

# 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

***Wednesday 27 January 2021***  
***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”

## **ACKNOWLEDGEMENT**

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

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

## **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**

Councillor J. Dodd

##### **1.2 LEAVE OF ABSENCE**

Nil

##### **1.3 CONFLICT OF INTEREST**

*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.*

##### **1.4 MINUTES**

1.4.1 Minutes of the Ordinary Council Meeting held Monday, 14 December 2020

##### **1.5 DEFERRED / ADJOURNED ITEMS**

Nil

#### **2. PETITIONS/DEPUTATIONS**

Nil

#### **3. REPORTS OF COMMITTEES**

Nil

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

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## **SUGGESTED ITEMS FOR NEXT AGENDA**

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Community Event Sponsorship Program	
Graffiti Volunteer Removal Program	
Australian Local Government Association - Call for Notice of Motions for National General Assembly 2021	
Review of Policies	

## **NEXT MEETING**

Monday 22 February 2021 - 7.00pm

Council Chambers, 181 Unley Road Unley

## INFORMATION REPORT

<b>REPORT TITLE:</b>	UNLEY OVAL COMMUNITY AND BUSINESS HUB
<b>ITEM NUMBER:</b>	4.1
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	MANDY SMITH
<b>JOB TITLE:</b>	MANAGER COMMUNITY CONNECTIONS
<b>ATTACHMENTS:</b>	1. UNLEY OVAL PROJECT SITE PLANS 2. UNLEY OVAL STAGE 2 PROSPECTUS

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### 1. **EXECUTIVE SUMMARY**

This report provides an update on the Unley Oval Stage 2 redevelopment, being the construction of a community and business hub.

Work has been progressing to ensure this is a shovel ready project, in order to secure State and Federal Government funding. This work has included consultation with community groups to assess the level of demand for a community facility providing for regular bookings, the preparation of detailed design and cost estimates and achieving planning consent for the project through the Council Assessment Panel.

The Administration are currently preparing an application to the recently announced State Government Local Government Infrastructure Partnership Program (LGIPP). The LGIPP is a competitive grants program established to support councils to accelerate spending on community infrastructure projects that contribute to the future economic growth of their region, support the Government's Growth State agenda, or improve local infrastructure facilities for businesses and community organisations to enable them to grow in the future. Through this program matched funding is available for projects over \$1M, with a total grant pool of \$100M. Staff are currently preparing a grant application to the LGIPP for \$1,950,000.

### 2. **RECOMMENDATION**

That:

1. The report be received.
-

### **3. RELEVANT CORE STRATEGIES/POLICIES**

#### Goal 4: Community Living

1.2 Our Community participates in community activities, learning opportunities and volunteering.

1.3 Our City meets the needs of all generations.

1.4b Ensure our spaces and places can be enjoyed by all.

#### Goal 3: Economic Prosperity

3.1 Unley is recognised as an easy place to do business.

3.2 3.2 Thriving main streets and other business activities operate across our City.

### **4. BACKGROUND**

In June 2017, Council adopted the Unley Oval Improvement Plan (883/17) which outlined a number of staged improvements for the benefit of community and sporting use. In March 2019, Stage 1 of the Unley Oval redevelopment was completed, comprising upgrades to both the Oatey and McKay stands including player facilities, new and upgraded unisex change rooms, a new canteen, and improved disability access. The City of Unley, State Government, AFL, and the Sturt Football Club (SFC) jointly funded this stage of the project, with the total cost of Stage 1 being \$3.1M. Council funded \$1.8M of this redevelopment.

The planned Stage 2 redevelopment includes a second level above the Jack Oatey Grandstand that will provide additional community facilities. This includes provision of a mezzanine office space for leasing by SFC and one other community organisation and a large glass-fronted flexible, multi-purpose community space with a kitchen and bar facility. A site plan has been included as Attachment 1.

*Attachment 1*

In early 2019, a partnership was formed between the City of Unley and LifeChanger Foundation (LifeChanger), who deliver youth development programs to the community aimed at building resilience in young people. LifeChanger are seeking a potential site to base their new South Australian operations and are keen to pursue a location in the City of Unley. LifeChanger's mission has direct synergies with Council's strategic objectives, particularly in the area of youth development, active ageing and healthy communities. The LifeChanger offices and workshop space could potentially be incorporated into the Stage 2 redevelopment, and would enable the attraction of youth services not currently available in the City of Unley.

In February 2019, Council endorsed that:

- *The Chief Executive Officer be endorsed to exchange a Letter of Intent with Life Changer Foundation, who are seeking to explore establishing their South Australian operations in the Unley Oval Complex, which commits to working collaboratively to seek alternative funding sources to undertake the Stage 2 redevelopment of Unley Oval.*
- *Work commence on the development of detailed designs for Stage 2 of the Unley Oval development, to support discussions with possible sources of external funding.*
- *A review of the Community Land Management Plan (including community consultation) commence for Unley Oval.*

## **5. DISCUSSION**

Council has had a long-term vision to undertake Stage 2 of the redevelopment, which includes a multi-purpose meeting area for community use (and SFC on match days). In the 2019/20 financial year, Council allocated \$1.2M to the Stage 2 redevelopment, for detailed design work and to assist in the attraction of State and Federal Government funding. This funding has been carried forward to 2020/21. Work has been progressing to ensure that this is a shovel ready project. This work includes:

- Design Work – detailed design and cost estimates have been prepared.
- Planning Consent – on 15 December 2020, the Council Assessment Panel (CAP) granted Planning Consent for the Stage 2 Unley Oval redevelopment. There was one appeal received from a resident against the decision of CAP in relation to this matter. The appeal notice states the resident is concerned with parking, amenity impacts, hours of operation and impacts to property value. Council staff will endeavour to work through these issues with the appellant and through the Environment, Resources and Development (ERD) court process. Subject to the resolution of the appeal, Council staff will then progress with full Development Approval.
- Community Group Consultation – in October 2020, consultation was undertaken to assess the level of demand for a community facility from local community groups in the City of Unley. 318 community groups and local education providers were invited to participate in this consultation, with 56 submitting a response.

The feedback demonstrated that there is demand for a community facility, with a total of 29 respondents indicating a current or future unmet need for a community space for meetings and activities. Most respondents indicated a preference for repeated regular bookings, with lower numbers seeking a permanent home or ad-hoc bookings, which are seen as already well provided for via our Community Centres.

As discussions on the proposed facility have progressed, demand for a large space for business networking and training functions has also been identified. This includes an opportunity to house Council's *Fish Tank* youth entrepreneurial program and *Start Up @ Any Age* entrepreneur program targeting people aged 65+. Running these programs from the same location will have the benefit of facilitating intergenerational outcomes.

### **State Government grant opportunity**

The State Government Department of Treasury has recently released a Local Government Infrastructure Partnership Program (LGIPP). This competitive grants program has been established to support councils to accelerate spending on community infrastructure projects that contribute to the future economic growth of their region, support the Government's Growth State agenda, or improve local infrastructure facilities for businesses and community organisations to enable them to grow in the future. Through this program, matched funding is available for projects over \$1M, with a total grant pool of \$100M.

Staff are currently preparing a grant application to the LGIPP for \$1,600,000. Applications for this LGIPP funding close late January 2021 with outcomes expected to be known in March 2021. If successful, this funding can be combined with the Commonwealth Government funding that Council has already received (\$1,300,000) together with Council's allocation, to fully fund this project.

The Stage 2 Unley Oval redevelopment is eligible for the LGIPP and therefore an application is currently being prepared.

A supporting Prospectus has also been developed and is included as Attachment 2.

*Attachment 2*

## **6. STAKEHOLDER ENGAGEMENT**

The community has been extensively engaged in relation to the Unley Oval Improvement plan. This includes:

- 2013 Unley Oval Precinct Master Plan Club consultation (5 responses)
- 2013 Unley Oval Precinct Master Plan general public consultation (185 responses)
- 2015 Unley Oval Future Grandstand Upgrades (88 responses)
- 2020 Unley Oval Community Hub – Community group consultation (56 responses)
- 2020 Development Application public notification (21 responses)

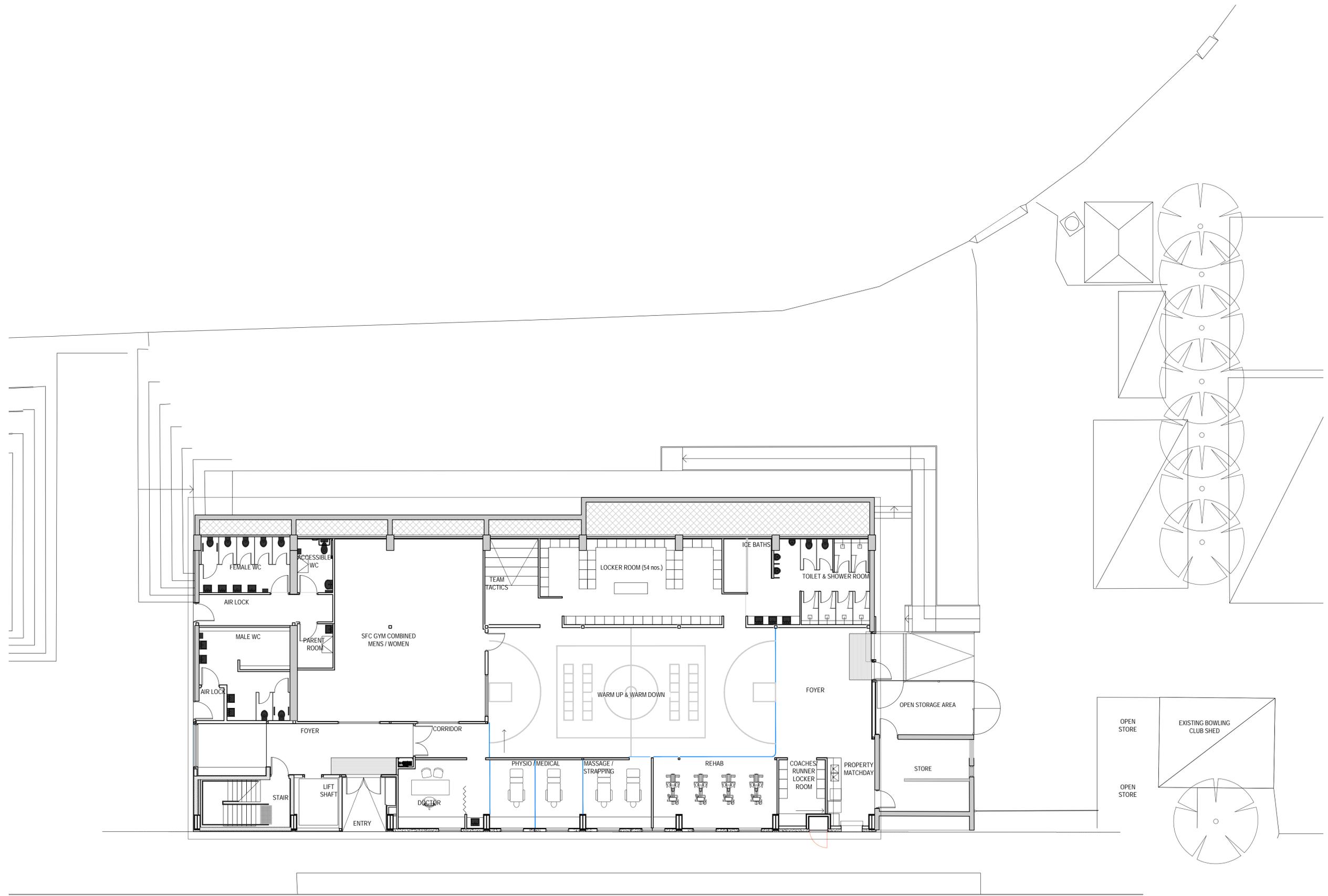
Further information and updates will be provided to the community via Council's website, social media and online engagement hub, Your Say Unley.

7. **REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Megan Berghuis	General Manager, City Services

AREA - GROUND FLOOR EXISTING

ROOM NAME	M <sup>2</sup>
FEMALE WC	14.5
ACC. WC	5.5
AIRLOCK	11.5
PARENTS ROOM	4.5
MALE WC	21.3
AIRLOCK	2.5
FOYER (1)	31.0
EXISTING STAIR	12.5
LIFT	5.3
ENTRY	7.6
CORRIDOR	7.2
SFC GYM	84.3
DOCTOR	17.3
PHYSIO / MASSAGE	31.9
REHABILITATION	24.9
COACHES / RUNNERS LOCKER ROOM	8.2
PROPERTY MATCHDAY	9.1
WARM UP / WARM DOWN	108.8
FOYER (2)	35.9
TEAM TACTICS	13.0
LOCKER ROOM	46.6
ICE BATHS	73.3
TOILET / SHOWER ROOM	25.8
OPEN STORE AREA	14.8
STORE	18.4
TOTAL	569.7

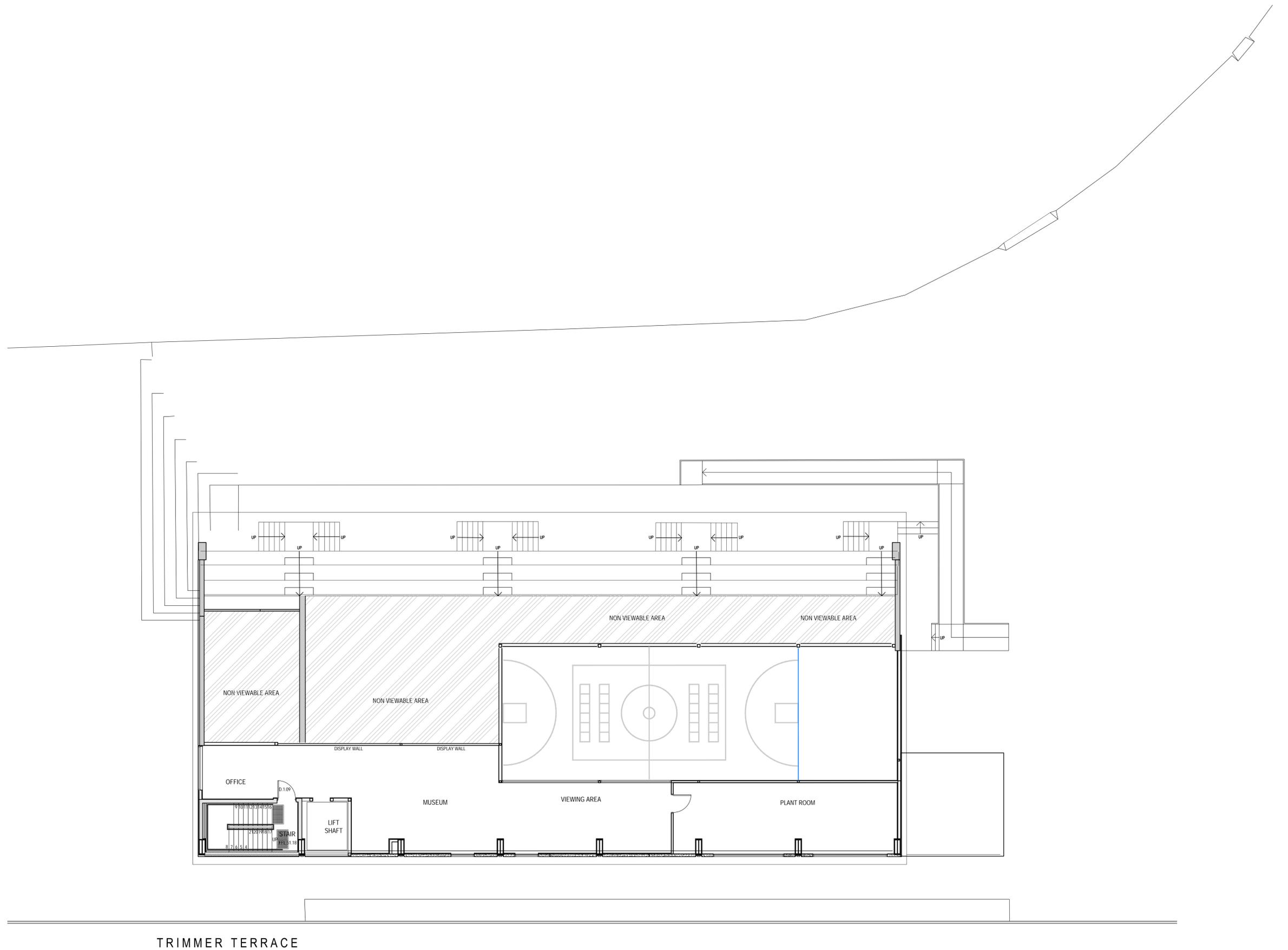


TRIMMER TERRACE

EXISTING GROUND FLOOR PLAN

AREA - MEZZANINE FLOOR EXISTING

ROOM NAME	MF
EXISTING STAIR	12.5
LIFT	5.3
MUSEUM	42.6
VIEWING AREA	32.7
OFFICE	21.6
PLANT ROOM	42.8
TOTAL	157.5

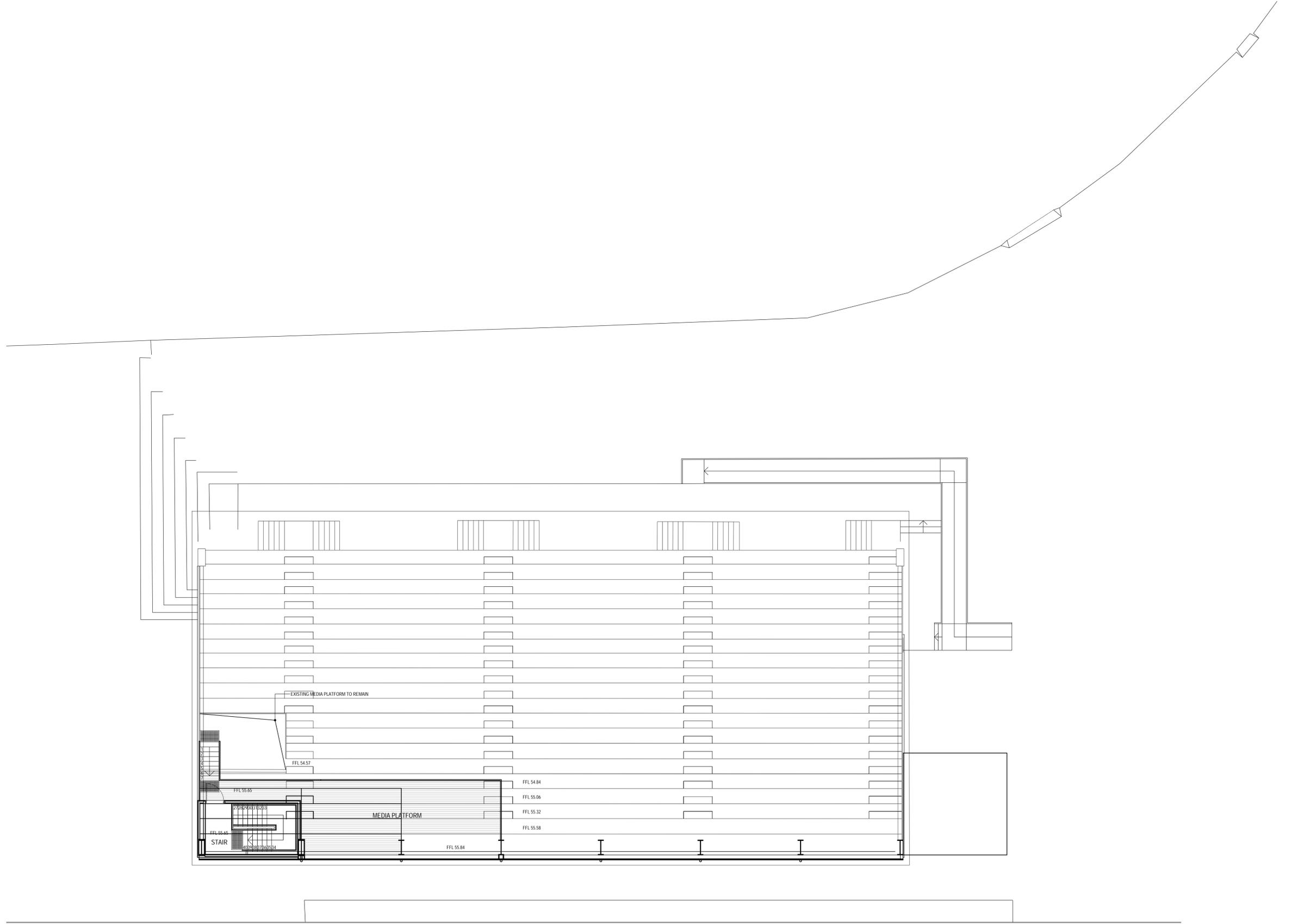


TRIMMER TERRACE

EXISTING FIRST FLOOR PLAN

AREA - GROUND FLOOR EXISTING

ROOM NAME	M <sup>2</sup>
EXISTING STAIR	12.5
MEDIA PLATFORM	47.2
EXISTING MEDIA PLATFORM	12.1
TOTAL	71.9

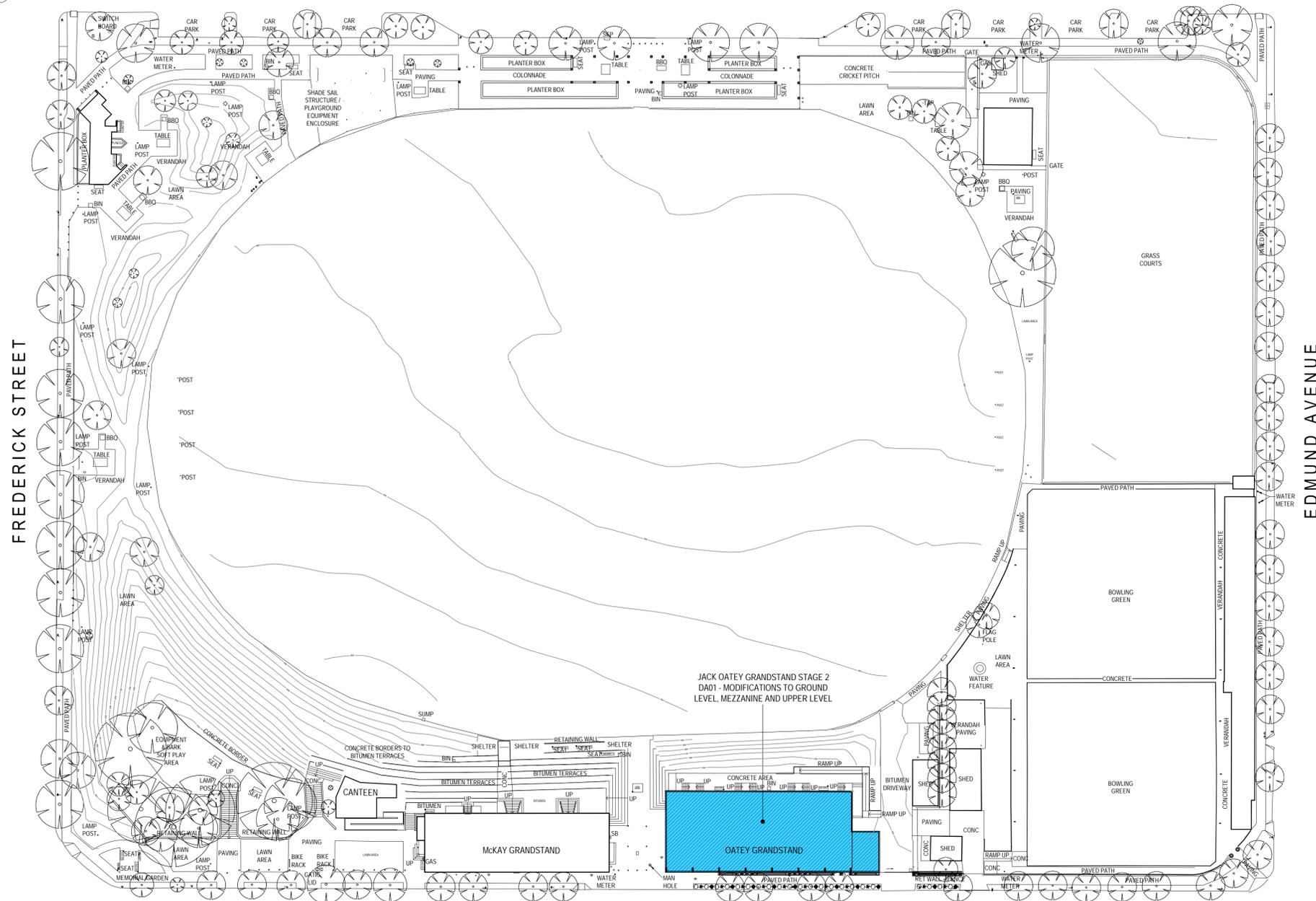


TRIMMER TERRACE

EXISTING SECOND FLOOR PLAN

2

LANGHAM TERRACE

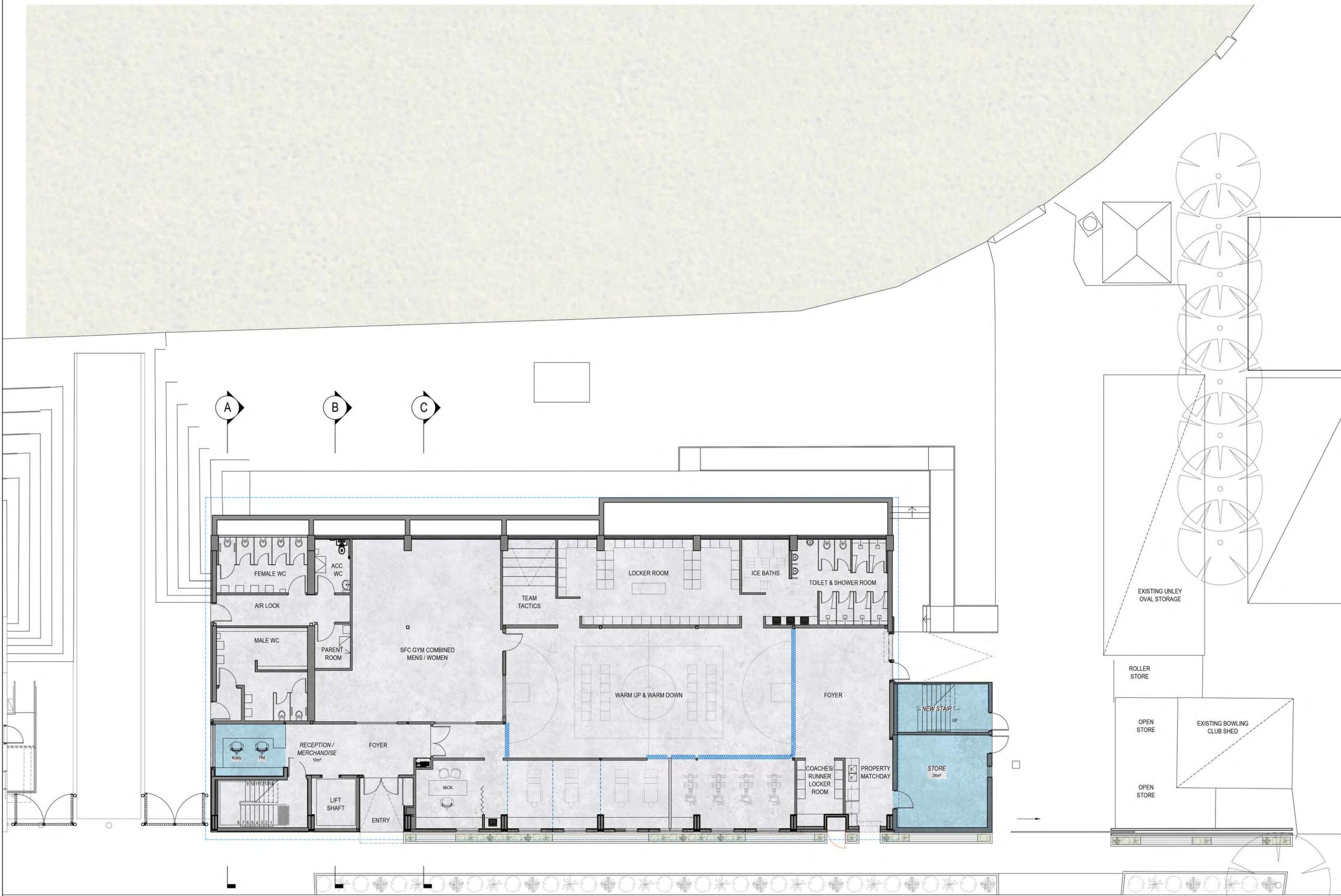


TRIMMER TERRACE

PROPOSED SITE PLAN

AREA - GROUND FLOOR PROPOSED

ROOM NAME	M <sup>2</sup>
FEMALE WC	14.5
ACC. WC	5.5
AIRLOCK	11.5
PARENTS ROOM	4.5
MALE WC	21.3
AIRLOCK	2.5
FOYER (1)	31.0
EXISTING STAIR	12.5
LIFT	5.3
ENTRY	7.6
CORRIDOR	7.2
SFC GYM	84.3
DOCTOR	17.3
PHYSIO / MASSAGE	31.9
REHABILITATION	24.9
COACHES / RUNNERS LOCKER ROOM	8.2
PROPERTY MATCHDAY	9.1
WARM UP / WARM DOWN	108.8
FOYER (2)	35.9
TEAM TACTICS	13.0
LOCKER ROOM	46.6
ICE BATHS	73.3
TOILET / SHOWER ROOM	25.8
NEW STAIR (FIRE)	12.8
STORE	18.4
TOTAL	573.5



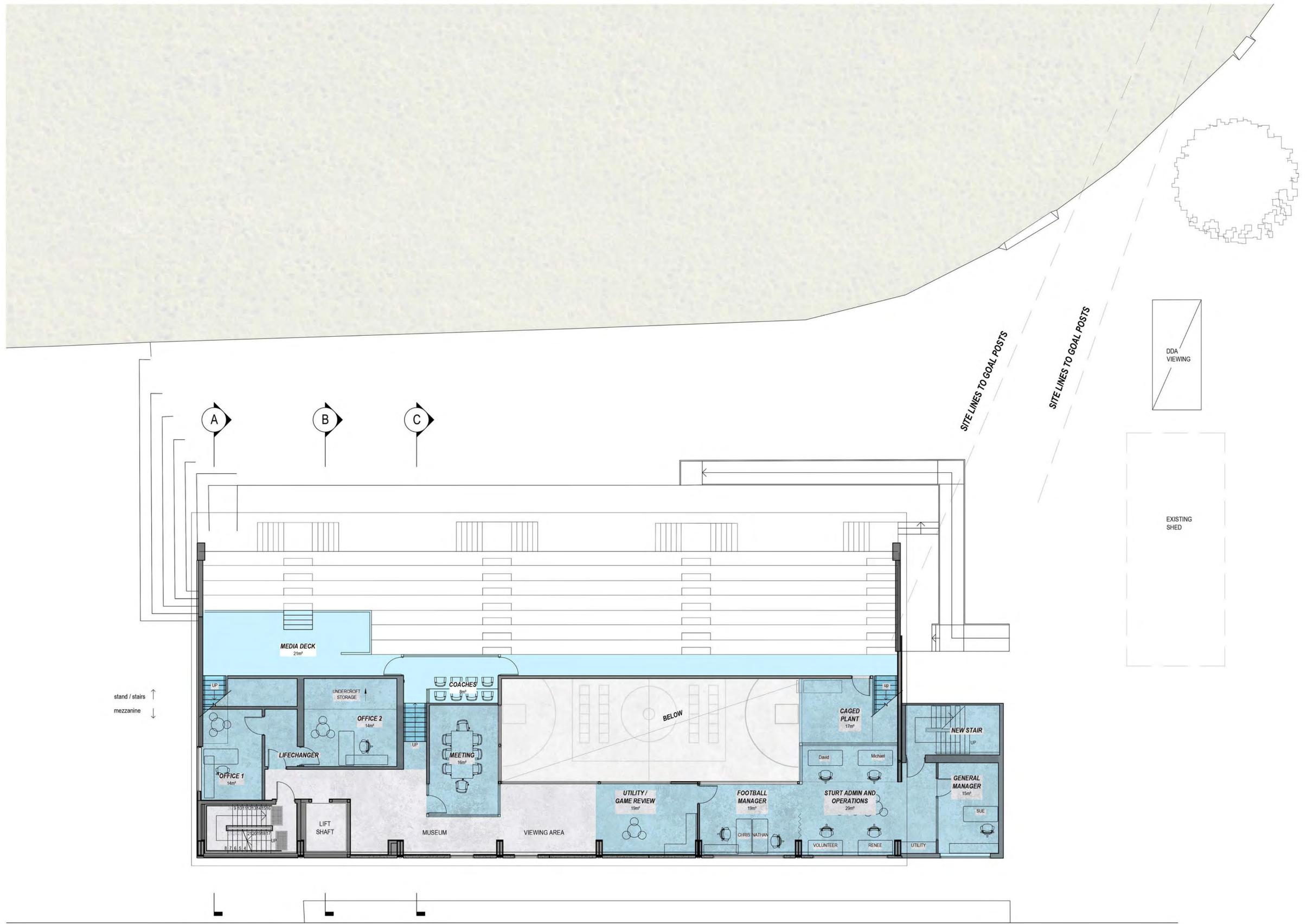
TRIMMER TERRACE

PROPOSED GROUND FLOOR PLAN

PROPOSED  
 EXISTING

AREA - MEZZANINE FLOOR PROPOSED

ROOM NAME	sqm
EXISTING STAIR	12.5
LIFT	5.3
MUSEUM	42.6
VIEWING ROOM	32.7
OFFICE 1	14.8
AIRLOCK	5.0
OFFICE 2	22.3
COACHES (INCLUDING STAIR)	16.1
MEETING	20.5
UTILITY / GAME REVIEW	19.1
FOOTBALL MANAGER	19.3
STURT ADMIN & OPERATIONS	28.3
CAGED PLANT	16.7
GENERAL MANGER	24.4
NEW STAIR (FIRE)	12.8
MEDIA DECK	30.7
EXTERNAL WALKWAY	22.9
TOTAL	346.0



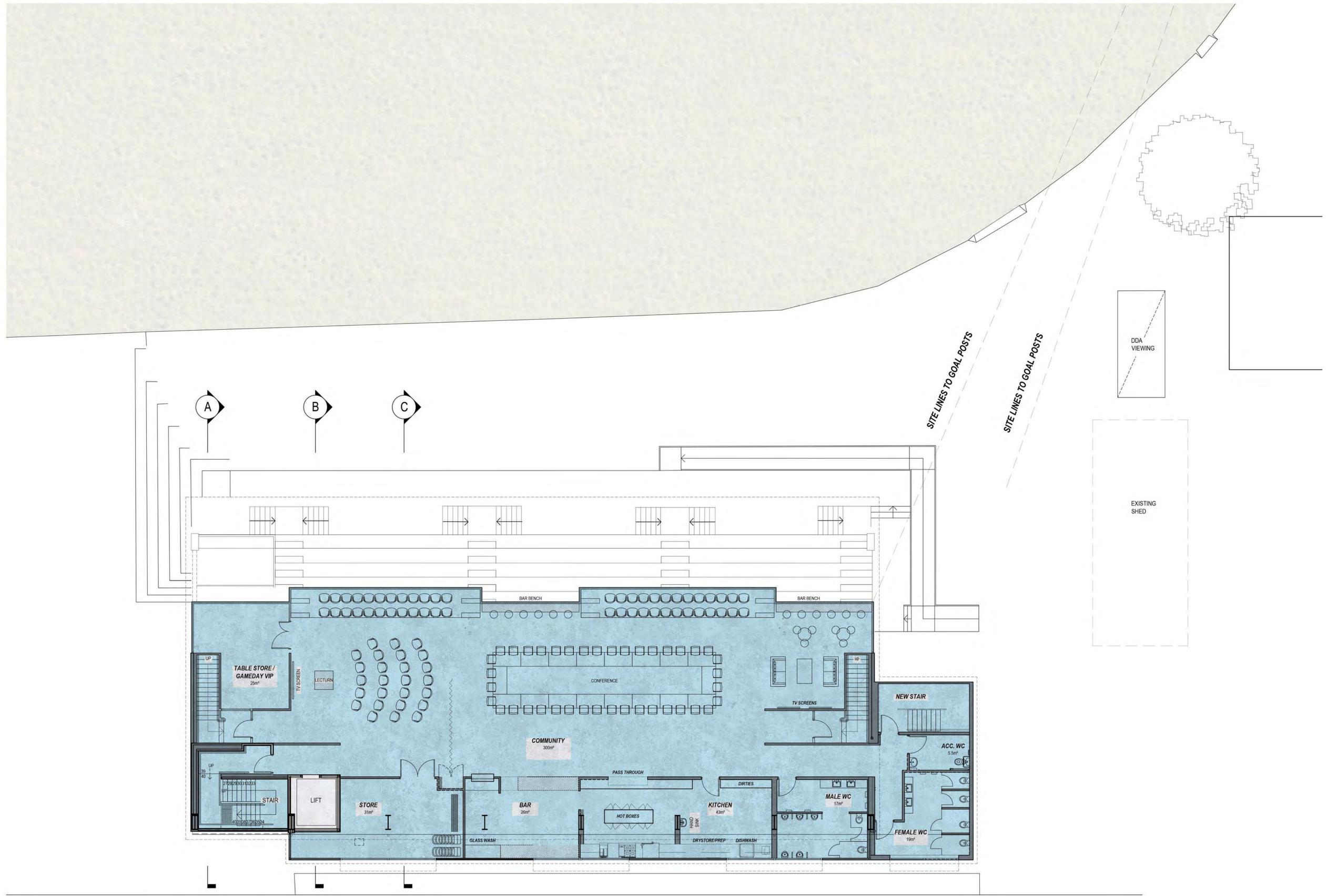
TRIMMER TERRACE

PROPOSED FIRST FLOOR PLAN

PROPOSED  
 EXISTING

AREA - UPPER FLOOR PROPOSED

ROOM NAME	M <sup>2</sup>
EXISTING STAIR	12.5
LIFT	5.3
STORE	31.2
OPERABLE WALL (CUPBOARD)	0.8
BAR	26.5
KITCHEN	43.2
MALE WC	20.3
TABLE STORE / GAMEDAY VIP	24.7
NEW STAIR (LEFT 1)	8.6
NEW STAIR (LEFT 2)	5.5
COMMUNITY SPACE	300.6
NEW STAIR (RIGHT)	8.6
NEW STAIR (FIRE)	12.8
ACC.WC	6.2
AIRLOCK	7.1
FEMALE WC	18.1
TOTAL	532.1



TRIMMER TERRACE

PROPOSED SECOND FLOOR PLAN

PROPOSED  
 EXISTING

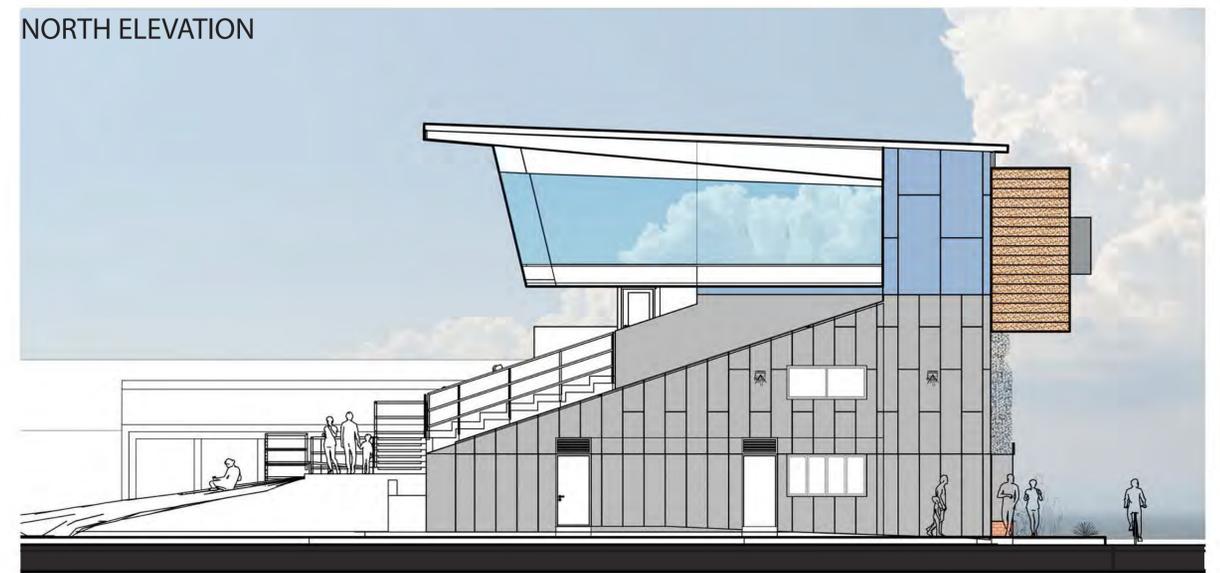
WEST ELEVATION - STREET SIDE



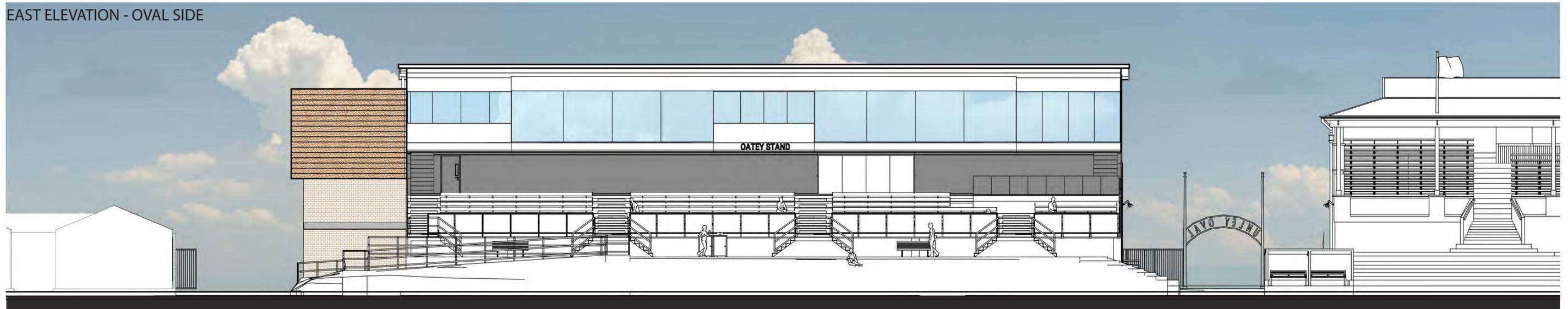
SOUTH ELEVATION



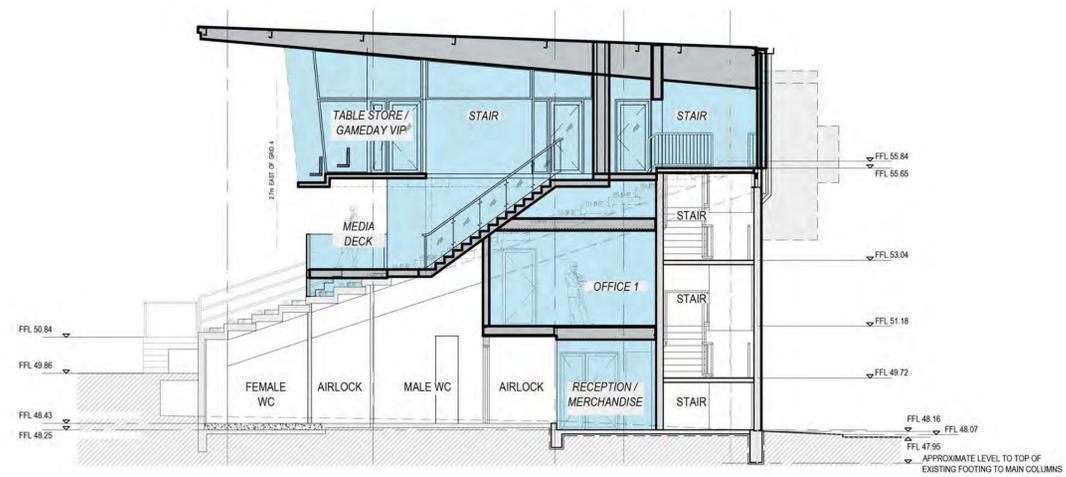
NORTH ELEVATION



EAST ELEVATION - OVAL SIDE

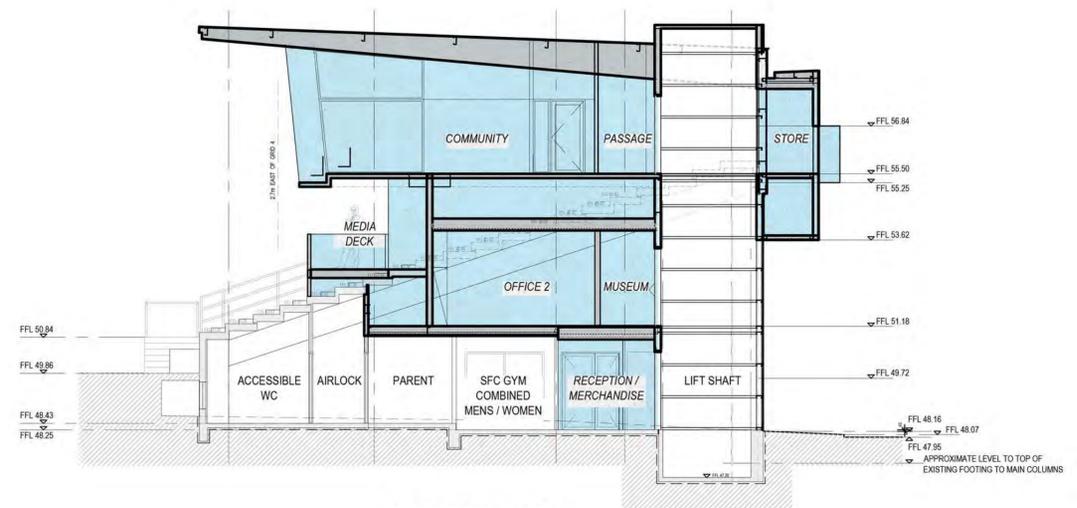


PROPOSED ELEVATIONS



SECTION A - JACK  
OATEY GRANDSTAND

SCALE 1:50 @ A1  
SCALE 1:100 @ A3



SECTION B - JACK  
OATEY GRANDSTAND

SCALE 1:50 @ A1  
SCALE 1:100 @ A3



SECTION C - JACK  
OATEY GRANDSTAND

SCALE 1:50 @ A1  
SCALE 1:100 @ A3

PROPOSED SECTIONS



**horizontal cladding extension** - and the top floor of the oatey stand draws colour reference from the adjacent masonry, with vertical junctions to continue the existing primary structure. the horizontal banding de-emphasises the overall height of the structure, and has a masonry like textural appearance.



**corner statement** - as constructed in stage 1 remains unchanged, a maintenance free resilient and robust material. the cladding is joined to reference adjacent masonry while taking colour cues from nearby monument detailed villas, with a nod to the blues of oxford and cambridge.



**entry** - the reimagining of the original unley oval entry is reminiscent of the original configuration and uses galvanised components, as did the original entry.

external perspective



**red brick** - and horizontal banding to the south of the oatey grand stand and the southern service enclosure is a continuation of those elements on the facade of the mckay grand stand as well as acknowledgement of local masonry materiality included on the sturt bowls club, tennis club and other locations within the vicinity.



**climbing vine** - the climbing vine will be used to diffuse the size of the large existing precast plinth to the oatey grand stand. the green contribution will soften the streetscape, enhancing the pedestrian experience.

streetscape view



**deep window surrounds** - the large and deep format window surrounds to the top floor extension of the oatey stand provide a rhythm relief from the facade and provide articulation from the flat facade. the windows show the oatey stand addressing the street and not turning its back on it.

streetscape view



**brick planter seating** - the street based planter / seat installations allow the pedestrian a place in the development. the planter / seat installations also strengthen how the oatey grandstand addresses the street and improves the local experience.

EXTERNAL PERSPECTIVE - OVAL SIDE



EXTERNAL PERSPECTIVE - STREET EDGE



EXTERNAL PERSPECTIVE - ROAD SIDE



EXTERNAL PERSPECTIVE - STREET EDGE



“Council envisions a modern Community and Business Hub that is vibrant, diverse and welcoming - where groups will use dynamic working spaces to connect with the public. It will be exciting to see improved wellbeing, for residents and the wider public, driven by communities themselves.”

Michael Hewitson AM, City of Unley Mayor



# Invest in the **UNLEY OVAL COMMUNITY & BUSINESS HUB**



## Investing in the Unley Oval Community and Business Hub will:

# 1

Improve access to many community groups

# 2

Increase diversity of use and enable greater community inclusion

# 3

Attract future generations drawn to a multi-purpose modern facility

# 4

Support youth and entrepreneurial development to help deliver tangible benefits

# 5

Provide a space for healthy communities that benefits all ages



Stage 1 of the Unley Oval redevelopment, completed in 2018, delivered upgrades to both grandstands. Upgrades included new umpire rooms, women's change rooms, a new public canteen, upgraded interior 'away' and 'home' team rooms, new public toilets and improved disability access.

Stage 2 upgrades will focus on more community facilities by the creation of a new Community and Business Hub. The Hub will house administration and activities for key community partners - Youth Inc; Life Changer and the Sturt Football Club. The needs of the broader community and businesses will also be met with the inclusion of a large and flexible multi-function space. The space will be available for use by community groups and regular hirers. The area will also host a minor number of Council initiated programs and workshops.

The Community and Business Hub will strengthen the Unley Oval precinct as a place with excellent facilities and vibrant open space.

## The Community and Business Hub redevelopment will:

- Provide a large and flexible multi-function space including a commercial kitchen, small theatre for lectures and presentations, lounge areas for socialising and meeting rooms.
- Provide mezzanine space for leasing by longer term partners including Sturt Football Club
- Meet disability access standards
- Improve the aesthetic appearance of the grandstands and streetscape.

## Concept designs

Council has funded technical drawings and concept illustrations for development assessment and consultation. Construction will also go through the normal statutory notification processes for development applications. This means broader community consultation will occur on the concept designs.

“The Unley Oval Community and Business Hub project is an exciting step toward improving liveability and community spirit in our City. With recent consultation showing a strong interest from community groups, I’m excited about what this Hub will offer current and future generations.”

Peter Tsokas, CEO - City of Unley



## What upgrades have been completed so far?

- **Picket fence installation.** After two years of planning and community engagement, a picket fence was installed at Unley Oval in 2015
- **New goal posts.** AFL standard goal posts installed before the NAB Challenge game in February 2016
- **Oval floodlights upgrade.** Planning approval and secured funding saw the floodlights upgraded in May 2017
- **Electronic scoreboard.** A new electronic scoreboard installed in May 2017.
- **Harry J. McKay Stand.** New umpire facilities, new women’s change rooms, new public canteen at Northern End and upgraded interior ‘away team’ rooms constructed in 2018.
- **Jack Oatey Stand.** New public toilets, and new ‘home team’ rooms constructed in 2018.

## The Unley Oval redevelopment plan has strong links with:

- The City of Unley’s Community Plan 2033
- Living Well – The City of Unley’s Plan for Health and Wellbeing
- Living Active - The City of Unley’s Sport and Recreation Plan 2015-2020
- City of Unley’s Open Space Strategy
- The City of Unley Community Land Management Plans
- City of Unley’s Disability Action Plan
- Office for Recreation and Sport 2017-2021 Strategic Plan.

## Who uses the Unley Oval facilities?

### The Community

This regional facility attracts users from a wide area, including the City of Unley (39,000+ people) and greater Adelaide.

#### Key activities include:

- Fitness, recreation, play
- Dog exercise
- Community events.

#### Regular community users include:

- Junior School Soccer Training
- Social football matches
- Personal trainers
- Schools, kindergartens and childcare centres.

### Sturt Football Club

The Sturt Football Club is comprised of approximately 200 players and officials.

Over 3,000 members and approximately 30,000 spectators attend during the course of a season.

### Unley Oval Precinct Users

The Unley Oval precinct is also the home ground for Sturt District Cricket Club. Precinct facilities house the Sturt Lawn Tennis Club and Sturt Lawn Bowls Club.

### AFL / AFLW / SANFL

Grandstand upgrades addressed the requirements of the AFL Preferred Facility Guidelines and promoted the growth of Australian Rules football in the region.

Unley Oval hosted a Women's AFL match between Adelaide Crows and GWS Giants in March 2019, attracting an official crowd of 7,725 spectators.

## How much will it cost?

The Community and Business Hub project upgrade will cost an estimated \$4.2m. Final construction cost will not be known until the project goes out to tender.

## How is it being funded?

The City of Unley committed \$1.2m in the 2019/20 budget for this project. Extra funds will be sought from both the public and private sectors as well as through grant applications.

**To explore funding opportunities, please contact Peter Tsokas, City of Unley CEO, on 8372 5111.**



## DECISION REPORT

<b>REPORT TITLE:</b>	E-SCOOTER TRIAL IN THE CITY OF UNLEY
<b>ITEM NUMBER:</b>	4.2
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	BEN WILLSMORE
<b>JOB TITLE:</b>	MANAGER CITY DESIGN
<b>ATTACHMENTS:</b>	1. E-SCOOTER AREA MAP 2. RECOMMENDED PERMIT CONDITIONS (SUMMARY)

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### 1. **EXECUTIVE SUMMARY**

At its meeting held on 25 May 2020, Council resolved to investigate e-scooter trial options, in collaboration with the Department for Infrastructure and Transport (DIT), the City of Adelaide (CoA) and interested Eastern Region Alliance (ERA) councils or neighbouring councils.

