



Council Meeting

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

***Monday 23 November 2015 at
7.00pm***

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

Peter Tsokas
Chief Executive Officer

COUNCIL AGENDA

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 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

Almighty God, we humbly beseech Thee to bestow Thy blessing upon this Council. Direct and prosper our deliberations for the advancement of Thy Kingdom and true welfare of the people of this city.

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 NO

PAGE NO

APOLOGIES

Councillor J Koumi

CONFLICT OF INTEREST

299

MINUTES

1

Minutes of the Council meeting held on Monday 26 October 2015

Minutes issued separately

DEFERRED / ADJOURNED ITEMS

PETITION

300

Petition re Intersection Victoria Street and Lyons Parade

2 – 3

PRESENTATION**DEPUTATIONS****REPORTS OF COMMITTEES**

To receive and adopt or otherwise the reports and recommendations of the undermentioned Committees

- | | | |
|-----|--|-------|
| 301 | Infrastructure and Sustainability Committee | 4 - 5 |
|-----|--|-------|

Minutes of the meeting held on 3 November 2015

Minutes Attached

- | | | |
|-----|--|-------|
| 302 | Community and Culture Committee | 6 – 7 |
|-----|--|-------|

Minutes of the meeting held on 11 November 2015

Minutes Attached

- | | | |
|-----|--|-------|
| 303 | Development Strategy and Policy Committee | 8 – 9 |
|-----|--|-------|

Minutes of the meeting held on 16 November 2015

Minutes Attached**REPORTS OF OFFICERS****GENERAL MANAGER COMMUNITY – Ms Megan Berghuis**

- | | | |
|-----|--|---------|
| 304 | Clarence Park Community Centre Partnering and Management Agreement 2015 – 2018 | 10 – 16 |
|-----|--|---------|

GENERAL MANAGER ECONOMIC DEVELOPMENT AND PLANNING – Mr David Litchfield

- | | | |
|-----|---|---------|
| 305 | Shared Street Concept – Anderson Street Fullarton | 17 – 24 |
| 306 | Conservation Grants | 25 – 28 |
| 307 | Building and Swimming Pool Inspection Policy Review | 29 – 31 |

ITEM NO**PAGE NO****GENERAL MANAGER CORPORATE SERVICES –
Mr Stephen Faulkner**

Nil reports this month

**GENERAL MANAGER ASSETS AND
ENVIRONMENT – Mr John Devine**

308	Licence to Kirinari, 41 Oxford Terrace Unley	32 – 34
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CHIEF EXECUTIVE OFFICER (Peter Tsokas)

309	Quarterly Performance Report	35 – 37
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310	Council Action Records	38
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QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

QUESTIONS WITHOUT NOTICE**CORRESPONDENCE**

311	Minister for Volunteers Dog and Cat Management Board	36
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- | | | |
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MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

315	Notice of Motion from Councillor Lapidge re Mr Bryan	40
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ITEM NO**PAGE NO**

Elliott, CEO Centennial Park – Appreciation for Service to Centennial Park Cemetery Authority

316 Notice of Motion from Councillor Boisvert re Pedestrian Safety on Shard Pathways 41 – 42

MOTIONS WITHOUT NOTICE**CONFIDENTIAL ITEMS**

317 Confidentiality Motion for Item 318 – Goodwood Community Centre Future Lease Arrangement 43 – 44

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320 Confidentiality Motion for Item 321 – Centennial Park Cemetery Authority Quarterly Progress Report 53 – 54

321 Centennial Park Cemetery Authority Quarterly Progress Report 55 – 56

322 Confidentiality Motion to Remain in Confidence – Item 321 – Centennial Park Cemetery Authority Quarterly Progress Report 57

323 Confidentiality Motion for Item 324 – Damage to Flooded Gum 58

324 Damage to Flooded Gum 59 – 61

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SUGGESTED ITEMS FOR NEXT AGENDA

Council Action Report	Report on outstanding actions from Council resolutions
Confidentiality Orders	Review of all items in confidence
Conservation Grants Policy	

Library Review	
Living Well Plan – First Year Update	Update on the Living Well Plan after 1 year of operation
Draft Active Ageing Strategy	Endorsement of the draft Active Ageing Strategy following consultation.
International and Domestic Relations Policy	
Environmental Health – Food Safety Audits	Introduction of regulatory food safety audits of high risk businesses by Council's Environmental Health Officers
CONFIDENTIAL - Request to purchase land	
Traffic Management and Speed Restrictions for the Royal Show	
Council meeting dates 2016	To determine dates for the 2016 year

