE OF MEETING:	24 APRIL 2023
ATTACHMENTS:	<ol style="list-style-type: none">1. CLARENCE PARK COMMUNITY CENTRE BOARD OF MANAGEMENT2. MAYOR HEWITSON3. MAYOR HEWITSON4. THE HON NAT COOK MP MINISTER FOR HUMAN SERVICES5. CLARE MOCKLER CEO CITY OF ADELAIDE

The correspondence from:

- Clarence Park Community Centre Board of Management – Re: Appreciation for Continued Financial Support of The Shed Program
- Mayor Hewitson to the Hon Nat Cook MP, Minister for Human Services – Re: Highgate Park (Julia Farr Centre)
- Mayor Hewitson to the Hon Nick Champion MP, Minister for Planning – Re: The Importance of the Adelaide Park Lands to the City of Unley
- The Hon Nat Cook MP Minister for Human Services – Re. Highgate Park (Julia Farr Centre)
- Clare Mockler CEO City of Adelaide – Re. Advocacy for the Adelaide Park Lands to the State Heritage Register

be noted.

CLARENCE PARK COMMUNITY CENTRE

22nd March 2023

Attention:
Mr P Tsokas
Chief Executive Officer
P.O. Box 1
UNLEY SA 5061

By email

The Board of Management of the Clarence Park Community Centre take this opportunity to thank the City of Unley for a contribution of \$15,000 + GST for a 3 year period to support The Shed program as approved by Council Resolution No. CO756/22.

The Shed program is in its 43rd year and is a valuable asset to the local community as well as the participants that attend the program.

The program provides both mental and physical stimulation for the participants as well as a friendly and welcoming environment which is vital for the wellbeing of all involved. Workplace health and safety is paramount to enable a safe workplace is provided.

Community support is very important, and the program continues to provide repair work to Kindergartens, Childcare Centres as well as making and repairing woodworking projects for anyone in the Community on request.

The annual funding contribution has assisted the program with the following:

- Provide financial support towards a paid Co-ordinator of The Shed to oversee planning and delivery of programming as well as engagement and safety of participants.
- To oversee the growth and development of The Shed.
- Assist with the minor purchases of materials to re-furbish the workshop and shed enabling better accessibility to participants with disabilities, school holiday program participants, workshop participants and overall making for a safer and more user-friendly space.
- Enable participants to conduct School Holiday Programs by supporting them through delivery and ensuring DCSI clearances are current.
- Facilitate the opportunity to increase funds back into the program through the sale of goods.
- Refurbishment of the internal spaces to better facilitate membership growth and accessibility.
- Allow space to plan for greater accessibility and engagement with community.

We look forward to continuing a positive relationship with The City of Unley over the life of the Partnership Agreement

Kind Regards



Les Birch
Chairperson
Clarence Park Community Centre
Board of Management



31 March 2023

The Hon Nat Cook MP
Minister for Human Services
Via email ministerhumanservices@sa.gov.au

Dear Minister Cook

Highgate Park (Julia Farr Centre)

Council is resolved in its commitment to increase open space within our City and seeks to work strategically with all levels of government to provide increased public amenity for our future generations.

The Council at its meeting of 27 March 2023 considered a Notice of Motion from Councillor J. Gaffey regarding the Highgate Park (Julia Farr Centre) site, which is currently for sale by Renewal SA, and resolved that:

1. Council writes to the Minister for Human Services, the Minister for Planning, MP David Pisoni, MP Nadia Clancy, and MP Jayne Stinson, indicating Council's support for the letter sent to the Minister for Human Services from Peter Croft on behalf of the Unley Tree Action Group, Grow, Grow, Grow Your Own and FOCUS, regarding setting aside 25% of the Highgate Park site as a publicly accessible and useable green space in the form of a community park.
2. Council authorises the CEO to enter preliminary discussions with potential developers to ensure that they know of our commitment to the long term goal of increasing open space and public amenity within our City. Council strongly recommends a minimum of 25% open space for the site, which must consist of a north south rectangular segment containing the bulk of the regulated and significant trees.
3. Council intends to use the State Government grant already received as a contribution towards land purchase as a catalyst towards a more significant land purchase at Highgate Park to satisfy the need for increased open space in the City of Unley.