Council staff have worked in collaboration with DIT and the City of Norwood, Payneham & St Peters (NPSP), to further investigate the requirements of developing a Use Case submission to undertake an e-scooter trial in the City of Unley.

As a requirement of the development of a Use Case submission, Council participated in a joint Expression of Interest (EOI) process led by NPSP, to identify the proposed e-scooter operators. The two preferred e-scooter operators selected were Neuron and Beam, who each have an established presence in providing shared mobility devices, locally, nationally and internationally. Council's participation in the EOI process does not commit it to partaking in an e-scooter trial and is a part of the process which would have to be undertaken by Council if it decided to proceed.

In October 2020 an Elected Member briefing was held to discuss specific details of an e-scooter trial in the City of Unley (CoU) area, which would form the basis of the Use Case submission and subsequent permits to be issued (should an e-scooter trial be approved in the CoU area).

This report seeks Council's endorsement to undertake an e-scooter trial in the City of Unley area, subject to the effective connection with the City of Adelaide trial across the South Parklands. This report also provides a summary of specific conditions relating to the use of e-scooters across the City, and the development of permit conditions.

The finalisation of the Use Case submission will be informed by the endorsed directions of Council and subject to DIT's safety and technical review. The Chief Executive Officer is nominated to approve the final Use Case submission on behalf of Council, to be submitted to the Minister based on the high-level conditions outlined in Attachment 2, and to award permits to the two selected operators, based on the Shared Mobility Devices Model Permit developed by the Local Government Association.

## **2. RECOMMENDATION**

That:

1. The report be received.
  2. The Mayor write to the Lord Mayor of the City of Adelaide requesting the inclusion of the South Park Lands in the City of Adelaide e-scooter trial.
  3. Subject to the City of Adelaide approval of the inclusion of the South Park Lands in their e-scooter trial, an e-scooter trial to be undertaken in the City of Unley area and the Administration proceed to finalise a Use Case for submission to the Minister for Infrastructure and Transport.
  4. The Administration be authorised to make technical amendments to the e-scooter trial Use Case to meet the requirements of the Minister, without significant departure from the substance/intent of the conditions as part of the finalisation process.
  5. Subject to the Ministerial approval, the use of the Shared Mobility Devices Model Permit developed by the Local Government Association for the establishment of an e-scooter trial in the City of Unley area based on the permit conditions as set out in Attachment 2 to this report (Item 4.2, Council Meeting 27/01/2020) be endorsed.
- 

## **3. RELEVANT CORE STRATEGIES/POLICIES**

1. Community Living
- 1.5 Our City is connected and accessible.

## **4. BACKGROUND**

There are currently two e-scooter trials in Adelaide still in operation: including the Adelaide and North Adelaide trial led by the City of Adelaide (CoA), and the Coastal Park Trail trial led by the Cities of Port Adelaide Enfield, Charles Sturt and West Torrens.

Previous Council resolutions have directed the Administration to undertake investigation into the feasibility of an e-scooter trial within the City of Unley, in collaboration with DIT, the CoA and interested Eastern Region Alliance councils or neighbouring councils - *Resolution No C0199/20*, and *Resolution No C0246/20*.

Of the six ERA councils, only NPSP and CoU have supported further investigation into an e-scooter trial within their council area. NPSP have predominately been leading discussions to pursue a trial of e-scooters since August 2019 and aim to submit their Use Case to the Minister for approval in early 2021.

Discussions were held with representatives of DIT and NPSP regarding the appropriateness of the CoU joining the NPSP proposed e-scooter trial. As the boundaries of the two Council areas do not meet, it was agreed that there was little benefit in joining the trials.

However, it was recognised that there would be efficiency in participating in a joint EOI process for e-scooter operators, which was being led by NPSP. Although CoU was still in early discussions regarding an e-scooter trial, it was considered advantageous to participate in the EOI process due to it being a requirement of the Use Case submission to nominate the e-scooter operator(s) that will form the trial. If the trial does not proceed Council has no obligation to the preferred e-scooter operators selected.

Three EOI submissions were received from e-scooter operators. Two out of the three submissions were selected as the preferred operators, namely Neuron and Beam. These two operators were selected for the following reasons:

- Extensive national and international experience in delivering micro-mobility services.
- Advanced e-scooter designs that are continuously evolving to improve safety and the customer experience.
- Advanced Applications (Apps) to support user understanding, up-skilling, wayfinding and technical support.
- The ability to integrate/lock the helmet to the e-scooter, and steps to encourage increased helmet compliance.
- The ability to gather data on people's travel patterns.
- The ability to cross CoU and CoA boundary (should the CoA support the inclusion of the South Park Lands as part of the CoU Use Case submission) noting that Neuron and Beam both operate in the Adelaide and North Adelaide trial.
- They offer a range of 'carrot and stick' initiatives to support appropriate behaviours and use of e-scooters.
- Excellent GPS/geo-fencing capability to control/manage speed and accessibility of e-scooters.

- A comprehensive approach to fleet management in the field and servicing and safety checks (daily/weekly) of e-scooters.
- A comprehensive approach to customer service/customer complaints and tracking systems undertaken by operators.
- Their ethos is based on sustainability and low carbon options from design, material selection and manufacturing to transportation, operations and disposal.
- They provide all the necessary public liability insurances including personal accident insurance for e-scooter riders.
- A desire to support and work with local businesses to ensure the success of the trial.
- A desire to work collaboratively with the councils to achieve a successful trial.

In July 2019, the Local Government Association (LGA) endorsed a recommended framework *Shared Mobility Devices Model Permit and Operational Conditions* to support South Australian Councils in the successful implementation of shared mobility solutions. This document was provided to Council in a previous report at its meeting on 25 May 2020 (Item 4.2). This permit is based on Section 222 of the *Local Government Act 1999*, a Permit for Business Purposes. All e-scooter trials in South Australia have been established based on this model permit.

Although the LGA has provided a recommended framework model permit, each Council is required to add their own council-specific permit conditions. An Elected Member briefing was held on 12 October 2020 to explore what an e-scooter trial could look like in the City of Unley area and discuss permit conditions.

## **5. DISCUSSION**

The shared micro-mobility economy is growing rapidly in Australia and globally, with shared bike and e-scooter schemes becoming more and more popular as a means of transport for short trips.

The use of e-scooters has several conditions:

- restricted to people over the age of 18+;
- restricted to people not under the influence of drugs and/or alcohol;
- the use is limited to one person at a time;
- the user must always wear a helmet;
- up to 15km/hr speed limit;
- on footpaths and shared use paths unless otherwise prohibited; and
- on local roads with a speed limit less than 50km/h and no dividing line or median strip.

Trialling a shared e-scooter scheme in the CoU area is considered to have many benefits, such as:

- Providing a sustainable, alternative and competitive mode of transport to replace short vehicle trips across the CoU and to/from the CoA.
- Providing improved first mile/last mile connections to/from key public transport nodes and destinations.
- Providing residents and workers with the opportunity to travel more easily across CoU to/from key entertainment, business and community precincts.
- Providing greater transport choices to special events.
- Collecting data to better understand movement patterns within the CoU.
- Supporting DIT in the evaluation of e-scooters in an inner-rim suburb environment.
- Supporting increased opportunities for economic development and business partnerships.

Should Council support an e-scooter trial in the CoU area, there are a number of conditions that will need to form the basis of the Use Case submission and associated permits issued. These were discussed at the Elected Member briefing held on 12 October 2020, and with further investigation, the following recommended conditions have been identified.

### **Trial term**

The proposed duration of the e-scooter trial is six months, with the option to extend for a further six months (that is, a total of 12 months).

By undertaking the trial for short, fixed-term periods, this will provide scope for permits to be further extended or revoked at the discretion of Council, based on periodic reviews of the operator's performance against the conditions during the life of the trial.

A cumulative 12 month trial would also ensure that Council can effectively monitor and analyse the success of the trial, factoring in influences such as different weather seasons, busy event periods, school holidays and any safety or operational issues that may arise, whilst not necessarily locking in Council in the event of a significant issue(s) arising.

### **Area of operation**

The proposed area of operation for the e-scooter trial is the whole of the CoU area. This will provide data for e-scooter operations across the City, as well as provide Council with a wider overview of device usage trends. The imposition of minimal locational constraints will also provide the best opportunity to undertake a comprehensive analysis of the cause and effect relationship resulting from the trial, particularly noting the various and different precincts (residential, business, mixed use, entertainment, retail, recreational etc) within the CoU area.

E-scooters are intended to travel on footpaths, as well as shared-use paths across the CoU area. It should be noted however, with residential local streets across Unley zoned with a 40 km/hr speed limit, where there is no dividing line, e-scooters are legally permitted to travel along these local roads. This trial would assist DIT in determining the suitability of e-scooter use on this type of street environment.

Within the CoU area, a small number of *exclusion* and *go slow zones* (6 to 10 km/h) are proposed along key streets that experience high pedestrian volumes and/or outdoor dining activity. Geo-fencing uses the GPS locators within each e-scooter to create virtual boundary fencing to manage user behaviour.

The initial proposed *exclusion zone* (within the zone, the e-scooter motor will not work after 60 seconds) is:

- King William Road between Albert Street and Mitchell Street.

A number of initial *go slow zones* (where the e-scooter speed is automatically reduced to 6 or 10 km/h) are proposed where there are localised business/restaurant/retail precincts. These are as follows:

- Duthy Street between Marion Street and Oxford Terrace.
- Duthy Street between Clifton Street and Fisher Street.
- Duthy Street between Sheffield Street and Austral Terrace.
- Unley Road between Greenhill Road and Park/Wattle Streets.
- Goodwood Road between Greenhill Road and Mitchell Street.
- Fullarton Road between Cheltenham Street and Invergowrie Avenue.

DIT also recommends that all roads under its care and control be *go slow zones*, including Cross Road, Greenhill Road, South Road, Glen Osmond Road, Unley Road, Goodwood Road and Fullarton Road. DIT has requested this due to the higher traffic volumes and speeds along these roads and associated safety concerns. Should Council support an e-scooter trial, this would be further discussed and negotiated with DIT, with regard to its extent.

If significant operational or safety issues arise during the trial period, Council can reserve its right to introduce further geo-fencing to restrict access on other specific streets/areas. Geo-fencing can also be applied to restrict e-scooter access when community events are being held that impact on road and footpath access, for example Santos Tour Down Under, Unley Gourmet Gala etc.

## **Expanded area of operation**

Currently the Adelaide and North Adelaide e-scooter trial extends to South Terrace and does not include the South Park Lands. To gain the most benefit from an e-scooter trial in the CoU area, it is considered that an e-scooter trial should only be further pursued if the CoA support the inclusion of the South Park Lands to allow trips between the City Centre/North Adelaide and Unley.

Without the South Park Lands connection, an e-scooter trial would be confined to the CoU area only, which would limit its functionality. Preliminary discussions with staff from CoA, DIT and the preferred e-scooter operators indicate that they do not foresee any significant issues with the inclusion of the South Park Lands, however, Council is required to formally seek approval in writing from the City of Adelaide to include the South Park Lands in the City of Unley Use Case submission. This approval is considered essential prior to the further development of the Use Case submission.

Attachment 1 shows the proposed e-scooter trial area of operation including the proposed initial *exclusion* and *go slow* zones.

*Attachment 1*

## **Fleet size**

The initial proposed fleet size is 200 e-scooter devices. This has been based on the same metric that NPSP applied to their proposed e-scooter trial, which is to allow 1 device per approximately 180 residents (rounded down) noting that the current estimated (2020) residential population of CoU is about 39,500.

200 e-scooters is considered conservative, especially noting the Adelaide and North Adelaide trial allows up to 1,600 e-scooters (600 in North Adelaide and 1,000 in the City Centre).

A balance will need to be struck between providing an accessible dockless mobility service and overcrowding public space with infrequently used devices. On this basis, it is therefore also recommended that the Administration be delegated flexibility to expand (or reduce) the fleet size (on request) of the permit, should the demand for e-scooters be higher (or lower) than expected during the trial period.

## **Permit fees**

There are two approaches that can be taken to establishing permit fees. One is to cover administrative costs and the other is to raise revenue.

The Coastal Park Trail and the proposed NPSP e-scooter trials have taken the approach to cover administrative costs only, with a permit fee of about \$1,000 per operator per Council area for the 200 to 250 e-scooters forming part of each permit issued.

The CoA, however, has taken the approach to raise revenue whereby they charge \$1,500 per operator per week for the 800 e-scooters. In saying this, the City of Adelaide has been running a trial since March 2019 and initially only charged a fee that covered administrative costs.

It is proposed in the first instance that for the proposed CoU trial the approach taken is to only recover administrative costs, whereby a fee of \$1,000 is applied to each operator for the first six months based on 100 e-scooters (that is, \$10 per device/per six months), with a further fee charged should the trial take place for the full 12 month period.

## **Parking**

Preferred e-scooter parking and no-parking zones can be designated to more effectively manage and consolidate where e-scooter devices are parked. Designated locations and/or no-parking zones can be set in a number of ways, for example, as general guidelines within the permit conditions (e.g. specify safe and unsafe parking on streets) and/or by designating no parking zones in specific areas and creating marked 'hubs' for parking with QR Codes to 'check-in' e-scooters. The management of e-scooters parking is the responsibility of the operators and each provides incentives for compliant parking behaviours and penalties for non-compliant users.

It is recommended that preferred parking areas are initially agreed informally between the operators and Council staff with a focus on locating e-scooters around tram and train stops, community/recreational facilities and business/entertainment precincts (where footpath width allows safe and accessible e-scooter parking or into side streets adjacent to precincts).

It is recommended to not be too restrictive on where e-scooters can park in the first instance, until a better understanding on how people use the e-scooters in the CoU area is achieved. However, excessive clustering of unused e-scooters, or parking from both providers in a single designated area will be avoided.

Physically designated parking area 'hubs' could be established using footpath decals after the six-month trial period based on data collected, and if the trial is deemed successful to continue for a further six months.

## **Fleet management**

If Council staff or a member of the public reports a damaged, faulty, abandoned or inappropriately parked or located e-scooter, the operators must comply with the timeframes set-out in the permit conditions to rectify the issue. It is not the responsibility of Council staff to manage, repair, collect or re-distribute e-scooters across the CoU.

The standard response times for compliance and enforcement, as summarised in Table 1 below, have been developed by the LGA through research from other schemes around the world and in Australia and with consultation with e-scooter operators.

The response times may be changed, but it is important to ensure that the response times are realistic and can be enforced, whilst also ensuring they are not too long and impact on community safety.

**Table 1: Standard response times by the e-scooter operators for compliance and enforcement**

<b>Issue</b>	<b>Examples</b>	<b>Response Time</b>
Damaged/faulty	<ul style="list-style-type: none"> <li>• Missing wheels</li> <li>• Reported as unsafe to ride</li> </ul>	Immediately deactivated and removed within 24 hours
Dangerously located	<ul style="list-style-type: none"> <li>• Creating a barrier or hazard to pedestrian access</li> <li>• Parked on a roadway or traffic island</li> </ul>	Within 2 hours
Inappropriately located	<ul style="list-style-type: none"> <li>• Parked in an exclusion zone</li> <li>• On private property</li> </ul>	Within 24 hours
Inappropriate density	<ul style="list-style-type: none"> <li>• Clustering and breaching density limit set by Council</li> </ul>	Within 24 hours
Unused	<ul style="list-style-type: none"> <li>• Unused for more than 7 days</li> </ul>	Within 7 days

It is recommended in the first instance that the standard response times as outlined in Table 1 are applied. If the operator does not respond to an issue within the set response times, the Council may remove/impound the device(s), particularly if considered a hazard, and it may impact the operator's ability to renew their permit if it is a regular occurrence.

The preferred e-scooter operators also offer a stringent maintenance and cleaning regime to ensure user safety and confidence including (but not limited to):

- In-built self-diagnostic programme on each e-scooter that checks for electrical and mechanical faults.
- Swappable batteries allowing e-scooters to be recharged on-site and in minutes (e-scooter devices are not permitted to operate if the battery charge is less than 30 per cent).
- Predictive maintenance scheduled based on kilometres travelled.
- Full preventative maintenance monthly check.
- Daily cleaning on-site to sanitise scooters.

## **Customer Experience**

As part of the standard LGA permit conditions, the operators must provide communication channels at all times (24/7) for users and the Council. This needs to include clearly advertised telephone numbers on their website, Apps and e-scooters.

They must also have a complaint handling process to minimise escalation to the Council. Both the preferred e-scooter operators (Neuron and Beam) as part of the EOI process demonstrated a comprehensive approach to customer service and customer complaints handling with both having a local Adelaide staff/management presence.

The preferred e-scooter operators also offer user training for first time users via the App to ensure all users are aware of how to use the e-scooter devices, the regulations and expected behaviours in relation to riding and parking.

## **Data collection**

The operation of e-scooters also provides the Council with an opportunity to better understand community transport needs and support transport planning. As part of the e-scooter trial, Council as part of the permit conditions will require operators to submit monthly reports that include all anonymised trip data to support the e-scooter evaluation process, however, this data can also be used to better understand movement patterns within the CoU area, as well as to/from Unley and CoA.

The e-scooter operators will also be requested to:

- Distribute a survey to users at six months and at the conclusion of the trial, in order to collect data on the demographics of users and how and why they used e-scooters.
- Provide data about e-scooter operation, including public complaints and response times, maintenance and repair activities and incidents involving e-scooters. It will be expected that for any serious incident the e-scooter operators notify Council staff immediately.
- Provide carbon emission reporting (including saved carbon emissions) from the operator to understand the environmental impact of these devices within the City.

## **Evaluation and reporting**

Should an e-scooter trial be supported in the CoU area, Council staff in collaboration with the e-scooter operators will undertake an evaluation of the trial with a report brought back to Council at six months (from the commencement date) providing an update on how the e-scooters are operating, and just prior to the 12-month trial end date to determine next steps.

The evaluation will consider:

- Number of trips per day, per scooter, as well as identification of popular routes and connections/uses.
- Complaint management including the frequency, number and type of complaints, as well as effectiveness of resolution.
- Incident Management including the type and severity, as well as effectiveness of resolution.
- Effectiveness of key parking 'hubs'/areas, including any issues arising from parking management.
- Mode shift away from private vehicles and associated carbon emission saved.
- Compliance and enforcement of geographic area and speed restrictions.
- Use of footpath versus road on 40 km/h local residential streets.
- Economic value of partnership between local businesses, operators and users
- Yoursay survey of residents, traders and e-scooter users.
- Operator feedback.

### **Next steps**

Should Council endorse an e-scooter trial in the CoU area based on the conditions outlined in this report and summarised in Attachment 2, there are still a number of steps that Council staff need to take prior to submitting a Use-Case to the Minister for gazettal approval, including:

- Formally seeking CoA written approval to include the South Park Lands in the CoU Use Case submission.
- Finalise draft Use Case submission for DIT staff review/comment.
- Update and finalise Use Case submission for approval by the Assessment Panel including DIT staff and SAPOL.
- Update and finalise Use Case submission for Minister approval.

*Attachment 2*

Depending on the time it takes to seek CoA written approval for the inclusion of the South Park Lands, noting it will likely require a Council report and decision, the aim is to get the Use Case submission to the Minister for approval by the middle of 2021.

### **Trial consultation**

Community consultation is not proposed to be undertaken to commence the e-scooter trial. It is acknowledged that the community will likely have mixed views regarding the trial, and a consensus is unlikely to be reached, especially if the impact (both positive and negative) is not fully realised.

Should Council support an e-scooter trial in the CoU area, feedback received from the community during the trial period will be collated by Council staff to enable an informed decision to be made regarding extension(s) of the trial. During the trial period the community (residents, businesses and visitors) will be encouraged to contact Council staff to raise any concerns or issues. All complaints and/or community comments made during the trial period will be collated and form part of the evaluation process.

Should any serious concerns/issues arise during the first six months of the trial, the proposed trial term has adequate flexibility to terminate the trial after six months.

## **6. ANALYSIS OF OPTIONS**

### Option 1 –

1. The report be received.
2. The Mayor write to the Lord Mayor of the City of Adelaide requesting the inclusion of the South Park Lands in the City of Adelaide e-scooter trial.
3. Subject to the City of Adelaide approval of the inclusion of the South Park Lands in their e-scooter trial, an e-scooter trial to be undertaken in the City of Unley area and the Administration proceed to finalise a Use Case for submission to the Minister for Infrastructure and Transport.
4. The Administration be authorised to make technical amendments to the e-scooter trial Use Case to meet the requirements of the Minister, without significant departure from the substance/intent of the conditions as part of the finalisation process.
5. Subject to the Ministerial approval, the use of the Shared Mobility Devices Model Permit developed by the Local Government Association for the establishment of an e-scooter trial in the City of Unley area based on the permit conditions as set out in Attachment 2 to this report (Item 4.2, Council Meeting 27/01/2020) be endorsed.

This option confirms Council's support for Council staff to finalise the development of a Use Case submission for an e-scooter trial in the CoU area and to formally approach the CoA for the inclusion of the South Park Lands as part of the e-scooter network.

Should the CoA approve the inclusion of the South Park Lands, a Use Case submission will be presented to the Minister based on the conditions outlined in this report and summarised in Attachment 2.

Should the Minister approve the gazettal, an e-scooter trial will commence in the CoU area with two permits issued to Neuron and Beam.

### Option 2 –

1. The report be received.
2. The Mayor write to the Lord Mayor of the City of Adelaide requesting the inclusion of the South Park Lands in the City of Adelaide e-scooter trial.
3. Subject to the City of Adelaide approval of the inclusion of the South Park Lands in their e-scooter trial, an e-scooter trial to be undertaken in the City of Unley area and the Administration proceed to finalise a Use Case for submission to the Minister for Infrastructure and Transport.
4. The Administration be authorised to make technical amendments to the e-scooter trial Use Case to meet the requirements of the Minister, without significant departure from the substance/intent of the conditions as part of the finalisation process.
5. Subject to the Ministerial approval, the use of the Shared Mobility Devices Model Permit developed by the Local Government Association for the establishment of an e-scooter trial in the City of Unley area based on the permit conditions as set out in Attachment 2 to this report (Item 4.2, Council Meeting 27/01/2020) be endorsed, subject to the following changes:
  - *Change required to be inserted here.*

The option confirms Council's support for an e-scooter trial in the CoU area, subject to the CoA approval to include the South Park Lands in the CoU Use Case submission and the Minister's gazettal, however, additional amendments to the recommended trial conditions as outlined in this report and summarised in Attachment 2 may be required to address Council concerns.

### Option 3 –

1. The report be received.

The Council can choose to receive the report and not take any further action relating to the introduction of an e-scooter trial in the CoU area.

If Council chooses not to advance a Use Case any further, the two operators will be notified of the Council's decision, and released from the EOI agreement, at no cost to the Council.

## **7. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **8. POLICY IMPLICATIONS**

Consistent with LGA advice, Council would look to update its by-laws (specifically a “roads” by-law) as part of its next review in 2022 to enable greater enforcement options for dealing with the collection and removal of dockless mobility devices that may be inappropriately located, damaged, or in inappropriate densities.

### **8.1 Financial/Budget**

- There are no known immediate financial or budget implications to Council to finalise the Use Case in collaboration with DIT, CoA and e-scooter operators or to undertake the trial.
- If the trial is approved, the initial permit fee is aimed at only recovering administrative costs to Council. However, if the trial is deemed successful in the longer term, there could be an opportunity for Council to receive an additional source of income by increasing the permit fee structure, similar to the current City of Adelaide approach.

### **8.2 Legislative/Risk Management**

- Regulation of the e-scooter devices in terms of the number of operators permitted in the City, the areas within which they are permitted to operate, and the conditions of operation is proposed to be managed by way of a Permit to be issued under Section 222 of the Local Government Act 1999 to each operator. Breach of the conditions of a Permit can lead to cancellation of the Permit and imposition of penalties or expiation fees.
- With respect to management of abandoned mobility devices on public roads and footpaths, this may be dealt with by way of Section 234 of the Act and/or by way of the Council’s Roads By-Law, both of which provide for removal of unapproved objects on Council roads and footpaths by Council officers, and recovery of the costs of doing so.
- The *Shared Mobility Devices Model Permit and Operational Conditions* developed by the LGA has been designed to release Council from all liability arising from or in connection with a dockless mobility share operations (such as, e-scooters). A requirement of the permit is for the Operator to have public liability insurance with a minimum coverage of \$20 million. Both Neuron and Beam e-scooter operators also offer personal accident insurance.

### **8.3 Staffing/Work Plans**

- The finalisation of the Use Case for DIT and the Assessment Panel will require staff resources. Staff work plans will have to be updated to accommodate for staff time to undertake this work. This may result in other work being delayed.
- Working in collaboration with NPSP and CoA will provide efficiency in the development of the required submission.

- The introduction of an e-scooter or other shared mobility device scheme within the Council area is not expected to have any significant resource issues for the organisation once established. It is anticipated that Council's Customer Experience Staff may receive increased new enquiries, as well as Regulatory Services or Assets Teams in the event that the operator fails to comply with permit conditions (e.g. move an abandoned or unsafely parked device(s)). The impacts of this will be determined during the initial 6 month trial.

#### **8.4 Environmental/Social/Economic**

- Shared mobility device schemes offer a convenient and affordable alternative for people to travel across the City instead of travelling by private car. These devices provide increased flexibility and accessibility for our community to access main streets, community services, open space and public transport, encouraging a healthier, more connected and more active community.
- It is understood that most shared mobility device trips are quite short; approximately 40% of trips are just 5-15 minutes long and nearly 70% of trips are under half an hour. The opportunity to avoid many of these shorter trips traditionally undertaken by private vehicles will provide important environmental benefits, as well as reduce the demand for parking within and surrounding our popular main street precincts, and other community facilities.
- The availability of all forms of public transport through the CoU means improving the ease and efficiency of travelling from home to the stop, from the stop to work and back again, and may encourage greater public transport patronage thereby reducing the volume of commuter vehicles moving through the City each day.
- If successfully established across the City, the use of e-scooters and other shared mobility devices may lead to a reduction in car ownership patterns over time, with some households choosing not to own a second vehicle, or even a first vehicle, due to the availability of convenient, clean and affordable transport alternatives.
- If regulation can be amended to enable continuous movement through the South Park Lands to connect the CoU and CoA, this increased convenience and efficiency could strengthen business connections, in particular along Greenhill Road, as well as increase the level of patronage to local businesses and local events.

#### **8.5 Stakeholder Engagement**

- Consultation will not be undertaken to commence the e-scooter trial. Should Council support the trial in the CoU area, during the trial period the community (residents, businesses and visitors) will be encouraged to contact Council staff to raise any concerns or issues. All complaints and/or community comments made during the trial period would be collated and form part of the evaluation process.

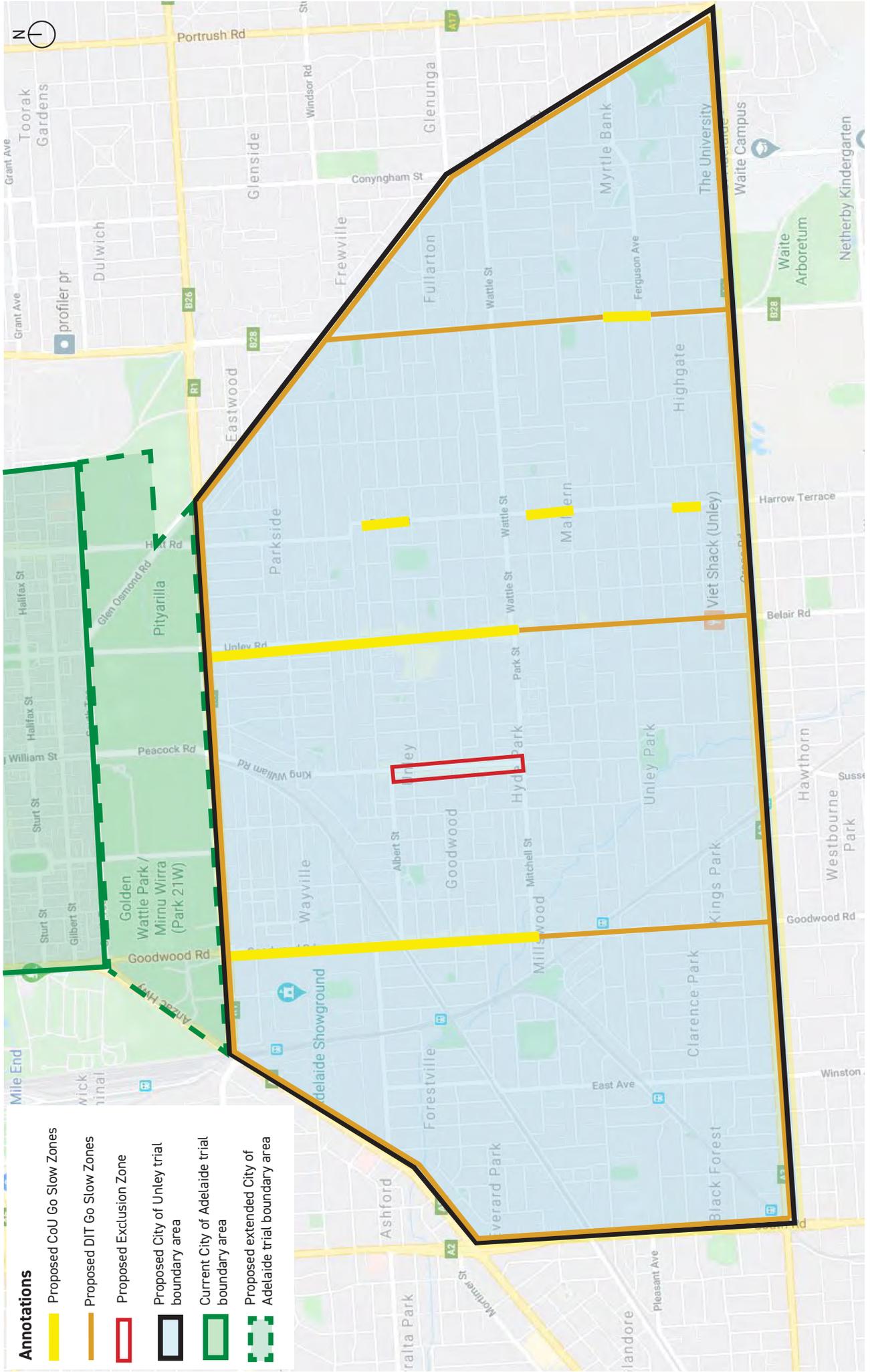
**9. REPORT CONSULTATION**

Staff from Regulatory Services and Economic Development have been consulted regarding this matter.

**10. REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Claude Malak	General Manager, City Development

# Attachment 1 - Map - Proposed City of Unley E-Scooter Trial



## Summary of proposed City of Unley e-scooter trial permit conditions:

Permit condition	Recommended Option
<b>Trial commencement</b>	As soon as practicable after the Minister for Infrastructure and Transport gazettal approval
<b>Trial period</b>	12 months (6 months, with the option to extend for a further 6 months)
<b>Number of permits issued</b>	Two permits: Neuron and Beam
<b>Number of devices</b>	200 across the City, with the provision for fleet expansion based on demand. That is, if the average daily usage is 1 trip, per device, per day the fleet may expand incrementally by 50 new devices (up to a maximum of 300).
<b>Fees and charges</b>	Flat permit fee based on number of devices permitted per operator(s). \$10 per device/per 6 months.
<b>Geographical area of operation</b>	City wide
<b>Preferred parking zones</b>	As identified by Council staff, operator(s) and local businesses during trial period with a key focus around tram and train stops, community/recreational facilities and business/entertainment precincts.
<b>Exclusion areas</b>	<p>The initial <i>Exclusion Zone</i> is King William Road between Albert Street and Mitchell Street.</p> <ul style="list-style-type: none"> <li>Further exclusion zones may apply depending on the first 6-month trial outcomes, and when temporary road closures apply and e-scooters need to be excluded from the area for safety and access reasons (for example, events such as Santos Tour Down Under, Unley Gourmet Gala etc).</li> </ul>
<b>Reduced speed limits (under 15 km/h)</b>	<p>The initial <i>Go Slow</i> zones are:</p> <ul style="list-style-type: none"> <li>Duthy Street between Marion Street and Oxford Terrace.</li> <li>Duthy Street between Clifton Street and Fisher Street.</li> <li>Duthy Street between Sheffield Street and Austral Terrace.</li> <li>Unley Road between Greenhill Road and Park/Wattle Streets.</li> <li>Goodwood Road between Greenhill Road and Mitchell Street.</li> <li>Fullarton Road between Cheltenham Street and Invergowrie Avenue.</li> <li>Further go slow zones are recommended by DIT on roads under its care and control and are still to be agreed.</li> </ul>
<b>Response times and compliance</b>	Standardised response times during trial period as shown in Table 1 of this report and 24/7 contact for community and the Council.
<b>Performance monitoring and data requirements</b>	<p>Access to on-line portal plus monthly statistic reporting (safety and usage)</p> <p>Mode shift survey</p> <p>Carbon emission and electricity usage</p>
<b>Periodic Reports (anonimised trip data, maintenance activity, complaints and response time log as well as crash and incident data)</b>	Monthly

## DECISION REPORT

<b>REPORT TITLE:</b>	REVIEW OF THE FOUR YEAR DELIVERY PLAN - DRAFT FOR CONSULTATION
<b>ITEM NUMBER:</b>	4.3
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	TAMI NORMAN
<b>JOB TITLE:</b>	EXECUTIVE MANAGER, OFFICE OF THE CEO
<b>ATTACHMENTS:</b>	1. DRAFT: FOUR YEAR DELIVERY PLAN 2021-2025

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### 1. **EXECUTIVE SUMMARY**

This report presents the Four Year Delivery Plan 2021-2025 for endorsement for consultation purposes.

Council is required to undertake a review of its strategic management plans within two years after each general election. In recognition of the impacts of COVID-19, a variation to the *Local Government Act 1999* was made to provide a further three months for the completion of the review.

Given the Community Plan 2033 was endorsed in 2016, the focus of the review process has been on the Four Year Delivery Plan 2017-2021. A series of workshops were undertaken with Elected Members and Staff to review and update the Four Year Delivery Plan. The final Draft of the Four Year Delivery Plan 2021-2025 is now presented for endorsement for consultation purposes.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. The Four Year Delivery Plan 2021-2025, as set out in Attachment 1 to this Report (Item 4.3, Council Meeting, 27/01/2021) be endorsed for consultation purposes.
- 

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership

4.1 We have strong leadership and governance.

#### **4. BACKGROUND**

Section 122 of the *Local Government Act 1999* (the Act) requires Council to undertake a review of its strategic management plans within two years after each general election of the council.

In recognition of the impacts of COVID-19, the then Minister for Transport, Infrastructure and Local Government made several variations to the Act, one of which included allowing an additional three months for the completion of the review of strategic management plans.

Acknowledging the relative youth of the City of Unley Community Plan 2033 (endorsed in 2016) and the imminent conclusion of the current Four Year Delivery Plan (2017-2021) the latest review process has focussed on a refresh of the Four Year Delivery Plan (Delivery Plan) to apply for the next four year period (2021-2025). It is intended that following the next general election (November 2022), a full review of the Community Plan will be undertaken which in turn may result in new priorities for the future.

A series of workshops were held with Elected Members and staff to review and update the Delivery Plan. The approach taken was to focus on the Strategies and Actions elements of the Delivery Plan, with the four Themes and supporting Objectives remaining largely unchanged (some minor edits where gaps have been identified only).

#### **5. DISCUSSION**

The Delivery Plan operationalises the Community Plan 2033, through identification of priorities and strategies intended to support delivery of the Community Plan.

A detailed review of the current Delivery Plan assessed the progress made against priority actions and identified those which had evolved into ongoing services. In addition, key projects/initiatives for the next four-year period have been identified and reflected within the revised Delivery Plan.

Front matter for the Delivery Plan, including community profile, message from the CEO, Elected Member details, and organisational structure, has been updated to reflect current information.

The Draft Four Year Delivery Plan 2021-2025 is now presented to Council for endorsement for consultation purposes and a copy is provided as Attachment 1.

*Attachment 1*

Following endorsement of the Delivery Plan, a consultation process will be undertaken for a period of three weeks. The document will be promoted on YourSay Unley, Council's website, and social media platforms. The nature of the Delivery Plan is such, that it may not garner significant feedback from the Community. The review of the Community Plan, proposed following the 2022 elections, will see greater engagement as this process offers the opportunity for the community to identify their needs and wishes for the City of Unley and to revise existing Themes, Goals, and Objectives to ensure that Council maintains the lifestyle, activities, facilities and services our community has come to expect.

## 6. **ANALYSIS OF OPTIONS**

### Option 1

1. The report be received.
2. The Four Year Delivery Plan 2021-2025, as set out in Attachment 1 to this Report (Item 4.3, Council Meeting, 27/01/2021) be endorsed for consultation purposes.

This option endorses the document as attached to this report for consultation purposes. Following the conclusion of the consultation process, a Final version of the Four Year Delivery Plan will be presented to Council for endorsement.

### Option 2

1. The report be received.
2. Subject to the amendments set out below, the Four Year Delivery Plan 2021-2025, as set out in Attachment 1 to this Report (Item 4.3, Council Meeting, 27/01/2021) be endorsed for consultation purposes:

#### 2.1 *insert amendments required*

This option identifies amendments to be incorporated within the document attached to this report, prior to the commencement of the consultation process, but without the need to return to Council prior to the consultation commencing.

### Option 3

1. The report be received.
2. The Four Year Delivery Plan 2021-2025, as set out in Attachment 1 to this Report (Item 4.3, Council Meeting, 27/01/2021) be further amended based on feedback provided and returned to Council for endorsement.

This option requires more detailed changes to be made to the Four Year Delivery Plan and for the document to return to Council for endorsement, prior to the commencement of consultation.

**7. RECOMMENDED OPTION**

Option 1 is the recommended option.

**8. POLICY IMPLICATIONS**

**8.1 Financial/Budget**

- There are no financial/budget implications associated with the consultation process for the Four Year Delivery Plan. Key Projects/ Initiatives within the Delivery Plan will be considered as part of the Annual Business Plan and Budget process.

**8.2 Legislative/Risk Management**

- Council is required to undertake the review of strategic management plans in accordance with section 122 of the *Local Government Act*.

**8.3 Staffing/Work Plans**

- This work is included in current staffing/work plans. Any new projects/initiatives identified during the annual budget process may have resourcing impacts.

**8.4 Environmental/Social/Economic**

- Nil

**8.5 Stakeholder Engagement**

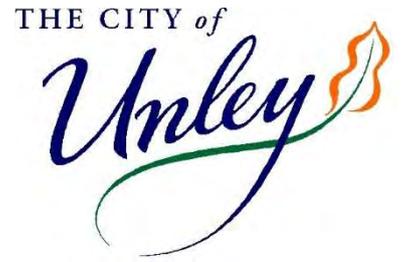
- Consultation is planned to occur following endorsement of the Delivery Plan. Feedback received will inform any required changes to the document, which will then be returned to Council for endorsement.

**9. REPORT CONSULTATION**

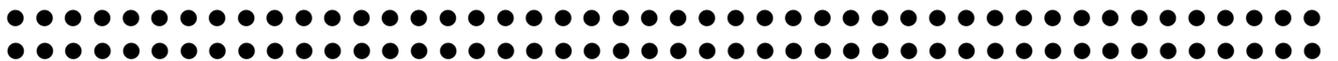
Elected Members and staff have been involved in several workshops which has resulted in the development of the Draft Four Year Delivery Plan 2021-2025.

**10. REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Peter Tsokas	Chief Executive Officer



# City of Unley Four Year Delivery Plan 2021 - 2025



**Kurna Acknowledgement**

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.

CITY OF UNLEY

**Website**

[unley.sa.gov.au](http://unley.sa.gov.au)

**Civic Centre**

181 Unley Rd, Unley, South Australia 5061

**Phone**

(08) 8372 5111

**Email**

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PO Box 1, Unley, South Australia 5061

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## City of Unley Community Profile



**PROSPERITY**



High average income



Low unemployment

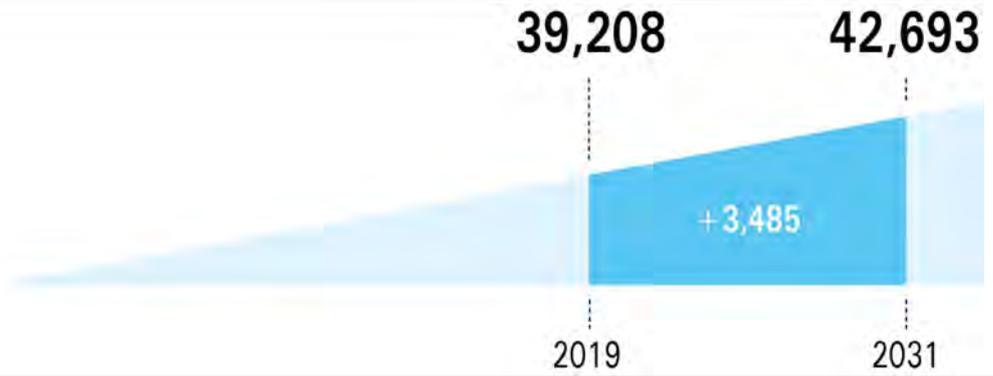


High education

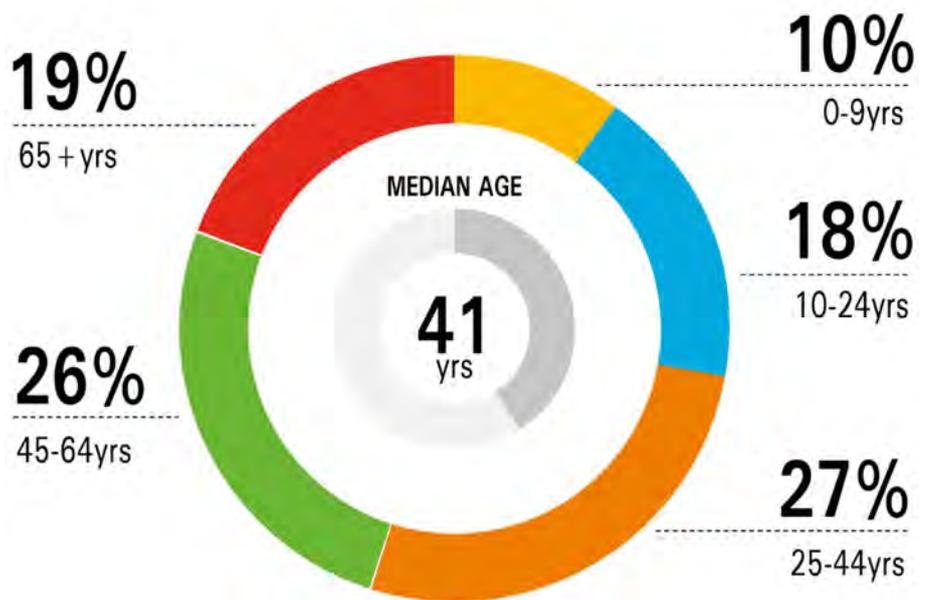


33.3% of residents own their own home without a mortgage

**INCREASING POPULATION ESTIMATED GROWTH TO 2031**

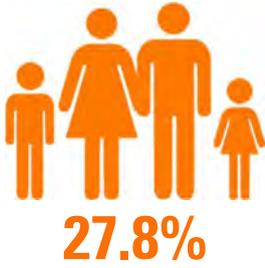


**AGE DEMOGRAPHIC**



**HOUSEHOLD TYPES**

- Couples with children
- Couples without children
- One parent families
- Lone person households
- Other

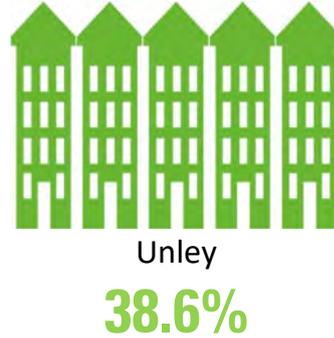


**INTERNET ACCESS**

Households that have an internet connection



**MEDIUM DENSITY HOUSING MEDIAN**



**DIVERSITY**



**24.7%**

residents born overseas

Top 3 from UK, China, India

**LESS VEHICLE DEPENDENCY**



**841**

residents walk or cycle to work

Households that have access to two or more vehicles



Unley  
**46.6%**



Greater Adelaide  
**50.4%**

# Message from the CEO



**Our Four Year Delivery Plan ensures that Council, its residents, local businesses and community groups are working in partnership towards our long term goals.**

Strategies will be implemented over the next four years that ensure our City continues to be recognised for its vibrant community spirit, quality lifestyle choices, diversity, business strength and innovative leadership.

This Plan ensures we can be accountable to our ratepayers. It outlines the City of Unley's priorities and strategies until the year 2025. The Plan will guide us as we work together with the community to create a future that meets the vision, aspirations and goals set out in the Community Plan 2033.

My commitment is to lead an organisation that strives to match the ambition of Council's vision. Together we will work in partnership with the community to ensure that the City of Unley remains one of the most enviable cities in Adelaide.

I look forward to all that we can achieve together over the next four years.



Peter Tsokas  
**Chief Executive Officer**

# 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 a very important policy-making role, requiring the identification of community needs, setting objectives to meet those needs, establishing priorities between competing demands and allocating resources. On the Council of the City of Unley, in addition to the Mayor, Michael Hewitson AM, there are 12 Elected Members.

**MAYOR**



**Michael Hewitson AM**

**CLARENCE PARK WARD COUNCILLORS**



**Jennie Boisvert**



**Don Palmer**

**FULLARTON WARD COUNCILLORS**



**Jordan Dodd**



**Peter Hughes**

**GOODWOOD WARD COUNCILLORS**



**Nicole Sheehan**



**Emma Wright**

**PARKSIDE WARD COUNCILLORS**



**Kay Anastassiadis**



**Jennifer Bonham**

**UNLEY WARD COUNCILLORS**



**Sue Dewing**



**Jane Russo**

**UNLEY PARK WARD COUNCILLORS**

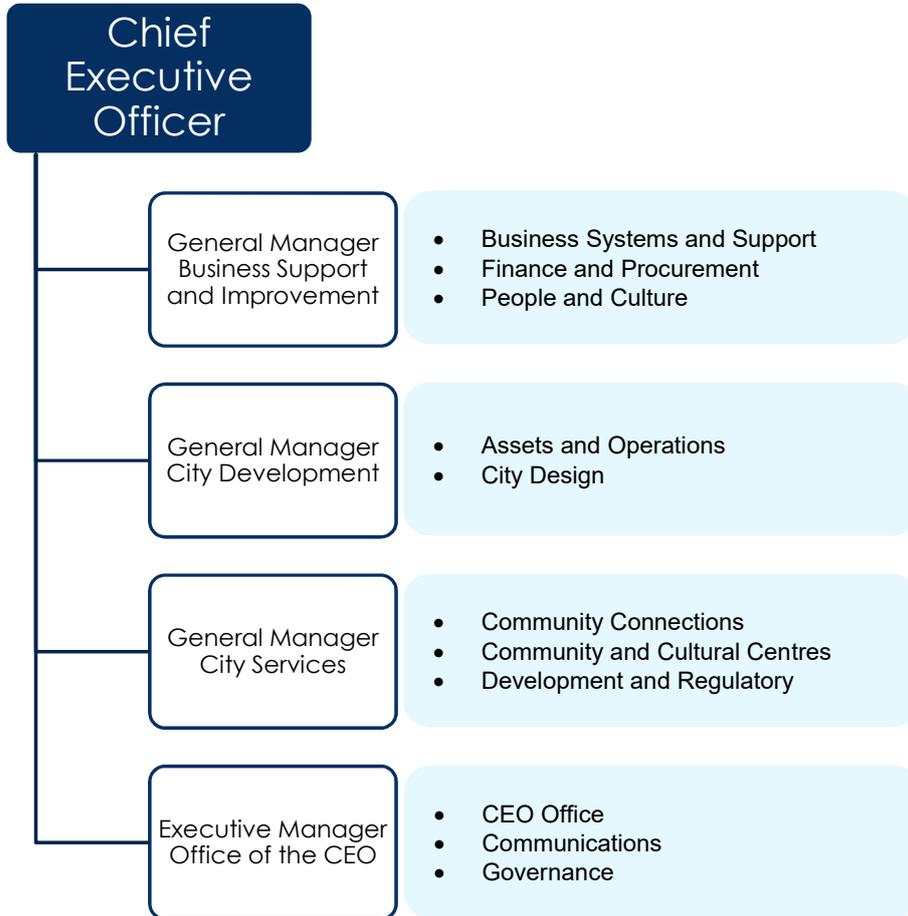


**Monica Broniecki**



**Michael Rabbitt**

# Organisational Structure



# City of Unley

## Four Year Delivery Plan 2021 - 2025

The 4 Year Plan outlines how we will deliver the vision, strategies and framework set out in the City of Unley Community Plan 2033. The projects and services that Council will deliver between 2021 and 2025 have been grouped into four themes.



### Community Living

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



### 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



### 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



### Civic Leadership

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

For each theme, Council identifies what will be undertaken during the four year term of the delivery program. Council's response to each goal is detailed, along with the services involved in the planning and implementation of Council's actions.

Over time, it will take many agencies – including the community itself – to turn the Community Plan 2033 into reality. In the delivery of services, at times Council will assume the roles of Provider, Facilitator or Advocate, and where appropriate, will work in partnership with other bodies.

# Our Vision



Our City is recognised for its enviable lifestyle, environment, business strength and civic leadership.



# Our Values



Organisational culture can be defined as the shared values, norms and expectations that govern the way people approach their work and interact with each other.

The City of Unley has a clear vision for a constructive culture that is performance based and customer focused. This vision is supported by a set of organisation values that represent the way we want all employees and volunteers to behave.