NEXT MEETING

Monday 14 December 2015

CONFIRMATION OF MINUTES

TITLE: CONFIRMATION OF MINUTES FOR COUNCIL
MEETING HELD ON 26 OCTOBER 2015

ITEM NUMBER: 299

DATE OF MEETING: 23 NOVEMBER 2015

ATTACHMENTS: NIL

RECOMMENDATION

MOVED:
SECONDED:

That:

1. The minutes of the Council Meeting held on Monday 26 October 2015, as printed and circulated, be taken as read and signed as a correct record.
-

RECEIPT OF PETITION

TITLE: PETITION RE INTERSECTION VICTORIA STREET AND LYONS PARADE

ITEM NUMBER: 300

DATE OF MEETING: 23 NOVEMBER 2015

ATTACHMENTS: 1. PETITION

RECOMMENDATION

MOVED:
SECONDED:

That:

1. The petition be received.
 2. The principal petitioner be notified that the petition has been received, but that Council does not intend to make further changes to the intersection.
-

OFFICER'S COMMENTS

The Petitioners describe the intersection as “unsafe”, but the basis for this view is unclear.

As part of the Goodwood Junction Upgrade project undertaken in 2013 by the Department of Planning, Transport and Infrastructure (DPTI), a safety audit was conducted of the Victoria Street level crossing. The audit identified a risk with potential queuing on the railway tracks while a vehicle is waiting to turn right into Lyons Parade from Victoria Street. The consequences of such queuing may result in a catastrophic outcome for both human life and the rail assets.

As such, DPTI required Council to install the no right turn restrictions, reinforcing them by installing a median. At the time of the abovementioned requirement, DPTI undertook community engagement with the local community. Following this process and balancing the safety and accessibility aspects, the current arrangements were implemented. Also, the narrow width of Lyons Parade required that traffic access be restricted to left turn only into Lyons Parade from Victoria Street.

Following these changes, Council conducted traffic counts (7 am to 7 pm data, 2015) at the intersection and the following are the key data from the counts:

- A total of 11 vehicles entered Lyons Parade from Victoria Street
- 2 vehicles exited Lyons Parade illegally

- A total of 2340 vehicles used Victoria Street (both directions) in this period
- A total of 401 cyclists used this intersection; out of these 144 cyclists were entering or leaving Lyons Parade

With regards to the request from the petitioners, it would require removal of the existing median, and changing the existing arrangement to allow exit movements out of Lyons Parade. However, removing the median will recreate the risk of queuing identified by DPTI. From a traffic management perspective, the existing arrangements are working satisfactorily considering the constraints and the intersection proximity to the level crossing. It is acknowledged that these restrictions cause some inconvenience to locals and users of this intersection, but there is no evidence to suggest they create a dangerous situation. That would only occur if the controls are disobeyed.

PETITION

Part 5

The petitioners therefore request that the Council (outline the action that the petitioners are requesting Council should or should not take)

Re-design intersection by removing median strip. There is restricting exit sign to turn left or right from Lyons Pde / Victoria Street.

Name (print)	Address	Signature
CRIG FLAVEL	14 LYONS PDE. FORESTVILLE	
JEFF OLSON	15 LYONS PDE FORESTVILLE	
Kim AKIN	15 Lyons Pde Forestville	
DEAN EATON	1 Lyons Pde Forestville	
Heather Eaton	1 Lyons Pde Forestville	
Debby Cp	5 Lyons Pde Forestville	
Kimberly Hurley	7 Lyons Parade Forestville	
Bethie Rickman	12 Lyons Pde. Forestville	
Andrew Au	13 Lyons Parade, Forestville	
J. Galbory	26 Hillswood Cr. Hillswood	
SAM SIBLY	1 MILLS ST MITCHELL PARK	
Michael Sibly	(DAILY USER OF INTERSECTION)	
MICHAEL SIBLY	6 LYONS PDE FORESTVILLE	
G. Thompson	7 Lyons Pde Forest.	
T. Leahy	8 Lyons Parade Forestville	
P. Hoskin	4 Oakley Ave. Hillswood	
MARK NASH	10 Lyons Road, Forestville	
Charles Wright	26 Victoria St, Forestville	
John Hoki	36 Addison Rd Blackforest	
Temira Gracher	9 Lyons Parade, Forestville	
Paul Gracher	9 Lyons Parade, Forestville	
Daniel Caputo	7/39 Victoria St Forestville.	
George Heinrich	1/39 Victoria St Forestville	