Resolution No. C0988/23

We look forward to engaging with you and working toward a greener, brighter future for our City and State.

Yours sincerely

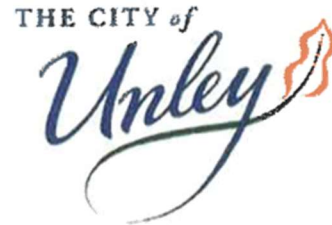
Michael Hewitson AM
Mayor

CC The Hon Nick Champion MP, Minister for Planning ministerchampion@sa.gov.au
David Pisoni MP, Member for Unley unley@parliament.sa.gov.au
Nadia Clancy MP, Member for Elder elder@parliament.sa.gov.au
Jayne Stinson MP, Member for Badcoe badcoe@parliament.sa.gov.au

CITY of VILLAGES

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31 March 2023

The Hon Nick Champion MP
Minister for Planning
Via email ministerchampion@sa.gov.au

Dear Minister Champion 

Re: The Importance of the Adelaide Park Lands to the City of Unley

The Council at its meeting of 27 March 2023 considered a Notice of Motion from Councillor C. Crabbe regarding the importance of the Adelaide Park Lands to the City of Unley, and resolved that:

1. *A letter be sent to the Hon Nick Champion MP, Minister for Planning:*
 - (a) *Indicating the City of Unley's support to investigate the addition of the Adelaide Park Lands to the State Heritage register. Noting:*
 - i. *That the Heritage Council resolved to recommend the creation of a State Heritage Area in 2018;*
 - ii. *The Heritage Council's recommendation has been with the Minister for Planning since 2018 and therefore remains 'on hold' as far as the Heritage Council is concerned; and*
 - iii. *The environmental significance of the Adelaide Park Lands and importance to residents of the City of Unley for both recreation and wellbeing.*
 - (b) *Requesting that SAPOL and the State Government investigate alternative sites for the Mounted Operations Unit and associated buildings and structures that do not impact areas of high biodiversity value nor result in the alienation of publicly accessible Park Lands.*
2. *A copy of the letter sent to the Hon Nick Champion MP, Minister for Planning be sent to the Hon Joe Szakacs MP, Minister for Police, Emergency Services and Correctional Services; Jayne Stinson MP, Member for Badcoe; David Pisoni MP, Member for Unley; Lucy Hood MP, Member for Adelaide; and Nadia Clancy MP, Member for Elder.*

....2/

CITY of VILLAGES

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3. *A letter be sent to the CEO of the City of Adelaide requesting a briefing by ACC staff to the City of Unley's Elected Members on the Adelaide Park Lands Management Strategy 2015-2025, highlighting opportunities for projects and further engagement in the review process in the vicinity of Greenhill Road, which would provide amenity to residents from both cities, as well as outline opportunities for Council to further engage in the City Council's current review of the Strategy.*

Resolution No. C0996/23

Yours sincerely



Michael Hewitson AM
Mayor

CC *The Hon Joe Szakacs MP, Minister for Police, Emergency Services and Correctional Services*
ministerszakacs@sa.gov.au
Jayne Stinson MP, Member for Badcoe badcoe@parliament.sa.gov.au
David Pisoni MP, Member for Unley unley@parliament.sa.gov.au
Lucy Hood MP, Member for Adelaide adelaide@parliament.sa.gov.au
Nadia Clancy MP, Member for Elder elder@parliament.sa.gov.au



Government
of South Australia

Hon Nat Cook MP

23MDIS/0148

Mayor Michael Hewitson
City of Unley

Via email: mhewitson@unley.sa.gov.au

Dear Mayor Hewitson

Thank you for your correspondence to the Minister for Housing and Urban Development and Planning regarding Highgate Park. Hon Nick Champion, has requested I respond to you on his behalf.