## A Workplace of Possibilities



**Pursue  
Excellence**



**Achieve  
Together**



**Demonstrate  
Integrity**



**Customer  
First**



**Be  
Progressive**



# Our Strategic Planning Framework



## City of Unley Four Year Delivery Plan Structure





Goal 1

## 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

# Objective 1.1: Our Community is active, healthy and feels safe



## Strategies

- 1.1a Provide programs, facilities and open spaces that support an active and healthy community
- 1.1b Provide services and infrastructure and design places to support our community to feel safe
- 1.1c Manage open spaces and recreation facilities to balance needs and maximise participation and community outcomes
- 1.1d Provide animal management and responsible pet ownership services to the community including monitoring, registration, enforcement and education

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Explore initiatives for linking support organisations to people who are experiencing homelessness</li> <li>• Review the Living Well Public Health and Wellbeing Plan</li> <li>• Review the Living Active Sport and Recreation Strategy</li> <li>• Upgrade Unley Swimming Centre junior pools</li> <li>• Review and implement the Animal Management Plan</li> <li>• Develop and adopt a Master Plan for Ridge Park</li> <li>• Review and implement the Open Space Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Food safety and public health inspections and programs</li> <li>• Building compliance and inspections</li> <li>• Community Impact and Community Grant programs</li> <li>• Immunisation program</li> <li>• Unley Pool and water safety programs</li> <li>• Open space, buildings and facilities maintenance services</li> <li>• Public lighting</li> <li>• Safety upgrades (lighting, CCTV and new technology)</li> <li>• Animal management and compliance services</li> <li>• Active Ageing programs and initiatives</li> </ul>

# Objective 1.2: Our Community participates in community activities, learning opportunities and volunteering



### Strategies

- 1.2a Facilitate lifelong learning and community connection through facilities, libraries, community centres and volunteer programs
- 1.2b Provide, support and promote a range of activities, events and art programs in the community
- 1.2c Understand and celebrate our community's diversity in all its forms
- 1.2d Ensure our services, programs and facilities are accessible and inclusive for people of all backgrounds, means and abilities

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Review Goodwood Community Centre operations</li> <li>• Upgrade Village Green Precinct including redevelopment of cottages</li> <li>• Develop the Cultural Plan</li> <li>• Undertake the Welcoming Cities accreditation</li> <li>• Develop Disability Access and Inclusion Plan</li> <li>• Investigate use of Mornington House as an Innovation Hub</li> </ul>	<ul style="list-style-type: none"> <li>• Library services, programs and collections</li> <li>• Community centres programs and activities</li> <li>• Community Impact, Community Grant and Event Sponsorship programs</li> <li>• Volunteer programs</li> <li>• Unley Museum programs and exhibitions</li> <li>• Public art programs and installations</li> <li>• Social inclusion programs including Reconciliation Week, Neighbour Day and Harmony Day</li> <li>• Community Events including support, advice, marketing and promotion</li> </ul>

## Objective 1.3: Our City meets the needs of all generations



### Strategies

- 1.3a Continue to plan and deliver an Age Friendly City through programs and services that support active ageing and ageing in place
- 1.3b Encourage young people to participate in community life and build their entrepreneurial skills by delivering activities, consultation and promotion that attracts them
- 1.3c Provide programs and play spaces that cater for all ages of childhood
- 1.3d Provide opportunities that support families or the weekday workers to participate in Council programs
- 1.3e Provide opportunities that support intergenerational connection

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Review Active Ageing Strategy</li> <li>• Seek extension to the Commonwealth Home Support Program</li> <li>• Review and implement the Living Young Plan</li> <li>• Establish a Youth Reference Group</li> <li>• Commence the 'Start up at Any Age' entrepreneurial program and continue Fish Tank</li> </ul>	<ul style="list-style-type: none"> <li>• Active Ageing programs (inc. Active Ageing Alliance, Daily Moves, Zest Fest and Forget Me Not)</li> <li>• Commonwealth Home Support Program</li> <li>• Living Young programs including Lifechanger partnership, schools interaction, entrepreneurial and youth leadership programs</li> <li>• Programs for children, young people and adults across libraries, community centres, Unley Museum and the Unley Swim Centre</li> <li>• Unley Toy Libraries</li> <li>• Play space renewal program</li> </ul>

# Objective 1.4: Our City is well planned to support community life



## Strategies

- 1.4a Plan our City to sustainably accommodate growth, enrich character and promote community life
- 1.4b Preserve and celebrate our heritage, including trees
- 1.4c Advocate for improved planning policy for housing diversity and affordability as part of the State Planning Reforms
- 1.4d Support development activities and promote good design principles that enrich the character and sustainability of our local neighbourhoods

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Celebrate Unley's 150<sup>th</sup> Anniversary through delivery of a Sesquicentenary program of activities and events</li> <li>• Seek external funding to complete Unley Oval Upgrade (Stage 2)</li> <li>• Identify and implement a program of Local "villages" improvements</li> <li>• Provide alignment with and input into State Planning Reforms</li> <li>• Develop Public Realm Design Guidelines.</li> <li>• Expand the Discover Heritage Unley Trail</li> </ul>	<ul style="list-style-type: none"> <li>• Development assessment, planning and building</li> <li>• Urban design services</li> <li>• Conservation Grants program (including heritage conservation, significant and regulated trees)</li> <li>• Historical markers and walking trails</li> <li>• Unley Museum</li> </ul>

# Objective 1.5: Our City is connected and accessible



## Strategies

- 1.5a Ensure a safe, attractive, connected and accessible network of streets and paths
- 1.5b Advocate to State Government for improved public transport & road safety on State roads
- 1.5c Provide a community transport service that is responsive to the needs of transport-disadvantaged residents
- 1.5d Manage parking supply and turnover through development control, enforcement, smart solutions and working with private property owners
- 1.5e Consider the needs of all network users including vehicles, bicycles, pedestrians, wheelchairs, prams, scooters and gophers

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Lobby to reduce Unley Road speed limit to 50km/hr</li> <li>• Continued implementation of the Walking and Cycling Plan</li> <li>• Investigate East-west transport connectivity</li> <li>• Investigate and implement Local Area Traffic Management Plans and upgrades</li> <li>• Implement traffic management and smart parking upgrades (including King William Road)</li> <li>• Investigate pay for use parking</li> <li>• Investigate the feasibility of introducing e-scooters</li> </ul>	<ul style="list-style-type: none"> <li>• Community bus and transport service</li> <li>• Traffic management and controls</li> <li>• Parking management and enforcement</li> <li>• Streetscape, path and road maintenance and upgrades</li> </ul>



## Goal 2

# 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

## Objective 2.1: Unley’s urban forest is maintained and improved



### Strategies

- 2.1a Continue to cool and green our City by planting drought resistant trees on council land and streets and widening and greening of verges
- 2.1b Provide education, incentives and development assessment services to encourage greening and retention of trees on private property
- 2.1c Monitor our City's canopy cover and keep appropriate records of our trees
- 2.1d Explore and adopt new approaches to increase trees, greening and open space
- 2.1e Remove feral olive trees and other noxious weeds from Council's open spaces
- 2.1f Support community greening efforts
- 2.1g Protect and restore natural habitat in parks and verges

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Develop and implement a Tree Strategy</li> <li>• Develop open space (including trees) Asset Management Plan</li> <li>• Implement annual Tree Planting and Replacement Program</li> <li>• Develop an online tree register</li> <li>• Undertake a five (5) year Canopy Cover assessment</li> <li>• Investigate tree development incentives</li> <li>• Continue to investigate suitable locations for Living Streets and Pocket Parks</li> <li>• Investigate strategic land purchase for open space provision</li> <li>• Continue to investigate locations for Green Wall demonstration projects</li> </ul>	<ul style="list-style-type: none"> <li>• Tree watering and maintenance programs</li> <li>• Young Tree Care program</li> <li>• Feral tree and noxious weed control</li> <li>• Street Tree Water Well Program</li> <li>• Green Verges Program</li> <li>• Community garden support</li> <li>• Conservation grants program (including support for maintenance of significant and regulated trees)</li> </ul>

## Objective 2.2: Excellence in waste management is achieved through avoidance, re-use and diversion



### Strategies

- 2.2a Advocate to State Government to enable fortnightly general waste collection supported by weekly kerbside recycling and green waste collections
- 2.2b Provide targeted residential education programs to reduce contamination and increase recycling of soft plastics, organics and e-waste
- 2.2c Provide education programs and improved collection services to businesses
- 2.2d Work with other Councils in waste management to share information, develop innovative solutions and achieve economies of scale
- 2.2e Improve hard rubbish collection
- 2.2f Reduce waste and single use plastics and increase recycling from Council's operations and events
- 2.2g Support development policy and assessment that reflects best practice in on-site waste management

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Introduce a pilot program for business waste collection</li> <li>• Include innovation as part of new waste contract</li> <li>• Review hard rubbish collection</li> <li>• Trial weekly green waste collection program</li> <li>• Implement Food Organics Incentive Program</li> <li>• Investigate options for reduction/removal of single use plastics in council operations</li> <li>• Participate in the Eastern Region Alliance investigation of waste separation at source</li> </ul>	<ul style="list-style-type: none"> <li>• Waste minimisation and recycling at Council events</li> <li>• E-waste and battery collection through Council Centres</li> <li>• Kerbside residential waste collection – all waste streams</li> <li>• Hard rubbish service</li> <li>• Recycling of Council office, building and landscape waste</li> <li>• Kitchen caddies rollout program</li> </ul>

## Objective 2.3: The energy efficiency of the City is increased and our carbon footprint is reduced



### Strategies

- 2.3a Monitor and reduce Council's carbon emissions
- 2.3b Increase renewable energy generation and purchase for Council facilities and operations
- 2.3c Design energy efficient solutions in Council operations and buildings including green roofs and walls
- 2.3d Increase the use of electric vehicles, bikes and hybrids in Council's fleet
- 2.3e Provide education programs to support the community to reduce its carbon footprint
- 2.3f Support development policy and assessment that reflects best practice energy efficiency and on-site generation

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Develop and implement a Council Energy Efficiency and Renewable Energy Action Plan</li> <li>• Investigate opportunities to reduce Council's fleet carbon footprint</li> <li>• Initiate a solar demonstration site</li> <li>• Develop Council carbon emissions register</li> </ul>	<ul style="list-style-type: none"> <li>• Community education programs and home energy audit kits</li> <li>• Energy efficient Council building upgrades</li> <li>• LED street lighting network maintenance</li> </ul>

## Objective 2.4: Efficient, effective and sustainable water management is ensured



### Strategies

- 2.4a Increase access to and use of recycled water in Council operations and the community
- 2.4b Provide community education and incentives for water capture, re-use, efficiency and sustainable use
- 2.4c Ensure Councils buildings, streets and greenspaces are water efficient and drought tolerant
- 2.4d Manage stormwater to reduce flooding and capture water for re-use in Council operations, streets and greenspaces
- 2.4e Support development policy and assessment that reflects best practice water efficiency and on-site reuse

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Investigate opportunities to increase Recycled water pipeline extraction</li> <li>• Continue the Brown Hill Keswick Creek Stormwater Project</li> <li>• Investigate open space stormwater storage</li> <li>• Introduce residential water reuse incentives</li> </ul>	<ul style="list-style-type: none"> <li>• Home and garden water use education</li> <li>• Water efficiency and reuse Council building and facility upgrades</li> <li>• Council irrigation audit and recycled water expansion</li> </ul>

## Objective 2.5: The City's resilience to climate change is increased



### Strategies

- 2.5a Ensure that Council's operations are prepared to respond and support the community during heat wave, storm and flood events
- 2.5b Contribute to a regional response to climate change adaptation
- 2.5c Ensure that Council's buildings, infrastructure and operations are resilient to the impacts of climate change
- 2.5d Provide, education and programs to support our community's resilience to climate change
- 2.5e Support development policy and assessment that enables best practice energy and water efficient and resilient building design
- 2.5f Demonstrate leadership by committing to climate change action, targets and trailing new technology and approaches

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Review Council's environment strategy</li> <li>• Participate in the Resilient East Climate Change Adaptation Plan</li> <li>• Develop an emergency response and recovery plan</li> </ul>	<ul style="list-style-type: none"> <li>• Resilient East Steering Group and collaborative projects</li> <li>• Regular review of climate adaptation</li> <li>• Low carbon and/or climate ready options within renewal works</li> <li>• Annual community information/training course(s) with partners such as Red Cross Climate Champions</li> </ul>



### Goal 3

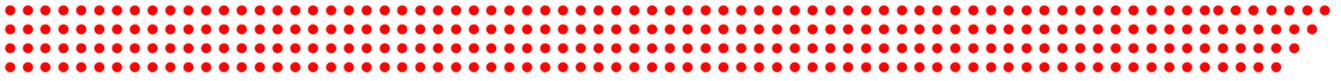
## Economic Prosperity

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

## Objective 3.1: Unley is recognised as an easy place to do business



### Strategies

- 3.1a Remove barriers in Council's policies and processes, to support business activity.
- 3.1b Assist businesses to navigate government requirements and access services.
- 3.1c Promote Unley as a place to do business.

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Implement the Economic Development Growth Strategy</li> <li>• Advocate for quality developments that enable economic and employment growth while contributing to the overall community wellbeing</li> <li>• Implementation of the Edmund Avenue Cottages redevelopment</li> <li>• Strengthen internal understanding of the role of economic development and foster a business-friendly culture across the organisation</li> <li>• Continue to be recognised as a Small Business Friendly Council</li> </ul>	<ul style="list-style-type: none"> <li>• Business Concierge Program</li> <li>• Policy review process</li> <li>• Provide access to business related data</li> <li>• Events Program</li> <li>• Cultural Plan programs focused on encouraging and supporting creative industries</li> </ul>

## Objective 3.2: Thriving main streets and other business activities operate across our City



### Strategies

- 3.2a Encourage business to survive and thrive through innovation.
- 3.2b Promote Unley as a shopping and business destination.
- 3.2c Encourage a complementary mix of businesses on our main streets.
- 3.2d Support medium density development in selected precincts e.g. Unley Central.
- 3.2e Ensure main streets are activated through innovative design.

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Promote and build on the 'Keep it local' campaign</li> <li>• Resource the Economic Development function within Council to more effectively undertake strategic initiatives in the Economic Development Strategy</li> <li>• Implement a City-wide business communication, engagement and promotion strategy</li> <li>• Increase understanding and support for home based businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Innovative design of public spaces, public art and Smart Cities technology in Main Street designs</li> <li>• Support Trader Associations to activate main streets</li> <li>• Collection of the separate rate levy to support the promotion of main streets</li> <li>• 'Buy Local' principle in Council's Procurement Policy</li> <li>• Encourage economic development and growth through appropriate planning policy</li> <li>• Fish Tank and Start Up at Any Age Entrepreneurship programs</li> <li>• Annual review of vacancy rates</li> <li>• Business breakfasts for networking opportunities</li> </ul>



Goal 4

## 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

# Objective 4.1: We have strong leadership and governance



## Strategies

- 4.1a Seek and consider the views of the broader community of Unley and other stakeholders when making decisions
- 4.1b Support Elected Members and the organisation to provide effective leadership to the City

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Investigate enhancements to community engagement approaches for strategic ideas and initiatives</li> <li>• Review the Community Engagement Toolkit</li> <li>• Assist the Council to review the Community Plan</li> <li>• Undertake the Representation Review</li> </ul>	<ul style="list-style-type: none"> <li>• Customer surveys and feedback</li> <li>• Community engagement and community reference groups (e.g. Active Ageing Alliance, Community Centre forums, Civic Precinct Working Group)</li> <li>• Proactive and reactive media and communications</li> <li>• Governance framework, support and advice including policies, delegations and by-laws</li> <li>• Elected Member training, development and support</li> <li>• General and supplementary elections</li> <li>• Policy development, implementation and review</li> <li>• Strategic management plans and frameworks</li> <li>• Annual Business Plan and Budget Process including review of the Long Term Financial Plan</li> <li>• Corporate performance reporting</li> <li>• Fair and equitable application of rates across the City</li> <li>• Investigation of non-rates based income opportunities</li> <li>• Oversight of Centennial Park Cemetery Authority</li> <li>• Oversight of the effective delivery of the Brownhill Keswick Creek Stormwater Management Plan</li> <li>• Support of strategic property acquisition/divestment</li> </ul>

## Objective 4.2: Council provides best value services to the community



### Strategies

- 4.2a Implement improvements to business processes to enhance the customers' experience
- 4.2b Ensure that Council is clear on its role in the delivery of services to the community
- 4.2c Align our organisation to deliver efficient and effective community outcomes
- 4.2d Implement Smart Cities technology solutions to improve community outcomes

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Continued delivery of self-help options for customers</li> <li>• Identify and digitally transform services and business processes</li> <li>• Implement the outcomes of the State Government Local Government reform process</li> <li>• Develop a Smart City portal with freely available public data</li> <li>• Mature the Digital Strategy into a Smart City Plan</li> <li>• Increase open datasets to support community outcomes and opportunities for innovation</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring of core customer facing processes</li> <li>• Monitoring of customer service data analytics and customer satisfaction</li> <li>• Service reviews with a focus on value for money and continuous improvement</li> <li>• Community education on Councils' role</li> <li>• Increase non-rate based revenue as opportunities arise</li> <li>• Organisational structure reviews to ensure efficiency and effectiveness in service delivery</li> <li>• Digitally enabled systems and services</li> <li>• Competitive procurement processes</li> </ul>

## Objective 4.3: Our business systems are effective and transparent



### Strategies

- 4.3a Encourage our staff to model the organisation's values in the workplace
- 4.3b Build business capability through the attraction, development and retention of talented staff
- 4.3c Continue to improve our business systems, processes and practices to enable delivery of efficient and effective services
- 4.3d Foster an environment of continuous improvement and innovation

Key Initiatives/Projects	Ongoing Services
<ul style="list-style-type: none"> <li>• Undertake organisation wide culture survey</li> <li>• Ongoing review of resources to ensure delivery of the 4 Year Plan</li> <li>• Update and implement revised project management framework</li> <li>• Establish strategies and processes to capture and implement ideas for productivity improvement</li> </ul>	<ul style="list-style-type: none"> <li>• Workforce development strategies</li> <li>• Organisational values monitoring and reporting</li> <li>• Focus on service culture</li> <li>• Training and development programs</li> <li>• Systems and technology to support delivery of organisational business requirements</li> <li>• Corporate reporting and access to data to better plan, manage, monitor and improve key business deliverables</li> <li>• Staff safety and wellbeing monitoring and reporting</li> <li>• Secure IT and communications infrastructure</li> <li>• Continuous improvement as a 'business as usual activity'</li> </ul>



## DECISION REPORT

<b>REPORT TITLE:</b>	ESTABLISHMENT OF A STRATEGIC RELATIONSHIP WITH A FRENCH CITY
<b>ITEM NUMBER:</b>	4.4
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	TAMI NORMAN
<b>JOB TITLE:</b>	EXECUTIVE MANAGER, OFFICE OF THE CEO
<b>ATTACHMENTS:</b>	NIL

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### 1. **EXECUTIVE SUMMARY**

An opportunity has arisen to explore the development of a strategic relationship with a French city, with a view to achieving mutually beneficial outcomes across a number of key strategic initiatives.

This report seeks Council's consideration as to whether it wishes to pursue such a relationship, noting the connection to existing activities and initiatives within the City of Unley.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. *The matter is for Council to determine. Options are provided at Section 6.*
- 

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership
- 4.1 We have strong leadership and governance.

### 4. **BACKGROUND**

An approach has been made by Sue Crafter, Honorary Consul of France, to facilitate the establishment of a strategic relationship between the City of Unley and an appropriate French City, with a view to developing a collaborative relationship that is mutually beneficial.

At this stage the proposal is not to establish a sister city relationship, recognising the formality and obligations that go with such a relationship. Rather, the intention is to connect with a city of similar size, and demographic and strategic directions, with a view to both cities sharing information in the areas of:

- Active Ageing
- Arts & Culture
- Cycling and Walking
- Greening/Sustainability
- Smart Cities

## **5. DISCUSSION**

Over the last 4-5 years, there have been a number of informal discussions between the State Government, Alliance Francaise, and Council about strengthening Council's relationship with a city in France (beyond that which currently exists with Poziers).

In recent discussions, the opportunity has again arisen to establish a strategic relationship with a French city, with a view to providing opportunities that are beneficial to both cities across a number of strategic initiatives. Given the City of Unley's existing French connections, there is merit in Council considering this opportunity.

The City of Unley has a history of supporting and promoting events and activities that promote French language and culture in the community. By way of example, an existing connection exists between Council and Pozieres, based on our shared history relating to World War I and specifically the Battle of Pozieres.

In addition, Council has entered into a Memorandum of Understanding with Alliance Française d'Adelaide (AF), which amongst other things, supports the very successful French Market on an annual basis. As an established French educational and cultural institution situated in Wayville, the AF contributes to the diverse multicultural community of Unley. The AF offers French classes for all ages and levels and is a cultural centre, organising major cultural events such as the annual French Film Festival, concerts and book launches.

Finally, albeit a less direct connection, Highgate School and Unley High School are currently delivering South Australia's first French bilingual program, which will offer an educational stream in French and English for reception to year 10 students by 2022.

At a state level, Adelaide has been selected as the site for construction of twelve submarines, based on the French Barracuda design. The French Naval Group is the lead contractor, with a team of highly skilled engineers and specialists to deliver the project, which will commence from 2023.

At this stage, two other councils have (or are seeking) a similar relationship with a French city (City of Port Adelaide Enfield and City of Prospect). Both Councils have developed an engagement strategy to attract french workers residing in Adelaide by making their cities more “Franco friendly”.

With existing “Franco friendly” activities/relationships, the City of Unley is well placed to be an attractive location for businesses and families related to the defence contract. A strategic relationship with a similar French city could also enhance our existing community’s affinity with all things French, as well as offer social and economic development opportunities for Unley.

In order to pursue the establishment of a strategic relationship it would be necessary to develop a ‘prospectus’, providing an overview of the City of Unley and then a summary of initiatives and achievements against each of the identified areas:

- Active Ageing
- Arts & Culture
- Cycling and Walking
- Greening/Sustainability
- Smart Cities

This document would then be translated into French, and provided to prospective ‘partner cities’ to allow them to consider working with the City of Unley.

## **6. ANALYSIS OF OPTIONS**

### Option 1

1. The report be received.
2. The establishment of a strategic relationship with a suitable French City with a view to developing a collaborative and mutually beneficial partnership be endorsed.
3. The CEO be authorised to commence discussions regarding the establishment of a strategic relationship with a suitable French City and to prepare a prospectus that outlines relevant initiatives and achievements to be used to promote the City of Unley in those discussions.

This option endorses the commencement of discussions regarding the establishment of a strategic relationship with a suitable French city. It authorises the CEO to accept the offer made by the Honorary French Consul to facilitate introductions with suitable French cities and to create a promotional prospectus to assist with promoting the City of Unley.

## Option 2

### 1. The report be received.

Council may prefer not to progress the establishment of a strategic relationship with a suitable French City at this time. This option receives the report and takes no further action.

## 7. **RECOMMENDED OPTION**

The matter is for Council to determine.

## 8. **POLICY IMPLICATIONS**

### 8.1 **Financial/Budget**

- There will be some costs associated with the production of the prospectus document, but these can be accommodated within existing budget. Translation services have been volunteered by a University Student, which will assist with managing costs associated with this activity.
- Any specific costs for initiatives that may evolve following the establishment of a relationship would be considered as part of the budget process.

### 8.2 **Legislative/Risk Management**

- There are no legislative implications.

### 8.3 **Staffing/Work Plans**

- If supported, the work associated with this will be undertaken by the Office of the CEO within existing work plans.

### 8.4 **Environmental/Social/Economic**

- It is anticipated that a successful strategic relationship will contribute to development of initiatives that will positively contribute to social and economic outcomes for the City.

## 9. **REPORT CONSULTATION**

Nil

## 10. **REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Peter Tsokas	Chief Executive Officer

## DECISION REPORT

<b>REPORT TITLE:</b>	REQUEST FOR FUNDING: ALLIANCE FRANCAISE FRENCH FILM FESTIVAL 2021
<b>ITEM NUMBER:</b>	4.5
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	TAMI NORMAN
<b>JOB TITLE:</b>	EXECUTIVE MANAGER, OFFICE OF THE CEO
<b>ATTACHMENTS:</b>	1. ALLIANCE FRANCAISE - REQUEST FOR SPONSORSHIP FOR FRENCH FILM FESTIVAL 2021

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### 1. **EXECUTIVE SUMMARY**

A request has been received from Alliance Francaise for a financial contribution of \$6,000 towards the annual French Film Festival that it hosts. This report presents the request to Council for consideration.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. *The matter is for Council to determine. Options are provided at Section 6 of this report.*
- 

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

1. Community Living
- 1.4 Our Community is proud to be part of our City.

### 4. **BACKGROUND**

The City of Unley currently has in place a three year (July 2019 – June 2022) Memorandum of Understanding (MOU) with Alliance Francaise that:

- formalises the relationship between the parties by setting out arrangements for cooperation and the coordination of resources.

- sets out activities that the two organisations will support, including:
  - Creating a greater awareness amongst the community about Alliance Francaise d'Adélaïde, including their wide range of French classes for all ages, their vibrant cultural centre and major cultural events and activities such as the French Film Festival, the French Market, cine-clubs, concerts, book launches, talks and many other events;
  - Assisting Alliance Française d'Adélaïde with developing community French cultural events, including the annual French Market;
  - Supporting local schools, and especially the French bilingual and binational program at Highgate School and Unley High School, to promote the teaching of the French language;
  - Attracting investment from France into the City of Unley; and
  - Seeking opportunities to work together with the Office of the French Strategy (Department of the Premier and Cabinet) to identify potential benefits for the City of Unley.

The MOU also includes the provision of \$10,000 per annum for Alliance Francaise to conduct the French Market within the area of the City of Unley for the duration of the MOU.

Separate to the MOU, the City of Unley has, for a number of years, contributed financial assistance (approximately \$6,000 p/a) to enable Alliance Francaise to deliver the French Film Festival, and Alliance Francaise is again seeking to secure this contribution for the 2021 Festival.

## 5. **DISCUSSION**

Alliance Francaise (AF) has written to the Chief Executive Officer requesting financial assistance (\$6,000) for the delivery of the French Film Festival in 2021. A copy of the request is provided as Attachment 1.

### *Attachment 1*

AF has advised that the Film Festival is to be held in partnership with Palace Nova Cinema, with screenings occurring in the East End (CBD) and Prospect cinemas. The Film Festival is currently scheduled for 23 March to 20 April (with an 'encore' from 21-22 April).

There is no opportunity to host the Film Festival within the City of Unley as there are no suitable cinemas available. This means that the event is not eligible to apply for funding under the Event Sponsorship Program.

The sponsorship package offers:

- 1 x 5 second cinema ad, screened before 100% of Festival screenings, including Opening Night and Closing Night screenings\*;
- 1 full page ad in A6 Programme\*;
- 4 double passes to Opening and Closing Night;
- 10 cinema double passes;
- Social media: 1 dedicated post during Festival period; and
- Opportunity to insert a goodie in the Festival gift bag.

*\* these would highlight the French Markets to be held in the City of Unley*

Alliance Francaise has secured funding and support from a number of other sources including private philanthropy, Jarvis Peugeot, and they are waiting on confirmation of funding that may be provided by the Department for Premier and Cabinet. At this stage, the sponsorship request of the City of Unley would represent 17% of the funding required to deliver the Festival.

The Council's previous support of the Film Festival has been appreciated by Alliance Francaise and has helped establish the City of Unley as a Franco Friendly City.

## **6. ANALYSIS OF OPTIONS**

### Option 1

1. The report be received.
2. The request to provide sponsorship of \$6,000 to Alliance Francaise in support of the French Film Festival 2021 be supported.

This option supports the request received from Alliance Francaise and provides \$6,000 in support of the delivery of the French Film Festival 2021. As discussed in the Finance section below, MOU funds were returned as savings in 2020 as the French Markets were not able to proceed due to COVID-19. Should Council choose to endorse Option 1, the cost could be met from those savings.

### Option 2

1. The report be received.
2. The request to provide sponsorship of \$6,000 to Alliance Francaise in support of the French Film Festival 2021 be declined.

This option declines the request received from Alliance Francaise.

### Option 3

1. The report be received.
2. A sponsorship amount of \$XXX be provided to Alliance Francaise in support of the French Film Festival 2021.

This option provides Council with the opportunity to determine an alternative amount of sponsorship to Alliance Francaise in support of the delivery of the French Film Festival 2021.

### 7. **RECOMMENDED OPTION**

The matter is for Council to determine.

### 8. **POLICY IMPLICATIONS**

#### 8.1 **Financial/Budget**

- The funding requested is not specifically included in the 2020/21 Budget. If the request is supported, the funds will need to be found within existing budget allocations or as part of budget review.
- The \$10,000 currently included in the MOU for the delivery of the French Markets is funded from the Community Events Grant funding budget. It is noted that due to COVID-19 restrictions, the French Market did not proceed in 2020. Alliance Francaise sought approval from Council to use a portion of the MOU funding (\$4,000) to deliver an alternative activation, which took the form of a mural painting on their premises in Wayville. The remaining portion of the MOU funding was returned as savings which means that the \$6,000 returned could be used to sponsor the 2021 Film Festival.

### 9. **REPORT CONSULTATION**

Nil

### 10. **REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Peter Tsokas	Chief Executive Officer



Alliance Française

Adélaïde - Australie

14 December 2020

Peter TSOKAS  
Chief Executive Officer  
City of Unley

**RE: Alliance Francaise French Film Festival 2021**

Dear Peter,

I'm writing you this letter on behalf of the committee members of the Alliance Francaise Adelaide and regarding the Alliance Francaise French Film Festival, and more largely the MoU between the city of Unley and our association.

Over the past years, the city of Unley has been an indefectible and continuous sponsor of the AF French Film Festival, and we sincerely thank you for that.

This year was obviously out of any normality: we had to cancel the festival the day after the opening in March, but we've been lucky to be able to resume on Bastille Day.

By this letter, we'd like to offer to strengthen our partnership, by continuing to sponsor the Festival for 2021 up to \$6,000. This partnership would be a high contribution to:

- Support and sharing the French film culture and its screenings in cinemas in South-Australia;
- Curate films i.e. paying for the broadcasting rights that will bring together communities, to share and live their love for French cinema;
- Bring films and their stories into schools (50 to 100) and universities through special screenings to enrich their education and international experience supported by educational kits;
- Organise special events during the festival to enhance the experience of France in South Australia and further engaged the different parts of the communities.

In the frame of this partnership, we would continue to work on the branding of the city of Unley through printed promotional material and in cinema before screenings.

Also, according to your interest, we could integrate the AF French Film Festival as part of our Memorandum of Understanding for the years to come.

I remain of course at your disposal to discuss further and sure that we will meet again very soon, by early next year to work on the MoU and program for 2021.

I wish you all the best for the end of year's celebrations!

Yours sincerely,

**Raphaëlle Delaunay**

Director  
Alliance Française d'Adelaide Inc.



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## DECISION REPORT

<b>REPORT TITLE:</b>	REVIEW OF POLICIES
<b>ITEM NUMBER:</b>	4.6
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	KATHRYN GOLDY
<b>JOB TITLE:</b>	PRINCIPAL GOVERNANCE OFFICER
<b>ATTACHMENTS:</b>	1. PROPERTY MANAGEMENT POLICY 2. ENCROACHMENTS POLICY

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### 1. **EXECUTIVE SUMMARY**

The policies attached to this report have been recently reviewed and are proposed for endorsement by Council. In evaluating the Policies, Council should consider whether the Policies are appropriate to endorse as presented; whether further revisions are required; or whether the Policy is no longer required and therefore should be revoked.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. The following policies (set out as Attachments 1 and 2 to Item 4.6 Council Meeting, 27/01/2021) be adopted:
    - 2.1 Property Management Policy (Version 5); and
    - 2.2 Encroachments Policy (Version 3).
  3. That the CEO be authorised to make amendments of a minor and/or technical nature as part of the finalisation of the Property Management and Encroachments Policies.
- 

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership
  - 4.1 We have strong leadership and governance.

### 4. **BACKGROUND**

Council is required to review all Statutory and Council Policies to ensure they remain relevant and current.

Statutory Policies are those that are required under legislation.

Council Policies are policies or procedures that set the strategic tone of Council on matters that significantly impact the community in some way. These policies must be adopted in the first instance, or endorsed following review, by Council.

The requirement for development of a Council policy will be triggered when an officer, Elected Member(s), or stakeholder has identified:

- (a) a need for a Program Policy (e.g. Community Grants Program); or
- (b) a need to specify how Council will respond in specific situations.

Council Policies relate to a specific program, initiative or issue, and may affect a range of functions within Council's service delivery.

The following policies have been reviewed and are being proposed for Council endorsement:

- Property Management Policy (Version 5);
- Encroachments Policy (Version 3).

## 5. **DISCUSSION**

### **STATUTORY POLICIES**

#### **5.1 Property Management Policy**

The Property Management Policy outlines the management of and setting of fees for the lease / license of Council owned properties in line with a series of pre-defined Guiding Principles. The Policy provides a standardised assessment method when establishing lease and license fees for Council owned properties.

There have been minimal changes between this version of the Policy and the last. Changes proposed are primarily to improve clarity of language, reflect the current policy format and changes to position titles. Revisions are marked in the attachment for ease of review.

*Attachment 1*

#### **5.2 Encroachments Policy**

The Encroachments Policy provides the basis for the Council's assessment and decision-making on encroachments as land owners. The policy sets out criteria to guide the assessment.

A small number of changes, in addition to those needed to reflect the current policy format and changes to position titles, are proposed to the Encroachments Policy. The policy previously set out fees applicable and it is proposed that this detail be removed and replaced with a reference to the Fees and Charges booklet to avoid the need for an annual update to the policy when the fees and charges are amended at the commencement of each financial year. In addition, changes to remove detail not relevant to the policy, or to clarify language are proposed. The Policy Delegations section has also been updated to reflect the delegation to the General Manager City Services referenced in clause 6.4.1 of the policy. Revisions are marked in the attachment for ease of review.

*Attachment 2*

## **6. ANALYSIS OF OPTIONS**

### Option 1 –

1. The report be received.
2. The following policies (set out as Attachments 1 and 2 to Item 4.6 Council Meeting 27/01/2021) be adopted:
  - 2.1 Property Management Policy (Version 5);
  - 2.2 Encroachments Policy (Version 3); and
3. That the CEO be authorised to make amendments of a minor and/or technical nature as part of the finalisation of the Property Management and Encroachments Policies.

This option will finalise the above policies for implementation. Statutory and Council Policies are published to the City of Unley website once finalised.

### Option 2 –

1. The report be received.
2. Subject to the amendments set out below, the Property Management Policy and Encroachments Policy (included as Attachments 1 and 2 respectively to Item 4.6 Council Meeting 27/01/2021) be adopted:
  - 2.1 *[insert amendments required or delete if not required]*

Council may wish to request amendments to the Policies. If this is the case, the amendments should be articulated as part of the resolution.

Alternatively, Council may wish to have further work undertaken on particular policies prior to endorsement. If that is the case, these policies should be listed as a Part 3 to the resolution, in the following manner:

3. The following policies (set out as Attachment X, etc to Item 4.6, Council Meeting 27/01/2021) be further amended and returned to Council for endorsement:

3.1 [insert policy name]

Finally, Council may wish to revoke any of the Council policies proposed for endorsement. In making a decision to revoke a Council Policy, Council should consider any impact on current services/processes. Should Council wish to revoke any of the policies included in this report, these should be listed as a separate part to the resolution in the following manner:

4. The following policies (set out as Attachment X etc to Item 4.6, Council Meeting 27/01/2021) be revoked:

4.1 [insert policy name]

## 7. **RECOMMENDED OPTION**

Option 1 is the recommended option.

## 8. **REPORT CONSULTATION**

The policy review has been conducted by officers within the relevant Council business unit and the Executive Management Team has subsequently reviewed the policies prior to inclusion in the Council Agenda.

## 9. **REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Tami Norman	Executive Manager, Office of the CEO



## COU0003: PROPERTY MANAGEMENT POLICY

<b>Policy Type:</b>	Council
<b>Responsible Department:</b>	City Development
<b>Responsible Officer:</b>	Manager <a href="#">Strategic Assets and Operations</a>
<b>Related Policies and Procedures</b>	Disposal of Surplus Non-Community Land Policy
<b>Community Plan Link</b>	<p><i>Community Living:</i> 1.1 Our Community is active, healthy and feels safe.</p> <p><i>Civic Leadership:</i> 4.1 We have strong leadership and governance. 4.2 Our business systems are effective and transparent.</p>
<b>Date Adopted</b>	23 July 2007; C140/07
<b>Last review date</b>	25 August 2014; C1235/14
<b>Next review date</b>	December 2022
<b>Reference/Version Number</b>	<a href="#">COU0003</a> : Version 5
<b>ECM Doc set I.D.</b>	<a href="#">2167028</a>

### 1 PREAMBLE

- 1.2 This Policy outlines the management of and setting of fees for the lease / license of Council owned properties in line with a series of pre-defined Guiding Principles.

### 2 SCOPE

- 2.2 This Policy ~~covers all Council, administrative and human resource management policies. It does not cover policies and procedures for Work Health and Safety, which are subject to a separate process.~~ applies to all Council owned facilities that are leased or the subject of a license.

### 3 POLICY PURPOSE/OBJECTIVES

- 3.2 To identify a standardised assessment method when establishing lease and license fees for Council owned properties.
- 3.3 The City of Unley supports a Property Management Policy that is:
- Standardised
  - Equitable



- Transparent
- Easily and consistently applied
- Easily understood and defensible
- Assists in delivering strategic objectives
- Recognises the Lessee

#### 4 ROLES AND RESPONSIBILITIES

4.2 This Policy will be administered on behalf of Council by the:

- General Manager City Development
- Manager Strategic Assets and Operations
- Senior Assets and Engineering Lead
- Coordinator Property & Facilities

#### 5 POLICY STATEMENT

5.2 Council will develop and utilise a structured and consistent approach to the management and asset management of Council's building assets.

##### 5.3 ***Building Assets of Council***

5.3.1. Two categories of building assets are considered within this Policy:

- **Civic, Community and Recreation Assets** – such as libraries, community centres, halls, cultural development centres (e.g. art, theatre and craft) or sporting facilities such as tennis courts, bowling clubs, ovals, etc.
- **Commercial Assets** – offices, retail shops, residential properties that have been acquired for the purposes of achieving a strategic community or economic objective.

##### 5.4 ***Guiding Principles for Property Assets***

5.4.1. The Guiding Principles of Property Assets for Council are:

- **Principle 1 – Equity across the community**  
A balanced approach is taken ensuring that residents across the community have equal opportunities for required services.
- **Principle 2 – Sustainable assets**  
Assets are designed and maintained in a manner cognisant of a triple bottom line outcome (financial; environmental; social) and utilising a life cycle approach.
- **Principle 3 – Risk sensitive**  
Asset based decisions are done so in a manner where risks are identified, understood and managed (Health, Safety and Welfare; Business Performance and Service Delivery; Reputation; Infrastructure; Environment; Financial; WHS; Environ; Public Safety; Political).
- **Principle 4 – Strategic consistency**  
Assets related to services are planned and maintained within an integrated planning framework.

- **Principle 5 – Functional and Service Level**  
Assets are designed and maintained to ensure they are fit for purpose, meeting the agreed Level of Service.
- **Principle 6 – Compliant**  
Assets are designed and maintained to meet compliance requirements at a minimum.
- **Principle 7 – Innovation and improvement focused**  
Alternative methods of providing services/assets are regularly examined, and improvements considered, ensuring “best value” options are applied.

## 5.5 **Community, Recreation, Commercial and Strategic Assets**

### 5.5.1. Lease or Licence Management

#### *Definition*

- A lease or license is defined as any rental or licensed use agreement whereby Council allows any of its properties, in whole or part, to be used regularly for in excess of six months by any organisation.
- Leasing refers to the exclusive use of a property or facility by a group whilst licencing relates to shared use of a property or facility.

#### *Scope*

- Properties subject to lease or licence may include halls, cottages, open space, institutes/community centres, playing fields, clubrooms, car parks, spectator facilities, courts (and/or any combination of the above) or commercial properties.

#### *Objective*

- Council will attempt to secure the optimum return, including cost recovery for specialist services (ie – pitch preparation) on leasing and licensing of community facilities without jeopardising the viability of services.
- Council will attempt to secure the optimum return on all commercial facilities.

### 5.5.2. Process

#### *New and Renewal Lease or Licence*

- The ~~Assets and Infrastructure~~ City Development Department will (in conjunction with Community Services Department and the tenant) undertake a rent review three (3) months prior to the expiration of the current lease or licence and undertake appropriate negotiations with the tenant.
- If the Tenant and the Administration agree on all terms and conditions of the proposed Lease or License, the Administration ~~will have~~ delegated authority to formalise the Agreement.
- Details of all Leases and Licenses formalised under delegation shall be reported to Council on a quarterly basis.
- Should the Tenant and Administration not be able to reach agreement on the proposed Terms and Conditions of an Agreement or the Tenant wishes to address Council, a report shall be prepared for the next convenient meeting of Council.

5.5.3. Asset maintenance

- Lease documents will include clear responsibilities for lessees to maintain the asset in accordance with asset management plan for the building or make the necessary financial contribution through the lease fee to meet such maintenance costs.

5.5.4. Legislation

- The administration of community leases must take account of any relevant Community Land Management Plans and Sections 196 and 202 of the *Local Government Act 1999*.

Asset Management

- Council is committed to undertaking a regular asset audit of all its buildings for the purposes of identifying short, medium and long-term maintenance and capital expenditure in line with the legislative and risk management objectives of the Asset Management Plan and the Guiding Principles.

**5.6 Assessment Procedures**

5.6.1. Determination of Tenant Category

- The City of Unley recognises three distinct types of organisation when considering leasing and licensing:
  - local community – services and activities focused on the Unley community
  - state-wide / peak body – community services provided across South Australia, perhaps as a 'peak body'
  - commercial – income generation as prime focus
- When determining which asset-tenant category is appropriate when considering a proposed lease or license, the following should be considered when calculating lease and license fees:
  - Financial statements;
  - Annual and Business Plans;
  - Articles of Incorporation;
  - Mission, Vision and Values;
  - Stakeholder group; and
  - Other documents as required.

5.6.2. Process for assessing lease and license fees:

- Lease and license fees are established as a percentage of the assessed Capital Replacement Value of the property (used to update asset valuations in the audited Financial Statements and updated at least five yearly).
- Council updates property Replacement Values every five years, therefore the appropriate rental figure will be assessed as:
  - **Year 0** – Valuation
  - **Years 1 to 4** – Valuation plus cumulative CPI
  - **Year 5** – Valuation

- ~~GST shall be applied to all~~ The following will be used to determine the lease and licence fees applicable:
  - **Local community** – shall be fixed at 1% of the Capital Replacement Value
  - **State-wide / peak body** – shall be fixed at 3% of the Capital Replacement Value
  - **Semi Commercial / Community** – shall be fixed at 8% of the Capital Replacement Value (or assessed market rate if a new tenancy)
- ~~The minimum fee levied will be no less than \$750 per annum.~~
- GST shall be applied to all lease and licence fees.
- Lease and License Agreements will be negotiated based on the following:
  - current Capital Replacement Valuation appropriate to the property and portion of lettable time;
  - lease terms to be of a fixed period of five (5) and
  - annual automatic rental indexations in line with the Consumer Price Index (all groups – June quarter).and will include the following conditions:
  - **Standard leases will define lessee responsibility to include:**
    - All utilities (including water)
    - All general maintenance (excluding any structural or capital improvement works unless self-funded and supported by Lessor)
  - **Standard licenses will define licensee responsibility to include:**
    - All general and specialised site maintenance and preparation
    - Will specify how utilities and associated maintenance will be managed
- Should review of lease or license fees under the Policy guidelines result in a reduced fee to organisations, the current fee will remain in place until such time as the new guidelines indicate an assessed fee is equal or greater than the current fee.

## 6 POLICY DELEGATIONS

- 6.2 ~~Nil Full information about the sub-delegated powers and duties is contained in the Council Delegations Register.~~

## 7 LEGISLATION

- *Local Government Act 1999 – Chapter 11*
- *Development Act 1993*
- *Real Property Act 1886*
- *Retail & Commercial Leases Act 1995*

## 8 AVAILABILITY OF POLICY

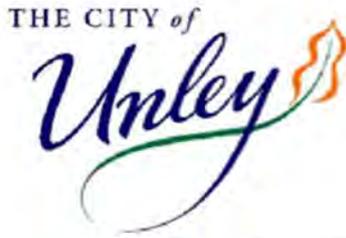
- 8.2 The Policy is available for public inspection during normal office hours at: The Civic Centre, 181 Unley Road, Unley SA 5061.

A copy may be purchased for a fee as determined annually by Council.

It is also available for viewing, download and printing free of charge from the Council's website [www.unley.sa.gov.au](http://www.unley.sa.gov.au).

**9 DOCUMENT HISTORY**

<b>Date</b>	<b>Ref/Version No.</b>	<b>Comment</b>
23 July 2007	C140/07 (V1)	
26 May 2008	C267/08 (V2)	Motion on notice – raise minimum fee
28 Jan 2014	C1014/14 (V3)	
25 Aug 2014	C1235/14 (V4)	Was COU 53
27 January 2021	C<00>/21 (V5)	



## COU0031: ENCROACHMENTS POLICY

<b>Policy Type:</b>	Council Policy
<b>Responsible Department:</b>	Development & Regulatory
<b>Responsible Officer:</b>	Manager Development & Regulatory
<b>Related Policies and Procedures</b>	<ul style="list-style-type: none"> <li>• Construction of Crossing Places &amp; Stormwater Pipes to Properties</li> <li>• Footpath trading</li> </ul>
<b>Community Plan Link</b>	<p><i>Community Living</i></p> <p>1.3 – Our City meets the needs of all generations. 1.5 – Our city is connected and accessible.</p> <p><i>Economic Prosperity</i></p> <p>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.</p> <p><i>Civic Leadership</i></p> <p>4.2 – Council provides best value services to the community.</p>
<b>Date Adopted</b>	9 December 2013: C995/13
<b>Last review date</b>	27 January 2021: C<00>/21
<b>Next review date</b>	January 2024
<b>Reference/Version Number</b>	Version 3
<b>ECM Doc set I.D.</b>	2133643

### 1. PREAMBLE

- 1.1. In relation to the assessment of encroachments, the Council has two roles:
  - 1.1.1. To assess an application as the land owner; and
  - 1.1.2. As the relevant planning authority.
- 1.2. The Encroachments Policy provides the basis for the Council's assessment and decision making on encroachments as land owner. The Policy sets out both the criteria to guide the assessment and the processes for applying for a permit under Section 221 of the *Local Government Act 1999* (The Act) to alter a public road.
- 1.3. Where an encroachment constitutes development for the purposes of the *Development Act 1993*, a development application and assessment will also be required. The development assessment will look more closely at the design, appearance and structural aspects of the encroachment.
- 1.4. Assessment under each process will be separate and distinct where both approvals are required.

## 2. SCOPE

- 2.1. The policy applies to all applications for building work in, on or under public land.
- 2.2. This policy is applicable under Section 221 of the Act.

## 3. POLICY PURPOSE/OBJECTIVES

- 3.1. Council has obligations under Section 221 of the Act in relation to control of work on roads, and in particular to ensure those works are appropriately authorised.
- 3.2. All permit applications will be assessed on merit. The fact that a proposed encroachment meets the criteria should not lead to an assumption that the encroachment will be approved. The overall impact on the amenity of the area if the permit is approved, and the impact on the proposed development if the permit is refused, will also be considered.

## 4. DEFINITIONS

### 4.1. Cornices, sunscreens, hoods and other such projections

- 4.1.1. Encroach no more than ~~1500mm~~ 1.5m into public space with a width not exceeding beyond 10 metres of site frontage;
- 4.1.2. Have a minimum height of 3 metres above the level of the footpath and a minimum clearance of 600mm from the kerb or a minimum height of 5.0 metres above the level of a vehicular carriageway;
- 4.1.3. Are not considered to pose a hazard, particularly to pedestrians or other users of public space, for example is not below head height, is not at risk of detaching from the building;
- 4.1.4. Are replacing an existing compliant encroachment of the same dimensions;
- 4.1.5. Are constructed so as to prevent water dripping or discharging onto Council land;
- 4.1.6. Do not preclude street tree planting in a location previously designated for such a purpose;
- 4.1.7. Do not narrow the width of a footpath ~~to less than 1.2m, desirable~~ desirably less than 1.5m, 1.2m minimum, on public space;
- 4.1.8. Do not interrupt pedestrian movement or public space;
- ~~4.1.8.4.1.9.~~ Do not obstruct sight lines or visibility to and from pedestrian crossing points or road junctions; and
- ~~4.1.9.4.1.10.~~ Do not cause any interference to public services.

### 4.2. ~~4.2~~ Awnings, verandahs, pergolas and freestanding shade structures

- 4.2.1. Have a minimum height of 3 metres and not more than 3.7 metres above the level of the footpath measured to the underside of the awning, verandah or pergola, except in the case of retractable awnings which, when fully lowered, shall be at a height above the level of the footpath to provide a clearance of not less than 2.5 metres measured to the lowest part of the awning and a clearance of not less than 3 metres when fully retracted;
- 4.2.2. Have a minimum setback of 600mm from the kerb face;

- 4.2.3. Not restrict pedestrian access to less than 1.8 m (or greater if in a high pedestrian area) and 1.5m standard, to minimum 1.2m on any side other than that adjacent the kerb (*new*);
  - 4.2.4. Be constructed so as to prevent water from dripping or discharging onto a footpath;
  - 4.2.5. Except where existing character precludes it, verandah encroachments should be of the cantilevered type, rather than being a verandah requiring the support of posts or columns. The street number of the relevant property must be displayed on the verandah in a font size and type approved by the permit issuing officer.
- 4.3. Signs**
- 4.3.1. Be at a height above the level of the footpath of not less than 2.5 metres for permanent and rigid material advertisements and 2.3 metres for temporary advertisements made of a flexible or yielding material measured to the lowest part of the sign (*new*); and
  - 4.3.2. Be located such that no part is set back less than 600mm from the kerb face (*new*).
- 4.4. Infrastructure**
- 4.4.1. Cables, communications and other services (*new*);
  - 4.4.2. Access Pits and Hatches (*new*);
  - 4.4.3. Electricity Service connections (*new*);
  - 4.4.4. Mechanical and Plant equipment (*new*);
  - 4.4.5. Pipes and Services (*new*) and
  - 4.4.6. Flagpoles (*new*).
- 4.5. Non-Minor**
- 4.5.1. Balconies (*new*);
  - 4.5.2. Freestanding signs (*new*);
  - 4.5.3. Underground car parking (*new*);
  - 4.5.4. Fully or predominantly enclosed parts of any building which encroach over public space (e.g. increased leasable floor area at, below or above ground level) (*new*); and
  - 4.5.5. Enclosed balconies and any structures that exclude access to areas of public space (*new*).
- 4.6. Where a post is erected on Council property, by virtue of an encroachment permit, for the purposes of displaying a sign (or other reasons) Council reserves the right to install its own information signage on these posts. Such information signage may include direction signs for car parking or other relevant community information. Council may also require the street number of the adjacent property to be displayed on the sign or the supporting post in a font size and type approved by the permit issuing officer.

## 5. ROLES AND RESPONSIBILITIES

5.1. The officers listed below have a primary role in applying the policy:

- General Manager City Services
- Coordinator, Property & Facilities
- Manager Development and Regulatory

## 6. POLICY STATEMENT

### 6.1. Where to Apply

6.1.1. All encroachments require a permit unless they are assessed as deemed to be minor and being excluded from this requirement. Completed applications can be lodged at the Civic Centre.

### 6.2. How to Apply for a New Permit

~~6.2.1. An application for an Encroachment Permit must include a completed application form accompanied by any relevant information specified within the application form. The following information is required as part of an application for an Encroachments Permit:~~

- ~~• A completed Application Form;~~
- ~~• A public liability insurance Certificate of Currency to a minimum value of \$20 million;~~
- ~~• A copy of the Title for the subject land that the encroachment will extend from;~~
- ~~• A receipt for payment of application fees in accordance with the Council's Schedule of Fees and Charges; and~~
- ~~• Supporting information including:~~
- ~~• A site plan of existing conditions indicating the relevant property line boundaries;~~
- ~~• A graphic representation to a professional standard of the proposed encroachment, including accurate dimensions (including the proposed height and clearance above or below the footpath or carriageway, if relevant);~~

### 6.3. Who Can Apply for a New Permit

6.3.1. Only the owner or body Corporater can be the recipient of a Permit, the owner, the occupier with the owner's permission, or the applicant with the owner's permission may apply for an Encroachment Permit. Where the property is not Torrens Title, permission of all the relevant parties must be obtained. For example, in the case of a Community Title or Strata Title, a permit will only be issued to the Body Corporate and not the individual. In the case of new residential developments involving balcony encroachments, the developer must be the applicant and the permits will be issued to the developer, and then transferred to the Body Corporate when it is established. A single permit can be issued to cover multiple residential balcony encroachments from the one structure.

### 6.4. Approval Process

6.4.1. The authority to assess and issue an Encroachment Permit ~~will be~~ delegated to the Chief Executive Officer, who in turn will may sub-delegate the responsibility for the assessment of applications for encroachments and the issue of permits. Authority to approve permits that are at a low minor

variance ~~from to~~ the Policy or Operating Guidelines ~~is will be~~ delegated to the General Manager, ~~City Services Assets and Infrastructure~~. For a proposal that exhibits major variations to the Policy and Operating Guidelines, the General Manager may determine that the proposal is sufficiently in accordance with the intent of the Policy and Operating Guidelines to refer it to Council for a decision. Where a Development Approval is also required for an encroachment, the actual Encroachment Permit will not be issued until such Development Approval is granted.

## 6.5. When Development Approval is Required

6.5.1. Encroachments generally involve building work, which constitutes 'development' under the *Development Act 1993* ~~and *Planning, Development and Infrastructure Act 2016*~~. As a result, a proposed encroachment will generally require both an Encroachment Permit (under the Act) and a Development Approval (under the *Development Act 1993* ~~and *Planning, Development and Infrastructure Act 2016*~~) before construction can commence. 'In principle' support for an Encroachment Permit is a requirement prior to a development application proceeding to assessment. If a development application is received that includes an encroachment that does not have 'in principle' support for an Encroachment Permit, the development application will be considered hypothetical and will be put on hold until an 'in principle' decision on the Encroachment Permit is made. If an Encroachment Permit is refused, the development application should be:

- modified to meet the requirements of the Policy;
- withdrawn; or
- refused on the basis that it does not have approval of the Council in its role as landlord for the elements that encroach.

~~6.5.2. Once an encroachment has both an Encroachment Permit and Development Approval, these will be issued, and construction can commence. Applicants should contact the Development Assessment staff to discuss the requirements for lodging a development application.~~

## 6.6. Encroachment Permit Fees NOTE amended fee schedule / recommendations

6.6.1. Fees associated with an Encroachment Permit are detailed and set out in the Council's Schedule of Fees and Charges ~~and replicated in the table below~~, which is reviewed annually. The fees ~~should~~ vary according to the type of encroachment and ~~be are~~ set according to the following principles:

- ~~reflecting~~ the extent and impact of the encroachment on public space;
- ~~reflecting~~ the potential for public benefit to be gained from the encroachment; and
- ~~reflecting~~ the potential for private benefit and/or commercial gain, unless of major public benefit.