Attach additional sheets if necessary and use the same format as this page

REPORT OF COMMITTEE

TITLE:	MINUTES OF INFRASTRUCTURE AND SUSTAINABILITY COMMITTEE (I & SC) – 3 NOVEMBER 2015
ITEM NUMBER:	301
DATE OF MEETING:	23 NOVEMBER 2015
ATTACHMENTS:	1. I & SC MINUTES – 3 NOVEMBER 2015 2. TREE STRATEGY

1. **EXECUTIVE SUMMARY**

Review of Committee Terms of Reference

This Item was deferred from the September meeting to enable the correct Terms of Reference to be included with the agenda. A couple of amendments were needed to update the Terms of Reference and these have been made and when endorsed by Council will be placed on the website.

Second Tier Greening

This Item was deferred from the September meeting. The Committee discussed this Item and recommended the initiative be strongly supported as part of the Footpath Replacement Program. A further report is to be prepared and presented to the Committee.

Motion on Notice – Open and Green Spaces

The motion requested that staff prepared a report on exploring costs, benefits and mechanisms to encourage developments that would achieve significant areas of green space. The report will be presented to the Infrastructure and Sustainability Committee when prepared.

Tree Strategy

The Tree Strategy was presented to the Committee. The final version was not available at the time of the meeting, but a copy is attached for Members' information. This copy will be going out for community engagement and on completion a report will be presented to Council for endorsement.

Attachment 2

2. **RECOMMENDATION**

MOVED:

SECONDED:

That:

1. The minutes of the Infrastructure and Sustainability Committee meeting held on Tuesday 3 November 2015, be received.
2. The recommendations listed under:

Item 7

Deferred Item 6 – 8 September 2015 – Review of Committee Terms of Reference

Item 8

Deferred Item 4 – 8 September 2015 – Second Tier Greening

Item 10

Motion on Notice – Open and Green Spaces

Item 9

Tree Strategy

Inclusive, be adopted.

INFRASTRUCTURE AND SUSTAINABILITY COMMITTEE

MINUTES

**Meeting held
Tuesday 3 November 2015 at 6.30pm
Civic Centre
181 Unley Road Unley**

PRESENT

Councillor Michael Hewitson – Presiding Member
Councillor Peter Hughes
Councillor Rob Sangster
Councillor Bob Schnell
Mr Rod Hook
Mr Peter Croft

ACKNOWLEDGEMENT

The Presiding Member opened the meeting by welcoming Members.

OFFICERS PRESENT

Mr J Devine, General Manager Assets & Environment
Mr T Stein, Sustainable Landscape Specialist
Ms C Gowland, Executive Assistant to CEO & Mayor
Mr M Clark, Manager Operational Services

APOLOGIES

Mayor Lachlan Clyne
Mr Gavin Brennan

OBSERVERS

CONFIRMATION OF MINUTES

MOVED Councillor Hughes
SECONDED Councillor Sangster

That the Minutes of the Infrastructure and Sustainability Committee held on Tuesday 8 September 2015 as printed and circulated (with the addition of Councillor Hudson's presentation), be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

CONFLICT OF INTEREST

Nil

DEPUTATIONS

Nil

PRESENTATIONS

Nil

ITEM 7**

DEFERRED ITEM 6 – 8 SEPTEMBER 2015 – REVIEW OF COMMITTEE TERMS OF REFERENCE

MOVED Rod Hook
SECONDED Peter Croft

The Committee recommends to Council that:

1. The report be received.
2. The revised Terms of Reference (Attachment 2 to Item 6/15 and Item 7/15), as amended be adopted.

CARRIED UNANIMOUSLY

ITEM 8**

DEFERRED ITEM 4 – 8 SEPTEMBER 2015 – SECOND TIER GREENING

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised Members that he thought the Committee would benefit from a suspension of meeting procedures on the above Item for a period of up to 30 minutes, to discuss the Item and receive a presentation from Mr Trevor Stein.

This was agreed with a two thirds majority.

Meeting procedures were suspended at 6.45pm.