It is in my capacity as Trustee of the Home for Incurables the land is held. The retention of the site for open space may not be feasible as it may not maximise the returns to beneficiaries of the Trust. This is not just a capital exercise, but important in regard to honouring the legacy of the Trust.

Any future development or repurposing of Highgate Park will be subject to the relevant planning authority. The Open Space Contribution Scheme is dealt with in the *Planning Development and Infrastructure Act 2016*.

If you would like to further discuss this matter, I encourage you to make direct contact with Joe Young on 0408 869 670.

Yours sincerely

A handwritten signature in blue ink that reads 'N Cook'.

Hon Nat Cook MP
MINISTER FOR HUMAN SERVICES

6 / 4 / 2023





Karna Country
25 Pirie Street, Adelaide
GPO Box 2252 Adelaide
South Australia 5001
T +61 (08) 8203 7203
F +61 (08) 8203 7575
W cityofadelaide.com.au
ABN 20 903 762 572

Enquiries: Matthew Field 8203 7373
Reference: ACC2023/44842

12 April 2023

Mr Peter Tsokas
Chief Executive Officer
City of Unley
181 Unley Road
UNLEY SA 5061

Via email: ptsokas@unley.sa.gov.au

Dear Peter

Thank you for your correspondence on 3 April 2023 outlining the decision of City of Unley at its meeting on 27 March 2023 regarding the Adelaide Park Lands.

I appreciate the support and advocacy from your Council to add the Adelaide Park Lands to the State Heritage register and Council's request to SAPOL and the State Government to investigate alternative sites for the Mounted Operations Unit and buildings.

My team would be pleased to brief your Council regarding the current review of the Adelaide Park Lands Management Strategy 2015-2025 and explore projects for our two adjoining Councils to work together on.

Please liaise with Matthew Field, Manager Park Lands and Sustainability via email m.field@cityofadelaide.com.au or phone 82037373 to arrange an appropriate time to brief your Council.

Yours sincerely

A handwritten signature in blue ink that reads 'Clare Mockler'.

Clare Mockler
Chief Executive Officer

The City of Adelaide acknowledges the Karna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.



INFORMATION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION - UPDATE ON COUNCIL LEGAL MATTERS

ITEM NUMBER: 7.1

DATE OF MEETING: 24 APRIL 2023

AUTHOR: ED SCANLON, MANAGER ECONOMIC DEVELOPMENT & STRATEGIC PROJECTS

DIVISION: OFFICE OF THE CEO

1. **RECOMMENDATION**

That:

1. Pursuant to section 90(2) and (3)(h) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at the part of the meeting relating to Agenda item 7.2 , except for the following persons:

- Peter Tsokas, CEO
- Megan Berghuis, General Manager City Services
- Claude Malak, General Manager City Development
- Nicola Tinning, General Manager Business Support and Improvement
- Lara Gregory, Executive Assistant to CEO and Mayor
- Ed Scanlon, Manager Economic Development & Strategic Projects
- Yazmin King, Executive Assistant to General Manager City Services

To enable the Council to consider Item "Insert item number" in confidence on the basis that Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item "Insert item number" .

- legal advice
2. Accordingly, on this basis, the Council is satisfied that the principle that meetings of the Council should be conducted in a place open to the public has been outweighed because a council decision has not yet been made in relation to the advice and its subject matter.

ITEM 7.2

Confidential – removed from the public agenda – pages 175-185

INFORMATION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION TO REMAIN IN
CONFIDENCE - UPDATE ON COUNCIL LEGAL
MATTERS

ITEM NUMBER: 7.3

DATE OF MEETING: 24 APRIL 2023

AUTHOR: ED SCANLON, MANAGER ECONOMIC
DEVELOPMENT & STRATEGIC PROJECTS

DIVISION: OFFICE OF THE CEO

1. **RECOMMENDATION**

That:

1. Pursuant to section 91(7) of the *Local Government Act 1999* the Council orders that the following document(s) relating to Agenda Item 7.2 Update on Council Legal Matters, shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(h) .

- Minutes
- Report
- Attachment

- legal advice