~~6.6.2. For all applications there is an application fee of \$50.00 (GST incl). This fee is to cover processing costs of the application and is subject to adjustment with the Adelaide Consumer price Index. If the Encroachment is approved, the following fees apply in relation to the issue of a Permit for the first year.~~

~~6.6.3. A Renewal Fee of an existing permit is set at \$100 (GST incl) for all types of encroachments, and is subject to adjustment with the Adelaide Consumer price Index.~~

Type of Encroachment	Initial Fee (All GST incl)
Verandah, cornice, awning, hood, sign (non-freestanding), pergola, or covered way projecting from non-residential premises and being used directly for any commercial purpose or activity.	15% of the Gross Rental Value of one square metre of the Relevant Adjacent Property multiplied by the area of the verandah, pediment, cornice, awning, hood, sign, pergola, or covered way, expressed in square metres.* <b>Minimum fee:</b> \$150.00 (paid per annum and adjusted with Adelaide Consumer Price Index).
Any balcony projecting from non-residential premises and being used directly for any commercial purpose or activity.	20% of the Gross Rental Value of one square metre of the Relevant Adjacent Property multiplied by the area of the balcony, expressed in square metres.* <b>Minimum fee:</b> \$150.00 (paid per annum and adjusted with Adelaide Consumer Price Index).
Verandah, pediment, cornice, awning, hood, sign, pergola, or covered way projecting from residential premises and being used directly for any commercial purpose or activity.	3% of the Gross Rental Value of one square metre of the Relevant Adjacent Property multiplied by the area of the verandah, pediment, cornice, awning, hood, sign, pergola, or covered way, expressed in square metres.* <b>Minimum fee:</b> \$150.00 (paid per annum and adjusted with Adelaide Consumer Price Index).
Any balcony projecting from residential premises (except as in paragraph 5)	A one-off fee to be paid by the developer—The fee will be determined by independent valuation based on the value added to the site by the encroachment. <b>Minimum fee:</b> \$100.00 (adjusted with Adelaide Consumer Price Index).
Any balcony projecting from residential premises and being used directly for any commercial purpose or activity.	3% of the Gross Rental Value of one square metre of the Relevant Adjacent Property multiplied by the area of the balcony, expressed in square metres.* <b>Minimum fee:</b> \$150.00 (paid per annum and adjusted with Adelaide Consumer Price Index).
Any overpass, sky bridge, or other structure, not being a balcony, verandah, pediment, cornice, awning, hood, sign, pergola, or covered way.	20% of the Gross Rental Value of one square metre of the Relevant Adjacent Property multiplied by the area of the overpass, bridge or other structure expressed in square metres.* <b>Minimum fee:</b> \$150.00 (paid per annum and adjusted with Adelaide Consumer Price Index).
Any footing or other structure including any tunnel, duct, underpass, lift or escalator pit, lift or escalator footing or lift overrun.	1% above the annualised last published Consumer Price Index for Adelaide of the value of the area on or under the public street or public place occupied by the encroachment.* <b>Minimum fee:</b> \$150.00 (paid per annum and adjusted with Adelaide Consumer Price Index).
Signs and/or advertisements which are not in the form of an applied finish to the encroachment (i.e. painted or stencilled)	\$200.00 per square metre of total surface area.* <b>Minimum fee:</b> \$200.00 (paid per annum and adjusted with Adelaide Consumer Price Index).

\* A fee at 50% of the standard rate described in Parts 1 to 6 above to encroachments applies as follows:

- ~~• Where a property is State or local heritage listed (or on an interim/provisional list) as contained in the Unley (City) Development Plan or on the State Heritage Register, or contained as a proposed heritage place within a draft Development Plan Amendment; or~~
- ~~• Where the property owner demonstrates that the encroachment was constructed prior to 1945, and/or contributes to the historic character of the building (as determined by Council's Heritage Advisory Service provider).~~
- ~~• An additional fee of \$100 per annum is applicable where the encroachment also incorporates signs in the form of applied finishes (i.e. painted or stencilled) which are not limited to the name and/or logo of the business conducted on the site and/or constitutes third party advertising.~~
- ~~• Encroachments in place prior to 2013 are deemed to be Historic Encroachments. They are managed by way of a no charge 5 year renewable License.~~
- ~~• Any like for like upgrade / replacement to an Historic Encroachment is deemed to be included as original~~

## 6.7. Permit Renewal and Cancellation

- 6.7.1. An Encroachment Permit is valid for 12 months upon approval unless a longer term is approved ~~by an appropriate delegate~~, and may be cancelled or amended if:
- The owner/occupier fails to comply with the permit conditions (including payment of fees) or:
  - There are changed conditions affecting the encroachment, such as increased risk to health or safety; or
  - Other valid reasons require cancellation, such as streetscape upgrades or refurbishment.
- 6.7.2. Council will issue annual renewal notices to permit holders. It is the responsibility of the permit holder to ensure the permit is renewed annually, including the payment of fees and the currency of public liability insurance. If a permit lapses or is cancelled (for example due to non-payment of fees), Council should require the land owner to renew the permit or remove the encroachment and reinstate the public realm and any adjacent structure to Council's satisfaction. Council should advise recipients of an Encroachment Permit that it may review the health and safety of the encroachment, its compliance with any conditions and/or request a copy of the owner/occupier's public liability Certificate of Currency at any time.

## 6.8. Public Liability Insurance

- 6.8.1. Permit holders must take out and keep current a public liability insurance policy noting specifically the interest of the Council as an insured party. The policy must insure for the amount of at least twenty million dollars (\$20,000,000), unless otherwise negotiated by Council, and must cover injury, loss or damage to persons or property arising out of the activity carried out under this Permit or the granting of this Permit by the Council. A Certificate of Currency for the policy must accompany the application ~~or and~~ the annual renewal of an Encroachment Permit or be presented to Council upon request.

**7. POLICY DELEGATIONS**

~~7.1.—The General Manager City Services is delegated authority to approve Encroachment Permits that are at minor variance with the Policy or Operating Guidelines, officers listed below have sub-delegation under this policy:~~

~~—The Chief Executive Officer~~

- ~~• General Manager City Services – item 6.4.1 for minor variations to the Policy, will implement this policy.~~

~~—Full information about the sub-delegated powers and duties are contained in the Council Delegations Register.~~

**8. LEGISLATION**

- Local Government Act 1999
- Development Act 1993

**9. AVAILABILITY OF POLICY**

9.1. The Policy is available for public inspection during normal office hours at:

The Civic Centre,  
181 Unley Road, Unley SA 5061.

A copy may be purchased for a fee as determined annually by Council.

It is also available for viewing, download and printing free of charge from the Council's website [www.unley.sa.gov.au](http://www.unley.sa.gov.au).

**10. DOCUMENT HISTORY**

Date	Ref/Version No.	Comment
9 December 2013	C995/13: V1	
27 January 2015	C35/2015: V2	
<del>27 January 2021</del>	<del>C&lt;00&gt;/21: V3</del>	

**Road Alteration Permit**



Local Government Act 1999

Section 221

<b>Permit Holder</b>	Name: [Insert Name] Address: [Insert Address] [Insert Address]
<b>Permitted Alteration</b>	[Insert Description]  <input type="checkbox"/> Plan/s attached
<b>Part of Road to be Altered</b>	The part of the public road named [Insert] within the suburb of [Insert] as shown below/attached:  [Insert GIS image of road with red box denoting area to be altered]
<b>Granted For</b>	<input type="checkbox"/> Term <input type="checkbox"/> Act <input type="checkbox"/> Occasion [Insert Details]
<b>Fee</b>	\$(Insert Fee) (GST incl)
<b>Additional Conditions</b>	[Insert Details (if any)]
<b>Authorised by City of Unley</b>	Signature of delegate _____ Date _____ Name and Position of delegate _____

This permit is subject to the conditions stated on the permit (see reverse/following pages). This permit may be cancelled at any time for breach of condition.

If this permit expires or is cancelled, the Council may remove and dispose of any structure, object or substance erected, placed or installed on the road by virtue of this permit and may recover the costs of undertaking those works from the permit holder.

See Part 2 of Chapter 11 of the *Local Government Act 1999*.



## Permit Conditions

1. The rights conferred by this permit do not create or confer upon the permit holder any tenancy, estate or interest in, over or under the road.
2. The permit holder must maintain the permitted alteration in good repair and safe condition at all times while it remains on, over or under the road.
3. The permit holder must ensure that the permitted alteration does not interfere with or cause damage to or affect in any way:
  - 3.1 any adjoining property (except with the consent of the owner and occupier of such);
  - 3.2 any wire, post, cable, pipe or other property or infrastructure belonging to the Council, a service provider (including but not limited to Telstra, SA Water, United Water, Boral, SA Power Networks, Origin Energy Limited or any federal, state or local government department or authority) or any adjoining property owner;
  - 3.3 the use of the road or adjoining area by the public or any person legally entitled to use the road or other adjoining area.
4. If the permit holder causes or contributes to any damage or interference described in clause 3, without limiting the provisions contained in clauses 8-11, the permit holder indemnifies the Council to the full extent permitted by law against any claim made against the Council for such damage or interference and the permit holder must, at the Council's election, make good any damage or reimburse the Council for any cost or expense it incurs in making good the damage.
5. The permit holder must effect and maintain at all times while the permitted alteration remains on, over or under the road, a public risk insurance policy in the amount of **TWENTY MILLION DOLLARS (\$20,000,000.00)** per claim or such other amount as the Council may reasonably require from time to time and such policy must:
  - 5.1 be with an insurer and on terms approved by the Council,
  - 5.2 be in the name of the permit holder and note the interest of the Council,
  - 5.3 have no limit on the number of claims that can be made under it;
  - 5.4 cover events occurring during the policy's currency regardless of when claims are made;
  - 5.5 note that despite any similar policies of the Council, the permit holder's policy will be the primary policy; and
  - 5.6 require the ~~insurer~~ permit holder to notify the Council if the policy is varied or allowed to lapse.
6. The permit holder must not undertake the alteration to the road until the permit holder has provided to the Council a copy of the public risk insurance policy specified in clause 5.
7. Evidence of the public risk insurance policy specified in clause 5 must be provided to the Council each time that the policy is required to be, and is, renewed.
8. The permit holder uses and alters the road at its own risk.
9. The permit holder acknowledges that the Council does not warrant that the road will, at any time, be structurally or otherwise suitable for the permitted alteration.
10. The permit holder indemnifies the Council from and against all actions, costs, claims and damages, which may be brought or claimed against the Council or incurred by the Council arising out of or in relation to the granting of this permit and the permitted alteration.
11. The permit holder releases the Council from any liability or claim resulting directly or indirectly from any accident, damage, loss or injury occurring or arising from the permitted alteration, the permit holder's use and alteration of the road or any damage caused to the permitted alteration.
12. The permit holder must remove any structure, object or substance erected, placed or installed under the authorisation of this permit at the expiry or cancellation of the permit.
13. Council may, at the permit holder's cost, do anything which the permit holder should have done under this permit but which the permit holder has not done or which the Council reasonably considers the permit holder has not done properly.

## DECISION REPORT

<b>REPORT TITLE:</b>	EVERARD PARK RESERVE FITNESS TRAINING
<b>ITEM NUMBER:</b>	4.7
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	JARED WILSON
<b>JOB TITLE:</b>	LANDSCAPE ARCHITECT
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. EVERARD PARK RESERVE FITNESS TRAINING CONSULTATION SUMMARY</li><li>2. COMMERCIAL FITNESS TRAINING ON COUNCIL LAND POLICY</li></ol>

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### 1. **EXECUTIVE SUMMARY**

This report seeks Council endorsement to add Everard Park Reserve (the Reserve) as one of the approved locations within the City of Unley to hold fitness training and to update the appendix in Council's Fitness Training Policy to reflect the addition of this location.

Throughout 2020, COVID-19 imposed restrictions caused the closure of many gyms on numerous occasions. This resulted in an increase in the number of applications received by Council from fitness trainers for the use of Council open space.

In June 2020, Council staff received a request and subsequently issued a Fitness Training Permit for the use of Everard Park Reserve for fitness training. The Permit was issued on the basis that there would be a six month review of COVID-19 imposed restrictions and consideration of any impact on the use of the Reserve.

In November 2020, following concerns raised by a resident regarding the use of the Reserve for fitness training, Council staff undertook a survey of 70 local residents who reside adjacent the Reserve along Hillsley Avenue, Berkley Avenue, Nibley Avenue and Africaine Avenue.

In response to the survey, 81 written submissions were received. Of those, 76 (93%) supported the use of the Reserve for fitness training and 5 (7%) did not support it. Feedback from consultation and administration has been considered as part of the review and the recommendation to add the Reserve as an approved location within the City of Unley for this use is proposed.

Other changes to the Commercial Fitness Training on Community Land Policy are not proposed.

## **2. RECOMMENDATION**

That:

1. The report be received.
  2. The Commercial Fitness Training on Council Land Policy, as set out in Attachment 2 to this report (Item 4.7, Council Meeting 27/01/2021) be endorsed, noting the only change is to add Everard Park Reserve to the Approved Locations list in Appendix 1 to the Policy.
- 

## **3. RELEVANT CORE STRATEGIES/POLICIES**

1. Community Living
  - 1.1 Our Community is active, healthy and feels safe.

## **4. BACKGROUND**

Commercial fitness training conducted on Community Land is managed in accordance with Section 200 of the *Local Government Act 1999* and Council's Commercial Fitness Training on Council Land Policy (the Policy). Council aims to ensure permits for commercial fitness training on Community Land are granted through a fair and equitable process, in accordance with the provisions contained in the Policy and any Terms and Conditions.

The Permit conditions allow for control of the maximum size of fitness groups, times of use, and permitted activities to ensure commercial use does not overly restrict community use.

The local demand for fitness training at the Reserve was not anticipated in 2011 when consultation regarding the Policy was undertaken as part of Council's endorsement of its Policy.

## **5. DISCUSSION**

Throughout 2020, COVID-19 imposed restrictions caused the closure of many gyms. This resulted in an increase in the number of applications received by Council from fitness trainers for the use of Council open space. In June 2020 Council staff issued a Fitness Training Permit to a locally-based fitness instructor for use of the Reserve.

The Permit was issued on the basis that there would be a six month review of COVID-19 imposed restrictions and consideration of any impact on the use of the Reserve.

Training at the Reserve began in September 2020. Whilst the Permit was issued for a location which is not on Council's current list of open space sites to host such an activity, Council staff intended to provide assistance in what had been an incredibly challenging year. The Permit was issued to a local resident to address a demand from local residents.

Concerns were raised by one resident regarding the use of the Reserve for this activity given that the Reserve is not listed as an approved site under Council's Policy. In response, in October 2020 Council staff requested that the trainer utilise nearby approved sites whilst a review was undertaken regarding the use of the Reserve for this activity.

In gauging the support or otherwise of the local community for the use of the Reserve for this activity, in November 2020, a consultation survey was distributed to 70 local residents who reside adjacent the Reserve along Hillsley Avenue, Berkley Avenue, Nibley Avenue and Africaine Avenue.

Council staff sought feedback on the following issues through consultation:

- support for use of the Reserve for fitness training;
- appropriate start times on weekdays and weekends;
- maximum group size; and
- any other comments.

#### *Attachment 1*

In response to the survey, **81** written responses were received. Of those, **76** (93%) supported the use of the Reserve for fitness training and **5** (7%) did not support it.

Multiple responses were received from some households and some responses were received from the adjacent postcode (5034).

The Goodwood Ward Councillors have indicated general support for fitness training within the Reserve.

Issues raised by those who do not support the proposal are summarised as follows:

- parking congestion and increased traffic on local streets;
- size of open space not suitable for large fitness groups;
- noise generated by classes; and
- exclusive use of the Reserve by fitness trainers.

The issues raised above are proposed to be managed by the following Permit conditions:

1. Non-exclusive use of the Reserve.
2. Maximum class size of 10 people.
3. Weekday starts no earlier than 6am.
4. Weekend starts no earlier than 8am.
5. No amplified music or audio equipment.

6. No boxing or martial arts.
7. No aggressive or intimidating activities that involve shouting, loud voice calls or instructions.

The listed conditions are consistent with other Permits issued for fitness training across the City.

Whilst 77% of respondents indicated a start time of 7am or earlier was appropriate, the recommendation for an 8am start time has been proposed to reflect the current training request.

The trainer has advised there are typically three vehicles as a result of the training as most participants are local and walk to their sessions.

The grassed open space area of the Reserve is approximately 650m<sup>2</sup> in size and the nominated training times are outside of the Reserve's busy times as reported by Google analytics.

#### *Appendix Amendments*

A clear majority of respondents supported the use of the Reserve for fitness training. Issues raised during consultation are proposed to be managed through the use of Permit conditions.

*Attachment 2*

## **6. ANALYSIS OF OPTIONS**

### Option 1 -

1. The report be received.
2. The Commercial Fitness Training on Council Land Policy, as set out in Attachment 2 to this report (Item 4.7, Council Meeting 27/01/2021) be endorsed, noting the only change is to add Everard Park Reserve to the Approved Locations list in Appendix 1 to the Policy.

This option updates the Policy to include Everard Park Reserve on the Approved Locations list in Appendix 1 to the Policy. No other changes to the Policy are proposed at this time.

### Option 2 –

1. The report be received.
2. The trainer be directed to utilise an alternative, approved location for delivery of Commercial Fitness Training.

This option will result in no changes occurring to the Appendix and Everard Park Reserve not being added as an approved location for this activity. The trainer would be offered to transfer the Permit to an alternative venue from within the list of existing approved venues.

### Option 3 –

1. The report be received.
2. *The Council confirm a different course of action – to be specified by Council.*

Council may wish to confirm a different course of action. If that is the case, relevant direction must be provided and articulated as part of the resolution.

## **7. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **8. POLICY IMPLICATIONS**

Changes are proposed to the Appendix of the Policy only should Council decide to add the Reserve as an approved location for this activity. A review of the Policy and fee structure applicable for the use of Council's open space for these activities will be undertaken by the Administration by no later than 2022/23. The findings of the review will be presented to Council for its consideration.

### **8.1 Financial/Budget**

- Permit fees for commercial fitness training are contained within Council's approved Fees and Charges schedule. The annual fee for fitness training of 5-10 people is \$312.05.

### **8.2 Legislative/Risk Management**

- Commercial fitness training conducted on Community Land is managed in accordance with Section 200 of the *Local Government Act 1999* and Council By-Laws.

### **8.3 Staffing/Work Plans**

- No changes are proposed to staffing or existing work plans.

### **8.4 Environmental/Social/Economic**

- Grass surface conditions to be monitored during Council's regular maintenance sessions.

### **8.5 Stakeholder Engagement**

- Engagement has been carried out with local residents who reside adjacent the Reserve along Hillsley Avenue, Berkley Avenue, Nibley Avenue and Africaine Avenue.

**9. REPORT CONSULTATION**

Council staff from Property Services, Asset Management, Regulatory and Open Spaces have been involved in reviewing the Policy Appendix and in recommending the addition of the Reserve as an approved location for this activity.

**10. REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Ben Willsmore	Manager City Design
Claude Malak	General Manager, City Development

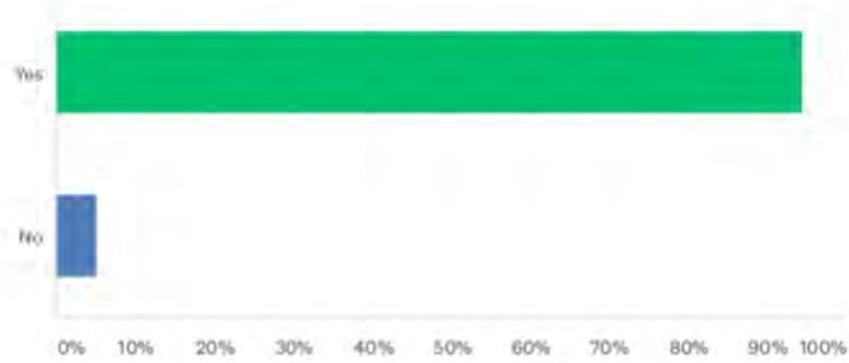
## Q1 Contact Details

Answered: 76 Skipped: 0

ANSWER CHOICES	RESPONSES	
Name	100.00%	76
Company	0.00%	0
Address	100.00%	76
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
Postal Code	100.00%	76
Country	0.00%	0
Email Address	75.00%	57
Phone Number	0.00%	0

### Q2 Do you support the use of Everard Park Reserve for fitness training?

Answers: 76 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	94.74%	72
No	5.26%	4
<b>TOTAL</b>		<b>76</b>

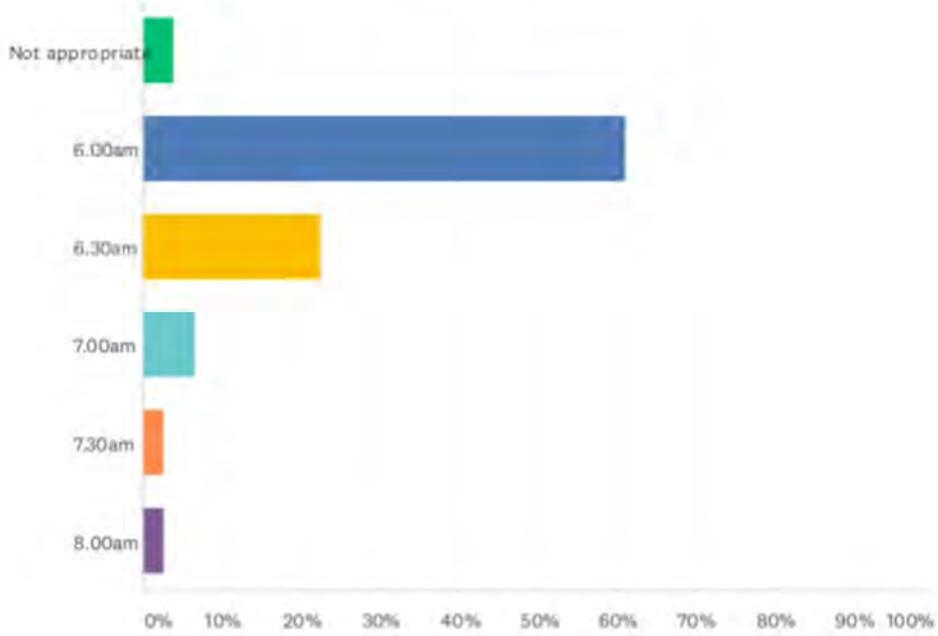
### Q3 If No, what are your concerns?

Answered: 6 Skipped: 70

#	RESPONSES	DATE
1	This park attracts and caters to large numbers of family groups for outdoor barbecue's and childrens play activities, to crowd it with a commercial use is of no benefit to the areas residents and will impact negatively on the park's amenity	11/23/2020 6:57 PM
2	Said yes with reservations - Noise in early morning, could discourage use by community who use it as part of non organised fitness, lovely gardens could be damaged if care not taken, more vehicles parking in local streets....	11/22/2020 2:02 PM
3	That residents living close to the park will lose their right to peace and enjoyment at 6am. Also will the commercial business pay for the right to use the public open space	11/22/2020 1:46 PM
4	Noise, traffic, unable to use park when booked. Also not an approved location per the council's own policy.	11/20/2020 8:58 PM
5	It is a very small area and any group using the park confiscates it for others. For example Saturday week ago a 2 storey high inflatable jumping castle was built in the morning and continued until mid afternoon with a loud generator. There was no opportunity for others to enjoy the park. The current trainer does not take up as much room but certainly uses the picnic table and much of the park. Areas around the Unley Swimming Pool could be more appropriate as there are sporting facilities already insitue.	11/19/2020 7:04 PM
6	No concerns at all - it's an awesome community initiative!	11/19/2020 6:11 PM

### Q4 What time do you consider appropriate to start on weekdays?

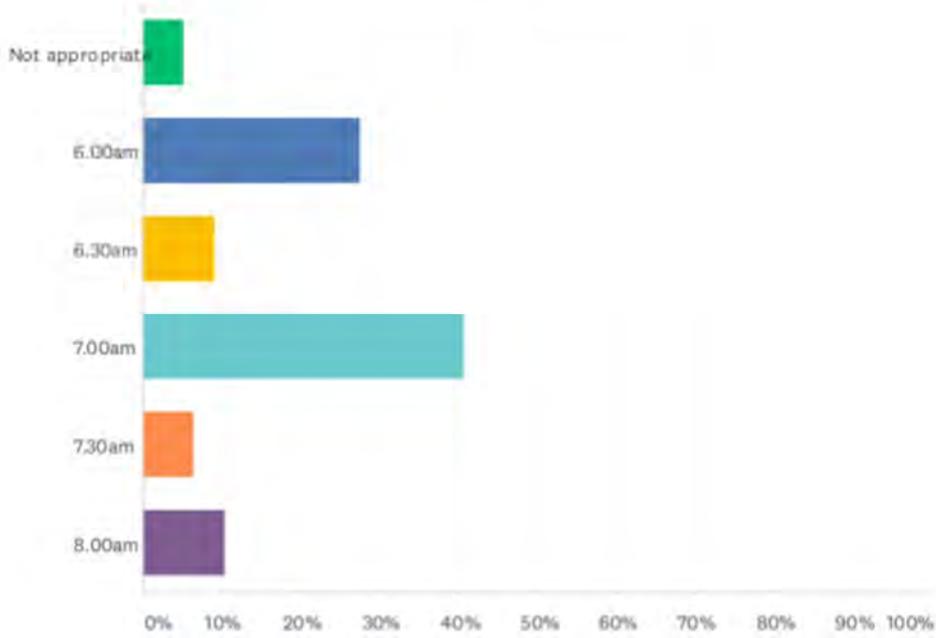
Answers: 75 Skipped: 1



ANSWER CHOICES	RESPONSES	
Not appropriate	4.00%	3
6.00am	61.33%	46
6.30am	22.67%	17
7.00am	6.67%	5
7.30am	2.67%	2
8.00am	2.67%	2
<b>TOTAL</b>		<b>75</b>

### Q5 What time do you consider appropriate to start on weekends?

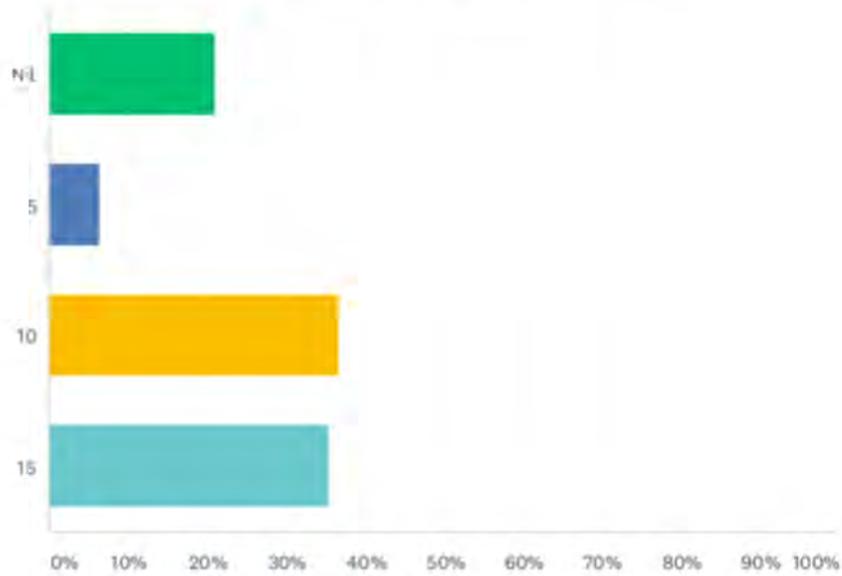
Answers: 76 Skipped: 0



ANSWER CHOICES	RESPONSES	
Not appropriate	5.26%	4
6.00am	27.63%	21
6.30am	9.21%	7
7.00am	40.79%	31
7.30am	6.58%	5
8.00am	10.53%	8
<b>TOTAL</b>		<b>76</b>

### Q6 What maximum group size should be applied to classes?

Answers: 76 Skipped: 0



ANSWER CHOICES	RESPONSES	
Nil	21.05%	16
5	6.58%	5
10	36.84%	28
15	35.53%	27
<b>TOTAL</b>		<b>76</b>

## Q7 Any other comments?

Answered: 49 Skipped: 27

## Everard Park Reserve

SurveyMonkey

#	RESPONSES	DATE
1	No	11/23/2020 9:34 PM
2	Use of public areas is a great thing, so is fitness and being outdoors.	11/22/2020 11:06 PM
3	Parks are for using. If you do dont the noise of a park then you should move.	11/22/2020 10:35 PM
4	Early morning exercise should be encouraged and it's a great way for people in the area to meet.	11/22/2020 9:51 PM
5	It needs to be quiet if direct residents onlooking the park find it a distraction to their sleep etc (shift workers or young families) , then I support their concerns. If our if bed time schedules and quietly attended, that should he fine.	11/22/2020 8:28 PM
6	I would love to see unley council get behind this	11/22/2020 7:06 PM
7	It's great!	11/22/2020 6:59 PM
8	Not sure why this is even an issue	11/22/2020 5:32 PM
9	Good luck guys ☺	11/22/2020 2:24 PM
10	I am a group fitness trainer myself and within a community this is such a great and positive thing to do. Creates great friendships and safety within the neighbourhood and it is perfect to encourage everyone to do it! Such a great thing to do	11/22/2020 2:11 PM
11	It's not a very big park, so any use should not be in large numbers that would intimidate local users from accessing the facilities. Noise early in the morning a possible issue for nearby residences. Plus care of the gardens should be stipulated in any agreement. If it is a for profit group, some monetary contribution to the council for upkeep should be imposed.	11/22/2020 2:02 PM
12	Great initiative to use the park for fitness	11/22/2020 1:59 PM
13	I think it's great that the park is used for sports and group fitness.	11/22/2020 1:58 PM
14	i fully support utilising our beautiful green areas for fitness and well being. Keep it going.	11/22/2020 1:49 PM
15	There should be no music or loud voices shouting instructions.	11/22/2020 1:41 PM
16	Let's encourage exercise in a local setting provided noise levels are kept down for nearby neighbours	11/22/2020 1:28 PM
17	As long as its not noisy I do not see any problem at all.	11/22/2020 1:27 PM
18	I love seeing our local community getting together and the fitness group at Everard Park Reserve created so much positivity among the local residents. I love seeing locals using the reserve and should be encouraged.	11/22/2020 1:27 PM
19	Fully support outdoor exercise	11/22/2020 1:17 PM
20	Great idea	11/22/2020 1:13 PM
21	I have a feeling this has come about by one person who has a problem with people using "Her" park!	11/22/2020 1:12 PM
22	It's great to see locals using the park as a community and keeping fit and healthy.	11/22/2020 1:08 PM
23	It is a harmless activity that supports movement for physical and mental health in our local community. It would be sad to see it stopped and moved to another council area.	11/22/2020 12:56 PM
24	Fitness and exercise is important, no changes are necessary.	11/22/2020 12:54 PM
25	Why have a community green space if you can't use it	11/22/2020 12:51 PM
26	In FULL support☺	11/22/2020 12:50 PM
27	It's great for the community. Healthy habits & creating community networks	11/22/2020 12:47 PM
28	This is a weird questionnaire, with very limited responses. What do you mean by fitness training? Is it 1:1 PT, doing it on your own, or a larger group? Are you asking if it is kept relatively quiet for local residents, would it be okay? I have no issue with it st all, but I dont live across from the park while group PT sessions are occurring, and I could imagine earlier than 7am would be annoying for some. I have kids, so I'm already up ;) Encouraging fitness in the area is great, as is connection with others and a sense of community. Not sure why boxing as exercise is considered aggressive haha. I say the type of exercise already occurring at the park is great and should be encouraged. Maybe you could add some equipment for people to use?	11/22/2020 12:47 PM

Everard Park Reserve		SurveyMonkey
29	Support exercise outdoors!!	11/22/2020 12:33 PM
30	Everard Park is a great park for group fitness and as a local resident I love seeing it utilised like this.	11/22/2020 12:30 PM
31	Consumers respect the space and draw positive attitude towards the way the space is already maintained.	11/22/2020 12:30 PM
32	We should be encouraging health and fitness in a Covid save environment. This is less risky than indoor gyms and should be encouraged.	11/22/2020 12:13 PM
33	It's a great space that deserves to be used as often as possible, especially if it is for exercise	11/22/2020 12:08 PM
34	Thanks for setting up this survey and canvassing resident's opinions.	11/22/2020 12:04 PM
35	It is an interesting question to ask when there are no time or group size restrictions on any other type of activity in the park. Perhaps a decibel measurement should be taken to verify potential environmental impact. Group exercise classes are an important part of maintaining a healthy community support a sense of neighbourhood and support while also encouraging people to take up activity for a healthy lifestyle.	11/22/2020 12:02 PM
36	Public areas are for public use. Please don't further regulate our lives.	11/22/2020 11:49 AM
37	Encourage as much use of the park for as many reasons as possible!! 100% support the fitness classes and anything else that uses the facilities with respect for the grounds and other users.	11/22/2020 11:37 AM
38	If this has come about because someone is whinging about a public park being used at time when it would normally get no use, this is ridiculous.	11/22/2020 9:22 AM
39	I hope this is not a case of "the squeaky door that gets oiled". The woman responsible for instigating this survey has made numerous complaints about the park. When she purchased her townhouse opposite the park she should have known what a Community Park could be used for and be prepared to accept. I am a volunteer worker for the park and have turned it from a dusty bowl into a park to be proud of however, from her comfortable armchair, she has manages to criticize my effort!	11/21/2020 8:17 PM
40	I will be engaging my local MP should this activity be allowed to continue.	11/20/2020 8:58 PM
41	My yes is assuming you mean the existing fitness classes that are already run by multiple PT's. If there is any planning for fitness equipment to be installed at Everard Park then my answer would be a form no. If it is simply regarding the existing fitness classes that happen - these are fine as the trainers seem quite respectful with noise and aren't there for long. If you allowed more training than already occurs, you would diminish the access to the park for locals (particularly those who like to let their dogs reign free to exercise).	11/20/2020 8:55 AM
42	My answer re time to start is dependent on how loud the exercise sessions would be, with a smaller group I wouldn't expect this to be too loud. I support exercise groups taking place but not removing any of the plants/ shades to be replaced with excise equipment	11/19/2020 7:44 PM
43	Let the people exercise...	11/19/2020 7:00 PM
44	This is fantastic and such a great thing for our neighbourhood and community. Maybe the opportunity for the providers to offer something for all ages?	11/19/2020 6:18 PM
45	Such a great idea. A wonderful way for local community members to meet each other, stay fit and healthy. I've never been as the session times done suit - but I'm quite connected into the local community, and the feedback has been so positive. A GREAT asset to the community!	11/19/2020 6:11 PM
46	I have no issue with people looking after mental health and their fitness at any time of the day. I live directly across the road and have not once had any issues with people being there. I would think there is more issue with kids, dogs and people having parties on the park then doing fitness training	11/19/2020 5:10 PM
47	Completely support group fitness at any time. We live directly across from the park and have zero concerns with this.	11/19/2020 5:08 PM
48	In a time when personal care and fitness are more important than ever, accessing the park for fitness activities is extremely important. Residents who feel they have some ownership of the park because they live next to it need to understand it is a public space and people jogging lightly and counting to ten on the morning is a ridiculous reason for opposing the health benefits group training brings. The council needs to get with the times - there are too many rules already.	11/19/2020 3:17 PM

Everard Park Reserve

SurveyMonkey

49

Run a trial for 6 months or so, and evaluate!

11/19/2020 2:31 PM



## COU0025: COMMERCIAL FITNESS TRAINING ON COMMUNITY LAND

<b>Policy Type:</b>	Council
<b>Responsible Department:</b>	City Development
<b>Responsible Officer:</b>	Manager City Design
<b>Related Policies and Procedures</b>	<ul style="list-style-type: none"> <li>• COU0013: Sport &amp; Recreation Policy</li> </ul>
<b>Community Plan Link</b>	<p><i>Community Living:</i> 1.1 Our Community is active, healthy and feels safe</p> <p><i>Economic Prosperity:</i> 3.1 Unley is recognised as an easy place to do business.</p>
<b>Date Adopted</b>	28 November 2011: C293/11
<b>Last review date</b>	28 October 2019: C0117/19
<b>Next review date</b>	October 2022
<b>Reference/Version Number</b>	COU0025: Version 5
<b>ECM Doc set I.D.</b>	<a href="#">1840111</a>

### 1. PREAMBLE

- 1.1. Due to the low amount of open space available for recreation, community land in the City of Unley is in high demand for community and commercial use and this use and demand is anticipated to increase substantially in the future. Growth within the fitness training industry has led to an increasing trend for fitness trainers to undertake activities outdoors, using community land owned and/or managed by Council.

### 2. SCOPE

- 2.1. This Policy establishes a framework for the management of commercial fitness training using community land. This Policy is also applicable to the Civic Centre Village Green.
- 2.2. Commercial fitness training conducted on community land is managed in accordance with section 200 of the *Local Government Act 1999*, Council by-laws, and Council's Community Land Management Plans.
- 2.3. Community land is primarily for community use and any commercial use of community land should not overly restrict community use.
- 2.4. Council aims to ensure permits for commercial fitness training on community land are granted through a fair and equitable process, in accordance with the system contained in this policy and the attached Terms and Conditions.

- 2.5. An annual fee will apply to undertake commercial fitness training on community land. Council endorses fees for facility hire annually in conjunction with the Council's Annual budget, and the fee for commercial fitness training will be set as part of this process. No discounts to this fee will be available.
- 2.6. Refer to Council's Annual Fees and Charges Schedule for an up-to-date list of fees. This may be viewed at the Civic Centre or on the Council website; [www.unley.sa.gov.au](http://www.unley.sa.gov.au)
- 2.7. Commercial fitness training participants are prohibited from using public art works and memorials as part of the exercise routine or for attaching of any equipment.

### 3. POLICY PURPOSE/OBJECTIVES

- 3.1. The objectives of this Policy are to:
  - 3.2. ensure that appropriate community use of community land remains the priority use, and to define what locations, activities, and fitness group sizes are appropriate..
  - 3.3. resolve any issue arising from the use of community land for commercial fitness training in an efficient and effective manner.
  - 3.4. ensure a consistent approach to the management of commercial fitness training on community land.
  - 3.5. ensure fitness trainers/leaders undertaking commercial activities on community land have the relevant qualifications and insurances, to reduce any risk to participants, other reserve users, and Council.
- 3.6. The Permit Terms and Conditions aim to:
  - reduce the potential for harm to persons who are engaging in fitness activities, and
  - protect Council equipment, infrastructure, built and natural assets from misuse and damage.
- 3.7. Where Council infrastructure works and maintenance may be required at the same time as a booked training session, Council Administration will aim to give reasonable advance notice to the fitness activity permit holder.

### 4. DEFINITIONS

- 4.1. **Commercial activity** is an activity that results in financial profit to the organiser of the activity.
- 4.2. **Community land** is defined in Section 193(1) of the *Local Government Act 1999* as; "All local government land (except roads) that is owned by a council or is under a council's care, control and management".
- 4.3. **Civic Centre Village Green** is open space adjacent to the Civic Centre bounded by Oxford Terrace, Rugby Street and Edmund Avenue.
- 4.4. **Council** is the Corporation of the City of Unley.
- 4.5. **Fitness training** is any activity involving physical exercise with the aim of enhancing or maintaining physical fitness and overall health and wellness. These activities may include strengthening muscles and the cardiovascular system, improving athletic skills, weight loss or maintenance, and for enjoyment.
- 4.6. **Fitness trainer/leader** is a person who facilitates and/or assists others to participate in fitness training.

## 5. ROLES AND RESPONSIBILITIES

5.1. Permits will be administered on behalf of Council by City Design.

## 6. POLICY STATEMENT

6.1. This policy provides a framework for managing and allocating the use of community land by commercial fitness groups.

6.2. The City of Unley acknowledges that outdoor fitness training is an appropriate form of recreation and contributes to the health and well-being of Unley residents.

6.3. This policy does not apply to:

- other commercial activities on community land,
- fitness training that is not of a commercial nature.

### *Permit System*

6.4. Use of community land for commercial fitness training purposes is managed through the issuing of Permits. The purpose of the Permit System is:

- 6.4.1. To establish a fair and equitable process, fitness trainers must apply annually for the 12 month permit.
- 6.4.2. Commercial fitness trainers should complete a Commercial Fitness Training – Application Form by 1 May, to apply for a permit for the following financial year (from July to June each year).
- 6.4.3. Council Administration staff will assess the form, and a twelve-month permit will be issued, provided that the fitness trainer pays the relevant fee, and meets the requirements outlined in the Fitness Training Permit Terms and Conditions (Appendix A).
- 6.4.4. Fitness trainers may be allocated a location and times that meet their request and Council requirements. Where a request cannot be met or is not appropriate, Council will negotiate alternative options in accordance with this policy.
- 6.4.5. Where fitness trainers/leaders make application to Council after the 1 May deadline, a permit may be granted where the request can be accommodated in accordance with this policy.
- 6.4.6. Existing fitness trainers may be given priority to book their desired location and times, and Council reserves the right to change bookings after review.
- 6.4.7. While no discount is offered on the annual permit fee, a pro rata amount may be charged for a permit issued part way through the financial year.
- 6.4.8. When requested by an Authorised Officer of Council, Fitness trainers/leaders are required to produce their Council permit.
- 6.4.9. Permit holders may apply for multiple locations on a single permit and fee as long as there is not concurrent location use.
- 6.4.10. Groups of more than 20 people may be accommodated in parks subject to Council review and approval.

**7. POLICY DELEGATIONS**

- 7.1. The Administration may make minor alterations when necessary to the Fitness Training Permit Terms and Conditions (Appendix A) without requiring formal Council approval.
- 7.2. The Chief Executive Officer (or delegate) is authorised to issue permits to commercial fitness trainers in accordance with this policy.

**8. LEGISLATION + PLANS**

*Local Government Act 1999*

City of Unley By-laws:

No. 1; Permits and Penalties

No. 3; Local Government Land

City of Unley; *Community Land Management Plans, 2007*

City of Unley; *Sport and Recreation Plan 2015-2020*

**9. AVAILABILITY OF POLICY**

- 9.1. The Policy is available for public inspection during normal office hours at:

The Civic Centre,  
181 Unley Road, Unley SA 5061.

A copy may be purchased for a fee as determined annually by Council.

It is also available for viewing, download and printing free of charge from the Council's website [www.unley.sa.gov.au](http://www.unley.sa.gov.au).

**10. DOCUMENT HISTORY**

Date	Ref/Version No.	Comment
23 May 2011	C135/11: V1	Draft endorsed for public consultation
28 November 2011	C293/11: V2	New policy adopted by Council
22 October 2012	C564/12: V3	
14 December 2015	C334/15: V4	Was policy number COU121
23 September 2019	C0117/19: V5	

## APPENDIX A

### FITNESS TRAINING PERMIT

#### TERMS AND CONDITIONS and APPLICATION FORM

##### 1. Permit Period

Approved bookings will be issued with a permit to use a specific location for the maximum period of **12 months** for the full financial year or pro rata basis.

##### 2. Size of Fitness Groups

The size of a fitness group will be no more than **20 people unless otherwise approved by Council**, however, please refer to attached list outlining the size of groups permitted at each reserve.

##### 3. Times of Use

- Fitness training is not to commence before 6.30am (or 6.00am at some selected parks – refer clause 11 'Approved Locations') and must conclude by 8.00pm.
- Times of use will be assessed by Council and approved on a site by site basis.
- Personal trainers are required to provide sufficient lighting when using reserves outside of daylight hours, and only battery-powered lights are approved. Sports floodlights are not permitted.
- Council cannot guarantee that toilet facilities in parks will be available before 7.00am.
- Toilet facilities are automatically locked at 8.00pm every day.

##### 4. Permissible Activities

- Gym sessions (with or without weights, medicine balls, jump and balance activities).
- Aerobic activities – sprints, obstacle, speed and agility courses.
- Core strength and mat activities (such as Yoga, Tai Chi, and Pilates).
- Circuit training.
- Non-exclusive use of public outdoor gym and fitness equipment.

##### 5. Excluded Activities

- Aggressive and intimidating activities that involve shouting, loud voice calls or instructions.
- The use of amplified music or amplified audio (voice) equipment (e.g. loud hailers).
- Activities in play grounds or in other locations where appropriately marked or signed.
- Boxing and martial arts (may be permitted in selected parks, refer clause 11 'Approved Locations').
- The use of equipment (e.g. logs, tyres, heavy ropes, pegs driven into the ground) that may damage the reserve or council infrastructure.
- Commercial fitness training participants are prohibited from using public art works and memorials as part of the exercise routine or for attaching of any equipment.

##### 6. First Aid

The trainer must hold a current Senior First Aid Certificate (Workplace Level 2/Sports First Aid).

##### 7. Insurance

The trainer must hold current public liability insurance for a minimum of \$20 million and professional indemnity insurance for a minimum of \$2 million, and provide copies of relevant documents with their permit application.

**8. Qualification**

All trainers (including secondary trainers) must hold a minimum qualification of Certificate 4 in Fitness and provide copies of relevant documents with their permit application.

**9. Safety**

Permit holders must ensure the safe use of Council facilities by their fitness activity participants. Council will not be held liable where injury or damage occurs through unsafe activities or through misuse of Council facilities and/or from using a Council facility for purposes for which it was not designed.

**10. Booking Cancellations**

Fitness trainers must advise Council of any booking cancellations as soon as practicable, preferably at least one business day prior to the activity occurring.

**11. Approved Locations**

The reserves listed below may be used for commercial fitness training. Reserves not included on the list are not permitted to be used for commercial fitness training due to land ownership, size, impact on residents, and protection of natural and cultural features.

Council may specify the exact location in a reserve that a fitness training group is to use.

Reserve	Maximum group size	Is a 6.00am start permitted?	Is boxing permitted?
Forestville Reserve	20	Yes	Yes
Fraser Reserve	10	No	No
Fullarton Park	10	Yes	Yes
Goodwood Oval	20	Yes	Yes
Goodwood Oval Hockey	20	Yes	Yes
Hackett Reserve	4	No	No
Henry Codd Reserve	4	No	No
Heywood Park	20	Yes	Yes
Howard Florey Reserve	10	Yes	Yes
North Unley Play Park	10	No	No
Orphanage Park	20	Yes	Yes
Page Park	20	Yes	Yes
Ridge Park – Oval	20+	Yes	Yes
Scammell Reserve	20	Yes	Yes
Soutar Park	20	Yes	Yes
Unley Oval	20	Yes	Yes
Village Green	10	Yes	Yes

## Conditions

Pursuant to the provisions of By-Law No. 3 and Section 202 of the *Local Government Act 1999*, Council approves the issue of a permit subject to the conditions below.

1. The permit holder, where appropriate, shall ensure that he/she is licensed, registered or qualified to carry out the activity authorised by the permit.
2. As provided for in section 261 of the Local Government Act 1999, a permit holder is required to state their full name and usual place of residence and to produce evidence of their identity when requested to do so by an Authorised Officer of Council.
3. When requested by an Authorised Officer of Council, Fitness trainers/leaders are required to produce their Council permit.
4. Written approval from Council is required to transfer the permit to another trainer. The names and contact details of all secondary or assistant trainers must be listed on the permit application form.
5. The permit holder shall comply with and give all notices required by any Act of Parliament, Ordinance, Regulation, By-law relating to the activity.
6. The permit holder shall ensure that its site or sites are left in a clean and tidy condition at the end of the event. Failure to do so may result in cleaning fees being charged.
7. The permit holder shall ensure there is no damage to any area of the reserve including all grassed and/or paved areas, footpaths and kerbs.
8. No spikes or stakes are to be driven into the ground without specific directions from Unley Council.
9. All umbrellas shall be suitably anchored to prevent 'wind lift off' and will be in a safe condition with no protruding spines/spikes.
10. Neither the permit holder nor any member or person claiming under them shall injure, damage or destroy or cause or permit the injury, damage or destruction of any tree, shrub, fence, earthwork fixture or any other part or portion of the site. No earthworks shall be carried out on the site unless it is with the prior written approval of Council.
11. The permit holder will not promote any discriminating, insulting, offensive, threatening or vulgar behaviour or displays.
12. The permit holder accepts that shelters or tents are to be installed in such a way as to not excessively obstruct the view of other reserve patrons. Ropes are to be highlighted with warning containment tape. Pegs are not to be used to anchor shelters; however, weights may be used and shall be highlighted accordingly.
13. No building or fixture shall be erected, fixed or placed on the site without the prior written approval of Council and then on such terms and conditions as Council may in its discretion determine.
14. Where the Council determines that damage or destruction has occurred on or in relation to the site or facilities, the permit holder shall be deemed to be responsible and therefore shall be liable to pay to Council the whole of the costs incurred by Council in the repair of such damage or destruction. Such costs shall be payable at the expiration of seven (7) days from the date on which written notice thereof is given to the permit holder and Council may further in its discretion revoke the permit.
15. Permit holders may only use the site and facilities for their own activities and such activities must always be suitable and appropriate to the site and facilities provided.
16. Permit holders must ensure that at all times they have sufficient numbers of qualified persons (over the age of 18 years) available to properly supervise and manage all activities on the site or facilities (including amenities buildings).
17. No vehicle may be driven upon or over any part of the reserve other than upon a defined carriageway for vehicles or be permitted to remain stationary upon any portion of the reserve without the prior written approval of Council. All vehicles on or about the site or facilities or associated therewith shall be parked in areas on or near the reserve designated for the parking of vehicles.
18. The permit holder must exercise all reasonable care to ensure that there is minimal disturbance by way of noise or other activities to the residents or other occupiers of the area. The Council shall in its discretion determine whether such disturbance has exceeded minimal standards.

19. The permit holder must ensure that Council has received prior notification of any large scale events, to in turn ensure that Event Emergency Plan/Procedures are in place.
20. The permit holder must ensure that the general public is not denied reasonable access to areas of the reserve not being utilised.
21. The permit holder agrees to indemnify and to keep indemnified the Council, its servants and agents and each of them from and against all actions, costs, claims, charges and expenses whatsoever which may be brought or made or claimed against them or any of them, arising out of any permit holder's negligent act or omission in relation to the issuing of the permit.
22. The permit holder accepts that Council has no responsibility whatsoever for any bodily injury to the permit holder or any other person at the facility or to any damage to or loss of property and equipment owned by the permit holder or any other person at the facility. Consequently, the permit holder accepts the responsibility for any negligence arising from the use of the facility that the facility permit holder has reasonable control over.
23. The permit holder accepts that Council's Public Liability Insurance does not cover any claims that arise out of negligent actions or omissions of the permit holder arising from the use of the facility.
24. The permit holder shall take out and keep current during the period of this permit a general public liability insurance policy in a form approved by the Council, insuring for a minimum sum of \$20 million.
25. Confirmation of this permit approval shall be provided by the condition that this permit, signed by a Council Officer, has been returned to the permit holder.
26. Council may revoke the permit if the permit holder fails to comply with the conditions of the permit.
27. Penalties apply for breach of Council by-laws and permit conditions.

## DECISION REPORT

<b>REPORT TITLE:</b>	LIVE STREAMING OF COUNCIL AND COUNCIL ASSESSMENT PANEL (CAP) MEETINGS
<b>ITEM NUMBER:</b>	4.8
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	JAMES ROBERTS
<b>JOB TITLE:</b>	MANAGER BUSINESS SYSTEMS & SOLUTIONS
<b>ATTACHMENTS:</b>	NIL

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### 1. **EXECUTIVE SUMMARY**

At its meeting on 23 November 2020, Council resolved that:

*Staff investigate the costs and benefits of live streaming all Council and Council Assessment Panel meetings, with the results of the investigation to be reported back to Council in January 2021.*

*Resolution No: C0395/20*

Administration has investigated various options for the live streaming of Council and CAP meetings. This report provides several solutions including costs, for Council to consider.

### 2. **RECOMMENDATION**

That:

1. The report be received.
2. The live streaming of audio and minutes for Council and Council Assessment Panel meetings based on Option 1 from Table 3 in this report (Item 4.8, Council Meeting 27/01/2021) be endorsed.
3. A funding allocation \$5k for the implementation of live streaming of audio and minutes for Council and Council Assessment Panel meetings be considered in the next quarterly budget review

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership
- 4.2 Council provides best value services to the community.

#### 4. **BACKGROUND**

On 15 March 2020, a public health emergency in relation to the transmission of COVID-19 was declared in South Australia.

Temporary variations to the *Local Government Act 1999* (the Act) allowed council meetings to be conducted by electronic means, with a provision that meetings must either be live-streamed or recorded and placed on the Council's website for the public to view.

The City of Unley conducted three Council and four Council Assessment Panel (CAP) meetings electronically between April 2020 and November 2020.

All meetings were video live-streamed and made available via the Council "YouTube" channel and website. Live streaming does not mean that a recording is taken.

The following tables provide the viewing numbers at various live-streamed meetings:

**Table 1: Online viewer data for Council and CAP meetings**

<b>Meeting Type</b>	<b>Date</b>	<b>Peak concurrent viewers*</b>	<b>Total Views**</b>
CAP	Apr 21, 2020	9	145
Full Council	Apr 27, 2020	16	186
Special Council	May 18, 2020	16	91
CAP	May 19, 2020	11	103
Full Council	May 25, 2020	17	120
CAP	June 16, 2020	12	140
Full Council	Nov 23, 2020	16	90

**Table 2: Online viewer data for other Council meetings**

<b>Meeting Type</b>	<b>Date</b>	<b>Peak concurrent viewers*</b>	<b>Total Views**</b>
EM Briefing	April 27, 2020	6	10
Audit Committee	May 12, 2020	7	33
EM Briefing	June 1, 2020	4	12
Audit Committee	Aug 18, 2020	3	12

*\*Peak concurrent viewers is the highest number of people watching the meeting at the same time.*

*\*\*Total views is the total number of times the meeting was viewed whilst live as well as the number of times the recording has been viewed since it was published on the website.*

Administration does not formally keep a record of public gallery attendance at in-person meetings. Anecdotally, typical attendances are less than 10 for both Council meetings and CAP (excluding representors).

Based on the data collected over the months of April to November, the viewing of online meetings generally exceeds the number of public gallery attendees.

Anecdotal feedback from Elected Members, staff, and the community suggests that live streaming of meetings has been an overall positive initiative and provides increased accessibility to those that may not be able to attend meetings in person, or where attendances in the public gallery are expected to be high.

## **5. DISCUSSION**

Outside of COVID-19 measures, the City of Unley does not record video or audio of Council meetings.

### Benefits of live streaming

The live streaming of meetings provides a more flexible and convenient method for stakeholders of the community to have access to Council debate and decisions. It can eliminate geographical and time barriers that may prevent people from attending meetings in person or when the public gallery is at capacity.

Providing a live streaming access option to formal meetings enables more people to witness the decision-making process of Council which, in turn, could lead to an increased perception of transparency and increased community confidence.

Another benefit is that staff can also observe the discussion and decisions of Council without the need to attend after-hours meetings in person.

Fitting the Council chamber with audio and/or video streaming technology can create opportunities for other types of Council and community meetings and events in the future to be held and broadcast online.

### Risks of live streaming

In accordance with Privacy Legislation any public attendees would need to be advised that the meetings are being livestreamed. This could be easily managed by installing signage at the entrance of the chamber, clear messaging in the agenda, and a disclaimer by the Presiding Member at the beginning of each meeting.

Audio recording of meetings is not recommended. There are several reasons for this:

- Audio recordings of meetings has led to legal proceedings when confidential information has been inadvertently released by elected members, members of the public, or staff.
- The potential for an increase in defamation cases is a real possibility. A correlation exists between audio recordings and awarded damages.
- Uninvited outbursts from the chamber or public in the gallery become a public record.

While staff supporting live streaming will endeavor to pause broadcasting if confidential matters are inadvertently spoken, it is not a guarantee. There is an inherent increased risk of human or technical error that could lead to confidential matters being broadcast publicly.

Live streaming availability and quality may be impacted by technical issues, including those outside of Council’s control. A disclaimer could be added to the Council website indicating that the live stream is made available as a public service and that no liability can be accepted for technical problems that limit access; and no technical support can be provided to members of the public who wish to access the live stream.

Live streaming options

After considering the positive uptake and perceived benefits of live streaming highlighted whilst COVID-19 measures were in place, Council may wish to consider providing ongoing live streaming of meetings.

Options have been investigated by Administration with cost estimates sought from a professional audio-visual installer. The following table provides four options.

**Table 3: Overview and cost estimates of live streaming options**

<b>Solution</b>	<b>Capital cost</b>	<b>Operational Cost (Per Meeting)</b>	<b>Description</b>
<b>Option 1</b> Chamber audio only	\$5k	\$200 – Meeting Support	An audio feed of the meeting will play alongside a view of the minutes on the video feed.  No camera view of the chamber or members shown.  This option is the simplest to implement and manage operationally.
<b>Option 2</b> Single wide-angle camera and audio stream	\$5k-\$15k	\$200 –Meeting Support  +  \$200 - Editing and Publishing	A single fixed high-definition camera mounted on a wall, showing the whole chamber from a wide angle.  Individual members will not be visible in detail, making it difficult for viewers to identify who is speaking.  The current room layout may need to be modified.

<b>Solution</b>	<b>Capital cost</b>	<b>Operational Cost (Per Meeting)</b>	<b>Description</b>
<b>Option 3</b> Multiple camera arrangement with control panel for manual switching	\$80k	\$200 – Meeting Support + \$200 - Editing and Publishing	3 high definition cameras positioned throughout the chamber to provide a closer view of members.  Live stream shown in a grid format, or manually changed to the active speaker by staff operator.  All members shown front-on allowing viewers to clearly identify who is speaking.
<b>Solution 4</b> Multiple camera arrangement with automatic speaker tracking	Scoping required, greater than \$80k	\$200 – Meeting Support + \$200 - Editing and Publishing	A fully automated option. Multiple cameras positioned around the room that automatically track and zoom to the active speaker.  This option requires an upgrade of the chamber microphone system with full costs still to be determined.

Operational costs

The operational costs included in Table 3 are estimates of additional staff time and resourcing that will be required to support and manage the streaming technology.

**Table 4: Estimated Operational Costs per meeting**

<b>Activities</b>	<b>Estimated cost per meeting</b>
<b>Meeting support</b> <ul style="list-style-type: none"> <li>• Setting up and testing equipment prior to the meeting</li> <li>• Starting and ending the livestream</li> <li>• Changing camera views (where applicable)</li> <li>• Pausing the livestream during confidential items</li> </ul>	\$200 per meeting
<b>Editing and publishing</b> <ul style="list-style-type: none"> <li>• Basic video editing including trimming and adding graphics and titles</li> <li>• Publishing video recordings to Council website</li> </ul>	\$200 per meeting

### Comparison to other Councils

The following table provides Members' with information about what other councils are doing:

**Table 5: Comparative information**

<b>Council</b>	<b>Live streaming</b>	<b>Video Recording</b>	<b>Audio Recording</b>
Adelaide Hills Councils	No	No	Yes – not public
City of Adelaide	Yes	Yes	No
City of Burnside	Yes	Yes	Yes – not public
City of Campbelltown	No	Yes	Yes
City of Charles Sturt	No	No	No
Town of Gawler	No	No	No
City of Marion	No	No	Yes
Mount Barker District Council	No	No	Yes – not public
City of Onkaparinga	Currently exploring	No	No
City of Playford	No	No	No
City of Port Adelaide Enfield	Currently exploring	Currently exploring	Current exploring
City of Prospect	No	Yes	No
City of Salisbury	No	No	Yes – not public
City of Tea Tree Gully	Yes – audio and minutes	No	Yes
City of West Torrens	In principle support	No	No
City of Victor Harbour	Yes	Yes	Yes

Research shows that councils with sophisticated audio and visual streaming systems usually had them installed at the time their chamber was built or upgraded.

In general, it is more cost effective to install live video streaming when considering building and furnishing upgrades. Retrofitting an existing system into building changes is likely to incur additional costs.

Council may wish to consider a more advanced automated solution in the future if building works or a chamber upgrade is undertaken, noting that no such plans are currently proposed.

#### 2020-21 Budget

There is currently no funding allocation in the current 2020-21 Budget for this work.

It is suggested that:

- Funding for Option 1 could be accommodated in the next quarterly budget review.
- Options 2, 3 or 4 be considered as a project as part of the 2021-22 Budget process.

## **6. ANALYSIS OF OPTIONS**

### Option 1

1. The report be received.
2. The live streaming of audio and minutes for Council and Council Assessment Panel meetings based on Option 1 from Table 3 in this report (Item 4.8, Council Meeting 27/01/2021) be endorsed.
3. A funding allocation \$5k for the implementation of live streaming of audio and minutes for Council and Council Assessment Panel meetings be considered in the next quarterly budget review

The implementation of this option provides increased access for interested stakeholders to important meetings of Council and its decision making reasoning and process.

Council is committed to improving accessibility to meetings and decisions and the viewing data collected during April and November 2020 indicates that not all interested stakeholders can attend the meetings at the prescribed times.

Under this option, audio from meetings would be live streamed online alongside a view of the Council minutes documents. This solution would be implemented by June 30 2021, allowing time for setup, training and testing.

## Option 2

1. The report be received.
2. The live streaming of audio and minutes for Council and Council Assessment Panel meetings based on Option [2, 3 or 4 – to be determined by Council] from Table 3 in this report (Item 4.8, Council Meeting 27/01/2021) and a project proposal be considered as part of the 2021-22 Budget process.

This option provides that a budget project bid for the 2021-22 financial year be submitted for Council consideration as part of the next year budget deliberations.

If the project is endorsed as part of the budget process, the solution will be installed and implemented in the 2021-22 financial year.

## Option 3

1. The report be received.
2. An Elected Member workshop be convened to discuss the options for livestreaming of Council and Council Assessment Panel Meetings, prior to a decision being made regarding the preferred approach.

Should Council wish to explore the various options for livestreaming of Council and Council Assessment Panel Meetings, it may be preferable to convene an Elected Member workshop to allow further discussion and investigation of the options available. This would enable the Administration to further understand the requirements and features the Council has as a priority before fully scoping any proposal. This Option provides for that approach.

## **7. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **8. POLICY IMPLICATIONS**

### **8.1 Financial/Budget**

- There is currently no funding allocation for this initiative. If Council supports Option One, an adjustment will be made at the next quarterly budget review. If one of the other options is supported a project proposal will be presented to Council as part of the 2021-22 Budget deliberations.

**8.2 Legislative/Risk Management**

- Any potential live streaming arrangements and associated changes to meeting procedures will need to comply with all requirements of the *Local Government Act 1999*.

**8.3 Staffing/Work Plans**

- While the initiative can be undertaken by existing staffing resources, a budget increase may be required to meet the ongoing operational costs per meeting.

**9. REPORT CONSULTATION**

Internal consultation has been undertaken with:

- John Keane Senior IT Infrastructure Specialist
- Tami Norman Executive Manager, Office of the CEO

**10. REPORT AUTHORISERS**

Name	Title
Nicola Tinning	General Manager, Business Support & Improvement

## DECISION REPORT

<b>REPORT TITLE:</b>	2021 LGA ORDINARY GENERAL MEETING - CALL FOR ITEMS OF BUSINESS
<b>ITEM NUMBER:</b>	4.9
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	KATHRYN GOLDY
<b>JOB TITLE:</b>	PRINCIPAL GOVERNANCE OFFICER
<b>ATTACHMENTS:</b>	1. ATTACHMENT 1 - LGA OGM - PROPOSED ITEM OF BUSINESS FORM 2. ATTACHMENT 2 - ITEMS OF BUSINESS FOR LGA GENERAL MEETINGS FAQs

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### 1. **EXECUTIVE SUMMARY**

The Local Government Association (LGA) is scheduled to hold their Ordinary General Meeting (OGM) on Friday 30 April 2021. A key purpose of the OGM is to consider items of strategic importance to local government. Council is asked to consider any proposed items for inclusion on the agenda of the 2021 LGA OGM.

### 2. **RECOMMENDATION**

That:

1. The report be received.
- 

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership

4.1 We have strong leadership and governance.

### 4. **BACKGROUND**

The Ordinary General Meeting (OGM) for the Local Government Association (LGA) will be held on Friday 30 April 2021.

The LGA has called for proposed items of business to be submitted by Thursday 25 February 2021, in order to be considered for inclusion on the agenda.

## 5. **DISCUSSION**

The LGA schedules two General Meetings each year:

- The OGM is held annually in April or May; and
- The Annual General Meeting (AGM) is held annually in October or November.

A key purpose of the AGM/OGM is to bring together member councils to consider 'items of business' that are of strategic importance to local government.

Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

Items of business can be submitted by member councils, or a Regional LGA, to either SAROC or GAROC or the LGA Board of Directors. As a general guide, all policy and advocacy matters should be referred to SAROC or GAROC, and matters related to the operations of the LGA should be referred to the LGA Board.

Items of business can be submitted at any time during the year. Councils do not need to wait for the call for items from the LGA. However, to enable all items to be assessed by the relevant body and for reports to be prepared and included in the Agenda, a closing date is determined for each General Meeting. The closing date will typically be around 8-10 weeks prior to each general meeting. If the deadline is missed, councils can still submit their item, but it will be held until the following General Meeting.

In regard to the upcoming OGM, the closing date is Thursday 25 February 2021. Councils must submit their items by completing and submitting the LGA OGM – Proposed Items of Business Form (Attachment 1).

### *Attachment 1*

Proposals should be accompanied by enough supporting material to enable informed decisions and recommendations to be made regarding the proposal by SAROC, GAROC, or the LGA Board of Directors. Councils and Regionals LGAs are encouraged to discuss proposed items of business with the LGA Secretariat before they are submitted for advice on LGA policy, current activities, and the types of supporting evidence or documentation that may be required.

SAROC, GAROC, or the LGA Board of Directors may decide to approve an item of business for inclusion on the agenda of a General Meeting. If appropriate, they may determine another course of action, including approving with amendments, requesting further information, referring the matter back to council or Regional LGA, or resolving that the matter be dealt with by the LGA/SAROC/GAROC without progressing to an OGM/AGM.

Once an item of business has been recommended for inclusion on the agenda for a General Meeting and subsequently carried by member councils by a majority vote, the LGA will use its best endeavours to achieve the outcomes sought by member councils.

Before proposing an item of business, member councils and Regional LGAs are encouraged to carefully consider attachment 2 "Items of business for LGA General Meetings" FAQs, November 2020.

#### *Attachment 2*

Council should consider whether there are any matters they believe need to be brought to the attention of the LGA OGM, and if there are, an appropriate motion should be drafted for submission.

At the time of finalising the report, no items had been identified for consideration by Council as Items of Business to be submitted to the OGM.

Should Council determine that a Notice of Motion is to be submitted to the LGA OGM, a motion to that effect will need to be moved, seconded and carried.

The following text is provided to assist with inclusion of an appropriate motion at the Council meeting if required:

- 1. A Notice of Motion be submitted to the Local Government Association Ordinary General Meeting (currently scheduled for Friday, 30 April 2021) whereby it requests the LGA to ...[insert details of motion]*
- 2. Staff be authorised to liaise with the LGA Secretariat in relation to the wording of the motion set out in Part 1, and if required, modify the wording to facilitate acceptance of the motion for consideration at the Local Government Association Ordinary General Meeting (currently scheduled for Friday, 30 April 2021) and to ensure legislative compliance.*

It is at Council's discretion to submit a Notice of Motion.

## 6. **ANALYSIS OF OPTIONS**

### Option 1 –

1. The report be received.

Council is not obliged to submit a Notice of Motion. Given that there are no previously endorsed Motions to be submitted, and administration are not aware of any matters currently identified as warranting submission, Option 1 simply receives the report.

### Option 2 –

1. The report be received.
2. A Notice of Motion be submitted to the Local Government Association Ordinary General Meeting (currently scheduled for Friday, 30 April 2021) whereby it requests the LGA to ...*[insert details of motion]*
3. Staff be authorised to liaise with the LGA Secretariat in relation to the wording of the motion set out in Part 1, and if required, modify the wording to facilitate acceptance of the motion for consideration at the Local Government Association Ordinary General Meeting (currently scheduled for Friday, 30 April 2021) and to ensure legislative compliance.

Should Council determine that a Notice of Motion is to be submitted, the initial wording for a motion is included as part 2 and 3 to the Option 2 motion (based on the sample text provided in section 5 of this report), with the specific wording relating to the identified motion to be determined and inserted at the meeting.

It is at Council's discretion to submit a Notice of Motion.

## 7. **POLICY IMPLICATIONS**

### **7.1 Financial/Budget**

- There are no financial/budget implications associated with the recommended options.

### **7.2 Legislative/Risk Management**

- Should Council determine to submit a Notice of Motion, staff will need to ensure it meets LGA and legislative requirements, which may require slight modification to the wording of the motion prior to submission to the LGA. The Option 2 recommendation provides the capacity for staff to make changes to the motion if required, to facilitate submission to the LGA.

8. **RECOMMENDED OPTION**

Option 1 is the Recommended Option.

9. **REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Tami Norman	Executive Manager, Office of the CEO

## LGA General Meeting – Proposed Item of Business

The purpose of this form is to request consideration by SAROC, GAROC or the Board of Directors of an item of business to be included on the agenda of an LGA General Meeting - refer Clause 16.3.1 of the LGA Constitution. Prior to submitting a proposed Item of Business, please refer to the Considering Proposed Items of Business for LGA General Meetings Guidelines.

<b>Council Name</b>	
<b>The body the item is being referred to</b>  <i>Proposals may only be submitted to the ROC of which council is a member, or to the LGA Board of Directors.</i>	Board of Directors <u>OR</u> SAROC <u>OR</u> GAROC ( <i>choose only one</i> )
<b>Subject of the proposed item of business</b>	
<b>Proposed motion for the General Meeting</b>	That the Annual / Ordinary General Meeting requests the LGA to .....
<b>Supporting information</b>  <i>Provide a summary of the issue(s), relevant background information, description of the impact on the sector and evidence that this is an item of strategic importance to local government.</i>	
<b>LGA Policy Manual</b>  <i>Does this item require a change to the LGA Policy Manual (new policy or amendment to existing policy)?</i>	( <a href="#">please click here to view the LGA Policy Manual</a> )
<b>LGA Strategic Plan reference</b>	( <a href="#">please click here to view the plan and identify the Key Initiative and Strategy reference</a> )  ( <i>choose only one Key Initiative and one Strategy</i> )
<b>Council Contact Officer submitting form</b>	(insert name)  (insert email address)  (insert telephone number)
<b>Council Meeting minute reference and date of meeting</b>	
<b>Date submitted to LGA</b>	

Please return Word version of completed form to [lgasa@lga.sa.gov.au](mailto:lgasa@lga.sa.gov.au).  
Refer to LGA Circulars in respect to deadlines for upcoming General Meetings.

# Items of business for LGA General Meetings

## Frequently Asked Questions

November 2020

## Items of business for LGA General Meetings

### *Introduction*

The Local Government Association of South Australia (LGA) schedules two General Meetings each year:

- the Ordinary General Meeting (OGM) is held annually in April or May; and
- the Annual General Meeting (AGM) is held annually in October or November.

A key purpose of the AGM/OGM is to bring together member councils to consider 'items of business' that are of strategic importance to local government.

Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

This FAQ provides helpful guidance to councils about how to successfully participate in this process.

### *General overview of process*

Items of business can be submitted by member councils, or a Regional LGA, to either SAROC, GAROC or the LGA Board of Directors for approval to be placed on the agenda of a General Meeting.

It is at the discretion of councils whether to refer an item to SAROC (regional councils), GAROC (metro councils) or the LGA Board of Directors. As a general guide, all policy and advocacy matters should be referred to SAROC or GAROC, and matters related to the operations of the LGA should be referred to the LGA Board.

Items of business can be submitted at any time during the year. Councils do not need to wait for the call for items from the LGA. However, to enable all items to be assessed by the relevant body and for reports to be prepared and included in the Agenda, a closing date is determined for each General Meeting. This closing date will typically be around 8-10 weeks prior to each General Meeting. If you miss the deadline, you can still submit your item, but it will be held until the following General Meeting.

Councils and Regional LGAs must submit their items by completing and submitting the LGA General Meeting - Proposed Item of Business form.

Proposals should be accompanied by enough supporting information to make informed decisions and recommendations. Councils and Regional LGAs are encouraged to discuss proposed items of business with the LGA Secretariat before they are submitted for advice on LGA policy, current activities and the type of supporting evidence or documentation that may be required.

SAROC, GAROC, or the LGA Board of Directors may decide to approve an item of business for inclusion on the agenda of a General Meeting. If appropriate, they may determine another course of action, including approving with amendments, requesting further information, referring the matter back to the council or Regional LGA, or resolving that the matter be dealt with by the LGA/SAROC/GAROC without progressing to an OGM/AGM.

Once an item of business has been recommended for inclusion on the agenda for a General Meeting, and subsequently carried by member councils by a majority vote, the LGA will use its best endeavors to achieve the outcomes sought by member councils.

Before proposing an item of business, member councils and Regional LGAs are encouraged to carefully consider the following *Frequently Asked Questions* and to refer to the *Guidelines on Considering Proposed Items of Business for LGA General Meetings*<sup>1</sup>.

### ***Frequently Asked Questions***

- Why should I consider an item of business for an LGA general meeting?
- What is a 'strategically important' issue?
- What supporting evidence does the LGA need to consider my item of business?
- When should I submit a proposed item of business to the LGA?
- I have read the agenda for the next General Meeting and think an issue needs to be on there. Can I submit a late item of business?
- How do I submit a proposed item of business?
- Can I write a letter to the LGA President or CEO to submit a proposed item of business?
- Who makes the decision on my proposed item of business / where should I refer my item of business to?
- My council is not a member of a Regional LGA. Can I still submit a proposed item of business?
- Why might the LGA decide not to allow my proposed item of business to go to a General Meeting?
- Can I get help to prepare a proposed item of business?

### ***Why should I consider an item of business for an LGA general meeting?***

- Member councils and Regional LGAs should consider submitting a proposed item of business if they believe there is an opportunity for the LGA to take the lead on an issue that is strategically important to local government and will benefit the sector as a whole.
- There is significant value and impact in local government speaking with one voice through the LGA to influence State and Federal Government setting the policy, legislation and funding arrangements that support the delivery of council services and operations. Similarly, the LGA can bring councils together to assist with capacity building and knowledge sharing within local government.

### ***What is a 'strategically important' issue?***

- The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the Association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.
- Generally, an item may be deemed to strategically important if:
  - it has direct relevance to the role of local government, or council services and operations; and

<sup>1</sup> [https://www.lga.sa.gov.au/\\_data/assets/pdf\\_file/0032/467744/ECM\\_670949\\_v6\\_Guidelines-Considering-Proposed-Items-of-Business-for-LGA-General-Meetings-2.pdf](https://www.lga.sa.gov.au/_data/assets/pdf_file/0032/467744/ECM_670949_v6_Guidelines-Considering-Proposed-Items-of-Business-for-LGA-General-Meetings-2.pdf)

- it will benefit the local government sector as a whole; and
- there is alignment with LGA/SAROC/GAROC strategic and business plans; and
- there is alignment with the LGA Policy Manual.

***What supporting evidence does the LGA need to consider my item of business?***

- Good public policy positions need to be supported by solid evidence so that the issues are well understood and that the proposed course of action provides the most efficient and effective solution.
- A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.
- To support SAROC, GAROC and the LGA Board of Directors in determining whether an item of business should be recommended to an LGA General Meeting, all submissions should provide a summary of the issue, a clear definition of the problem and its impact on local government or council services and operations. Information should be provided on any relevant legislation, policy settings and relevant research reports and papers.
- If sufficient supporting evidence is not provided, SAROC, GAROC or the LGA Board of directors may refer an item back to the submitting council with a request for further information.
- In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action.

***When should I submit a proposed item of business to the LGA?***

- Items of business for LGA General Meetings can be submitted at any time throughout the year.
- A proposed item of business will be referred to SAROC, GAROC or the LGA Board of Directors at their next available meeting, along with a report with recommendations from the LGA Secretariat.
- The LGA will advise member councils of the final date for submitting proposed items of business for the next available General Meeting. This 'closing date' is required to ensure that the LGA Secretariat can engage with the submitting councils and make recommendations to SAROC, GAROC or the LGA Board of Directors at their meeting prior to preparation of the General Meeting Agenda.
- Generally, proposed items of business for the Annual General Meeting (October/November) need to be with the LGA in August and proposed items of business for the Ordinary General Meeting (April/May) need to be with the LGA in February.
- The 'closing date' for each General Meeting is communicated to councils via LGA Latest News, typically five months in advance.

***I have read the agenda for the next General Meeting and think an issue needs to be on there. Can I submit a late item of business?***

- No. Once the Agenda has been finalised for a General Meeting, no further items of business will be accepted for that Meeting. The Agenda is provided to councils at least 30 days prior to a

General Meeting to enable each council to discuss and determine a position on the items of business.

- Any items that are received after the closing date will be held until the following General Meeting.
- The LGA Board of Directors, SAROC and GAROC may decide to progress an issue that is strategically important to local government if there is a level of urgency required to deal with the issue outside of the scheduling for the LGA General Meetings.

### ***How do I submit a proposed item of business?***

- To submit a proposal please complete the *LGA General Meeting - Proposed Item of Business* form. This form requires councils to identify:
  - Which body the proposed item of business is being referred to ie SAROC, GAROC or the LGA Board of Directors
  - The subject of the proposed item of business - a short title is preferred.
  - The proposed motion for the General Meeting – a succinct and clear motion ie that the Annual / Ordinary General Meeting requests the LGA to....
  - Supporting information - attachments are permitted to ensure adequate supporting information is provided
  - Alignment to the LGA Policy Manual - consider if this item requires a change to the LGA Policy Manual (new policy or amendment to existing policy)?
  - Alignment to LGA Strategic Plan reference - identify links to one key initiative and one strategy
  - A Council Contact Officer responsible for submitting form - the LGA may wish to liaise with the proposing council to request additional information or consult on potential amendments to the motion
  - Council Meeting minute reference and date of meeting - all proposed items of business must be appropriately considered by the submitting council or Regional LGA before being sent to the LGA.

### ***Can I write a letter to the LGA President or CEO to submit a proposed item of business?***

- No. To ensure that all the required information is provided and that proposed items of business are handled correctly by the LGA Secretariat, please use the LGA General Meeting - Proposed Item of Business form and submit it to [lgasa@lga.sa.gov.au](mailto:lgasa@lga.sa.gov.au)

### ***Who makes the decision on my proposed item of business / where should I refer my item of business to?***

- It is at the discretion of councils and Regional LGAs whether to refer an item to SAROC, GAROC or the LGA Board of Directors.
- The Guidelines on Considering Proposed Items of Business for LGA General Meetings, suggests that items should be referred to SAROC (from regional member councils) or GAROC (from metropolitan member councils) if they relate to the development of LGA policy and strategy, advocacy issues, the LGA Policy Manual, and operational matters related to SAROC or GAROC.

- Otherwise items should be referred to the LGA Board of Directors if related to:
  - the LGA Constitution or Ancillary Documents
  - a subsidiary of the LGA
  - a commercial service provided (or proposed to be provided) by the LGA
  - an activity requiring the allocation of significant resources by the LGA
  - any LGA operational matter

Regional councils may choose to refer their proposed items of business to their Regional LGA prior to submitting with the LGA. This is not required, but it often assists councils with refining the proposed actions and may help to inform and build support for the proposed item of business in their region.

***My council is not a member of a Regional LGA. Can I still submit a proposed item of business?***

- Yes. Any member council from regional South Australia may submit a proposed item of business to SAROC or to the LGA Board of Directors.

***Why might the LGA decide not to allow my proposed item of business to go to a General Meeting?***

An item may not be recommended for consideration at a General Meeting:

- If it is not considered to be 'strategically important' to local government; for example, it is not an issue that is within the scope of local government to address or influence.
- If progressing the item would impact negatively on the reputation of local government in South Australia.
- If an issue is only relevant to a particular group of councils it may be referred back to a council or Regional LGA, or resolved that the matter be dealt with by SAROC (for regional issues) or GAROC (for metropolitan issues) without progressing to a General Meeting.
- If there is insufficient supporting evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.
- In circumstances where the evidence needed to support a position might not be readily available, it would be appropriate for a proposed item of business to request that the LGA seeks further investigation and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action.
- If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.
- If there are a lack of resources available to the LGA to progress the proposed item of business. In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue. The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

***Can I get help to prepare a proposed item of business?***

- Yes. All member councils to contact the LGA Secretariat early in the process to discuss the development of their proposed items of business.
- Please contact Allison Down, Executive Coordinator, GAROC and SAROC Committees via email: [allison.down@lga.sa.gov.au](mailto:allison.down@lga.sa.gov.au) or telephone: 08 8224 2054

## DECISION REPORT

**REPORT TITLE:** COUNCIL ASSESSMENT PANEL  
APPOINTMENT OF MEMBERS

**ITEM NUMBER:** 4.10

**DATE OF MEETING:** 27 JANUARY 2021

**AUTHOR:** GARY BRINKWORTH

**JOB TITLE:** MANAGER DEVELOPMENT & REGULATORY

**ATTACHMENTS:** NIL

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### 1. **EXECUTIVE SUMMARY**

This report enables Council to appoint new members to the Council Assessment Panel (CAP) for the next term of the CAP which commences from 1 March 2021.

Specifically, the report recommends appointing Independent Members for a period of two years and an Elected Member for the balance of this Council term.

### 2. **RECOMMENDATION**

That:

1. The report be received.
2. The following Independent Member appointments be made to the Council Assessment Panel for the term commencing 1 March 2021 and expiring on 28 February 2023:
  - 2.1 Presiding Member: Mr Brenton Burman
  - 2.2 Independent Members (x3):
    - Mr Ross Bateup
    - Ms Colleen Dunn; and
    - Mr Michael McKeown.
  - 2.3 Deputy Independent Member (to attend meetings in the absence of an Independent Member):
    - Ms Carol Muzyk.
3. Former Council Assessment Panel Members Ms Shanti Ditter, Mr Roger Freeman, Mr Alexander (Sandy) Wilkinson and Mr Rufus Salaman be thanked for their contribution and service to the City of Unley Council Assessment Panel.

Followed by a Further Motion that:

1. The following Elected Member appointments be made to the Council Assessment Panel for the term commencing 1 March 2021 and expiring at the end of the current Council term:
    - 1.1 Elected Member: Councillor \_\_\_\_\_
    - 1.2 Deputy Elected Member, to attend meeting in the absence of the Elected Member: Councillor \_\_\_\_\_
- 

### **3. RELEVANT CORE STRATEGIES/POLICIES**

#### 4. Civic Leadership

4.1 We have strong leadership and governance.

- 3.1 Section 83 of the *Planning, Development and Infrastructure Act 2016* (the Act) – Designated authority is to establish Assessment Panels of no more than five members (maximum of one Elected Member).

### **4. BACKGROUND**

The current CAP membership term will expire on 28 February 2021.

At the Council meeting held 24 August 2020, Council resolved:

*That:*

1. *The report be received.*
2. *Applications for four (4) Independent Member positions on the Council Assessment Panel, including Presiding Member, and additionally one (1) Deputy Independent Member, be sought from appropriately qualified Level 2 Planning Accredited Professionals with appointments to commence in March 2021, or in the event a vacancy occurs as a consequence of the commencement of Accredited Professional requirements, prior to March 2021.*
3. *An initial shortlist of applicants for interview that meet the minimum accreditation standards be prepared by the General Manager City Services, Manager Development and Regulatory and Executive Manager Office of the CEO.*
4. *A Council Assessment Panel Selection Committee comprising:  
Councillor Boisvert  
Mayor Michael Hewitson  
Councillor Palmer  
Councillor Russo  
Councillor Dodd*

*Supported by the Chief Executive Officer be appointed to conduct interviews of the shortlisted applicants and identify four (4) persons for recommendation to Council for appointment to Independent Member positions on the Council Assessment Panel, including Presiding Member, and additionally one (1) Deputy Independent Member.*

Following Council's resolution, Administration advertised the positions and received twenty-one applications by the due date. Twelve of the applicants met the required criteria and these were then shortlisted for further consideration. The Council Assessment Panel Selection Committee then selected eight applicants for interview, noting that one person withdrew their application prior to the interview. Those interviewed were:

1. Mr Brenton Burman
2. Ms Shanti Ditter
3. Mr Ross Bateup
4. Ms Colleen Dunn
5. Ms Carol Muzyk
6. Mr Michael McKeown
7. Mr Michael Doherty

## **5. DISCUSSION**

### **5.1 Council Assessment Panel Membership**

The Act dictates that the membership of the CAP cannot exceed five members, including a maximum of one Elected Member. Council is at liberty to have no Elected Members on the CAP should it wish, and instead elect to have five Independent Members. In saying this, historically Council has appointed an Elected Member to the CAP in order to ensure local government knowledge is considered in the determination of applications.

The Act also provides for the appointment of Deputy Members to the CAP, including a Deputy Elected Member and Deputy Independent Member. The Deputy Elected Member can only attend the meetings as a member of CAP when the Elected Member is an apology. The Deputy Independent Member can only attend a meeting as a member of CAP when one of the Independent Members is an apology. This approach helps ensure that a quorum can be achieved for CAP meetings if members are unable to attend.

## **5.2 Membership Appointment Term**

The current membership term of the CAP expires on 28 February 2021. The Act enables Council to determine the term of appointment for membership of the CAP with no limitation on the length of the term. The Terms of Reference also provide Council with the flexibility to determine the duration of appointment of CAP members.

Historically, the CAP has been appointed for a term of two years to enable members a reasonable period to understand the operations of, and perform successfully on the CAP. It also provides an opportunity, should Council wish, to refresh the membership during their four-year term. Council may also choose to appoint membership for a longer or shorter duration should it desire.

## **5.3 Accredited Professionals Scheme**

All Independent Members of the CAP will need to be a Planning Level 2 Accredited Professional under the Act at the time that the Planning and Design Code comes into operation for Phase 3 councils. This is anticipated to occur in the first half of 2021. The only exception to the accreditation requirement is where a person is a former Elected Member, and the designated authority is satisfied that a person is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government and knowledge of the local area. A current Elected Member appointed to the CAP does not need to be an Accredited Professional.

Given that Council has previously sought to appoint an Elected Member to the CAP who would provide the local government knowledge, appropriately qualified Accredited Professionals were preferred for the Independent Member roles.

Should Council determine not to appoint an Elected Member, this skill set may be desired in appointing an additional Independent Member.

## **5.4 Appointment of Accredited Professionals**

Following the shortlisting of suitable applicants, the Selection Panel conducted interviews late last year. After interviewing seven applicants, the Panel were unanimous in their recommendation for Council to consider appointing:

- Mr Brenton Burman as Presiding Member
- Mr Ross Bateup as Independent Member
- Ms Colleen Dunn as Independent Member
- Mr Michael McKeown as Independent Member

The Panel considered that the range of experience and technical expertise of these applicants would enable an effective and high quality CAP to be established.

The Panel also considered the appointment of a Deputy Independent Member (to attend meetings in the absence of an Independent Member) and decided that if Council chose to appoint this position, Ms Carol Muzyk would be the Panel's recommendation.

### **5.5 Appointment of Elected Member**

The current Elected Member on Council's Assessment Panel is Councillor Boisvert and the Deputy Member is Councillor Wright. Council may choose again to appoint one Elected Member to the CAP.

If this is the case, it is timely for Council to seek nominations for this position as well as the position of Deputy Elected Member. This term would expire concurrently with the term of Council in November 2022.

Existing Elected Members on CAP can be re-appointed as there is no limit to the number of terms a CAP member can be appointed for.

To enable all Elected Members to participate in the decision relating to the appointment of Independent Members, the motion to appoint Elected Members is proposed as a further motion, rather than as a part of one overall motion. This means that those Elected Members seeking to be considered for appointment to the CAP can contribute to discussion regarding Independent Member appointments, then leave the meeting during the discussion on appointment of Elected Members.

### **5.6 Summary**

The Panel has completed interviews for the four Independent Member positions and has recommended to Council the appointment of four individuals that meet the required criteria.

The Panel also discussed the merits of having a Deputy Independent Member, and if Council chose to have this position, a recommendation is also made for Council's consideration.

It is opportune for Council to also appoint the Elected Member for CAP if it wishes to do so.

## **6. ANALYSIS OF OPTIONS**

### **Option 1**

1. **The report be received.**

2. The following Independent Member appointments be made to the Council Assessment Panel for the term commencing 1 March 2021 and expiring on 28 February 2023:
  - 2.1 Presiding Member: Mr Brenton Burman
  - 2.2 Independent Members (x3):
    - Mr Ross Bateup
    - Ms Colleen Dunn; and
    - Mr Michael McKeown.
  - 2.3 Deputy Independent Member (to attend meetings in the absence of an Independent Member):
    - Ms Carol Muzyk.
3. Former Council Assessment Panel Members Ms Shanti Ditter, Mr Roger Freeman, Mr Alexander (Sandy) Wilkinson and Mr Rufus Salaman be thanked for their contribution and service to the City of Unley Council Assessment Panel.

Followed by a Further Motion that:

1. The following Elected Member appointments be made to the Council Assessment Panel for the term commencing 1 March 2021 and expiring at the end of the current Council term:
  - 1.1 Elected Member: Councillor \_\_\_\_\_
  - 1.2 Deputy Elected Member, to attend meeting in the absence of the Elected Member: Councillor \_\_\_\_\_

The Act requires that the Council appoint a maximum of 5 members to the CAP, noting that a maximum of 1 member may be a Member of Council. The above recommendation reflects the existing situation where Council has chosen to appoint a Member of Council to the CAP.

The Selection Committee has undertaken a rigorous assessment process for shortlisted candidates and after interviewing 7 candidates, the committee has supported the appointment of the Presiding Member, Independent Members (x3) and Deputy Independent Member as per Option 1. These members have a wide range of technical skills, knowledge and experience that are relevant to the City of Unley CAP functions.

This option also reflects the current Terms of Reference clause 2.1.3, which requires at least one member to be male and one member to be female.

This option continues the historical approach of having one Elected Member on the CAP. If Council should choose otherwise, then an additional Independent Member will need to be appointed.

## Option 2

2. The report be received.
3. The following Independent Member appointments be made to the Council Assessment Panel for a term commencing 1 March 2021 and expiring on 28 February 2023:
  - 3.1 Presiding Member: Mr Brenton Burman
  - 3.2 Independent Members (x3):
    - Mr Ross Bateup
    - Ms Colleen Dunn; and
    - Mr Michael McKeown.
4. Former Council Assessment Panel Members Ms Shanti Ditter, Mr Roger Freeman, Mr Alexander (Sandy) Wilkinson and Mr Rufus Salaman be thanked for their contribution and service to the City of Unley Council Assessment Panel.

Followed by a Further Motion that:

1. The following Elected Member appointments be made to the Council Assessment Panel for the term commencing 1 March 2021 and expiring at the end of the current Council term:
  - 1.1 Elected Member: Councillor \_\_\_\_\_
  - 1.2 Deputy Elected Member, to attend meeting in the absence of the Elected Member: Councillor \_\_\_\_\_

Option 2 is consistent with Option 1 in all aspects, with the exception that it does not appoint a Deputy Independent Member. There is no obligation to do so under the Act or the Terms of Reference and hence Council may elect not to appoint this position.

## Option 3

1. The report be received.
2. The following Independent Member appointments be made to the Council Assessment Panel for a term commencing 1 March 2021 and expiring on 28 February 2023:
  - 2.1 Presiding Member:
  - 2.2 Independent Members (x3):
    - 
    - ; and
    - :

2.3 Deputy Independent Member (to attend meetings in the absence of an Independent Member):

-

3. Former Council Assessment Panel Members not continuing be thanked for their contribution and service to the City of Unley Council Assessment Panel.

Followed by a Further Motion that:

1. The following Elected Member appointments be made to the Council Assessment Panel for the term commencing 1 March 2021 and expiring at the end of the current Council term:
- 1.1 Elected Member: Councillor \_\_\_\_\_
- 1.2 Deputy Elected Member, to attend meeting in the absence of the Elected Member: Councillor \_\_\_\_\_

Option 3 provides the ability for Council to alter the composition of the CAP by amending the recommended appointments of the Selection Committee. If this option is chosen, then Council should consider the balance of skills, knowledge and experience that would result on the CAP.

Additionally, if Council wishes to select a candidate not currently within those recommended or shortlisted, a further recruitment process would be required with a report to be brought back to Council. In this instance, Council should consider the cost and timeframes of this process, noting this position/s may not be filled ahead of the 1 March 2021 CAP transition.

As with Option 1, Council has the ability to appoint a maximum of one Elected Member and one Deputy Elected Member to the CAP; however, there is no obligation to do so. This option continues the historical approach to having one Elected Member on the CAP.

**7. RECOMMENDED OPTION**

Option 1 is the recommended option.

**8. POLICY IMPLICATIONS**

**8.1 Legislative/Risk Management**

- The recommendations put forward in this report comply with the legislative requirements of the Act.

**8.2 Staffing/Work Plans**

- The appointment of members to the CAP does not have any significant impact of staffing or work plans.

**8.3 Environmental/Social/Economic**

- Currently, Council is able to determine through delegations which applications are considered by the CAP. This will change at the introduction of the Planning and Design Code that is anticipated in the first quarter of 2021.
- A delegations review is to be performed with legal advice to be provided to ensure legislative compliance. This will include a briefing to Elected Members and a workshop with the new CAP members to inform them of what the Act will allow and their requirements under this legislation.

**8.4 Stakeholder Engagement**

- There is no requirement for stakeholder engagement.

**9. REPORT CONSULTATION**

Executive Manager – Office of the CEO

**10. REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Megan Berghuis	General Manager, City Services

## DECISION REPORT

<b>REPORT TITLE:</b>	CENTENNIAL PARK CEMETERY AUTHORITY: BOARD MEMBER APPOINTMENT
<b>ITEM NUMBER:</b>	4.11
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	KATHRYN GOLDY
<b>JOB TITLE:</b>	PRINCIPAL GOVERNANCE OFFICER
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. ATTACHMENT 1 - CENTENNIAL PARK AUTHORITY - REGIONAL SUBSIDIARY CHARTER</li><li>2. ATTACHMENT 2 - CR M RABBITT NOMINATION</li><li>3. ATTACHMENT 3 - CR M BRONIECKI NOMINATION</li><li>4. ATTACHMENT 4 - CR J RUSSO NOMINATION</li></ol>

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### 1. **EXECUTIVE SUMMARY**

This report seeks a decision from Council in relation to the appointment of two (2) Board Members to the Centennial Park Cemetery Authority.

### 2. **RECOMMENDATION**

That:

1. The report be received.
2. Councillor\_\_\_\_\_ and Councillor\_\_\_\_\_ be appointed as Board Members to the Centennial Park Cemetery Authority for the period commencing from 1 March 2021 and concluding at the end of the current Council term.

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### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership
  - 4.1 We have strong leadership and governance.

#### 4. **BACKGROUND**

Centennial Park Cemetery Authority (CPCA) is a regional subsidiary established under Section 43 of the *Local Government Act 1999* (the Act) by the Cities of Mitcham and Unley.

The purpose of the CPCA is:

*“to care for, protect, manage, operate and improve Centennial Park and its associated facilities and services located either at Centennial Park Cemetery or elsewhere in an efficient and effective manner”.*

The CPCA Charter provides that the Board of Management (the Board) is the Authority’s governing body and has the responsibility for the administration of the affairs of the Authority ensuring that the Authority acts in accordance with the Charter and all relevant legislation including the Act.

The membership of the Board comprises seven members being:

- Two (2) members appointed by each of the Constituent Councils under Clause 3.3.5 of the Charter; and
- Three (3) independent members appointed under Clause 3.3.7.

Board Members are to be selected on the basis that the Board as a whole will possess a diverse range of skills appropriate for the strategic needs of the Authority.

Constituent Councils must appoint two (2) Board Members for a maximum period of two (2) years, and on such conditions as the Constituent Council may determine. Both Council Members and Council employees are eligible for appointment, however each Constituent Council must ensure that one (1) of its appointees is a Council member.

A copy of the CPCA Charter is provided as Attachment 1 to this report.

*Attachment 1*

Remuneration for CPCA Board Members is based on the State Government’s Remuneration Framework for Boards and Committees, with Elected Member payments currently set at \$6,933.58 per annum.

At the February 2019 Council meeting Council resolved the following in relation to CPCA Board Member appointments:

*That:*

1. *The report be received.*
2. *Councillor J Russo and Councillor M Rabbitt be appointed as Board Members to the Centennial Park Cemetery Authority for the period commencing from the date of this resolution and concluding 28 February 2021.*

*Resolution 1396/2019*

## 5. **DISCUSSION**

On 3 December 2018 Elected Members received a presentation from Janet Miller, CEO CPCA providing information on the operation/activities of the CPCA. Members also attended a joint information session with Mitcham Council representatives on-site at the CPCA on 13 February 2019. Both activities were intended to ensure all members had an understanding of the operations of the subsidiary. A joint Strategic Planning Workshop for Elected Members from both the City of Mitcham and City of Unley is currently scheduled for Saturday 20 February 2021.

The current City of Unley representatives on the CPCA Board are Councillor J. Russo and Councillor M. Rabbitt. These appointments were made at the February 2019 Council meeting commencing from the date of the resolution and concluding on 28 February 2021.

Prior to this appointment the board members appointed were Peter Tsokas, CEO and Councillor P. Hughes. These appointments were made on an interim basis in September 2018, due to the timing of the November 2018 Local Government Elections.

The current Independent Members are:

- Geoff Vogt (Independent Chair)
- Andrew Kay
- Amanda Heyworth

Advice provided by the CPCA is that the collective skills of the current independent board members includes local government experience, along with significant high-level knowledge and qualifications in the areas of:

- Marketing/Public Relations
- Finance/Accounting
- Governance
- Information Technology
- Business management in large commercial enterprise
- Board Experience (including AICD qualifications)

The CPCA have advised that an Elected Member with qualifications and experience in legal practice (especially in the area of local government) would be beneficial.

Council is now required to consider and determine two (2) Board appointments. The maximum term for appointment is two (2) years, however, Council is reminded that Local Governments Elections will again be held in November 2022, therefore it may be appropriate for the term of appointment to be for the remainder of the current term of Council.

Members appointed will be required to attend the upcoming CPCA Board Meeting scheduled for Thursday 25 February 2021.

## Nominations Received

To assist with the consideration of nominations for the appointment to the CPCA, Members wishing to nominate were invited to provide a brief statement in support of their nomination for inclusion as an attachment to this report. Three such submissions were received, from Councillors M. Rabbitt, M. Broniecki and J. Russo and copies of their submissions are provided as attachments to this report.

*Attachment 2 – Cr M Rabbitt*

*Attachment 3 – Cr M Broniecki*

*Attachment 4 – Cr J Russo*

It should be noted that at the time of writing this report, the City of Mitcham has still to adopt the proposed charter that was prepared for owner councils. The City of Unley adopted the charter towards the end of 2020. This effectively means that any proposed changes to the Board membership and processes around the appointment of Elected Members to the Board are not able to be implemented at this stage. Given this situation, it is prudent to nominate two councillors to the Board. In recent years, Council has chosen to stagger the term of its elected members on the Board as a strategy to increase corporate knowledge amongst councillors.

## 6. ANALYSIS OF OPTIONS

### Option 1 –

1. The report be received.
2. Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_ be appointed as Board Members to the Centennial Park Cemetery Authority for the period commencing from 1 March 2021 and concluding at the end of the current term of Council.

### Option 2 –

On the basis that the CPCA Charter requires two representatives from the City of Unley to be appointed to the Board, no alternative option is proposed.

## 7. RECOMMENDED OPTION

Option 1 is the recommended option.

## 8. REPORT AUTHORISERS

<b>Name</b>	<b>Title</b>
Tami Norman	Executive Manager, Office of the CEO

**LOCAL GOVERNMENT ACT 1999**

## CENTENNIAL PARK CEMETERY AUTHORITY

*Regional Subsidiary Charter 2015***1. INTRODUCTION****1.1 Name**

The name of the subsidiary is the Centennial Park Cemetery Authority.

**1.2 Definitions**

*Act* means the Local Government Act 1999 and includes all regulations made under that Act;

*Authority* means the Centennial Park Cemetery Authority;

*Board* means the Board of Management of the Authority provided for in Clause 3;

*Board Member* includes a Constituent Council Board Member and an Independent Board Member;

*Budget* means the annual budget adopted by the Authority pursuant to Clause 5.1;

*Business Plan* means the business plan adopted by the Authority pursuant to Clause 6.2;

*Centennial Park* means the Centennial Park Cemetery and its associated facilities and services;

*Chairperson* means the member of the Board appointed to that office for the purposes of Clause 3.8;

*Chief Executive Officer* means the person appointed pursuant to Clause 4.1 as the Chief Executive Officer of the Authority;

*Constituent Council Board Member* means a member of the Board appointed under Clause 3.3.5;

*Constituent Councils* means those Councils identified in Clause 1.4;

*Council* means a Council constituted under the Act;

*CPCA Owners' Executive Committee* means a Committee comprised of the Chief Executive Officers and Mayors of the Constituent Councils.

*Date of Withdrawal* means the date a Constituent Council's withdrawal from the Authority becomes effective pursuant to Clause 7.1;

*Deputy Chairperson* means the member of the Board appointed to that office for the purposes of Clause 3.8;

*Executive Meetings* means the meetings convened for the purposes of Clause 6.7.1;

*Financial Statements* has the same meaning as in the Act;

*Financial Year* means 1 July in each year to 30 June in the subsequent year;

*Independent Board Member* means a member of the Board appointed under Clause 3.3.7;

*Liability Guarantee Fee* means the annual fee paid to the Constituent Councils by the Authority in accordance with Clause 1.9;

*Long Term Financial Plan* means the long term financial plan prepared by the Authority for the purposes of Clause 5.4;

*Minister* means the Minister for State/Local Government Relations;

*Model Financial Statements* has the meaning given in the Regulations.

*Net Assets* means total assets (current and non-current) less total liabilities (current and non-current) of the Authority as reported in the annual audited financial statements of the Authority;

*Nominations Committee* is the Committee convened by the Board from time to time under Clause 3.3.7.1;

*Operating Costs* means all expenses incurred in the delivery of the Authority's services;

*Regulations* means the Local Government (Financial Management) Regulations 2011;

*Strategic Plan* means the strategic plan adopted by the Authority for the purposes of Clause 6.1;

*Third Party Venture* means the power to undertake a commercial project with a third party (exceeding any contract or arrangement for the supply of goods or services to the Authority) such venture requiring the prior consent of the Constituent Councils.

**1.3 Interpretation**

In this Charter, unless the context otherwise requires:

1.3.1 headings do not affect interpretation;

1.3.2 singular includes plural and plural includes singular;

1.3.3 words of one gender include any gender;

1.3.4 a reference to a person includes a partnership, corporation, association, government body and any other entity;

1.3.5 a reference to legislation includes any amendment to it, any legislation substituted for it and any subordinate legislation made under it;

1.3.6 an unenforceable provision or part of a provision of this Charter may be severed and the remainder of this Charter continues in force, unless this would materially change the intended effect of this Charter;

1.3.7 the meaning of general words is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and

1.3.8 a reference to a 'clause' means a Clause of this Charter.

**1.4 Establishment**

The Authority is a regional subsidiary established under Section 43 of the Act by the City of Mitcham and the Corporation of the City of Unley.

**1.5 Local Government Act 1999**

This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Act. The Authority shall conduct its affairs in accordance with Parts 2 and 3 of Schedule 2 to the Act except as modified by this Charter in a manner permitted by the Act.

**1.6 Purpose**

The purpose of the Authority is to care for, protect, manage, operate and improve Centennial Park and its associated facilities and services located either at Centennial Park Cemetery or elsewhere in an efficient and effective manner.

**1.7 Objects of the Authority**

The Authority is established for the following objects:

- 1.7.1 to ensure that the assets and facilities at Centennial Park and of the Authority are developed, maintained and operated in a sustainable and efficient manner;
- 1.7.2 to deliver effective and sustainable service provision for the Constituent Councils, customers of Centennial Park and the community of South Australia;
- 1.7.3 to manage the facilities of Centennial Park and the services provided by the Authority utilising sound business concepts;
- 1.7.4 to establish and demonstrate ethical policies and standards, in accordance with the rights of customers and industry standards;
- 1.7.5 to provide security of tenure for all interment licences at Centennial Park through sound financial and business management;
- 1.7.6 to proactively manage the business of Centennial Park in a competitive and changing environment;
- 1.7.7 to undertake key strategic and policy decisions for the purpose of enhancing and developing Centennial Park; and
- 1.7.8 to be financially self-sufficient.

**1.8 National Competition Policy**

- 1.8.1 The Authority is involved in a significant business activity.
- 1.8.2 The Authority will implement principles of competitive neutrality in respect of significant business activities to the extent that the benefits to be realised from the implementation of the principles of competitive neutrality outweigh the costs associated with the implementation.

**1.9 Liability Guarantee**

- 1.9.1 Pursuant to Clause 31 of Schedule 2 to the Act, the liabilities incurred or assumed by the Authority are guaranteed by the Constituent Councils.
- 1.9.2 The Authority must pay an annual Liability Guarantee Fee, to each Constituent Council, on account of the guarantee under Clause 1.9.1.
- 1.9.3 Subject to Clause 1.9.4, the Liability Guarantee Fee is fixed at whichever amount is the lesser of:
  - 1.9.3.1 \$195 000 to each Constituent Council for the 2010-2011 Financial Year. Each year thereafter the Liability Guarantee Fee will be increased by a percentage equivalent to CPI—All Groups Adelaide March Quarter; or
  - 1.9.3.2 2.5% of the total gross liabilities of the Authority as at 1 July of the Financial Year that the Liability Guarantee Fee is to be paid, which amount will be distributed evenly between the Constituent Councils.
- 1.9.4 The Constituent Councils may in their absolute discretion unanimously agree to increase or waive or reduce the Guarantee Fee for any particular financial year(s) either on their own initiative or based on a submission by the Authority to the Constituent Councils.

**2. FUNCTIONS, POWERS AND DUTIES OF THE AUTHORITY**

The functions, powers and duties of the Authority are to be exercised in the performance and furtherance of the Authority's purpose and objects.

**2.1 Functions**

The Authority has the following functions:

- 2.1.1 to provide, equip, operate and maintain one or more public cemetery facilities, crematoriums, mausoleums and mortuaries;
- 2.1.2 to provide, sell, lease or hire monuments, tombstones, trees, flowers and other things incidental to interment and memorialisation of cremated remains and burials;
- 2.1.3 to promote the services and facilities of Centennial Park and to carry out any business or operation the Authority considers can enhance the value and render profitable any of the facilities or services of Centennial Park;
- 2.1.4 establish other facilities and services incidental or ancillary to the establishment, operation and management of cemeteries, crematoriums, mortuaries and mausoleums; and
- 2.1.5 to promote, investigate or utilise alternative lawful methods of disposing of human remains.

**2.2 Powers**

The Authority has the following discretionary powers:

- 2.2.1 to accumulate surplus funds for investment purposes;
- 2.2.2 to establish and maintain a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of the Authority or meeting any deferred liability of the Authority;
- 2.2.3 to establish and maintain a cash reserve development fund or funds clearly identified for future initiatives supported by the Strategic Plan;
- 2.2.4 to provide for an investment reserve fund clearly identified for the future upkeep obligations of the Authority and, subject to Clause 2.5, to borrow against such fund;

- 2.2.5 subject to Clause 2.5, to enter into any kind of contract or arrangement, including Third Party Ventures;
  - 2.2.6 subject to Clauses 2.5 and 2.6, to purchase, sell, lease, hire, rent or otherwise acquire or dispose of any real or personal property or interests therein;
  - 2.2.7 to borrow funds and incur expenditure in accordance with Clause 2.5;
  - 2.2.8 subject to Clause 2.5, to employ, engage determine conditions of employment/engagement, remunerate, remove, suspend or dismiss/terminate the Chief Executive Officer of the Authority;
  - 2.2.9 subject to Clause 2.5, to employ, engage or retain professional advisers to the Authority;
  - 2.2.10 to directly market the skills and expertise of its employees and its products and services for the benefit of the Authority and the Constituent Councils;
  - 2.2.11 to charge whatever fees the Authority considers appropriate for services rendered to any person, body or Council (other than a Constituent Council) provided that such fees charged by the Authority shall be sufficient to at least cover the cost to the Authority of providing the services;
  - 2.2.12 subject to Clause 2.5, to institute, initiate and carry on legal proceedings;
  - 2.2.13 to adopt and use a trading name provided that the Authority must first register the trading name with the Office of Consumer and Business Affairs in accordance with the Business Names Act 1996;
  - 2.2.14 subject to Clause 2.5, to agree to undertake a project in conjunction with any Council or government agency or authority and in so doing to participate in the formation of a trust, partnership or joint venture with any Council or government agency or authority to give effect to the project;
  - 2.2.15 to open and operate bank accounts;
  - 2.2.16 to make submissions for and accept grants, subsidies and contributions to further its objects and purposes;
  - 2.2.17 to invest any funds of the Authority in any investment provided that:
    - 2.2.17.1 in exercising this power of investment the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
    - 2.2.17.2 the Authority must avoid investments that are speculative or hazardous in nature;
  - 2.2.18 without limiting the power in Clause 2.2.17, to lend money to a Constituent Council on terms determined by agreement between the Authority and the Constituent Council;
  - 2.2.19 to with the prior approval of the Board of the Authority, undertake its functions and exercise its powers outside the areas of the Constituent Councils to the extent considered necessary or expedient to the performance of its functions by the Board, including by providing services ancillary to the purpose of the Authority;
  - 2.2.20 provided that the consent of the Constituent Councils has first been obtained to participate in a trust, including by becoming and exercising the powers of a trustee, not inconsistent with this Charter or the objects and purposes of the Authority;
  - 2.2.21 to promote, investigate or utilise alternative lawful methods of disposing of human remains;
  - 2.2.22 the power to do anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers, functions or duties or the attainment of its objects and purposes.
- 2.3 **Other Powers, Functions and Duties**
- The Authority may exercise such other functions, powers and duties as are delegated to or imposed on the Authority by the Constituent Councils from time to time.
- 2.4 **Common Seal**
- 2.4.1 The Authority will have a common seal.
  - 2.4.2 The common seal of the Authority must not be affixed to a document except to give effect to a resolution of the Board.
  - 2.4.3 The affixation of the common seal of the Authority must be attested by two Board Members.
  - 2.4.4 The Chief Executive Officer must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date that the seal was affixed.
  - 2.4.5 The Authority may by instrument under common seal, authorise a person to execute documents on behalf of the Authority subject to any limitations specified in the instrument of authority.
- 2.5 **Borrowings and Expenditure**
- 2.5.1 The Authority has the power to incur expenditure as follows:
    - 2.5.1.1 in accordance with a budget adopted by the Authority under Clause 5.1; or
    - 2.5.1.2 with the prior approval of both of the Constituent Councils; or
    - 2.5.1.3 in accordance with the Act, in respect of expenditure not contained in a budget adopted by the Authority for a purpose of genuine emergency or hardship.
  - 2.5.2 Subject to Clause 2.5.3, the Authority has the power to borrow money as follows:
    - 2.5.2.1 in accordance with a budget adopted by the Authority under Clause 5.1; or
    - 2.5.2.2 in respect of an overdraft facility or facilities up to a maximum amount of \$100 000; or
    - 2.5.2.3 with the prior approval of both of the Constituent Councils.
  - 2.5.3 Unless otherwise approved by both of the Constituent Councils, any and all borrowings (except overdraft facilities) taken out by the Authority:
    - 2.5.3.1 must be from the Local Government Financial Authority or a registered bank or financial institution within Australia; and
    - 2.5.3.2 must be drawn down within a period of 24 months from the date of approval.

## 2.6 Property

- 2.6.1 All property held by the Authority is held by it on behalf of the Constituent Councils.
- 2.6.2 No property of the Authority may be sold, encumbered or otherwise dealt with outside of the ordinary course of business unless authorised by:
- 2.6.2.1 the Strategic Plan or Financial Plan; or
  - 2.6.2.2 the prior approval of both Constituent Councils.

## 2.7 Delegation by the Constituent Councils

The Authority may exercise such other functions and powers as are delegated to the Authority by the Constituent Councils from time to time.

## 3. BOARD OF MANAGEMENT

### 3.1 Role of the Board

The Board is the Authority's governing body and has the responsibility for the administration of the affairs of the Authority ensuring that the Authority acts in accordance with this Charter and all relevant legislation including the Act.

### 3.2 Functions of the Board

In addition to the functions of the Board set out in the Act, the functions of the Board include:

- 3.2.1 striving to position the Authority as the premier provider of cemetery services;
- 3.2.2 the formulation of Strategic and Business Plans in accordance with Clauses 6.1 and 6.2 and the development of strategies aimed at improving the business of Centennial Park;
- 3.2.3 providing professional input and policy direction to the Authority;
- 3.2.4 ensuring strong accountability and stewardship of the Authority;
- 3.2.5 monitoring, overseeing and measuring the performance of the Chief Executive Officer of the Authority;
- 3.2.6 ensuring that ethical behaviour and integrity is established and maintained by the Authority, the Board and Board Members in all activities undertaken by the Authority;
- 3.2.7 subject to Clause 3.9.6, ensuring that the business of the Authority is undertaken in an open and transparent manner;
- 3.2.8 paying the Liability Guarantee Fee in accordance with Clause 1.9;
- 3.2.9 developing and adopting such policies and procedures as give effect to good governance and administrative practices;
- 3.2.10 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons;
- 3.2.11 avoiding investments that are speculative or hazardous by nature; and
- 3.2.12 developing and giving effect to policies that reflect the Authority's responsibilities under the National Competition Policy and the Competition and Consumer Act 2010 (Commonwealth) and ensuring that the Authority operates in accordance with this Charter and all relevant legislation.

### 3.3 Membership of the Board

- 3.3.1 The Board shall consist of seven members being:
- 3.3.1.1 two members appointed by each of the Constituent Councils under Clause 3.3.5; and
  - 3.3.1.2 three independent members appointed under Clause 3.3.7, appointed on the basis set out in this Clause 3.3.
- 3.3.2 A person who is or has been affected by any of the circumstances set out in Clauses 3.4.3.1, 3.4.3.2 and 3.4.3.4 is ineligible for appointment or reappointment as a Board Member.
- 3.3.3 No Deputy Board Members will be appointed.
- 3.3.4 Board Members will be selected on the basis that the Board as a whole will possess a diverse range of skills appropriate for the strategic needs of the Authority. To facilitate this outcome, a gap analysis of the skills possessed by the Board will be undertaken by Nominations Committee prior to a vacancy on the Board being filled.
- 3.3.5 Subject to Clause 3.3.9, each Constituent Council must appoint for a maximum period of two years and on such other conditions as the Constituent Council may determine, two Board Members. Council members and council employees are eligible for appointment, however each Constituent Council must ensure that one of its appointees is a Council member.
- 3.3.6 Each Constituent Council must give notice in writing to the Authority of its appointment of Board Members, the term of appointment and of any termination or revocation of those appointments.
- 3.3.7 Subject to Clause 3.3.9, the Board will appoint three Independent Board Members as follows:
- 3.3.7.1 the Board will convene a committee for the purposes of sourcing, assessing and recommending candidates for the position of Independent Board Member;
  - 3.3.7.2 the Board will consider the recommendations of the Nominations Committee and determine a preferred candidate for position as Independent Board Member;
  - 3.3.7.3 the Board will obtain the approval of the CPCA Owner Executive Committee prior to appointing a person as an Independent Board Member; and
  - 3.3.7.4 a person approved for appointment under Clause 3.3.7.3 may be appointed for a period of three years on conditions determined by the Board.
- 3.3.8 The Nominations Committee may utilise external expertise when fulfilling its role under Clause 3.3.7.1.
- 3.3.9 The terms of the Independent Board Members will be determined so that no more than one Independent Board Member's term expires in any calendar year.

- 3.3.10 A notice in writing signed by the Chief Executive Officer of a Constituent Council will be sufficient evidence of an appointment, termination or revocation of the appointment of a Board Member.
- 3.3.11 A notice in writing signed by the Chief Executive Officer of the Authority will be sufficient evidence of an appointment, termination or revocation of an appointment of an Independent Board Member.
- 3.4 Office of Board Member**
- 3.4.1 The maximum periods that a person can serve as a Board Member is:
- 3.4.1.1 in respect of a Board Member appointed by a Constituent Council, eight continuous years;
- 3.4.1.2 in respect of an Independent Board Member (except where Clause 3.4.1.3 applies), nine continuous years; and
- 3.4.1.3 in respect of an Independent Board Member who has served as the chairperson of the Authority, twelve years provided there is a recommendation of the Board to this effect.
- 3.4.2 A Board Member is, subject to Clauses 3.3.2 and 3.4.1, eligible for re-appointment at the conclusion of his or her term of office.
- 3.4.3 A Board Member will cease to hold office and his or her position will become vacant:
- 3.4.3.1 if any of the grounds or circumstances set out in the Act as to when a Board Member's office becomes vacant arises;
- 3.4.3.2 if he or she is convicted of an indictable offence punishable by imprisonment;
- 3.4.3.3 in relation to a Constituent Council Board Member, immediately upon:
- (a) the Constituent Council which appointed the Board Member ceasing to be a Constituent Council;
- (b) the Board Member ceasing to be an elected member or employee (as appropriate) of the Constituent Council that appointed him or her;
- (c) in the case of an elected member, the conclusion of the next periodic local government election following their appointment; or
- 3.4.3.4 upon the happening of any other event through which the Board Member would be ineligible to remain as a Board Member.
- 3.4.4 At any time:
- 3.4.4.1 a Constituent Council may revoke the appointment of a Board Member appointed by that Council by providing written notice to the other Constituent Council and the Authority; and
- 3.4.4.2 the Board of the Authority may revoke the appointment of an Independent Board Member with the prior approval of the CPCA Owners' Executive Committee.
- 3.4.5 Where, for any reason, the office of a Board Member becomes vacant, a replacement Board Member will be appointed in accordance with Clause 3.3, excepting that the person appointed to fill a vacancy will be appointed for the balance of the term of the original appointment and at the expiry of that term shall be eligible for re-appointment.
- 3.4.6 Notwithstanding any other provision of this Charter, the Constituent Councils may remove the Board of the Authority at any time by both Constituent Councils passing a resolution to this effect.
- 3.5 Remuneration of Board Members**
- 3.5.1 The Authority will pay each Board Member an annual fee based upon relevant State Government benchmarks and approved by the CPCA Owners' Executive Committee.
- 3.5.2 All Board Members will receive from the Authority reimbursement of expenses properly incurred in performing or discharging official functions and duties as determined by the Authority and set out in a policy adopted by the Authority for the purposes of this clause.
- 3.5.3 The CPCA Owners' Executive Committee will review the annual fee to be paid to the Board Members and advise the Chief Executive Officer by notice in writing signed by the Chief Executive Officers of the Constituent Councils of the outcome of the review and any alteration to such annual fees.
- 3.6 Insurance**
- The Authority must take out a suitable policy of insurance insuring Board Members and their spouses or another person who may be accompanying a Board Member, against risks associated with the performance or discharge of their official functions and duties or on official business of the authority.
- 3.7 Propriety of Members of the Board**
- 3.7.1 Subject to the express provisions of Schedule 2 to the Act and this Charter, all provisions governing the propriety and duties of elected members of a Council and public officers under the Act and other South Australian legislation apply to Board Members.
- 3.7.2 Board Members will not be required to submit returns under Chapter 5, Part 4, Division 2 of the Act.
- 3.7.3 Subject to Clauses 20 (6) and 20 (7) of Schedule 2 to the Act, the provisions regarding conflict of interest prescribed in the Act apply to all Board Members as if they were elected members of a Council and the Authority was a Council.
- 3.7.4 Board Members must act in accordance with their duties of confidence and confidentiality and other legal and fiduciary duties, to the Authority at all times while acting in their capacity as a Board Member including honesty and the exercise of reasonable care and diligence as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Schedule 2, Part 2 of the Act.
- 3.8 Chairperson and Deputy Chairperson**
- 3.8.1 The CPCA Owners' Executive Committee must appoint from among the Independent Board Members a Chairperson and a Deputy Chairperson for a term respectively of no more than three years and on such other conditions as determined by the CPCA Owners' Executive Committee.

- 3.8.2 Subject to Clause 3.4.1, a Chairperson or Deputy Chairperson will be eligible for re-appointment at the conclusion of his or her term of office.
- 3.8.3 The Chairperson or Deputy Chairperson will cease to hold office as Chairperson or Deputy Chairperson (as relevant) in the event:
- 3.8.3.1 the Chairperson or Deputy Chairperson resigns from that office;
- 3.8.3.2 the Chairperson or Deputy Chairperson ceases to be a Board Member; or
- 3.8.3.3 the CPCA Owners' Executive Committee terminates the Chairperson or Deputy Chairperson's appointment.
- 3.8.4 In the event that the office of Chairperson or Deputy Chairperson becomes vacant, then the CPCA Owners' Executive Committee must appoint a new Chairperson or Deputy Chairperson (as relevant) who shall hold office for the balance of the original term or until such later date as the CPCA Owners' Executive Committee may determine.
- 3.8.5 The Chairperson must preside at all meetings of the Board and, in the event the Chairperson is absent from a meeting, the Deputy Chairperson must preside. In the event that neither the Chairperson nor the Deputy Chairperson are present then the Board must select another Independent Board Member to preside at that meeting only. If there is no Independent Board Member present, the Board must appoint a Constituent Council Board Member present to preside at that meeting only.
- 3.8.6 During an extended absence of the Chairperson, the Deputy Chairperson will fulfil the role of Chairperson under this Charter.

### 3.9 Proceedings of the Board

- 3.9.1 All meetings of the Authority shall be meetings of the Board.
- 3.9.2 Ordinary meetings of the Board will be held at such times and places as determined by the Board except that there must be at least one ordinary meeting of the Board every two months.
- 3.9.3 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the Authority at the ordinary meeting.
- 3.9.4 For the purpose of this Clause 3.9, the contemporary linking together by telephone, audio-visual or other instantaneous means (telecommunications meeting) of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.
- 3.9.5 A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board and will constitute a valid decision of the Authority where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Chief Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Chief Executive Officer. The resolution will be deemed a resolution of the Board and will be as valid and effective as if it had been passed at a meeting of the Board duly convened and held.
- 3.9.6 Subject to Clause 3.9.7, meetings of the Board will not be open to the public unless the Board resolves otherwise.
- 3.9.7 The Chief Executive Officer and other employees of the Authority as determined by the Chief Executive Officer may attend meetings of the Board unless the Board resolves otherwise. The Board may determine that other specific persons may attend a meeting of the Board without opening the meeting to the public.
- 3.9.8 The Chief Executive Officer must within one calendar month following a local government periodic election, call an ordinary meeting of the Board at which meeting the time, date and place of ordinary meetings of the Board over a period as agreed by the Board shall be determined.
- 3.9.9 Subject to Clause 3.9.14, notice of an ordinary meeting of the Board will be given by the Chief Executive Officer to each Board Member not less than three clear days prior to the holding of the meeting.
- 3.9.10 The Chief Executive Officer must, in relation to a notice of meeting of the Board for the purpose of considering the making of a recommendation to the Constituent Councils to wind up the Authority, provide the notice to all Board Members at least four months before the date of the meeting.
- 3.9.11 Notice of meeting of the Board must:
- 3.9.11.1 be in writing; and
- 3.9.11.2 set out the date, time and place of the meeting; and
- 3.9.11.3 be signed by the Chief Executive Officer; and
- 3.9.11.4 contain, or be accompanied by, the agenda for the meeting.
- 3.9.12 Any Constituent Council, the Chairperson or three Board Members may by delivering a written request to the Chief Executive Officer require a special meeting of the Board to be held and any such special meeting shall constitute a special meeting of the Authority. The written request must be accompanied by the agenda for the special meeting and if an agenda is not provided the request has no effect.
- 3.9.13 On receipt of a written request pursuant to Clause 3.9.12, the Chief Executive Officer and Chairperson must determine the date and time of the special meeting and the Chief Executive Officer must give notice to all Board Members at least four hours prior to the commencement of the special meeting.
- 3.9.14 The Chief Executive Officer must, insofar as is reasonably practicable:
- 3.9.14.1 ensure that items on an agenda given to Board Members are described with reasonable particularity and accuracy; and
- 3.9.14.2 supply to each Board Member at the time that notice of a meeting is given, a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).

- 3.9.15 Notice of a meeting of the Board may be given to a Board Member:
- 3.9.15.1 personally; or
  - 3.9.15.2 by delivering the notice (whether by post or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member; or
  - 3.9.15.3 in the case of a Constituent Council Board Member, by leaving the notice for the Board Member at an appropriate place at the principal office of the Constituent Council which appointed the Board Member; or
  - 3.9.15.4 by a means authorised in writing by the Board Member as being an available means of giving notice.
- 3.9.16 A notice that is not given in accordance with Clause 3.9.15 is taken to have been validly given if the Chief Executive Officer considers it impracticable to give the notice in accordance with that Clause and takes action the Chief Executive Officer considers reasonably practicable in the circumstances to bring the notice to the attention of the Board Member.
- 3.9.17 The Chief Executive Officer must maintain a record of all notices of Board meetings given under Clause 3.9.11 to Board Members.
- 3.9.18 A meeting of the Board must not commence until a quorum of Board Members is present and a meeting must not continue if there is not a quorum of Board Members present. A quorum of Board Members will comprise one half of the Board Members in office, ignoring any fraction, plus one.
- 3.9.19 Unless otherwise required at law or by this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the Board Members present and entitled to vote on the matter. All Board Members including the Chairperson present and entitled to vote on a matter are required to vote. All Board Members including the Chairperson are entitled to a deliberative vote and if the votes are equal the Chairperson or other Board Member presiding at the meeting has a casting vote.
- 3.9.20 All Board Members must at all times keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board.
- 3.9.21 The Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation. Where the Executive Officer is absent or excluded from attendance at a meeting of the Board pursuant to Clause 3.9.6, the person presiding at the meeting shall cause the minutes to be kept.
- 3.9.22 The Executive Officer must, within five days after a meeting of the Board, provide to each Board Member a copy of the minutes of the meeting of the Board.
- 3.9.23 The Board must adopt a Code of Practice for Meeting Procedures to apply to the proceedings at and conduct of meetings of the Board. The Code of Practice for Meeting Procedures must not be inconsistent with the Act or this Charter.
- 3.9.24 The Code of Practice for Meeting Procedures may be reviewed by the Board at any time and must be reviewed at least once every three years.
- 3.9.25 In the event of any inconsistency between this Charter and the Code of Practice for Meeting Procedures, this Charter shall prevail.
- 3.9.26 The Board may establish Committees as it considers necessary, and determine the membership and terms of reference and meeting procedures of such committees as it sees fit.
- 3.10 Board Annual Performance Review**
- 3.10.1 The Board of the Authority will undertake an annual performance evaluation of the Authority.
- 3.10.2 Every third year, the evaluation undertaken by the Board under Clause 3.10.1 will include the engagement of an external adviser to assist the Board to undertake the review.
- 3.10.3 An external adviser appointed for the purpose of Clause 3.10.2:
- 3.10.3.1 will have regard to requirements of the Act and the Regulations;
  - 3.10.3.2 will be provided with access to Board papers, minutes, budgets, financial results, plans and procedures;
  - 3.10.3.3 may interview Board members individually or collectively;
  - 3.10.3.4 may make recommendations as to the:
    - (a) workings of the Board;
    - (b) replacement of individual Board members; and
    - (c) addition of Board members;
  - 3.10.3.5 will consult with Board members before issuing the final report.
- 3.10.4 The Board will submit external performance evaluation reports received at the conclusion of a review under Clause 3.10.2 to the CPCA Owners' Executive Committee.
- 4. CHIEF EXECUTIVE OFFICER AND APPOINTMENT OF OTHER STAFF**
- 4.1 The Authority must appoint a Chief Executive Officer on a fixed term performance based employment contract which does not exceed five years in duration. The Authority may at the end of the contract term enter into a new contract not exceeding five years in duration with the same person.
- 4.2 In the absence of the Chief Executive Officer for any period exceeding one week, the Chief Executive Officer must appoint a suitable person as Acting Chief Executive Officer. If the Chief Executive Officer does not make or is incapable of making such an appointment, a suitable person must be appointed by the Board.
- 4.3 The Authority delegates responsibility for day to day management of the Authority to the Chief Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Authority.
- 4.4 The functions of the Chief Executive Officer include:
- 4.4.1 ensuring that the decisions of the Authority are implemented in a timely and efficient manner;

- 4.4.2 providing information to assist the Authority to assess the Authority's performance against its Strategic, Long Term Financial and Business Plans;
  - 4.4.3 appointing, managing, suspending and dismissing the other employees of the Authority;
  - 4.4.4 providing advice and reports to the Authority on the exercise and performance of its powers and functions under this Charter or any Act;
  - 4.4.5 co-ordinating and initiating proposals for consideration of the Authority including, but not limited to, continuing improvement of the operations of the Authority;
  - 4.4.6 ensuring that the assets and resources of the Authority are properly managed and maintained;
  - 4.4.7 ensuring that records required under the Act or any other legislation are properly kept and maintained;
  - 4.4.8 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act and performing other functions lawfully directed by the Authority; and
  - 4.4.9 achieving financial outcomes in accordance with adopted plans and budgets.
- 4.5 **Delegations and sub-delegations:**
- 4.5.1 the Chief Executive Officer may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to conditions or limitations as determined by the Chief Executive Officer;
  - 4.5.2 where a power or function is delegated to an employee, the employee is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function;
  - 4.5.3 a written record of delegations and sub-delegations must be kept by the Chief Executive Officer at all times.
5. **FINANCIALS**
- 5.1 **Budget**
- 5.1.1 The Authority must before 30 April of each year, prepare a draft Budget in accordance with the Act and Regulations.
  - 5.1.2 The Authority must adopt after 31 May, a Budget in accordance with the Act and Regulations for the ensuing Financial Year.
  - 5.1.3 The Authority may in a Financial Year, after consultation with the Constituent Councils, incur spending before adoption of its budget for the year, but the spending must be provided for in the appropriate budget for the year.
  - 5.1.4 The Authority must provide a copy of the annual budget to the Constituent Councils within five business days of the budget being approved by the Board of the Authority.
  - 5.1.5 The Authority must, in accordance with the Act and the Regulations, prepare and consider reports presented in a manner consistent with the Model Financial Statements showing a revised forecast of:
    - 5.1.5.1 the Authority's operating and capital investment activities for the relevant financial year; and
    - 5.1.5.2 each line item set out in the Authority's budgeted financial statements for the relevant financial year, compared with the estimates set out in the approved budget.
- 5.2 **Financial Standards and Reporting**
- 5.2.1 The Authority must ensure that the Financial Statements of the Authority for each Financial Year are audited by the Authority's auditor.
  - 5.2.2 The Financial Statements must be finalised and audited in sufficient time to be included in the Annual Report to be provided to the Constituent Councils pursuant to Clause 6.3.
- 5.3 **Financial Transactions**
- 5.3.1 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
  - 5.3.2 The Board will develop and maintain appropriate policies for all financial transactions.
  - 5.3.3 The Chief Executive Officer must act prudently in the handling of all financial transactions for the Authority.
- 5.4 **Long Term Financial Plan**
- 5.4.1 The Authority must prepare a Long Term Financial Plan in accordance with this Clause 5.4 and submit the Long Term Financial Plan to the Constituent Councils for their approval.
  - 5.4.2 The Long Term Financial Plan must cover a period of five years and be updated by the Authority on a rolling twelve month basis.
  - 5.4.3 The Long Term Financial Plan must be in a form which, as relevant, is consistent with Section 122 of the Act and Regulation 5 of the Regulations and include:
    - 5.4.3.1 an estimated income statement, balance sheet, statement of changes in equity and statement of cash flows with respect to the period of the Long Term Financial Plan presented in a manner consistent with the Model Financial Statements;
    - 5.4.3.2 a summary of proposed operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances;
    - 5.4.3.3 estimates with respect to an operating surplus ratio, an asset sustainability ratio and a net financial liabilities ratio presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.
- All defined terms in this Clause take their meaning from the Regulations.
- 5.4.4 The Authority may at any time review the Long Term Financial Plan but must undertake a review of the Long Term Financial Plan as soon as practicable after the annual review of its Business Plan and concurrently with any review of its Strategic Plan.

5.4.5 The Authority must undertake a comprehensive review of its Long Term Financial Plan every five years.

5.4.6 The Long Term Financial Plan will be taken to form part of the Authority's Strategic Plan.

## 6. MANAGEMENT FRAMEWORK

### 6.1 Strategic Plan

Consistent with the Long Term Financial Plan set out above, the Authority must:

6.1.1 prepare and adopt a Strategic Plan with a minimum operational period of five years which sets out the goals, objectives, strategies and priorities of the Authority over the period of the Strategic Plan; and

6.1.2 submit the Strategic Plan to the Constituent Councils for their approval.

### 6.2 Business Plan

The Authority:

6.2.1 Must, in consultation with the Constituent Councils, prepare and adopt a Business Plan for a minimum three year period which will continue in force for the period specified in the Business Plan or until the earlier adoption by the Authority of a new Business Plan;

6.2.2 Must, in consultation with the Constituent Councils, review the Business Plan annually and following such a review, the Business Plan shall continue to operate for the period for which the Business Plan was adopted pursuant to Clause 6.2.1;

6.2.3 may, after consultation with the Constituent Councils, amend its Business Plan at any time; and

6.2.4 must ensure the contents of the Business Plan is in accordance with the Act.

### 6.3 Annual Report

6.3.1 The Authority must each year produce an Annual Report summarising the activities, achievements and financial performance of the Authority for the preceding Financial Year.

6.3.2 The Annual Report must incorporate the audited financial statements of the Authority for the relevant Financial Year.

6.3.3 The Annual Report must be provided to the Constituent Councils by 31 October each year.

### 6.4 Audit

6.4.1 The Authority must cause adequate and proper books of account to be kept in relation to all the affairs of the Authority and must establish and maintain effective auditing of its operations.

6.4.2 The Authority must appoint an Auditor in accordance with the Act on such terms and conditions as determined by the Authority.

6.4.3 The audited Financial Statements of the Authority, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils by 30 September in each year.

### 6.5 Audit and Risk Management Committee

6.5.1 The Board must establish an Audit and Risk Management Committee to be comprised of three persons being:

6.5.1.1 an Independent Board Member with qualifications and experience in finance;

6.5.1.2 any other Independent Board Member; and

6.5.1.3 a person with skills appropriate to the role who is not a member of the Board.

6.5.2 The Chairperson for the Risk and Audit Management Committee will be the person described in Clause 6.5.1.1.

6.5.3 Professionally qualified officers of the Constituent Councils are permitted to attend meetings of the Risk and Audit Management Committee as observers.

6.5.4 The term of appointment of a member of the Audit and Risk Management Committee shall be for a term not exceeding two years at the expiry of which such member will be eligible for re-appointment.

### 6.6 Insurance and Superannuation Requirements

6.6.1 The Authority shall register with the Local Government Mutual Liability Scheme and the Local Government Workers Compensation Scheme and comply with the rules of the schemes.

6.6.2 The Authority shall register with the Local Government Asset Mutual Fund or otherwise advise Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.

### 6.7 Executive Meetings

6.7.1 The CPCA Owners' Executive Committee, the Chairperson of the Authority and the Chief Executive of the Authority will meet to discuss the performance of the Authority.

6.7.2 The Executive Meetings will occur quarterly or as otherwise determined by the Executive Committee.

6.7.3 The agenda for the Executive Meeting will be based on a standard template performance and issues report developed by the Executive Committee.

6.7.4 The Authority must complete a performance and issues report in anticipation of each Executive Meeting and provide a copy of the report to each Executive Meeting participants no less than five days prior to the Executive Meeting.

## 7. MISCELLANEOUS PROVISIONS

### 7.1 Withdrawal of a Constituent Council

7.1.1 The withdrawal of either Constituent Council is inconsistent with the requirements of Section 43 of the Act.

7.1.2 Upon a Constituent Council providing no less than six months notice of its intention to withdraw from the Authority to the other Constituent Council and the Authority, the Authority on behalf of the Constituent Councils will notify the Minister for Planning and request that the Authority be wound up under Clause 33 (2), Schedule 2 of the Act.

## 7.2 New Members

Subject to the provisions of the Act, and in particular to obtaining the Minister's approval, a Council may become a Constituent Council by agreement of both Constituent Councils and this Charter may be amended to provide for the admission of a new Constituent Council or Councils, with or without conditions.

## 7.3 Winding Up

7.3.1 A special meeting will be convened in accordance with Clause 3.9.12 if either the Board or a Constituent Council proposes the winding up of the Authority.

7.3.2 On a winding up of the Authority, the surplus assets or liabilities of the Authority, as the case may be, must be distributed between or become the responsibility of the Constituent Councils in proportion to each Constituent Councils' equity in the Authority as set out in the Authority's balance sheet for the current financial year.

## 7.4 Non-derogation and Direction by Constituent Councils

7.4.1 The establishment of the Authority does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of the Authority.

7.4.2 Provided that the Constituent Councils have all first agreed as to the action to be taken, the Constituent Councils may jointly direct and control the Authority.

7.4.3 Where the Authority is required pursuant to the Act or this Charter to obtain the approval of one or more of the Constituent Councils, that approval must only be granted and must be evidenced by a resolution passed by either or each of the Constituent Councils granting such approval.

7.4.4 Unless otherwise stated in this Charter, where the Authority is required to obtain the consent or approval of the Constituent Councils this means the consent or approval of both of the Constituent Councils expressed in the same or similar terms.

7.4.5 For the purpose of this Clause 7.4, any direction given by the Constituent Councils must be communicated by notice in writing provided to the Chief Executive Officer of the Authority together with a copy of the relevant resolutions of the Constituent Councils.

## 7.5 Review of Charter

7.5.1 The Authority must review this Charter at least once in every four years.

7.5.2 This Charter may be amended with the approval of both of the Constituent Councils.

7.5.3 The Chief Executive Officer must ensure that the amended Charter is published in the *Gazette* in accordance with the Act and a copy of the amended Charter provided to the Minister.

7.5.4 Before the Constituent Councils vote on a proposal to alter this Charter, they must take into account any recommendation of the Board.

## 7.6 Disputes

### 7.6.1 General

7.6.1.1 Where a dispute arises between the Constituent Councils or between a Constituent Council and the Authority (the parties to this Charter) which relates to this Charter or the Authority (Dispute), the parties will use their best endeavours to resolve the Dispute and to act at all times in good faith.

### 7.6.2 Mediation

7.6.2.1 A party is not entitled to initiate arbitration or court proceedings (except proceedings seeking urgent equitable or injunctive relief) in respect of a Dispute unless it has complied with this Clause 7.6.2.

7.6.2.2 If the parties are unable to resolve the Dispute within thirty days, the parties must refer the Dispute for mediation in accordance with the Mediation Rules of the Law Society of South Australia Incorporated, within seven days of a written request by any party to the other party that the Dispute be referred for mediation to:

(a) a mediator agreed by the parties; or

(b) if the parties are unable to agree on a mediator at the time the Dispute is to be referred for mediation, a mediator nominated by the then President of the Law Society or the President's successor.

7.6.2.3 In the event the parties fail to refer the matter for mediation in accordance with Clause 7.6.2.2, one or more of the parties may refer the matter for mediation in accordance with the Mediation Rules of the Law Society of South Australia Incorporated to a mediator nominated by the then President of the Law Society or the President's successor.

7.6.2.4 The role of any mediator is to assist in negotiating a resolution of the dispute. A mediator may not make a decision that is binding on a party unless that party has so agreed in writing.

7.6.2.5 If mediation does not resolve the Dispute within 28 days of referral of the Dispute for mediation or such longer period agreed unanimously by the parties as evidenced by resolutions of each of the parties, any party may then refer the Dispute to Arbitration in accordance with Clause 7.6.3.

### 7.6.3 Arbitration

7.6.3.1 An arbitrator may be appointed by agreement between the parties.

7.6.3.2 Failing agreement as to an arbitrator, the then Chairperson of the South Australian Chapter of the Institute of Arbitrators or his successor shall nominate an Arbitrator pursuant to these conditions.

7.6.3.3 A submission to arbitration shall be deemed to be a submission to arbitration within the meaning of the Commercial Arbitration Act 1985 (South Australia).

7.6.3.4 Upon serving a notice of arbitration, the party serving the notice shall lodge with the arbitrator a deposit by way of security for the cost of the arbitration proceedings.

7.6.3.5 Upon each submission to arbitration, the costs of and incidental to the submission and award shall be at the discretion of the arbitrator who may in his or her sole discretion determine the amount of costs, how costs are to be proportioned and by whom they are to be paid.

- 7.6.4 Whenever reasonably possible, performance of the obligations of the parties pursuant to this Charter shall continue during the mediation or arbitration proceedings and no payment by or to a party shall be withheld on account of the mediation and arbitration proceedings.

Dated 10 August 2015.

M. PEARS, Chief Executive Officer, City of Mitcham

P. TSOKAS, Chief Executive Officer, Corporation of the City of Unley

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Surrender of Petroleum Exploration Licence—PEL 606*

NOTICE is hereby given that I have accepted surrender of the abovementioned Petroleum Exploration Licence under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012:

No. of Licence	Licensee	Locality	Date of Surrender	Reference
PEL 606	SAPEX Limited	Stansbury Basin, South Australia	10 August 2015	F2012/274

Dated 10 August 2015.

B. A. GOLDSTEIN,  
Executive Director  
Energy Resources Division  
Department of State Development  
Delegate of the Minister for Mineral Resources and Energy

<b>Name</b>	Michael James Rabbitt
<b>Occupation</b> (other than being an Elected Member of CoU)	Business Manager (part-time) - DownUnder Textiles Pty Ltd
<b>Qualifications</b>	Bachelor of Business (Banking & Finance) Diploma of Financial Planning
<p><b>Other Committees / Bodies of Local Government Involvement:</b></p> <p><b>Past</b></p> <p><b>Present</b></p>	<ul style="list-style-type: none"> <li>- <u>City of Unley</u></li> <li>- Member, Audit &amp; Governance Committee</li> <li>- Chair, City Strategy &amp; Development Policy Committee</li> <li>- Member, Unley Business &amp; Economic Development Committee</li> <li>- Member, Strategic Property Committee</li> <li>- Member, CEO Performance Review Panel</li> <li>- Deputy Mayor</li> </ul> <ul style="list-style-type: none"> <li>- <u>City of Unley</u></li> <li>- Member, City Strategy &amp; Development Policy Committee</li> <li>- Member, Strategic Property Committee</li> </ul> <ul style="list-style-type: none"> <li>- <u>Centennial Park Cemetery Authority</u></li> <li>- Board Member</li> <li>- Café Committee Member</li> </ul>
<b>Suitability for CPCA Board position</b>	<ul style="list-style-type: none"> <li>- Academic qualifications and experience in finance</li> <li>- Business, Asset Management, Financial Management, Marketing and Work Health &amp; Safety experience gained from being             <ul style="list-style-type: none"> <li>▪ Owner and manager of financial planning practice for over 20 years</li> <li>▪ Business manager of wholesale business enterprise for 10 years</li> <li>▪ Member of a Strata Body Corporation for 20+ years</li> </ul> </li> <li>- Previous term as a member of this Board</li> </ul>

## **Centennial Park Board**

I would like to be considered for one of the Unley City Council positions on the Centennial Park Board.

My role on the City of Unley Audit Committee requires periodic consideration of the financial position of Centennial Park. If I was to be elected onto the Centennial Park Board, greater visibility about the operations of Centennial Park would provide valuable insights and augment my ability to formulate sound judgements to contribute to Audit Committee and Council deliberations.

## **Curriculum Vitae**

### **Academic Qualifications**

- Doctor of Philosophy
- Master of Applied Science (Research)
- Diploma of Government (Management)
- Bachelor of Applied Science

### **Other Other Committees**

- Audit Committee
- City Strategy and Policy Committee
- Unley Bicycle User Group
- Museum Committee

### **Previous Board Positions**

- Self-Insurers of South Australia Board
- Chair and Deputy Chair, Independent Living Centre Board of Directors

### **Suitability for Centennial Park Board Position**

- Analytical skills developed through pursuing higher degree academic qualifications.
- Sound understanding of the financial workings of Unley City Council derived from Council and Audit Committee experience.
- Ability to work effectively with administration to clarify financial and other matters to inform sound decision making.
- Ability to communicate financial matters arising from Audit Committee to elected members.

**Monica Broniecki**

**Elected Member**

**Unley Park Ward**

### **Jane Russo: Nomination for Centennial Park Cemetery Authority**

I am nominating for one of the two positions on the Centennial Park Cemetery Authority and seek your consideration to support me to continue in this role.

I have been on the Centennial Park Cemetery Authority for the past two years serving as a Board Director and a member of the Cultural and Performance committee. This highly effective Board has been able to achieve much due to the calibre of skills and experience held by the various Board members. I believe that I compliment the current Board as an experienced Board Director with a passion for strategic planning, stakeholder engagement, performance management and corporate governance. Over the past two years we have established some stability and strength in the current membership and therefore I see it beneficial to the organisation for me to continue in the role. This will be of particular relevance as we go into 2021 with the development of the new strategic plan, a revised Charter (if approved by Mitcham Council), and the recovery and forward challenges of the COVID impact.

Having undertaken a recent Board performance review and feedback from the Chair, Geoff Vogt I am considered a highly valued contributor to the Board and that I am committed to this position for the next two years.

I ask my fellow Elected Members to support my nomination to continue on the Centennial Park Cemetery Authority.



**Cr. Jane Russo GAICD, FGLF13**

Director, Allstone Pty Ltd  
Elected Member, City Of Unley (Unley Ward)  
SA Representative, Transcend Australia  
President & Chair, Athletics South Australia  
Director, Cennential Park Cemetery Authority  
Director, Mt Barker Regional Sports Hub Board

Jane Russo is the business owner of Allstone Pty Ltd, a supplier of natural stone. She has 20 years' experience within the business, not for profit and government sectors with expertise in small business, education, youth, health, community services, volunteering and sport industries.

Jane's leadership roles have been diverse in the areas of marketing and promotion, communications, stakeholder engagement, strategy and policy, project and change management, training and facilitating, and sports administration. Whilst in government Jane was considered a leader in stakeholder engagement and collaboration driving government to achieve effective outcomes that would benefit South Australians.

She is a committed advocate as a LGBTIQ+ non binary ally, inclusion of all in sport, effective collaboration and genuine engagement, women's leadership, and leading change where outcomes benefit the community.

A passionate volunteer, Jane in a Councillor for the City of Unley and holds multiple board roles. She holds a Master of Educational Management, is a graduate of both the Australian Institute of Company Directors and the Leaders Institute of South Australia. In 2018 she was awarded Sport SA's Volunteer of the Year Award.

When Jane is not working or volunteering, she enjoys spending time travelling with the family as well as getting outdoors to walk her Italian Greyhound Tito, ride with friends or go for a run.

## DECISION REPORT

<b>REPORT TITLE:</b>	DEPARTMENT FOR INFRASTRUCTURE AND TRANSPORT: CALL FOR EXPRESSIONS OF INTEREST - NORTH SOUTH CORRIDOR TORRENS TO DARLINGTON COMMUNITY REFERENCE GROUP
<b>ITEM NUMBER:</b>	4.12
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	KATHRYN GOLDY
<b>JOB TITLE:</b>	PRINCIPAL GOVERNANCE OFFICER
<b>ATTACHMENTS:</b>	1. ATTACHMENT 1 - DIT REFERENCE GROUP NOMINATION FORM

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### 1. **EXECUTIVE SUMMARY**

The Department for Infrastructure and Transport (DIT) are seeking expressions of interests for an Elected Member representative on the North South Corridor Torrens to Darlington Community Reference Group, which will comprise residents and representatives of community groups. An expression of interest form will be submitted to DIT following a resolution of council.

Reference groups will be established for Stage 1: Southern Tunnel and Stage 2: Airport Link and Northern Tunnel.

This report asks Council to consider a nomination for membership for the Stage 1, Community Reference Group with membership to be reviewed by DIT at the end of 2021.

### 2. **RECOMMENDATION**

That:

1. The report be received.
2. *The matter is for Council to determine, with options provided in section 6 of this report.*

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership

4.1 We have strong leadership and governance.

#### **4. BACKGROUND**

As part of the North-South Corridor, Torrens to Darlington (T2D) project, DIT is looking to establish Reference Groups to provide a forum as an opportunity for residents, community interest groups, business and individuals to provide input into various aspects of the project during the planning and design phase.

Reference Groups will be established for both:

- Stage 1: Southern Tunnel; and
- Stage 2: Airport Link and Northern Tunnel.

The reference groups to be established for both stages are:

- Community Reference Group;
- Business Reference Group; and
- Technical Reference Group.

#### **5. DISCUSSION**

DIT is seeking expression of interest nominations for an Elected Member representative on the Stage 1: Southern Tunnel – Community Reference Group. A call for Elected Member nominations has gone to relevant Councils with the intention that there will be one (1) Elected Member from each Council appointed to the Group, i.e. one representative for each of the Cities of Marion, Mitcham and Unley (three Elected Members in total).

The role of the Community Reference Group will be to assist the project team to gain valuable insight into the community as the Design progresses. The group will also help identify potential City Shaping priorities, ideas and strategies to improve the general amenity and functionality of public spaces and identify issues of interest to the community that need to be addressed during the planning and design phase.

Along with the Community Reference Group there will also be Business and Technical Reference Groups established. The Business Reference Group will comprise businesses, commercial land owners, traders' groups, and peak business groups, and will focus on matters specific to local business and commercial land use. The reference group will assist in providing valuable insight into local business priorities and help develop strategies. The Technical Reference Group will be the key conduit between the project and Council staff. The approach envisions that technical specialists will be brought in as they are needed to provide direct connections through to the project design team.

Administration are nominating Akarra Klingberg, Co-ordinator Business and Economic Development to be the Council representative on the Business Reference Group, and James Mitchell, Senior Assets and Engineering Lead to be the Council Representative on the Technical Reference Group for Stage 1.

The groups will be independently chaired and will consist of 10-15 members. Membership will be chosen from Expressions of Interest by a selection panel and endorsed by the Minister for Infrastructure and Transport with the aim of selecting a broad representation of the community.

Stage 1 includes the suburbs of Tonsley, St Marys, Clovelly Park, Edwardstown, Melrose Park, Clarence Gardens, Clarence Park, Black Forest, Glandore and Everard Park.

The appointment will commence in late February 2021 (date still to be confirmed) and the Reference Group will meet regularly. Membership will be reviewed at the end of 2021.

A copy of the DIT Reference Group Nomination Form is provided as Attachment 1. In the event that more nominations are received than the number of places available, the information provided in this form will be used by the selection panel to select Reference Group members.

*Attachment 1*

#### Nominations Received

Councillor D. Palmer has expressed interest in nominating for appointment to the Community Reference Group.

## **6. ANALYSIS OF OPTIONS**

### Option 1 –

1. The report be received.
2. \_\_\_\_\_ be put forward in response to the call for nominations by the Department for Infrastructure and Transport for a local government representative on the North-South Corridor, Torrens to Darlington Project (T2D) Stage 1: Southern Tunnel Community Reference Group.

This option allows Council to make a nomination for membership to the DIT - Stage 1: Southern Tunnel Community Reference Group.

Option 2 –

1. The report be received.

Council is not obligated to make a nomination to fill a membership vacancy. This option receives the report and takes no further action.

7. **RECOMMENDED OPTION**

This matter is for Council to determine.

8. **REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Tami Norman	Executive Manager, Office of the CEO

# Torrens to Darlington (T2D)

## Reference Groups Nomination Form

### Nominations close 22 January 2021

Community and Business Reference Groups are proposed for the next stage of the North-South Corridor, Torrens to Darlington Project (T2D) to provide a direct conduit to the project team for interested stakeholders. You can use this form to express your interest in joining one of the Reference Groups. In the event that more nominations are received than the number of places available, the information provided in this form will be used to select nominees.

Mr/Mrs/Ms/Miss/Dr: \_\_\_\_\_ Last name: \_\_\_\_\_

First Name: \_\_\_\_\_ Preferred Name (*if different*): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Residential Address (*if different from above*): \_\_\_\_\_

Phone: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Please indicate which Reference Group you are interested in nominating for:

- Southern Tunnel Community Reference Group
- Southern Tunnel Business Reference Group
- Airport Link and Northern Tunnel Community Reference Group
- Airport Link and Northern Tunnel Business Reference Group

*Note: The Southern Tunnel Groups remit extends from Tonsley (south) to Anzac Highway (north) and the Airport Link and Northern Tunnel Groups remit extends from Anzac Highway (south) to the River Torrens (north).*

Please identify the capacity in which you would like to nominate for a position on a Community or Business Reference Group.

- Local resident
- Local community group, please specify \_\_\_\_\_  
\_\_\_\_\_
- Local not-for-profit community group or community service provider, please specify \_\_\_\_\_  
\_\_\_\_\_
- Local business operator or owner
- Commercial landowner
- Local business group/traders group, please specify \_\_\_\_\_  
\_\_\_\_\_

Please indicate why you are interested in joining a Community or Business Reference Group \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please indicate how you would work with your community to identify issues and concerns to help inform the project team \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is there any further information you would like to provide to support your nomination? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you for filling out this nomination form. Please return to the project team by 5pm, 22 January 2021 via email to [northsouthcorridor@sa.gov.au](mailto:northsouthcorridor@sa.gov.au) or post to:

*Department for Infrastructure and Transport  
Attn: North-South Corridor EOI  
77 Grenfell Street  
Adelaide, 5000*

## INFORMATION REPORT

<b>REPORT TITLE:</b>	2020-21 SECOND QUARTER CORPORATE PERFORMANCE REPORT
<b>ITEM NUMBER:</b>	4.13
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>AUTHOR:</b>	JAMES ROBERTS
<b>JOB TITLE:</b>	MANAGER BUSINESS SYSTEMS & SOLUTIONS
<b>ATTACHMENTS:</b>	1. Q2 2020-21 CORPORATE PERFORMANCE REPORT

---

### 1. **EXECUTIVE SUMMARY**

The quarterly performance report provides Council with data analysis, and reports on strategic planning, service delivery activity including customer satisfaction survey results, and financial performance across the whole of the organisation.

The report assists with keeping Elected Members informed, and supports strategic decision making, continuous improvement, and strategic governance.

This report continues to be a work in progress, with further development of corporate and key performance indicator reporting to be undertaken in the coming year.

### 2. **RECOMMENDATION**

That:

1. The report be received.
- 

### 3. **RELEVANT CORE STRATEGIES/POLICIES**

4. Civic Leadership

4.1 We have strong leadership and governance.

4.3 Our business systems are effective and transparent.

#### 4. **BACKGROUND**

The City of Unley has a Four-Year Plan that informs its Annual Business and Delivery Plans and budget processes, and guides Council and the community in relation to priorities and strategies, including the longer-term vision outlined in the Community Plan 2033.

The corporate reporting framework has been implemented to provide Council with relevant information that will support and inform its decision making. The Corporate Performance Report, which now provides Council with a performance report on a quarterly basis, ensures that Council is demonstrating ongoing and improved public accountability. The report provides evidence and opportunities to drive and support continuous improvement.

#### 5. **DISCUSSION**

The State Government is still considering the introduction of performance indicators to be reported against by Local Government as part of the broad Local Government reform agenda. Whilst the date for introduction has not yet been announced, nor have the indicators been agreed to, it is likely that the measures will be similar to those introduced in other states.

Access and collection of data from source corporate systems has been automated where possible. Automation has improved data quality and created significant efficiencies in the data collection and reporting process.

The automation process is extended to include notification to commentary writers and the generation of the report.

This report covers the second period of the 2020-21 financial year from 1 October 2020 to 31 December 2020. Some of the deliverables have been impacted by the COVID-19 pandemic and these are detailed within the report.

The Corporate Performance Report is provided as Attachment 1.

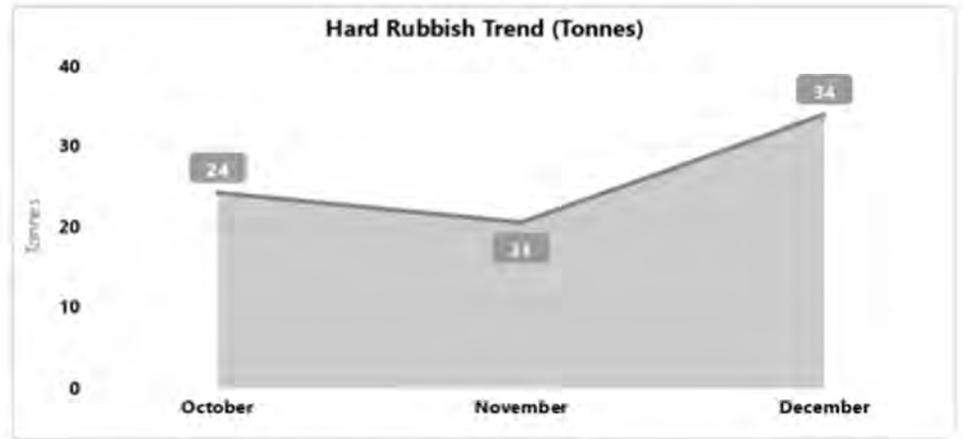
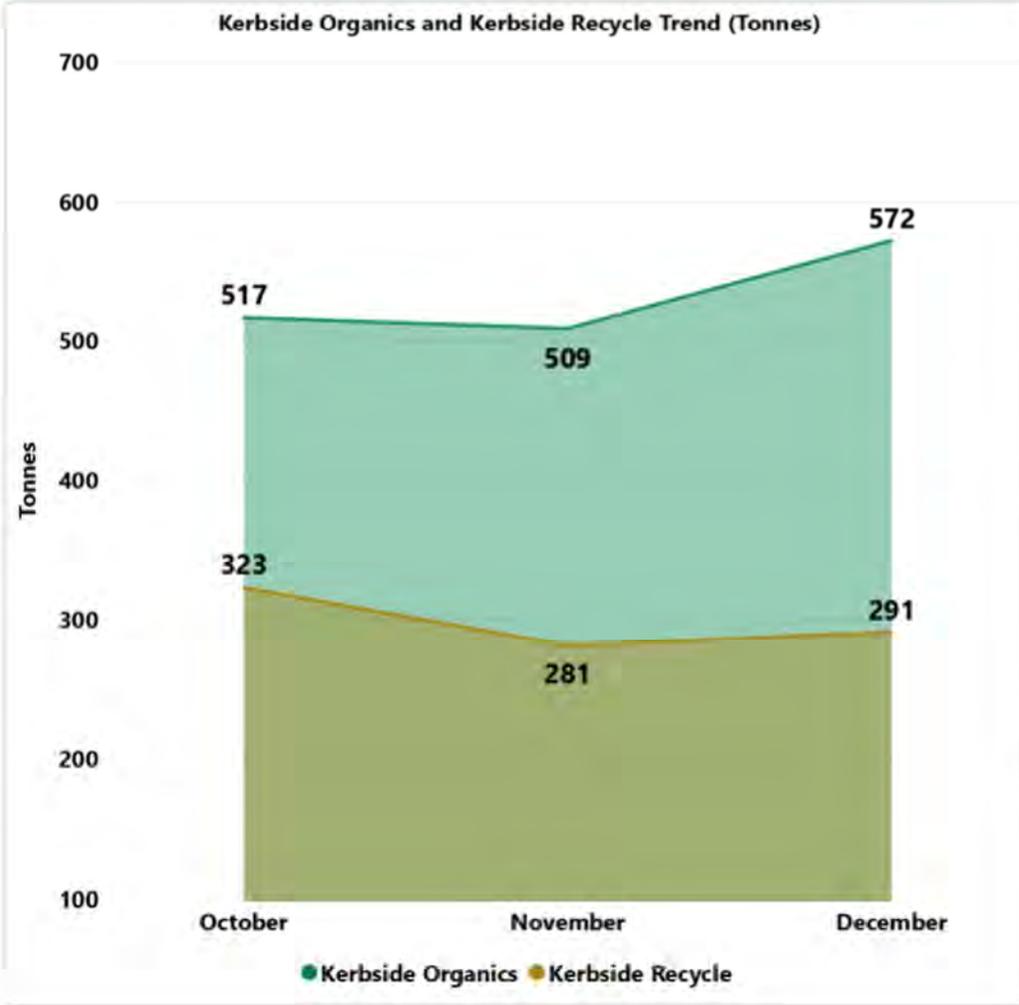
*Attachment 1*

#### 1. **REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Nicola Tinning	General Manager, Business Support & Improvement
Peter Tsokas	Chief Executive Officer

**ENVIRONMENTAL STEWARDSHIP**  
**Residential Waste**

Financial Year: 2020/2021 | Financial Quarter: Q2

 **ENVIRONMENTAL STEWARDSHIP**  
Residential Waste

Financial Year and Quarter For Comments  
2020/2021 Q2



**Comments**

The recorded organics (green) tonnage was steady for the months of October and November with an increase to 572 tonnes in December. This could be attributed to increased home activities during the commencement of summer following the spring vegetation growth period and also potentially the introduction of kitchen caddies to all households. Kerbside recycling remained somewhat steady over the quarter. There is a continued trend which has been observed in recent years with a gradual decline in general waste and an increase in organic waste which indicates Council's education programs are having a positive impact. With food waste and compostables making up approximately 50% of the general waste bins, following the recent distribution of kitchen caddies to all households, it is hoped that this trend will continue to change in these two waste streams. Hard rubbish tonnage was consistent across the quarter and the data is similar to that recorded for the same quarter in 2019.



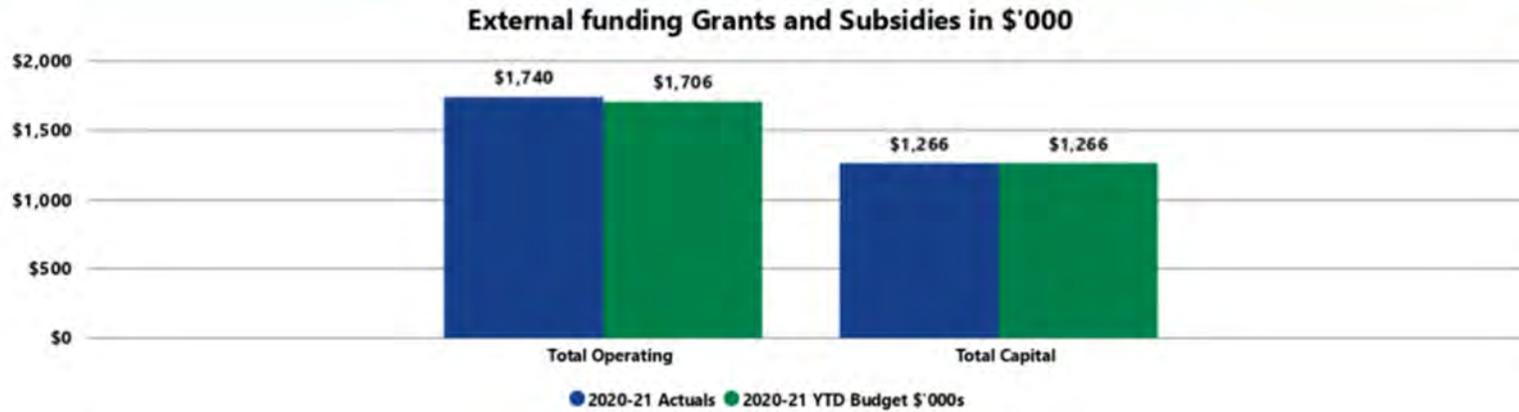
# FINANCIAL STATEMENTS

## Grant Funding

Financial Year:

Financial Quarter:





Financial Year and Quarter	Grant Type	2020-21 Actuals \$'000s	2020-21 YTD Budget \$'000s	Variance \$'000s	2020-21 Budget \$'000s
2020/2021 Q2	Grants - Health & Ageing (DCSI)	763	502	(261)	1,004
2020/2021 Q2	Grants - Financial Assistance Grants	195	195	-	836
2020/2021 Q2	Grants - Library	1	-	(1)	-
2020/2021 Q2	Grants - Library Board	279	274	(5)	274
2020/2021 Q2	Grants - Local Roads	75	76	1	405
2020/2021 Q2	Grants - Roads to Recovery	150	381	231	381
2020/2021 Q2	Grants - Other	277	279	2	318
2020/2021 Q2	<b>Operating Grants - total</b>	<b>1,740</b>	<b>1,706</b>	<b>-34</b>	<b>3,217</b>
2020/2021 Q2	Capital Grants - Replacement	70	70	-	476
2020/2021 Q2	Capital Grants - New	1,196	1,196	-	1,740
2020/2021 Q2	<b>Capital Grants</b>	<b>1,266</b>	<b>1,266</b>	<b>-</b>	<b>2,216</b>
2020/2021 Q2	<b>Total Grants &amp; Subsidies</b>	<b>3,006</b>	<b>2,972</b>	<b>(34)</b>	<b>5,433</b>



## FINANCIAL STATEMENTS

### Grant Funding (Q1 2020/2021)

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

Operating Grants - Council has over-utilised its grants for YTD actuals (\$1,740k) compared to YTD budget (\$1,706k) in Q2. The unfavourable variance of (\$34k) is due to, timing for Health & Ageing and 'Roads to Recovery' (RTR) related projects.

Capital Grants - Council has utilised its grants in line with expectations for Q2. Goodwood Oval facilities is a key project that has been completed as of Dec 20.



# COMMUNITY LIVING

## Development Applications - Planning Consents Granted

Financial Year:

Financial Quarter:



Category 1 - Average Days to Resolve

# 32

Legislated Time frame: 20 Days

Category 2 - Average Days to Resolve

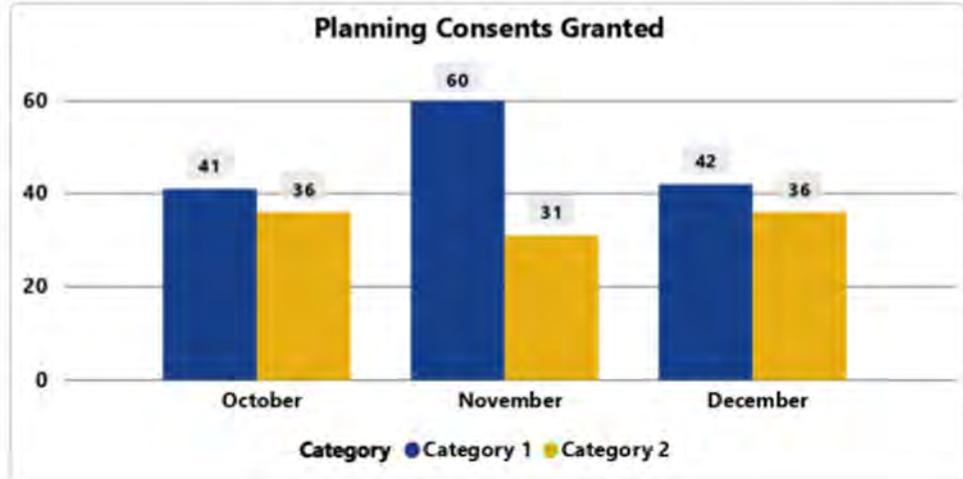
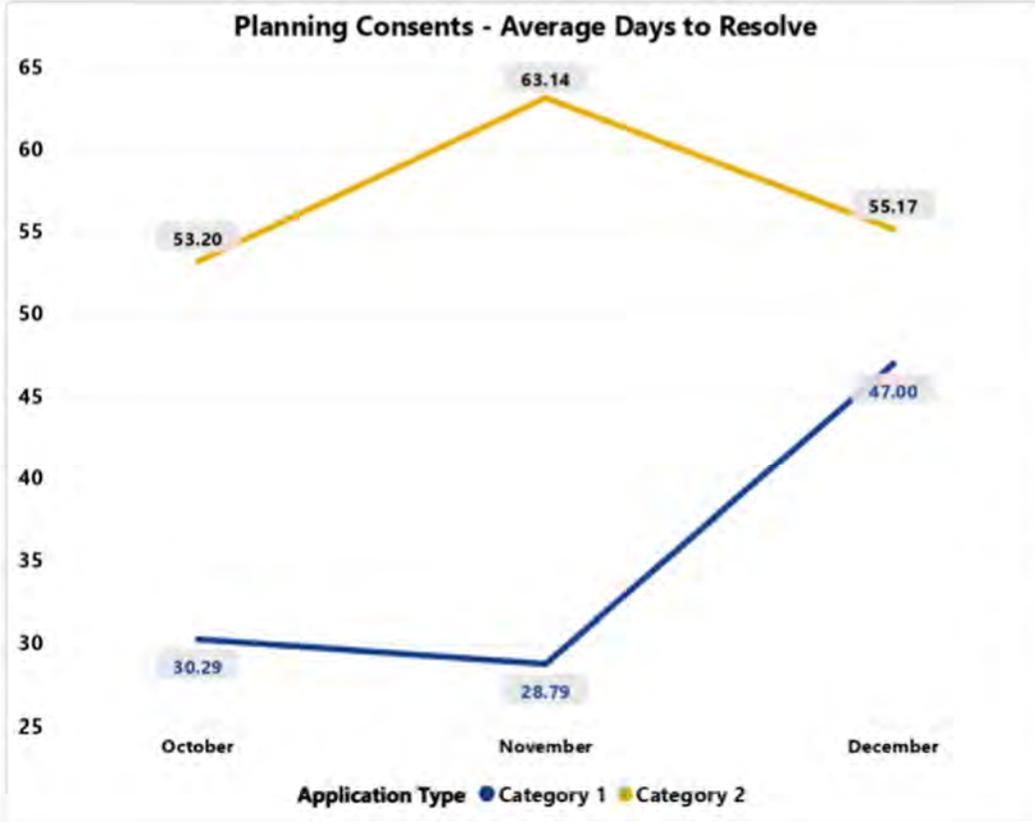
# 58

Legislated Time frame: 40 Days

Category 3 - Average Days to Resolve

# 0

Legislated Time frame: 40 to 120 Days





## COMMUNITY LIVING

### Development Applications - Planning Consents Granted

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

This report provides the number of applications for planning consent that have been lodged and determined by Council, as well as the number of business days it takes for planning consent to be granted, noting statutory timeframes.

The applications are reported by their 'category':

Category 1 - applications that do not require public notification and have a legislated decision timeframe of 20 days.

Category 2 - applications that require public notification to adjacent land owners and occupiers and have a legislated decision timeframe of 40 days.

Category 3 - generally more complex applications that require wider public notification, including a notice in a newspaper, and have a legislated decision timeframe of between 40 and 120 days (dependant on application type).

The number of applications lodged this quarter has reduced from 242 in the previous quarter to 220 this quarter. The amount of applications are considerably higher than the same time comparison to the same time in previous years. Although the average days to resolve are above the legislated time frames for both Category 1 (32 days) and Category 2 (58 days), the output of the team has increased as noted by Planning Consents Granted. The number of Planning Consents granted have increased this quarter (246) from the previous quarter (187) as the backlog of higher than average applications year to date are being resolved. It is anticipated that moving forward, as the lodgements return to average levels, the average days will reduce closer to the legislated timeframes.

It is also noted that Development Services are undertaking a service review which has required the involvement of staff. Further, with the anticipated introduction of the new Planning and Design Code to occur from March 2021 again requiring additional staff involvement in business preparations. This will continue into the next quarter as training needs increase and the business changes are introduced. The effort placed into the review and business preparations has impacted the development assessment outputs and will continue to do so into next quarter. With the introduction of the new Code the timeframes for resolution of applications will be amended.



# COMMUNITY LIVING

## Value of Approved Development Applications

Financial Year

2020/2021

Financial Quarter

Q2



Average Development Value

**\$198K**

Financial Year 2018/2019

Average Development Value

**\$234K**

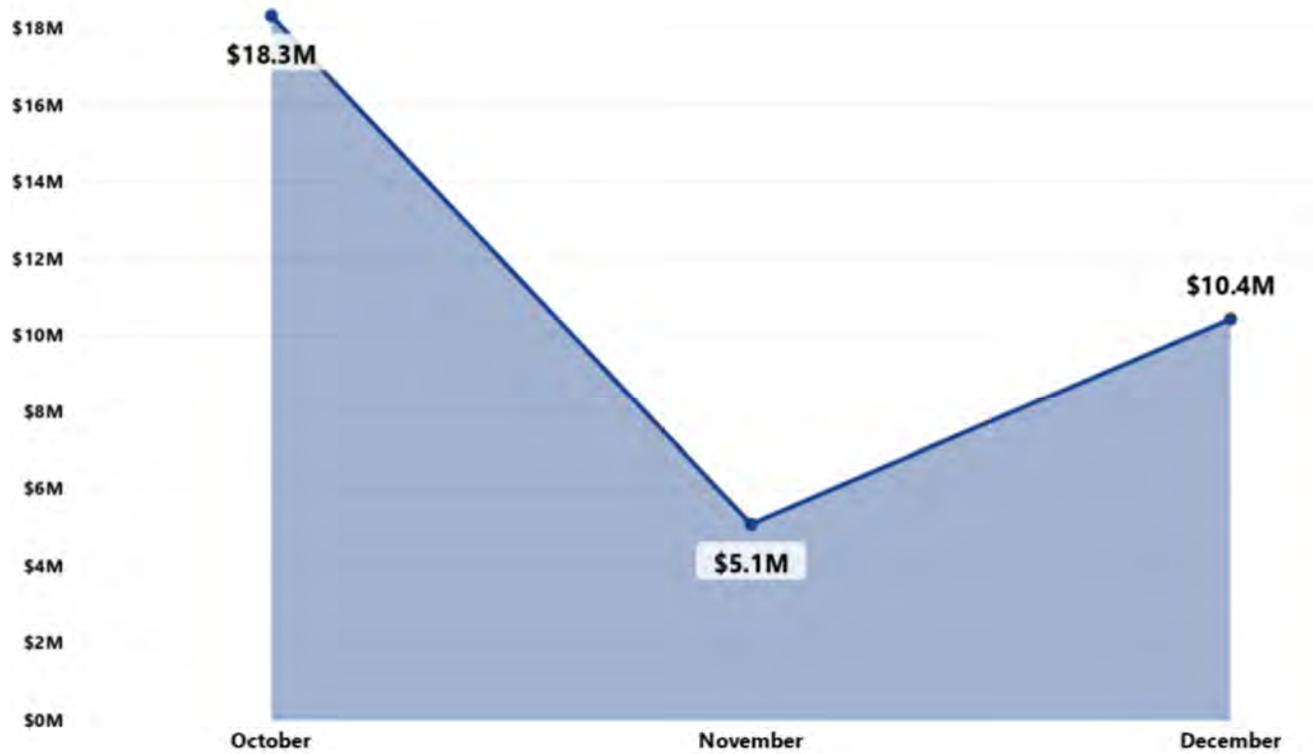
Financial Year 2019/2020

Average Development Value

**\$125K**

Financial Year 2020/2021

### Total Value of Approved Applications





## COMMUNITY LIVING

### Value of Approved Development Applications

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

This report indicates the the total and average value of development in the City of Unley lodged during the quarter.

Quarter 2 has seen a significant fluctation on the total value of development applications lodged; however the total value has increased from the previous quarter despite fewer applications being lodged.

So far this financial year, the average development value is lower (\$125k) than both previous financial years (\$198k and \$234k). It is noted that this increase for previous years was due to the lodgement of several major and lucrative development applications. So far this financial year, no such significant approvals have been granted.



# COMMUNITY LIVING

## Planning Compliance Inspected

Financial Year

2020/2021

Financial Quarter

Q2



Total Completed Requests

31

Compliance Requests Under Review

2

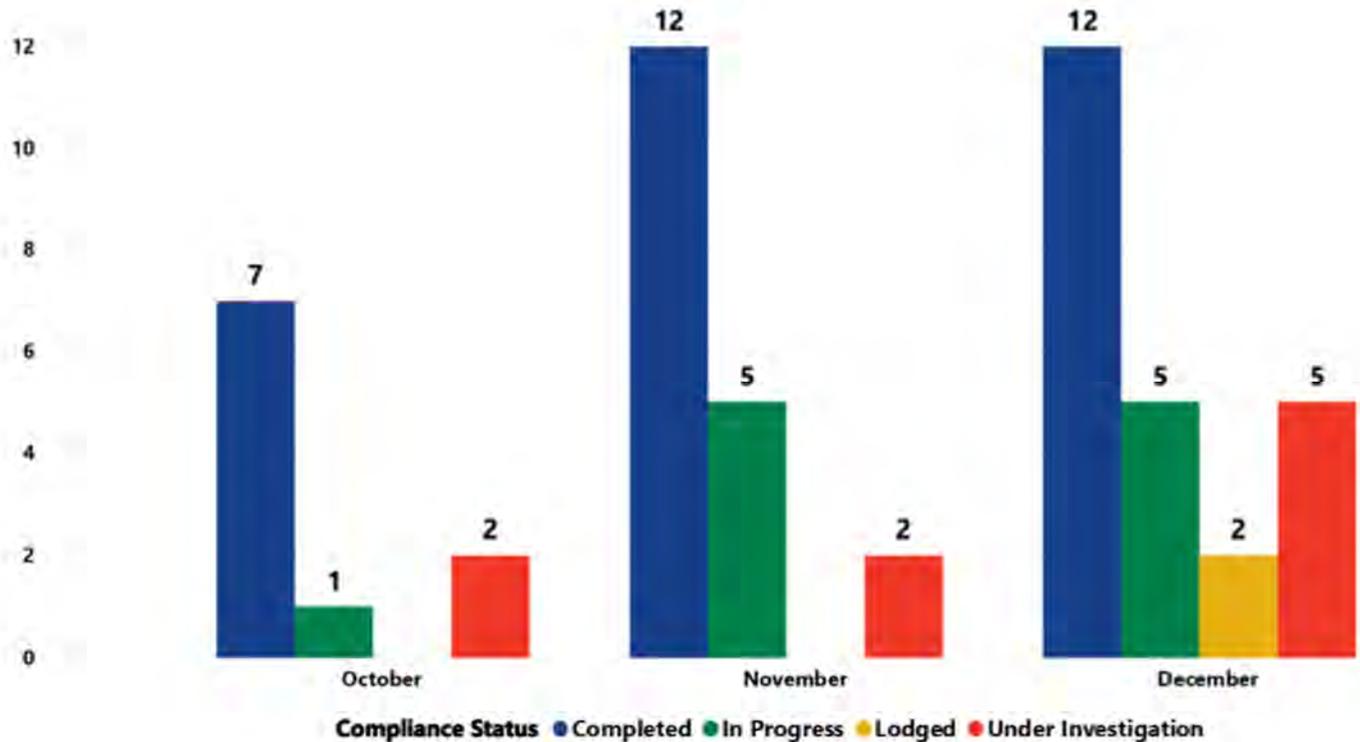
Compliance Requests In Progress

11

Total Requests Under Investigation

9

Planning Requests and Status





## COMMUNITY LIVING

### Planning Compliance Inspected

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

The purpose of this report is to demonstrate the number of Planning Compliance and Unsightly Property matters that Council's Planning Compliance Officer investigates and actions.

The matters are lodged as customer requests and the Planning Compliance Officer investigates and actions appropriately. The types of matters investigated include:

1. Unauthorised developments;
2. Development contrary to an approval; and
3. Unsightly properties.

The total number of planning compliance matters investigated has increased since last quarter from 39 to 53. The number of open investigations has also increased from the previous quarter as these matters can be lengthy to resolve and often rely on negotiation with the people involved. Any non-compliance noted will be actioned according to our Compliance Policy.

The Service Review has also highlighted additional measures to improve proactive programming, enabling the officer to audit and assess approved development against the approval. This will include matters of high interest for our community including privacy, landscaping and significant trees. It is anticipated that over the coming quarters, the number of inspections undertaken will start to increase.



# COMMUNITY LIVING

Building and Planning - % Compliance vs Non Compliance

Financial Year

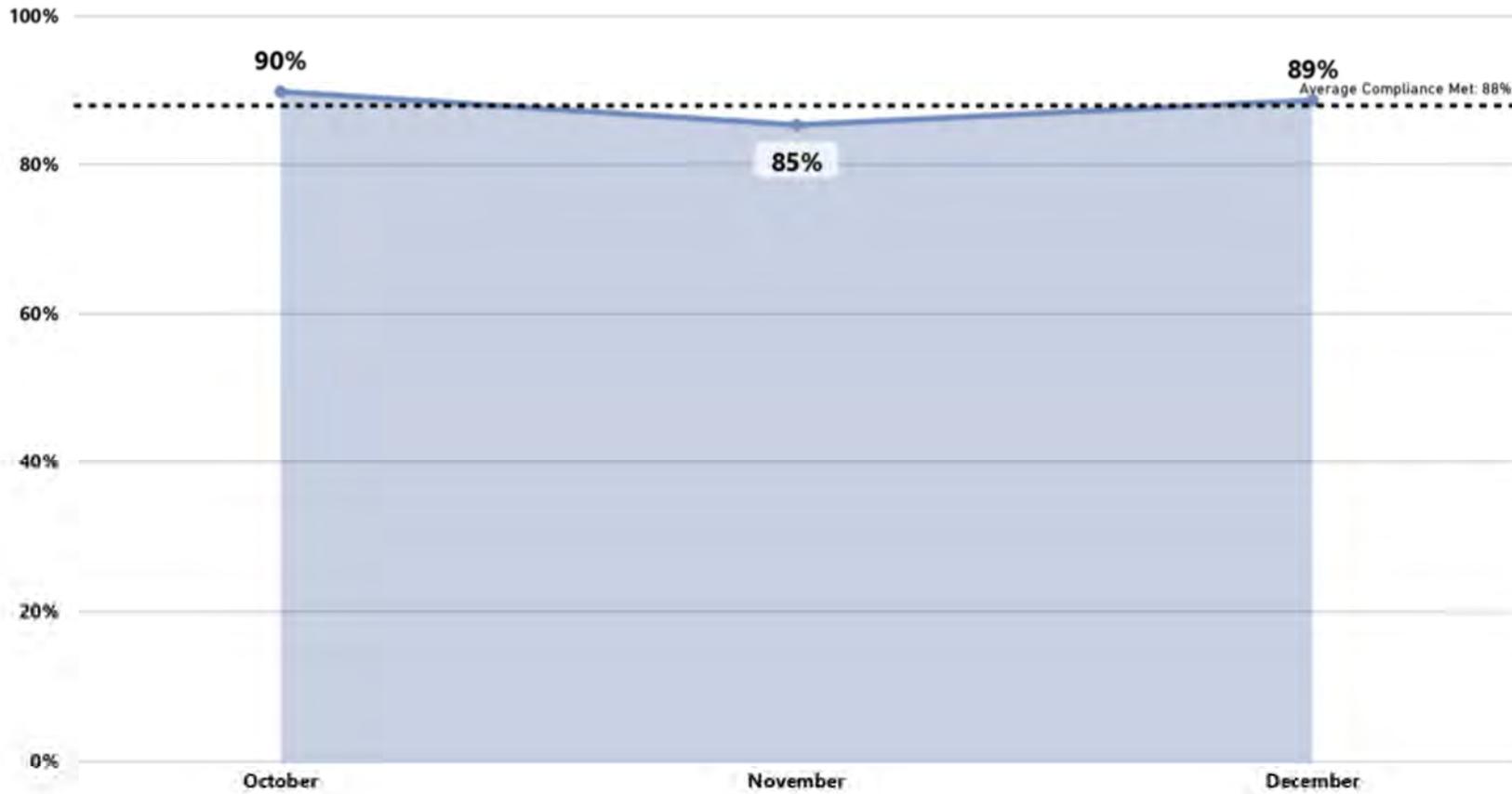
2020/2021

Financial Quarter

Q2



## Percentage Rate of Complying vs Non Complying





## COMMUNITY LIVING

### Building and Planning - % Compliance vs Non Compliance

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

The purpose of this report is to demonstrate the level of compliance found overall for Planning and Building Compliance inspections. These are a result of customer complaints or proactive inspections by Council staff and considers whether the development has obtained the proper consents and complies with the relevant approvals granted.

Overall, compliance this quarter is consistent with previous quarters indicating that building work is generally being undertaken in line with the approvals granted and that applicants are gaining the proper consents. Additionally, the Planning Compliance role has been effective in investigating a number of compliance matters in a timely manner when complaints have been received. Non-compliances relate to:

1. Failed building inspections, primarily roof framing and swimming pools;
2. Developments that have not obtained the appropriate consents; and
3. Developments proceeding contrary to their approvals.

These matters are followed up by staff through negotiation or formal enforcement in accordance with the Compliance Policy, with further inspections undertaken to confirm the works have been satisfactorily resolved.

Moving forward, the Planning, Development and Infrastructure Act will require a greater number of building inspections under the revised Building Inspection Policy that is prescribed by the State Government. This is envisaged to increase the compliance rate further when the Policy comes into effect which is anticipated for March 2021.



# COMMUNITY LIVING

## Roof Frame Inspections

Financial Year

2020/2021

Financial Quarter

Q2



Total Roof Frame Inspections

48

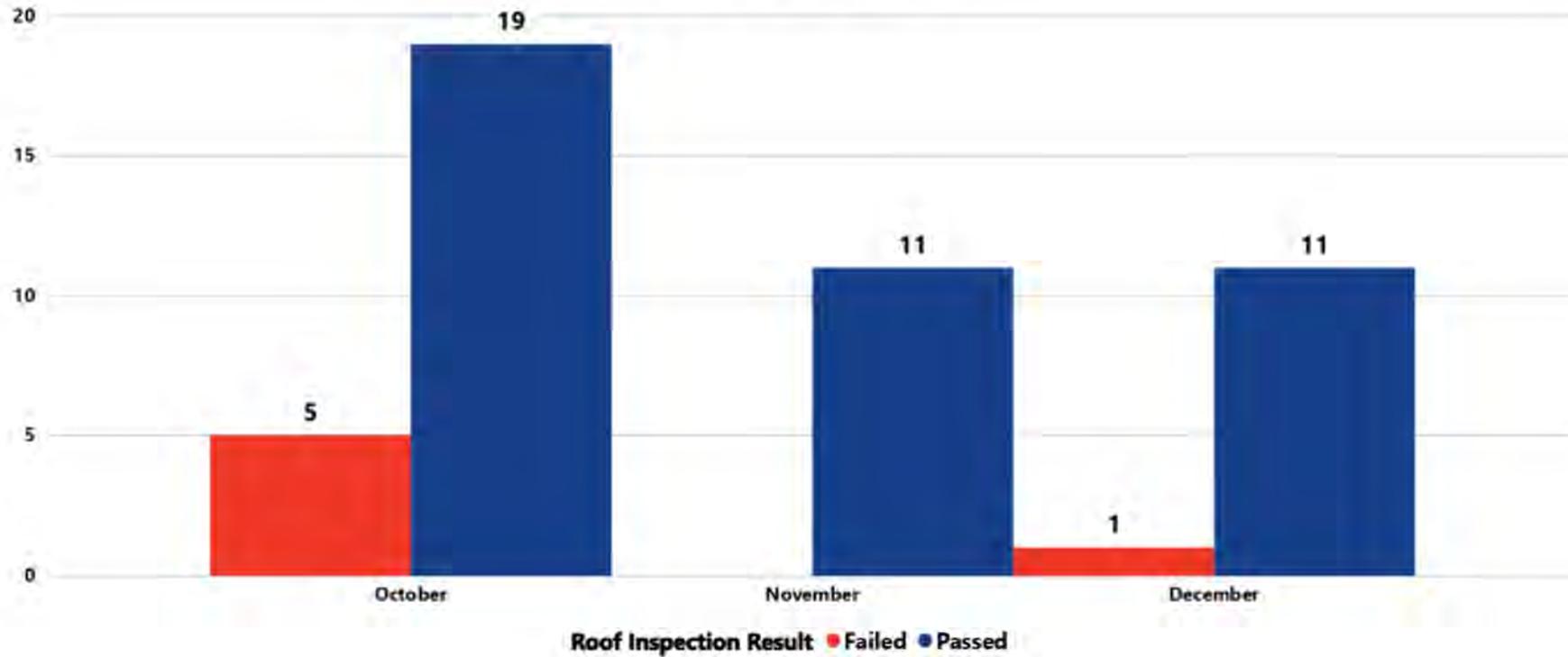
Total Inspections Passed

42

Total Inspections Failed

6

Roof Frame Inspections



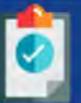


## COMMUNITY LIVING

### Roof Frame Inspections

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

The above report details the number of roof frame inspections undertaken by the Building Section. Council's Building and Swimming Pool Inspection Policy has been established in accordance with the Development Act 1993. This policy indicates the following inspection rates related to building work involving roof framing:

- 1) 66% for buildings where a licensed contractor is responsible for the building works; and
- 2) 90% for buildings where an owner builder is responsible for the building works.

Development Regulation 74 compels those responsible for carrying out the building work to notify Council at specified mandatory stages.

This report includes "Total Roof Frame Inspections" that refers to the number of notifications for inspections that Council receives, "Total Inspections Passed" which refers to how many developments have been inspected and comply, and finally "Total Inspections Failed" which refers to the number of sites that were visited and a non-compliance noted. Re-inspection on non-complying sites may result in a passed inspection, noting that it is still recorded as a failed inspection within that quarter.

In Quarter 2 there was a slight decrease in roof framing inspections from the previous quarter. Council received less notifications from both owners/builders quarter. The number of roof framing inspections that failed (6) was less than the previous quarter (10). The failed inspections are noted and re-inspected once rectified by the builder.

Please note the data on inspection failure rates currently does not differentiate between "owner builder" or "licenced builder", noting officers report the failure rates are predominately related to owner/builder.



# COMMUNITY LIVING

## Swimming Pool Inspections

Financial Year

2020/2021

Financial Quarter

Q2



Total Swimming Pool Inspections

34

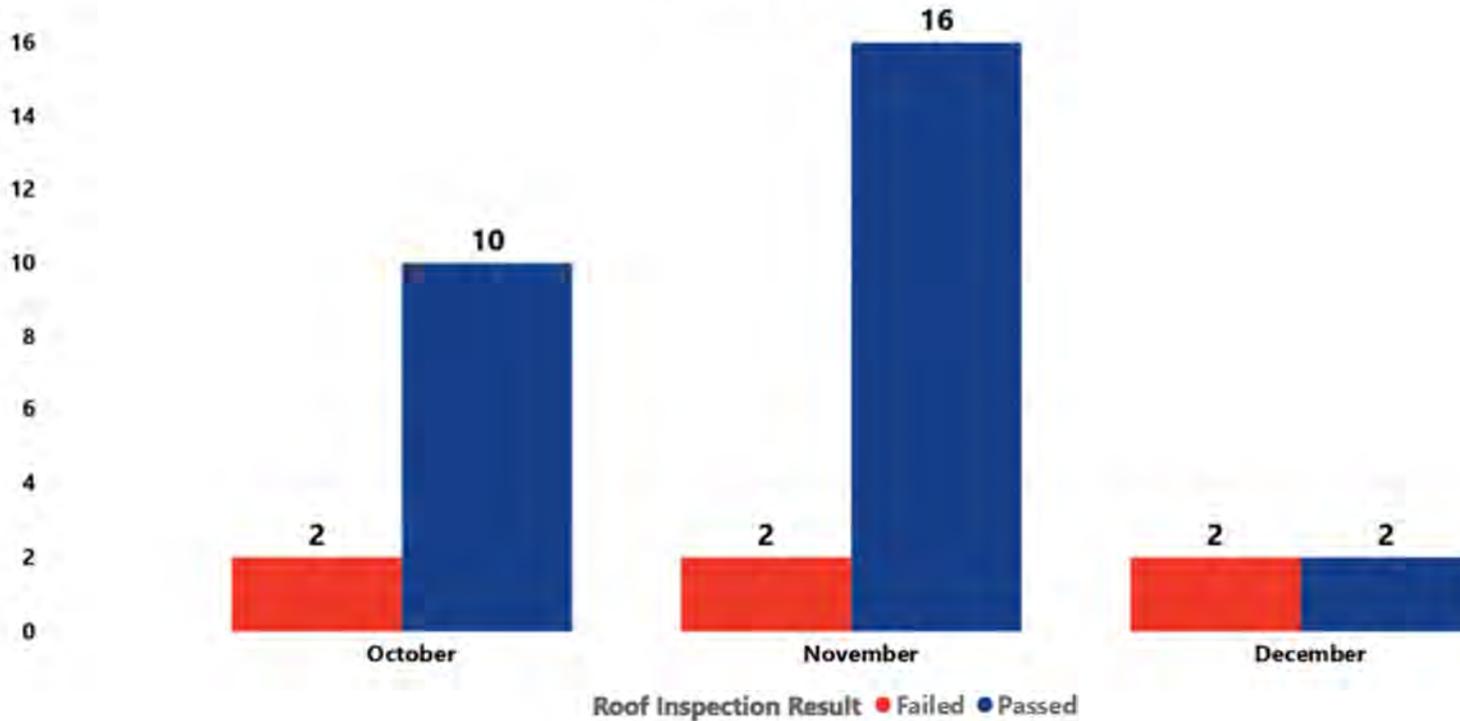
Total Inspections Passed

28

Total Inspections Failed

6

### Swimming Pool Inspections





## COMMUNITY LIVING

### Swimming Pool Inspections

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

The above report details the number of mandatory swimming pool safety barrier inspections undertaken by the building team to verify compliance with both the Building Code of Australia and relevant Australian Standard. Council has established its Building and Swimming Pool Inspection Policy which requires Council achieve the following inspection rates;

- 1) 80% of swimming pools inspected within 2 weeks of Council being notified;
- and
- 2) The remaining 20% of swimming pools inspected within 2 months of Council being notified.

Historically, swimming pool safety barrier inspections tend to peak prior to summer; however, the number of inspections reduced as indicated by the total inspection numbers this quarter (34) in comparison to the previous quarter (43).

Building officers continue to take a proactive approach with pool safety barriers particularly when leading into the summer period given the increase in applicants seeking building approval for their swimming pools. The number of failed barrier inspections (6) in comparison with the previous quarter (8) maintains a consistent failure rate relative to the number of inspections undertaken. This failure rate (1 in 6 inspections undertaken) is reflective of the importance that pool safety barriers have for our community and the vigilance of our inspectors. Building officers will continue with their approach to educate owners and applicants on their obligations to comply with pool safety standards and proactively inspect pool safety barriers moving into the next quarter. Where non compliance is noted during an inspection building officer will conduct a risk assessment and either take no action (unlikely in the case of pool non-compliance), informal action or formal action as determined against Council's Compliance Policy.



# COMMUNITY LIVING

## Food Hygiene Inspections

Financial Year

2020/2021

Financial Quarter

Q2



Total Health Food Inspections

69

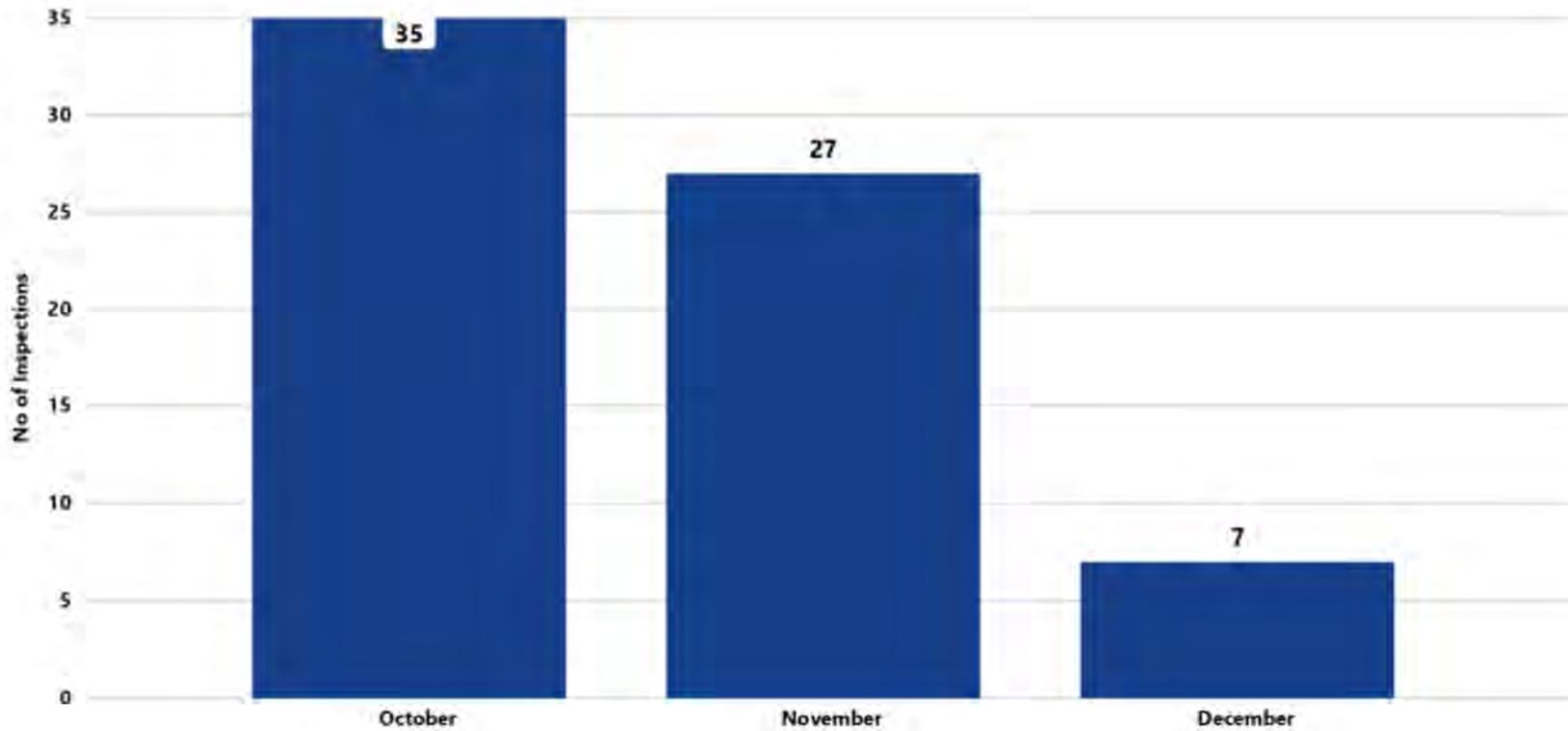
Number of Routine Inspections

32

Number of Written Warnings

19

Food Hygiene Inspections





## COMMUNITY LIVING

### Food Hygiene Inspections

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

The purpose of this report is to demonstrate the number of food premises inspections undertaken by Environmental Health Officers to ensure businesses are compliant with food safety requirements. In the case of post-inspection, where a non-compliance is noted during inspection, officers will conduct a risk assessment and take either no action, informal action or formal action as determined by Council's Compliance Policy. 'Routine Inspections' refer to the general inspections undertaken as scheduled, while the 'Total Inspections' refers to the routine inspections along with the additional follow up inspections undertaken where action has been requested by officers during a previous inspection.

This quarter saw a reduced number of food premises inspected in part due to the Covid-19 lockdown in November. This pandemic has required the Environmental Health team to respond to frequently changing State Government directions at a local level regarding density requirements, social distancing and assessing high risk areas within the City of Unley.

A total of 19 written warnings were issued for minor non-compliances noted during inspections. These are checked at a follow up inspection or next routine inspection if minor non-compliances are noted. Should a more serious issue be found, this would be actioned immediately, noting that no incidents warranting this arose during the previous quarter.



# COMMUNITY LIVING

## Health Premise Inspections

Financial Year

2020/2021

Financial Quarter

Q2



Total Health Premise Inspections

9

Self Audit Inspections

0

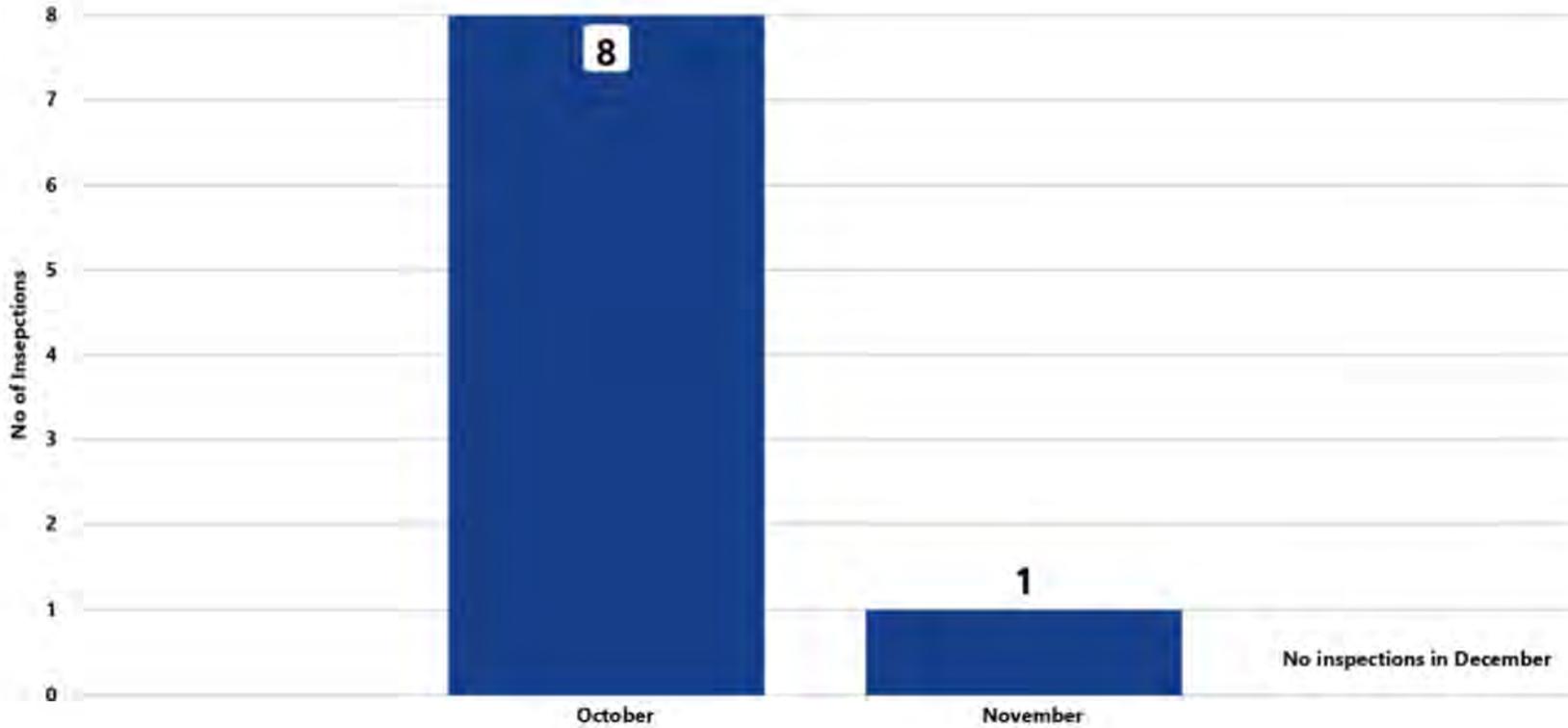
Compliant Inspections

7

Non-Compliant Inspections

2

### Environmental Premise Inspections





## COMMUNITY LIVING

### Health Premise Inspections

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

This report indicates the total number of health inspections undertaken under the Public Health Act . This includes inspections of swimming pools, hairdressers and beauty premises, tattoo parlours, supported residential facilities and high risk manufactured water systems.

Inspections are either undertaken onsite or via a desktop assessment where the business provides information relating to compliance. It is noted that a non-compliance or compliance can only be recorded against a property that Council officers have audited, which refers to the difference in total numbers to compliance and non compliant inspections. Those undertaken by a desk-top audit are assessed for risk and may be followed up, but staff cannot provide a definitive outcome having not viewed the site personally.

This quarter saw a decrease in health premise inspections compared to this time last year. Last year, self audits were undertaken for all hair and beauty premises. These self audits are undertaken on a 2 yearly basis. Having said this, during the Covid-19 pandemic there has been increased contact with these high risk premises due to frequently changing Covid-19 State Government directions. Any non compliance noted and based on risk an inspection was undertaken to ensure compliance. This quarter included audits of all cooling towers and warm water systems. 100% compliance was noted with these audits.



# COMMUNITY LIVING

## Home Support Program Visits

Financial Year

2020/2021

Financial Quarter

Q2



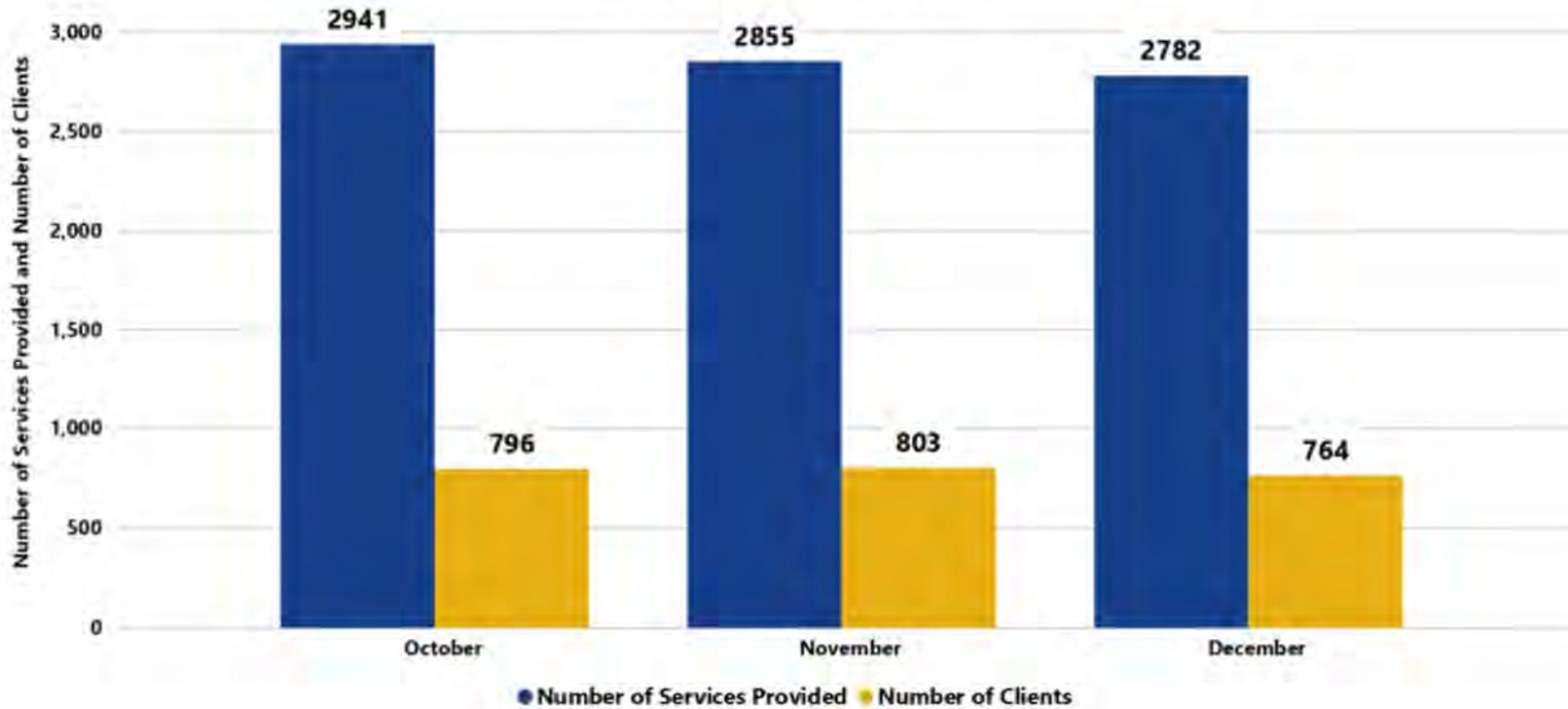
Commonwealth Support Services

**8,578**

Average Support Visits Per Month

**1851**

### Home Support Services Provided





## COMMUNITY LIVING

### Home Support Program Visits

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

Council's Commonwealth Home Support Program is funded by the Commonwealth Government and Council. The program provides services to eligible older residents to support them to remain living independently within their own homes. Services include:

- Domestic assistance with cleaning and household chores or respite services to support those caring for another person. These services are coordinated by Council staff and delivered by a panel of contractors.
- Home maintenance carried out on the residents' property to keep them safe and promote independence. These services may include home handyman requests, gardening and gutter cleaning and are delivered through a panel of Council contractors.
- Home Modifications within the residents' homes to keep them safe and habitable. These may include installation of ramps and rails and are delivered through a specialised Council contractor based on consultation and recommendations of an Occupational Therapist.
- Social support activities provided either in a group or individual setting to respond to issues of social isolation. These services are delivered through a combination of Council staff and volunteers.
- Community car transport program is provided by volunteers who transport eligible residents to medical and allied health appointments.

Over the reporting period, approximately 840 eligible City of Unley residents received a service, with a total of 8578 services delivered over the quarter, noting that service duration can be as short as 30 minutes or up to 3 hours in length, dependent on the support required, with approximately 30% of clients utilising multiple services types, numerous times during the reporting period.

Annual targets based on hours of service delivered are set by the Commonwealth for each service type. A breakdown of the performance against the Commonwealth targets for the quarter is provided below, noting that COVID-19 restrictions have had an impact on certain services. Over the reporting period the number of services supplied, via welfare checks, mailouts, supply of face masks and telephone support during the height of COVID restrictions earlier in the year, were once again provided during the short period of Covid-19 restrictions experienced in November 2020.

**Domestic and Respite Assistance:** These services are primarily provided on a regular ongoing basis. 2,274 hours of service have been delivered for the quarter 2 period, which contribute to the year to date target set by the Commonwealth of 3,510 hours of service delivery. Year to date, 4,419 hours of support has been provided, which is well over the required target set. This is the service that currently gets the most referrals.

**Home Maintenance:** These services are primarily provided on a once off, as required basis. 684 hours of service have been delivered for the quarter 2 period, which contribute to the year to date target set by the Commonwealth of 1,158 hours of service delivery. Year to date 1,159 hours of support has been provided which is on track to deliver the set target.

**Home Modification:** These services are primarily provided on a once off, as required basis. \$11,076 work was undertaken for the quarter 2 period, which contributes to the year to date target set by the Commonwealth of \$15,858 of modification work undertaken. Year to date these services total \$15,883 of work provided which is on track to deliver the set target.

**Social Support:** These services are primarily provided on a regular ongoing basis, although some services like supplying of facial masks, telephone support and welfare checks were for a short-term period in response to the Covid-19 requirements. 3,623 hours of service have been delivered for the quarter 2 period, which contributes to the year to date target set by the Commonwealth of 4,656 hours of support. Year to date 5,884 hours of support has been provided which exceeds the set target.

**Community Transport:** These services are provided on either short term, once off, or on a regular ongoing basis. 984 one-way trips have been delivered for the quarter 2 period, which contribute to the year to date target set by the Commonwealth of 3,510 one-way trips provided. Year to date 1,682 one-way trips have been provided which is under the set target.

Please note, there are still approximately 40 passengers who were regular patrons of the Community Transport service prior to COVID-19, yet to return to the service. Many of these people are living with chronic health conditions and have reservations about the potential of contracting the virus outside the home, or they have no need of the service at this time because they have put other measures in place to meet their transport needs i.e. telehealth availability for GPs and specialists, home deliveries and/or family support. These people are contacted periodically and have been provided with other CHSP services as above as required throughout the period.

The team are confident that once restrictions ease further and people gain more confidence in managing the potential threat of the virus, along with additional promotion of the service, that transport targets for the program will be met by the end of the 2020/21 financial year. Additionally, the Commonwealth have provided full flexibility provisions on over and underperforming service types, given the impact of COVID-19.



# COMMUNITY LIVING

## Community Bus Passengers

Financial Year

2020/2021

Financial Quarter

Q2



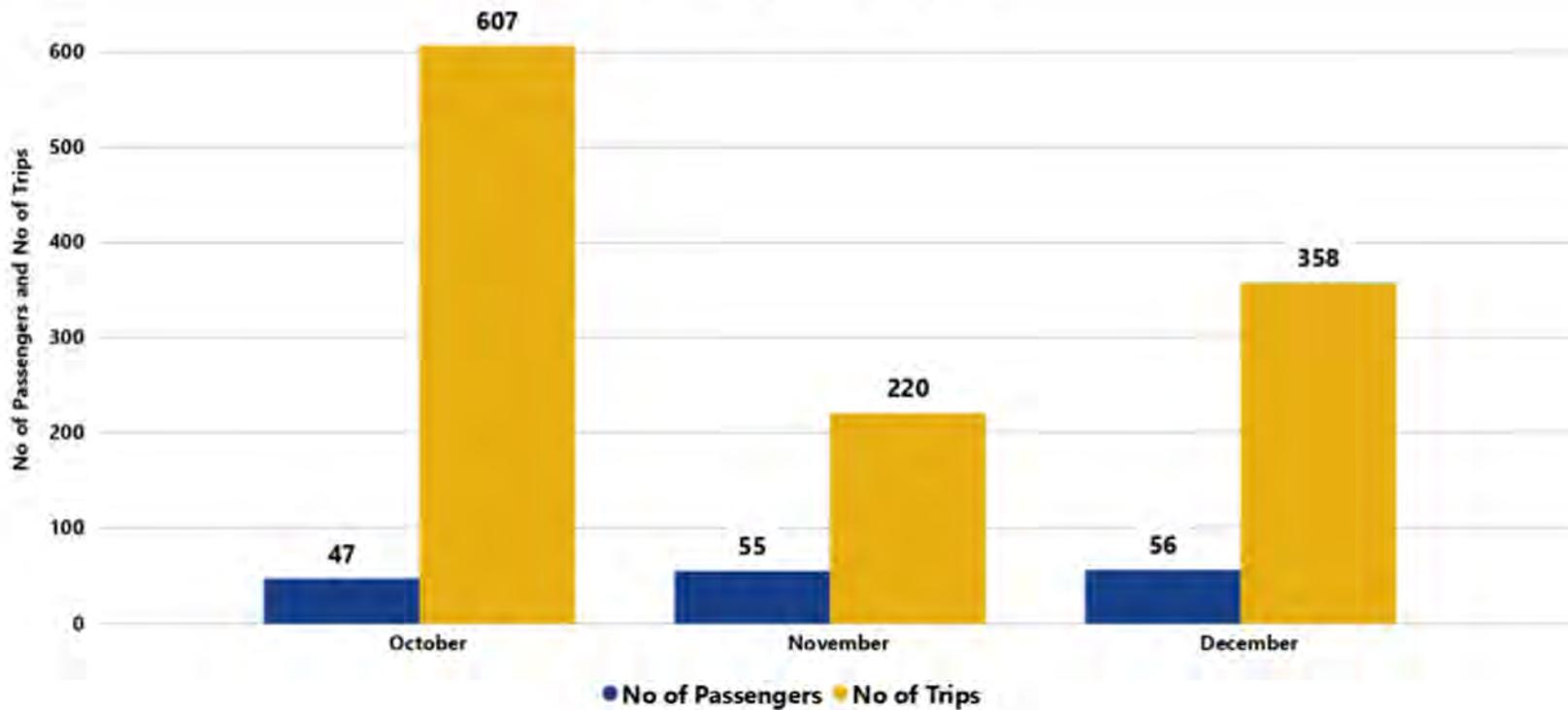
Total Community Bus Passengers

158

Average Passengers Per Month

53

### Community Bus Passengers





## COMMUNITY LIVING

### Community Bus Passengers

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

The Community Bus service is comprised of a fleet of three buses all of which are supported by volunteer drivers and helpers. The Program primarily provides return, door to door transport assistance to local shopping centres and other community-based venues, with most passengers utilising the service multiple times each month. There are currently 115 residents registered to use the service.

For the quarter, an average of 53 passengers used the bus each month. 1,185 trips were provided for the period, indicating an increase in the number of trips provided compared to quarter 1, suggesting an increase in client confidence.

There are still approximately 20 passengers who were regular passengers on the bus prior to the impact of COVID-19 yet to return to the service. Many of these people are living with chronic health conditions or have now put other measures in place to meet their transport needs. These people are contacted regularly and offered assistance through Council's Commonwealth Home Support Program as required.



# CIVIC LEADERSHIP

## Website Visits

Financial Year

2020/2021

Financial Quarter

Q2



Total Website Visits

**84K**

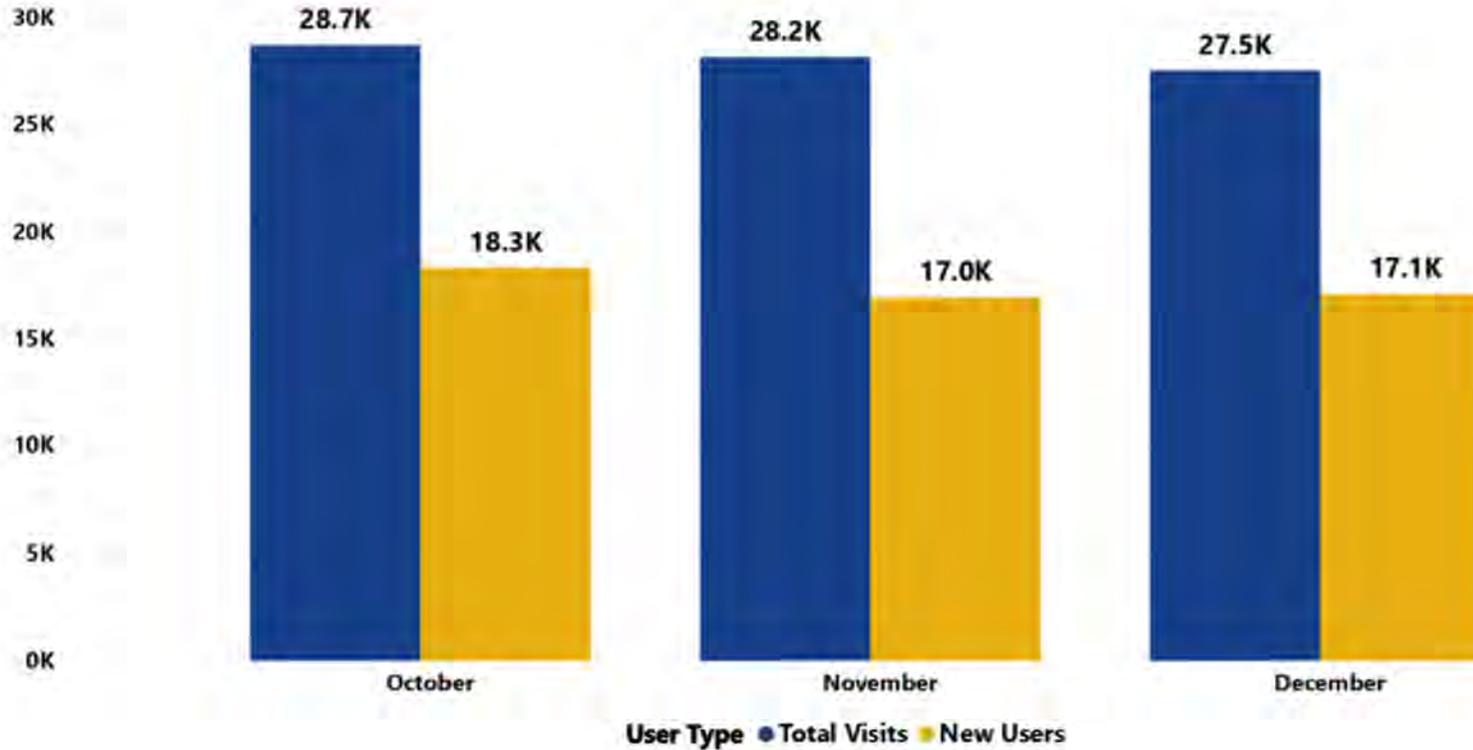
Total Website Visits Outside Aus

**3804**

Total New Users

**52K**

### Website Visits





## CIVIC LEADERSHIP

### Website Visits

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

Page views = 219,606, an increase on the previous quarter (196,723) and up almost 40,000 on Q4 2019/20.

All users of the site during the quarter = 57,405 (an increase on the previous quarter 51,813)

Visitors reached our site through:

- Organic search (39,211)
- Direct (16,622)
- Social (2,010)
- Referral (963)
- Email (34)

Most popular pages:

1. Book a swim
2. Unley Swimming Centre
3. Unley Libraries
4. Contact us
5. Rubbish collection dates
6. Pricing and Costs
7. Hard Waste Collection
8. Waste & Recycling
9. Development applications & process
10. COVID-19 Latest Council Information



# CIVIC LEADERSHIP

## Customer Requests Timeframes

Financial Year

2020/2021

Financial Quarter

Q2



Target Time Frame Met Average

**59%**

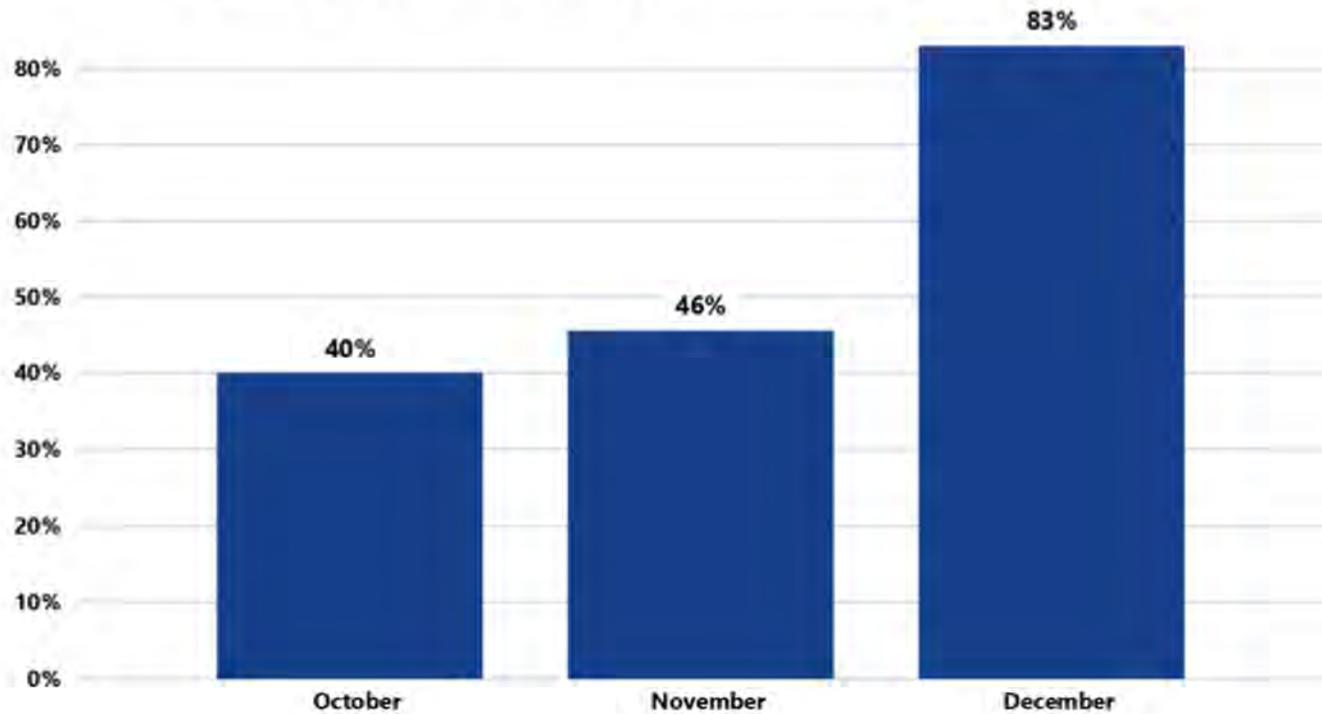
Of The Time

Most Common Request

**Planning Enquiry**

67%  
Requests Done in Time frame

Percentage of Customer Requests Completed Within Targeted Timeframes





## CIVIC LEADERSHIP

### Customer Requests Timeframes

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

This data represents the percentage of customer requests lodged as completed within set timeframes, noting timeframes vary based on the request type. The average 59 % achieved is only a slight increase (2%) from the previous quarter (57%). This is a marked increase compared to last financial year overall.

December saw the highest amount of Customer Requests closed (83%) for a singular month to date. This could be attributed to a combination of staff training and staff focussing on requests before taking leave.

It is forecasted that this upward trend will continue as all staff continue to implement the learnings from the recent training.

Additionally, online transaction processes continue to be implemented, with an intention to increase self-help options, which should decrease the number of requests received.



## CIVIC LEADERSHIP

### Customer Requests

Financial Year: 2020/2021

Financial Quarter: Q2



**Total Customer Requests**

# 4666

**Suburb with Most Requests**

# Unley

2,488 Requests

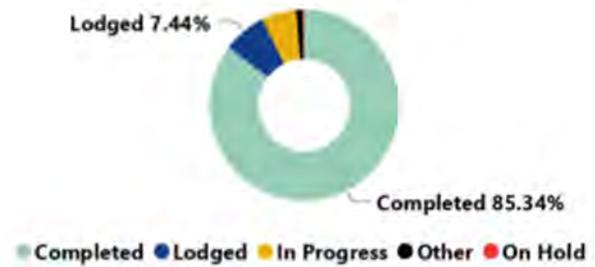
**Week Day with Most Requests**

# Tuesday

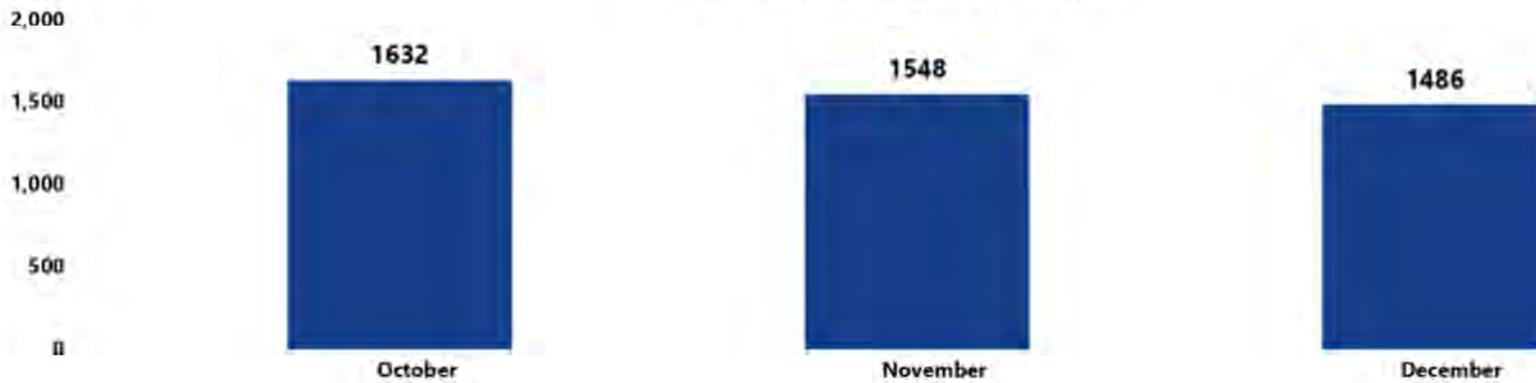
**Top 5 Customer Request Types**



**Customer Request Status**



**Total Customer Requests Per Month**





## CIVIC LEADERSHIP

### Customer Requests

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

Customer requests include seeking information, action or assistance in line with Council's service offering. It does not include phone messages for staff.

Over the period, a total of 4666 requests were received, this is a slight decrease (563) of requests received from the previous quarter (5,229)

Factors which may have impacted this reduction include public holidays and early closure days over the Christmas period as well as the Covid shut down (calls continued but the civic closed). Further to this the introduction of online interactive forms and new digital services this quarter (including parking permit renewals, street sweeping schedules and online development applications) may also have influenced this reduction with customers choosing to self-help.

Of the requests received over this period, at the time of reporting 85% were completed.

Planning enquiries continue to be the top request type received, consistent with the previous quarter and the same period last year, with expiation notice reviews and building inspection notifications continuing to also remain in the top 5 request types



# CIVIC LEADERSHIP

## Customer Complaints

Financial Year:

2020/2021

Financial Quarter:

Q2



Total Complaints Received

28

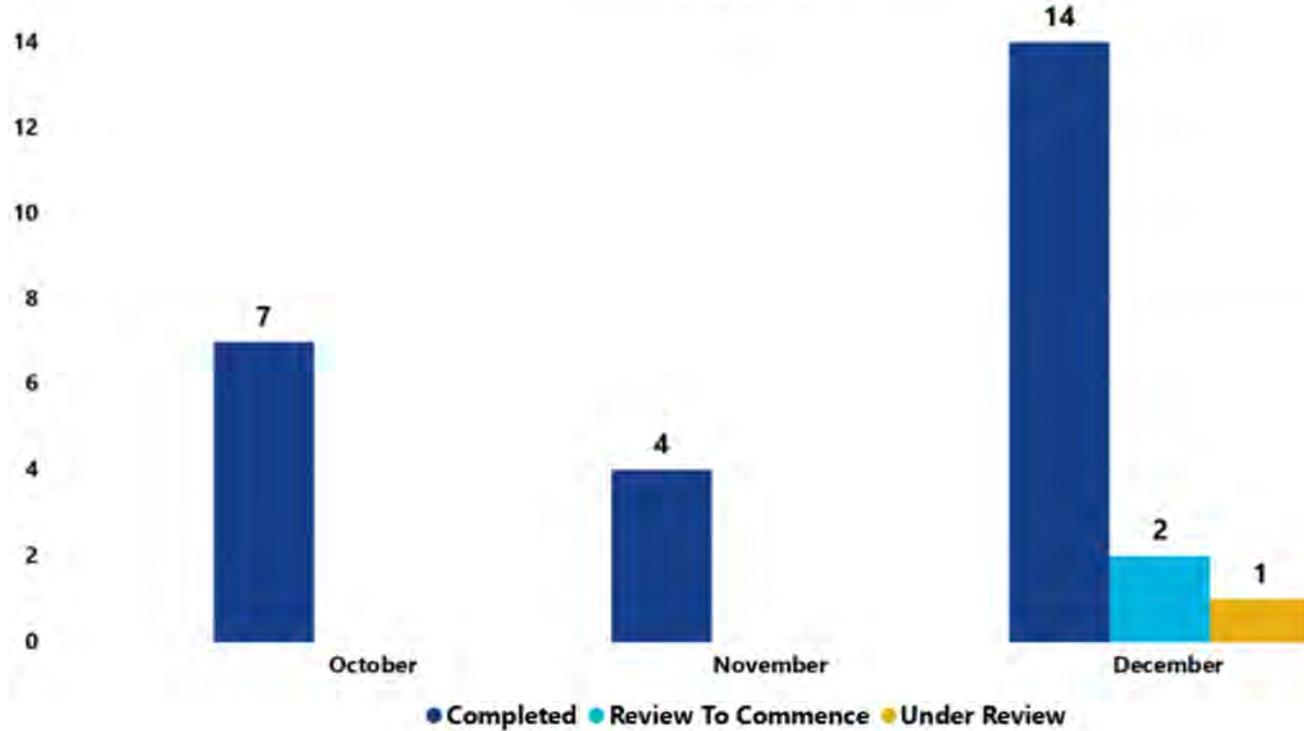
Complaints Under Review

1

Complaints Review To Commence

2

Customer Complaints Per Month





## CIVIC LEADERSHIP

### Customer Complaints

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

A total of 28 complaints were received over the quarter an increase of 18 complaints compared to the previous quarter (15)  
Compared to the same quarter last financial year Q2 19/20 (32) the volume of complaints remained consistent with a reduction of 4 complaints.  
Of the 28 complaints received 1 remains currently in progress with 2 reviews yet to commence (delayed due to Christmas period and annual leave)



# CIVIC LEADERSHIP

## Customer Satisfaction

Financial Year:

2020/2021

Financial Quarter:

Q2



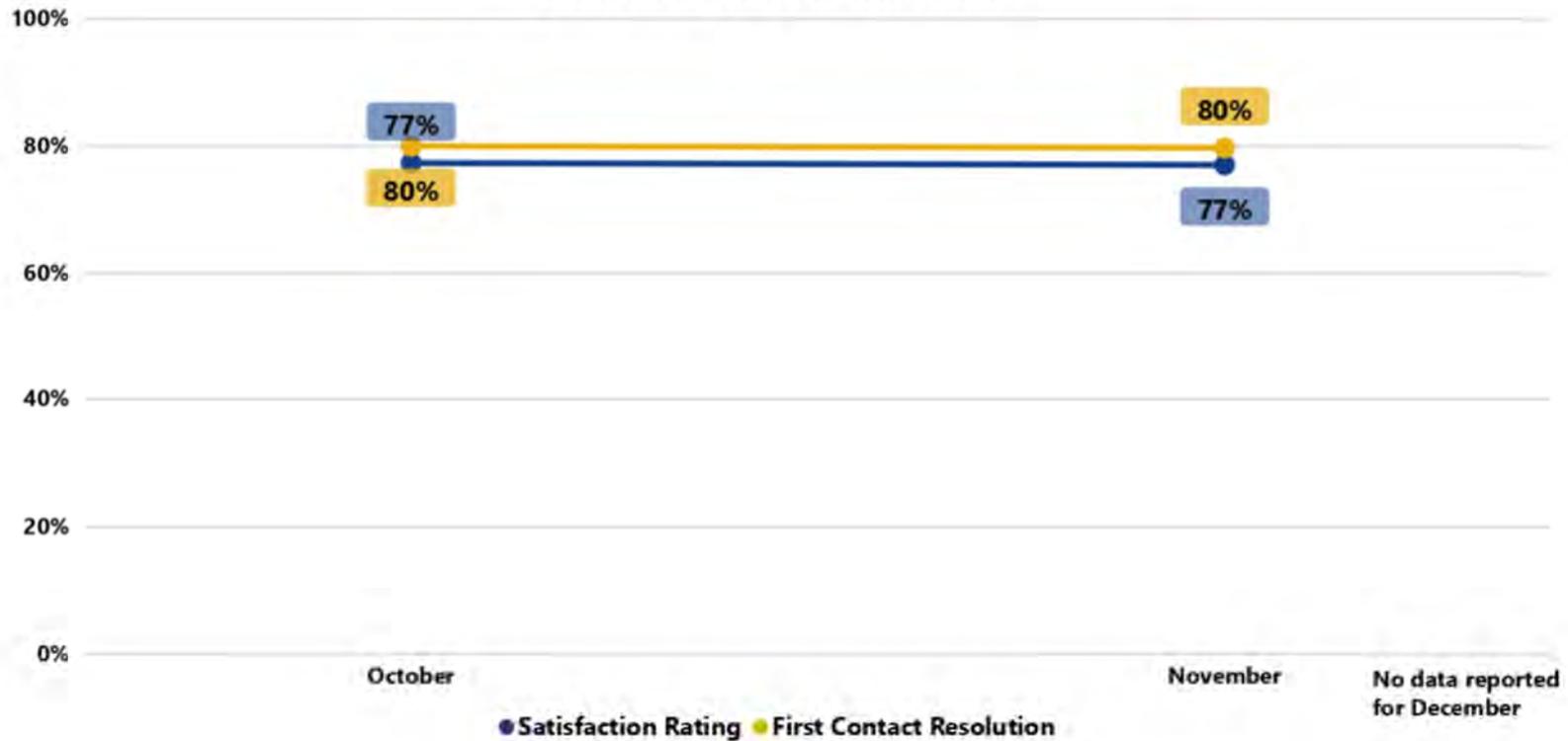
Average Satisfaction Rating

77%

Average First Contact Resolution

80%

Satisfaction vs First Contact Resolution





## CIVIC LEADERSHIP

### Customer Satisfaction

Financial Year and Quarter For Comments

2020/2021 Q2



#### Comments

A total of 149 customers participated in an independent phone survey regarding their satisfaction with the services provided by the City of Unley in the months of October and November. This 2-month timeframe delivered a satisfaction rating of 77 %. The satisfaction score achieved for this period continues to be above the SA council benchmark of 71% however is slightly under the City of Unley's target of 80%. With the implementation of the Corporate 3-year Customer Experience program in July 2017, overall satisfaction has improved by over 20%.

First Call Resolution (addressing the customers need the first time they call, thereby eliminating the need for a customer to follow-up with a second call) is currently at 80%, which is also considerably above the industry benchmark of 57% and meets the City of Unley target of 80%. There has been an approximate 20% increase in first call resolution since the commencement of the corporate Customer Experience Program

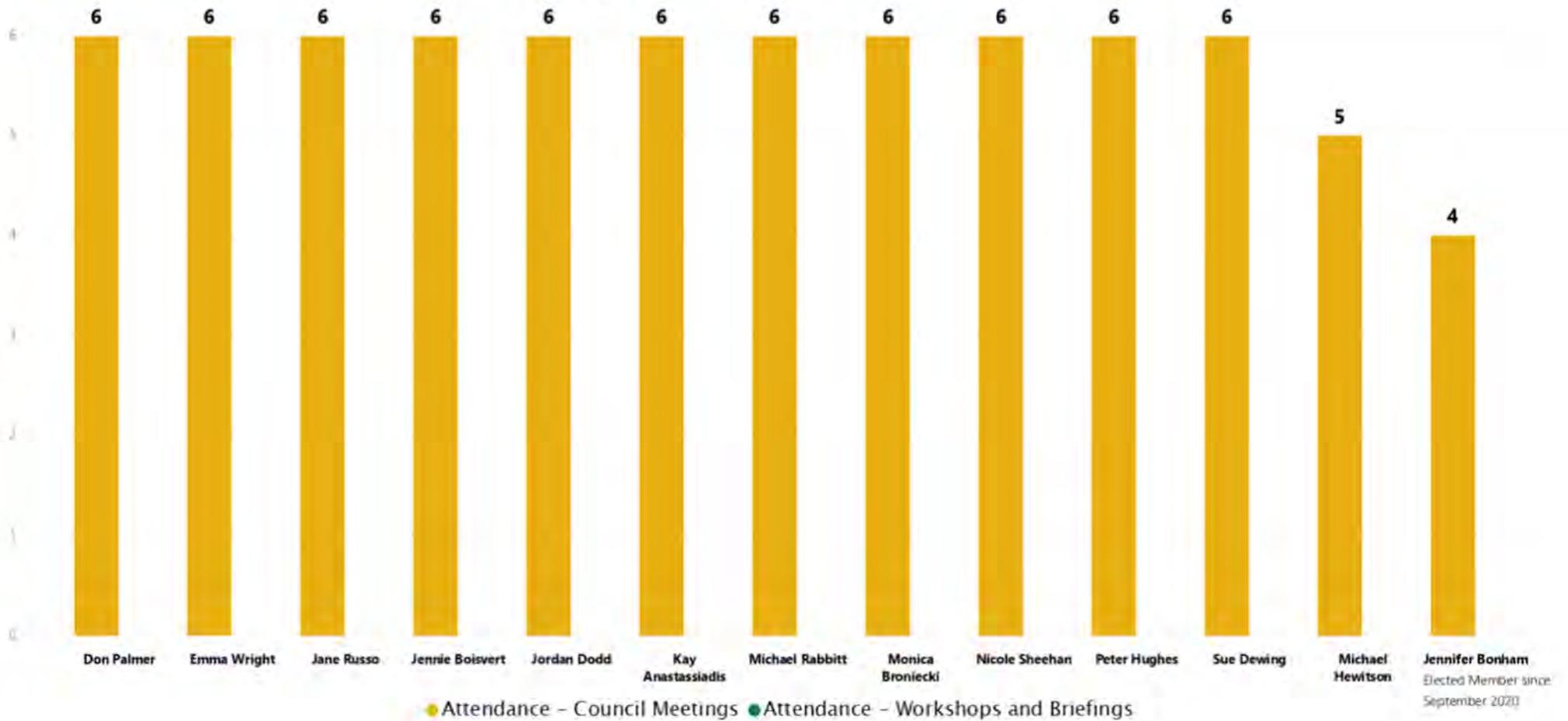
Customer satisfaction has decreased slightly (4%) compared to the previous quarter as has First Point of Call (decrease of 2%) compared to last quarter.



## CIVIC LEADERSHIP Elected Member Attendance



Council Meetings, Briefings and Workshops Attendance FYTD 2020



## COUNCIL ACTION REPORT

**REPORT TITLE:** COUNCIL ACTION REPORT  
**ITEM NUMBER:** 4.14  
**DATE OF MEETING:** 27 JANUARY 2021  
**AUTHOR:** MELANIE WILLIAMS  
**JOB TITLE:** ADMINISTRATIVE SUPPORT OFFICER  
OFFICE OF THE CEO  
**ATTACHMENTS:** 1. COUNCIL ACTION REPORT

---

### 1. EXECUTIVE SUMMARY

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 JANUARY 2021					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
22/07/19	4.5	<b>5-YEAR CULTURAL PLAN</b> 2. A 5-Year Cultural Plan be developed for Council's consideration and endorsement.	GM City Services	Community engagement has been undertaken and has been taken into consideration in drafting the plan. The draft plan will be presented to Council at a briefing in February, with a subsequent report for in principle endorsement to be presented to Council, ahead of undertaking further engagement with the community.	April 2021
23/03/20	4.2	<b>CULROSS AVENUE LIVING STREET INVESTIGATION</b> 3. Six months following the completion of the developments at 402 Fullarton Road and 25 Culross Avenue, traffic volumes, speeds and on-street parking along Culross Avenue be reviewed to assess the impact the developments have had on the street and if any traffic calming measures are warranted.	GM City Development	Observations on-site indicate that the development on the southern side of Culross Avenue has been completed. The development on the northern side of the street is anticipated to be completed in the coming months. A review of traffic and parking conditions will commence in mid-2021 being six months following the completion of both developments as resolved by Council. A report is to be presented to Council around August 2021 or earlier if the developments are completed earlier than expected.	August 2021
28/05/20	4.2	<b>INVESTIGATION INTO FEASIBILITY OF INTRODUCING E-SCOOTERS WITHIN THE CITY OF UNLEY AND EASTERN REGION ALLIANCE COUNCILS</b> 2. Council staff investigate e-scooter trial options, in collaboration with the Department of Planning, Transport and Infrastructure, the City of Adelaide and interested Eastern Region Alliance councils or neighbouring councils and develop a use case with the intent of an e-scooter trial taking place in the City of Unley area, subject to approval by the Minister for Transport, Infrastructure and Local Government.  3. A workshop be held with Elected Members to discuss e-scooter trial options and specific permit condition matters, including application for all other shared mobility devices.	GM City Development	A report has been presented to Council for its consideration at its meeting to be held in January 2021.  A workshop was held with Elected Members on 12 October 2020 to present the relevant information.	Completed  Completed
22/06/20	5.1.3	<b>NOTICE OF MOTION FROM COUNCILLOR S. DEWING RE. MANAGEMENT OF DAMAGE TO COUNCIL INFRASTRUCTURE ADJACENT TO LARGE SCALE DEVELOPMENTS</b> 1. Staff prepare a report outlining issues, options (including compliance or enforcement strategies) and resource requirements, to enable monitoring and management of impacts of developments on Council infrastructure, including street trees.	GM City Services	An EM Briefing was undertaken in October 2020, with a report to follow after the review is completed for Development Services, and further details are known re PDIA impacts.	March 2021
28/09/20	5.1.2	<b>NOTICE OF MOTION FROM COUNCILLOR S. DEWING RE: SINGLE USE PLASTICS</b> 1. A report be prepared investigating opportunities to influence and educate retailers within the City of Unley with a view to achieving a reduction or total removal in the provision of plastic shopping bags by businesses across the City.	GM City Development	A report is expected to be presented to Council for its consideration in at its meeting to be held in March 2021.	March 2021
28/09/20	5.1.4	<b>NOTICE OF MOTION FROM COUNCILLOR S. DEWING RE: DOG WASTE BINS AND BAGS AT CITY OF UNLEY PARKS</b> 1. A report be prepared investigating the benefits and the costs of installing organic (green) waste bins at City of Unley parks and replacing the existing complimentary black plastic dog waste bags with complimentary compostable dog waste bags, with the investigations to consider relevance of other related plans/strategies such as the Animal Management Plan and Waste Management Strategy.	GM City Development	A report is expected to be presented to Council for its consideration at its meeting to be held in March 2021.	March 2021
26/10/20	5.1.1	<b>NOTICE OF MOTION FROM COUNCILLOR J. RUSSO RE: DECLARATION OF A CLIMATE EMERGENCY</b> 4. Requests that the City of Unley consider and address climate change risks in its own operations and service delivery, including the inclusion of Climate Impact Statements in Council reports and an annual report to Council on the effectiveness of climate action measures taken in the preceding year.	GM City Development	Work is currently progressing on the inclusion of Climate Impact Statements in Council's report templates with a view to implementing from February 2021. The Administration is considering the inclusion of information regarding the effectiveness of Council's climate measures taken annually as part of Council's Annual Report.	February 2021
23/11/20	4.1	<b>GLOBAL COVENANT OF MAYORS FOR CLIMATE AND ENERGY - INVITATION TO JOIN</b> 2. The invitation received from ICLEI Oceania to the join the Global Covenant of Mayors for Climate and Energy be accepted, with the Chief Executive Officer authorised to submit the required letter of intent.  3. Once available, information relating to an initial community greenhouse emission inventory and hazards assessment, a greenhouse reduction target and adaptation goals and a Climate Energy Plan be submitted to the Global Covenant of Mayors for Climate and Energy as part of the City of Unley's commitment to join the group	Executive Manager Office of the CEO	Completed  This matter cannot be actioned until the Climate and Energy Plan is finalised and endorsed by Council.	Completed  TBA
23/11/20	4.2	<b>DRAFT ANIMAL MANAGEMENT PLAN FOR COMMUNITY CONSULTATION</b> 3. Following completion of community consultation, a final Animal Management Plan will be presented to Council for endorsement.	GM City Services	Community engagement commenced in January 2021 and will conclude February 2021. A report will be brought back to Council following the community engagement for final endorsement of the plan.	February 2021

COUNCIL ACTION REPORTS - ACTIONS TO JANUARY 2021					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
23/11/20	4.3	<b>DRAFT LIVING WELL PLAN</b> 3. Following the completion of community consultation, a final Living Well Plan be presented to Council for endorsement	GM City Services	Community engagement underway, with a final report to be brought back to Council following the community engagement.	February 2021
23/11/20	5.1.2	<b>NOTICE OF MOTION FROM COUNCILLOR J. BOISVERT RE: LIVESTREAMING OF ALL COUNCIL AND COUNCIL ASSESSMENT PANEL MEETINGS</b> 1. Staff investigate the costs and benefits of livestreaming all Council and Council Assessment Panel meetings, with the results of the investigation to be reported back to Council in January 2021.	GM Business Support & Improvement	A cost and benefit analysis will be undertaken and presented to Council in January 2021	Completed
14/12/20	4.4	<b>PLANNING AND DESIGN CODE - REVIEW AND SUBMISSION</b> 5. A copy of the City of Unley Submission regarding the Draft Planning and Design Code be forwarded to Local Members of State Parliament, the Hon Vickie Chapman Minister for Planning & Local Government, the Hon David Pisoni MP, the Hon Jayne Stinson MP, Carolyn Power MP, and the Local Government Association of South Australia.	GM City Development	A copy of Council's submission regarding the Draft Planning and Design Code has been forwarded to the Members of Parliament as resolved by Council.	Completed
14/12/20	4.5	<b>REVIEW OF NATURE STRIPS POLICY</b> 4. The Nature Strips Policy be reviewed as soon as staff are able to provide more updated information in relation to artificial turf.	GM City Development	A report is expected to be presented to Council for its consideration at its meeting to be held in June 2021.	June 2021
14/12/20	4.6	<b>BHKC INFRASTRUCTURE PARTNERSHIP PROGRAM GRANT APPLICATION</b> 4. The Brown Hill and Keswick Creek Stormwater Board be advised of Council's decision in relation to the request to support the application to the Local Government Infrastructure Partnership Program.	GM Business Support & Improvement		Completed
14/12/20	7.2	<b>UNLEY CENTRAL CONCEPT PLAN</b> 2. Optage and its agents be advised of Council's acceptance of the Unley Central Concept Plan in terms of the Development Deed and Council's agreement for nomination of the State Commission Assessment Panel as the development assessment authority for the development.	Executive Manager Office of the CEO	Completed	Completed

## **MOTION OF WHICH NOTICE HAS BEEN GIVEN**

<b>REPORT TITLE:</b>	NOTICE OF MOTION FROM COUNCILLOR J. BONHAM RE: MASTER PLAN FOR MCLEAY PARK
<b>ITEM NUMBER:</b>	5.1.1
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>ATTACHMENTS:</b>	NIL

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Councillor J. Bonham has given notice of intention to move the following motion at the Council meeting to be held on 27 January 2021.

### **MOTION**

That:

1. A budget bid be prepared for the 2021/22 Budget process for \$30,000 to enable the development of a Master Plan for McLeay Park.
- 

### **Background**

McLeay Park is a highly used park and hub of community activity for the north western part of Parkside ward. The park attempts to meet a number of needs namely, children's play area, off-leash dog park, and leisure space, as well as a focus for community engagement and sharing.

With the recent addition of One on the Park (Number 1 George Street, Parkside), there is at least an additional 40 apartments and townhouses with at least 60 additional residents. This will increase usage of McLeay Park given the close proximity and opportunity for meeting other residents and having an opportunity to integrate and socialise. Due to the heavy traffic conditions on Greenhill Road, the use of the parklands is likely to be eschewed for the social and other benefits of using McLeay Park.

The current residents and users of McLeay Park have requested, via their ward councillors and by other means, some improvements to the park. These have included the following:

- The planting of fruit and citrus trees and native shrubs
- The establishment of a shelter so that there is use in all weather conditions; and
- The upgrade of facilities to include barbecues.

Whilst budget bids could be proposed for these specific items, in discussion with administration, there is a strong view that it would be more appropriate to consider undertaking the development of a master plan for the following reasons, apart from community demand for an upgrade of the facilities:

- The park needs an integrated design – currently with the park being both a children’s playground which has separate fencing and a dog park, entry to both is through the open space dog park area. A master plan would address access issues;
- A master plan would allow for staging of the upgrade over time and ensure an integrated and wholistic outcome;
- The multiplicity of issues that need to be addressed require a comprehensive plan so that whatever work is undertaken works effectively i.e that there is not an approach that involves ad hoc additions and changes. They need to be carefully considered so that there is the best use of the relatively small space and the improvements work together effectively to make a great space.
- The greater use of the park that can be expected means that a better recreational space is required that meets the multiple users and interests of the community;
- The park has aged and it needs revitalising to meet modern community standards and expectations; and
- Better use of this park will create less pressure on other local parks.

The development of a master plan will provide the council with a staged process for achieving a modernised and effective use of this small park that probably has a very high use and this needs to be encouraged and further use enabled.

The likely cost of the master plan is \$30,000.

## QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

<b>REPORT TITLE:</b>	QUESTION ON NOTICE FROM COUNCILLOR J. BONHAM RE: COUNCIL PLANTING OF TREES
<b>ITEM NUMBER:</b>	5.3.1
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>ATTACHMENTS:</b>	NIL

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

### **QUESTIONS**

As I understand it, the 2019-20 and 2020-21 budgets have funded the planting of 450 extra trees over and above the replacement tree program across Unley. I would like to know:

1. How many trees were actually planted from these funds?
2. How many trees have survived over summer from the 2019-20 program?
3. Where the trees have been planted?

I understand that Council has plans to plant trees on median strips in some roads. I would like to know:

4. The road(s) trees where the medians will be planted with trees – in the short and long term?
5. How this tree planting plan is being funded?
6. When these plans are to be implemented?

## **ANSWERS**

### **Planting of additional trees:**

1. *How many trees were actually planted from these funds?*

Generally speaking and depending on weather conditions, Council's annual tree planting program is delivered between the months of May and September in any given year. For the 2019/20 financial year, a total of 250 trees were planted (in addition to those replacing dead trees). For the 2020/21 financial year, a total of 440 trees will be planted, with 140 planted in the spring of 2020 and 300 scheduled to be planted in the winter of 2021.

2. *How many trees have survived over summer from the 2019-20 program?*

Of the 250 trees that were planted in 2019/20, a total of 226 have survived. Of the 24 trees that did not survive, 9 did not establish and died, and 15 were vandalised and subsequently removed.

3. *Where have the trees been planted?*

Additional trees were planted in the suburbs of Black Forest, Clarence Park, Kings Park, Myrtle Bank, Goodwood, Millswood, Unley and Wayville. Tree plantings in the remaining suburbs located within the City are scheduled for 2021/22 and 2022/23.

### **Planting of trees on median strips:**

4. *The road(s) trees where the medians will be planted with trees – in the short and long term?*

Tree planting within road medians are not proposed by Council. This is predominantly due to the fact that Council does not own many of the road medians which are located within the City. The majority of these are located on arterial roads and are under the care, control and management of the Department of Infrastructure and Transport (DIT). The predominant example is Greenhill Road. The Administration will however consider (where possible) the planting of trees on roads under its care, control and management and is currently considering the planting of trees within the carriageway of Young Street, Parkside and Whistler Avenue, Unley Park.

5. *How this tree planting plan is being funded?*

Currently, additional tree planting on Council roads or verges undertaken as part of an annual program is funded via an Operating Project which is considered on an annual basis by Council as part of its Annual Business Plan and Budget setting process. However, additional trees planted specifically as part of a project (e.g. King William Road Upgrade) is funded from the capital allocations made by Council specifically for that project.

6. *When these plans are to be implemented?*

As outlined in the response to Question 4, there are no plans to plant trees within road medians. However, the tree plantings being considered for Young Street and Whistler Avenue are proposed to be delivered in the 2020/21 financial year.

## QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

<b>REPORT TITLE:</b>	QUESTION ON NOTICE FROM COUNCILLOR P. HUGHES RE: CRITERIA REQUIRED FOR PARTIAL STREET CLOSURE
<b>ITEM NUMBER:</b>	5.3.2
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>ATTACHMENTS:</b>	NIL

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

### **QUESTIONS**

1. When considering the closure of a suburban street what criteria must Council investigate?
2. Before deciding to close a suburban street what obligatory consultation must Council undertake?
3. Are there any other factors that can impact the consideration of a street closure?

### **ANSWERS**

1. *When considering the closure of a suburban street what criteria must Council investigate?*

There are typically up to four different types of Local Area Traffic Management (LATM) treatments that Council considers when investigating the closure of one of its streets, as summarised below:

#### **Partial Road Closure**

- Slow Point/Chicane 'one lane' mid-block, which facilitates two-way traffic.
- Driveway link 'one lane' at intersection/mid-block, which facilitates two-way traffic.
- Half street closure at intersection/mid-block, which only permits traffic to enter or exit at the location of the LATM measure in one direction.

#### **Full Road Closure**

- Full road closure at intersection/mid-block, which restricts all vehicle access at the location of the closure.

From a traffic engineering ‘technical’ perspective, there is no agreed or formally-adopted statement of conditions in the Australian Standards or Austroads Guides at which LATM measures must be implemented.

The criteria that is typically considered during the investigation of a proposed road closure (partial or full) or other LATM device are outlined below:

- **Rat-running:** Is a high level of rat-running (unnecessary traffic) observed along the street?
- **Traffic Volumes:** Do the traffic volumes exceed the desirable limit for a local residential street?
- **Traffic Speeds:** Do traffic speeds exceed the desirable 85<sup>th</sup> percentile limit for a 40 km/h local residential street?
- **Road Safety:** Is there an identified history of crashes?
- **Parking capacity and demand:** What is the capacity and demand for parking?
- **Community Feedback:** Is there majority support by the local community (along the street and surrounding streets)?

An assessment of this nature is typically undertaken in the context of an LATM Plan, as the impact of a street closure (partial or full) will not only have an impact on the street itself, but also on the surrounding local street network. The LATM for the Myrtle Bank area (LATM 5) is currently scheduled for 3+ years, once the Department for Infrastructure and Transport (DIT) works along Fullarton Road with Glen Osmond Road and Cross Road are completed (as traffic movements along the local street network are likely to change as a result of these works).

The LATM warrants that have been established by the City of Unley to ascertain if further action/investigation is required along a street is shown in the Table below.

Applicable in local residential streets only	Daily Traffic Volume	85th percentile speed [40km/h streets]	% of daily traffic in peak AM and PM	Casualty crashes in 5 year period	Action
Substantial problem (Deficiency Standard)	> 3000	>/= 50	> 20	3+	
Acknowledged technical problem (Planning Standard)	> 2000	48-49	17-20	3+	Further investigation required
Possible technical problem	> 1500	46-47	14-16	3+	
No agreed problem	< 1500	</= 45	< 13	< 3	No investigation required

2. *Before deciding to close a suburban street what obligatory consultation must Council undertake?*

From a traffic management perspective, a road closure through the use of a traffic control device whether a partial or full road closure has no legal consultation requirements. However, as is the case with any other traffic control measure, Council should undertake consultation regarding a partial or full road closure prior to making a final determination on whether or not it is to implement the measure.

The consultation would be undertaken with the residents of the road in question as well as residents of adjoining roads who may be using the road in question. In addition, Council should consult with Emergency Services who would be impacted in the event access to the areas adjacent the road closure is required. In terms of the timeframes for consultation, Council's minimum requirement under its Consultation Policy is 21-days but Council may wish to extend this given the significance of a proposal particularly in the case of a full road closure. Typically, feedback received during the consultation process would be presented to Council for its consideration prior to making a final determination.

3. *Are there any other factors that can impact the consideration of a street closure?*

When investigating a road closure (partial or full) or other LATM measure typically there are a number of steps that Council would need to undertake:

- **Establish Technical Warrant:** a traffic impact assessment would need to be undertaken to establish the need based on the warrants shown in the Table provided in response to Question 1.
  - **Options Analysis:** if a need has been established; concept design options, costings and impact assessment of a road closure (full or partial) would need to be undertaken, with a recommended option or options (up to 2) established to take to consultation.
  - **Consultation:** is undertaken with all nearby affected stakeholders (including residents and property owners), Emergency Services (particularly in the case of a full road closure) for a specified period of time as determined by Council.
  - **Council Report / Decision:** a summary of the consultation feedback is undertaken and presented to Council in a report for consideration and decision on next steps.
-

## MAYOR'S REPORT

**REPORT TITLE:** MAYOR'S REPORT FOR MONTH OF JANUARY 2021

**ITEM NUMBER:** 6.1.1

**DATE OF MEETING:** 27 JANUARY 2021

**ATTACHMENTS:** NIL

### 1. RECOMMENDATION

That:

1. The report be received.

### Some Functions attended (09/12/20 to 19/01/21)

<b>Legend for attendance type at Function/Event:</b>	
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

<b>Date</b>	<b>Function/Event Description</b>	<b>Type</b>
10/12/2020	Sesquicentenary Logo Competition – Announce Winner	Presenter
10/12/2020	State Planning Commission Elected Member Briefing – Code Consultation   Webinar	Attendee
11/12/2020	CPCA Owners' Executive Committee meeting	Mayor
15/12/2020	Mayor's and CEO's meeting with Green Adelaide	Mayor
16/12/2020	CAP Member Interviews	Mayor
16/12/2020	Mayor's Message - December 2020	Mayor
17/12/2020	<p>Meeting with Hon Vickie Chapman – Minister for Planning and Local Government</p> <p>City of Unley's Deputy Mayor and CEO joined the Mayor at this meeting.</p> <p>Discussions included a proposal in support of Council's Financial Incentive for Trees Investigation.</p> <p>The minister's staff have followed up our meeting with further questions. Responses are being prepared by the administration.</p>	Mayor

18/12/2020	ERA Mayors Dinner Meeting	Mayor
21/12/2020	CAP Member Interviews	Mayor
18/01/2021	ADCSA Australia Day Awards – Government House	Attendee
	<b>Radio Interviews</b>	
19/12/2020	ABC / FiveAA – King William Road Award Win	Interview

## DEPUTY MAYOR'S REPORT

**REPORT TITLE:** DEPUTY MAYOR'S REPORT FOR MONTH OF JANUARY 2021  
**ITEM NUMBER:** 6.2.1  
**DATE OF MEETING:** 27 JANUARY 2021  
**ATTACHMENTS:** NIL

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### 1. **RECOMMENDATION**

That:

1. The report be received.
- 

### Functions attended (09/12/20 to 19/01/21)

<b>Date</b>	<b>Function/Event Description</b>
14/12/2020	Council Meeting
16/12/2020	CAP Interviews
17/12/2020	Meeting with Hon Vickie Chapman – Minister for Planning and Local Government
21/12/20	CAP Interviews

## REPORTS OF MEMBERS

**REPORT TITLE:** REPORTS OF MEMBERS FOR MONTH OF  
JANUARY 2021

**ITEM NUMBER:** 6.3.1

**DATE OF MEETING:** 27 JANUARY 2021

**ATTACHMENTS:** 1. COUNCILLOR M. BRONIECKI

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Council to note attached reports from Members:

1. Councillor Monica Broneicki
-

## REPORTS OF MEMBERS

**REPORT TITLE:** REPORT FROM COUNCILLOR MONICA BRONIECKI

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**Functions attended (09/12/20 to 19/01/21)**

<b>Date</b>	<b>Function/Event Description</b>
10/12/2020	State Planning Code update
14/12/2020	Council meeting
15/12/2020	Unley Bicycle User Group
15/12/2020	Meeting with resident
15/12/2020	Council Assessment Panel
17/12/2020	Meeting with David Sutton & Mayor re bicycle racks at the Unley Community Centre and social rides
7/01/2021	Unley Bicycle User Group meeting re Mills Street LATM
11/01/2021	Meeting with MRabbitt
18/01/2021	Meeting with Unley Bicycle User Group chair
18/01/2021	Meeting with Gary Brinkworth re planning decisions

## **CORRESPONDENCE**

<b>REPORT TITLE:</b>	CORRESPONDENCE
<b>ITEM NUMBER:</b>	6.4.1
<b>DATE OF MEETING:</b>	27 JANUARY 2021
<b>ATTACHMENTS:</b>	1. ACTING MINISTER FOR PLANNING & LOCAL GOVERNMENT

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The correspondence from:

- Acting Minister for Planning & Local Government - Response to Request for Review of Planning Policy

be noted.

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**The Hon Rob Lucas MLC**

20MPL1761

Mr Peter Tsokas  
The City of Unley

By email: [ptsokas@unley.sa.gov.au](mailto:ptsokas@unley.sa.gov.au)

Dear Mr Tsokas

I write in response to your letter of 7 December 2020 regarding your request for a review of planning policy for the area along Fullarton Road currently within the Residential Regeneration Zone. I am responding in my capacity as acting Minister for Planning and Local Government and apologise for the delay in response.

I note your concern regarding the development undertaken in the Major Roads Policy Area 14 of the Residential Regeneration Zone in the Council's Development Plan. I understand that this Zone and Policy Area were introduced in 2017 through the DPA to provide for moderate housing growth at targeted locations within the Council area.

As you are aware, the Phase Three (Urban Areas) Planning and Design Code (the Code) proposes to transition the subject area to the Urban Renewal Neighbourhood Zone. I am advised that the Urban Renewal Neighbourhood Zone is considered the most appropriate policy fit for transition of existing Residential Regeneration zones.

It is acknowledged that the draft Code policies provide for similar density, additional building height in certain cases and lesser front setbacks compared to the current Development Plan policy. However, the Code's General Development Policies on design address a number of the detrimental impacts observed in your correspondence, such as minimising visual mass, enhancing external appearance and street presentation, and encouraging landscaping around buildings.

In addition, the new Urban Tree Canopy Overlay will apply in this location, and specifically requires a minimum of 1 tree to be planted for each new dwelling within the Overlay area (or an appropriate offset contribution provided to enable tree planning by Council).

The Attorney-General's Department and the State Planning Commission (the Commission) are investigating concerns regarding on-site car parking for 2 bedroom dwellings. A number of submissions received on the Code in November-December 2020 requested that such dwellings should provide a minimum of two on-site parking spaces, not one.

Please note that deemed-to-satisfy pathways are not proposed to be provided in the Urban Renewal Neighbourhood Zone for shops, offices and consulting rooms. Such land uses would be performance assessed on their merits, and the relevant floor



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area guidance of 250m<sup>2</sup> would be considered on balance with other Desired Outcomes and Performance Outcomes.

The Commission has taken the City of Unley's submission on the Revised Phase Three (Urban Areas) Code Amendment into consideration, along with other submissions received during the consultation period from 4 November to 18 December 2020.

It is intended that the Code will commence operation in the City of Unley (the Council) in the first quarter of 2021.

If the Council finds that their concerns have not been addressed through the Code, the zoning of the subject area (Major Roads Policy Area 14) could be considered in a future Code Amendment, subject to investigations demonstrating suitability of zone change in this location.

Please note that "down-zoning" the subject area (to address concerns around building height and density) may conflict with the 30 Year Plan for Greater Adelaide – 2017 Update, which seeks for growth and medium rise development along key transport corridors. Further, State Planning Policy 6.5 seeks to locate higher density residential development in transport corridor catchments to achieve the densities required to support the economic viability of these locations and the public transport services.

Consistency with any relevant Regional Plan and the State Planning Policies should be demonstrated in the investigations supporting a Code Amendment.

Thank you for raising this matter. I trust that the above information is of assistance.

Yours sincerely



**Hon Rob Lucas MLC**  
*Acting Minister for Planning and Local Government*

12 January 2021

## DECISION REPORT

**REPORT TITLE:** CONFIDENTIALITY MOTION FOR ITEM 7.2 - UNLEY CENTRAL UPDATE

**ITEM NUMBER:** 7.1

**DATE OF MEETING:** 27 JANUARY 2021

**AUTHOR:** TAMI NORMAN

**JOB TITLE:** EXECUTIVE MANAGER, OFFICE OF THE CEO

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Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on the grounds set out below.

### 1. **RECOMMENDATION**

That:

1. Pursuant to Section 90(2) and (3)(i) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to information the disclosure of which:
  - relates to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the council or an employee of the Council.
2. In weighing up the factors related to disclosure:
  - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
  - non-disclosure of this item at this time will enable Council to consider information relating to current litigation without compromising the process.

On that basis, the public's interest is best served by not disclosing Unley Central Update, Report and discussion at this point in time.

3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.

**ITEM 7.2**

**Confidential – removed from the public agenda – pages 258-262**

## DECISION REPORT

**REPORT TITLE:** CONFIDENTIALITY MOTION TO REMAIN IN  
CONFIDENCE FOR ITEM 7.2 - UNLEY  
CENTRAL UPDATE

**ITEM NUMBER:** 7.3

**DATE OF MEETING:** 27 JANUARY 2021

**AUTHOR:** TAMI NORMAN

**JOB TITLE:** EXECUTIVE MANAGER, OFFICE OF THE CEO

### 1. **RECOMMENDATION**

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 7.2 Unley Central Update, considered at the Council Meeting on 27 January 2021:

Minutes

Report

remain confidential until legal proceedings have been finalised, or until 5 January 2024, whichever is the earlier, and not available for public inspection until the cessation of that period.

2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.