FURTHER SUSPENSION OF MEETING PROCEDURES

The meeting procedures were suspended for a further 20 minutes at 7.16pm. This was agreed with a two thirds majority.

Meeting procedures resumed at 7.35pm.

MOVED Peter Croft
SECONDED Councillor Schnell

The Committee recommends to Council that:

1. The report be received.
2. The Second Tier Greening initiative be strongly supported and its continuation as part of the Footpath Replacement Program be supported.
3. A further report be prepared, taking into consideration the comments made by the Committee.

CARRIED UNANIMOUSLY

Councillor Hughes left the meeting at 7.33pm returning at 7.34pm during discussion on the above Item.

CHANGE TO ORDER OF AGENDA

The Presiding Member advised the Committee that he would like to bring forward Item 10, the Motion on Notice, as it would reflect on the Tree Strategy report. This was agreed with a two thirds majority.

ITEM 10**

MOTION ON NOTICE – OPEN AND GREEN SPACES

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised Members that he thought the Committee would benefit from a suspension of meeting procedures on the above Item for a period of up to 15 minutes, to discuss the Item.

This was agreed with a two thirds majority.

Meeting procedures were suspended at 7.42pm.

Meeting procedures were reinstated at 7.57pm.

MOVED Councillor Hewitson

SECONDED Councillor Hughes

That the Committee recommends to Council, that:

1. To help achieve our strategic aims of maintaining the current level of tree shade and permeability across the City that Council ask staff to prepare a report on exploring the costs, benefits and mechanisms to encourage developments that achieve significant areas of green space. This will include the following:
 - The use of price mechanisms such as special rates open to Council.
 - The merits of a Green Fund or other means by which funds collected can be used to maintain the overall extent of green cover, particularly in relation to the new Planning, Development and Infrastructure Bill.
 - The impacts of any mechanism on low-income members of the community.
2. New developments impacted would include two for ones, extensions covering more than 50% of the site and removal of trees, as well as multi-storey developments.

CARRIED UNANIMOUSLY

ITEM 9
TREE STRATEGY

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised Members that he thought the Committee would benefit from a suspension of meeting procedures on the above Item for a period of up to 12 minutes, to discuss the amendments to the Tree Strategy.
This was agreed with a two thirds majority.

Meeting procedures were suspended at 8.03pm.

FURTHER SUSPENSION OF MEETING PROCEDURES

The meeting procedures were suspended for a further 10 minutes at 8.15pm.
This was agreed with a two thirds majority.

Meeting procedures resumed at 8.25pm.

MOVED Councillor Sangster
SECONDED Peter Croft

That the Committee recommends to Council that:

1. The report be received.
2. The Council endorse the draft Tree Strategy (Attachment 1 to Item 9/15) for the purpose of community engagement.
3. On completion of community engagement, a further report be presented to Council to endorse the final Tree Strategy.

CARRIED UNANIMOUSLY

ITEM 10
MOTION ON NOTICE – OPEN AND GREEN SPACES

See page 4 of these Minutes.

OTHER BUSINESS

Workshop

The General Manager Assets and Infrastructure advised Members that it is proposed to hold a workshop on the Environmental Sustainability Strategy prior to Christmas. A date is to be determined and Members consulted on their availability.

The meeting dates for the new year are yet to be set, but it is envisaged that a meeting will be held in February and the Items to be discussed are:

- Environmental Planning
- Open Space Strategy

CLOSURE

The Presiding Member closed the meeting at 8.45pm.

.....
PRESIDING MEMBER

.....

CITY OF UNLEY 2015-2018



Regenerating Unley's Urban Forest

Tree Strategy





"Someone's sitting in the shade today because someone planted a tree a long time ago."

~ Warren Buffett ~

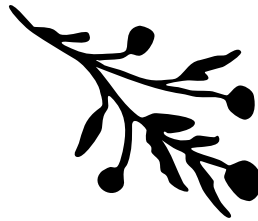


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Foreword



The City of Unley recognises the important contribution trees and vegetation make to its community.

Such assets provide environmental benefits by way of supporting flora and fauna, addressing the negative impacts of climate change while creating a living environment that adds character to the streetscape and economic value to properties.

The City of Unley commits significant resources to ensure it has the best possible streetscape and park environments through the effective management of its trees and understory planting whilst encouraging its community to play an important role. The management of the City's trees is an important function of Council and as community expectations and demands continually rise, managing these important assets is becoming increasingly more difficult and complex.

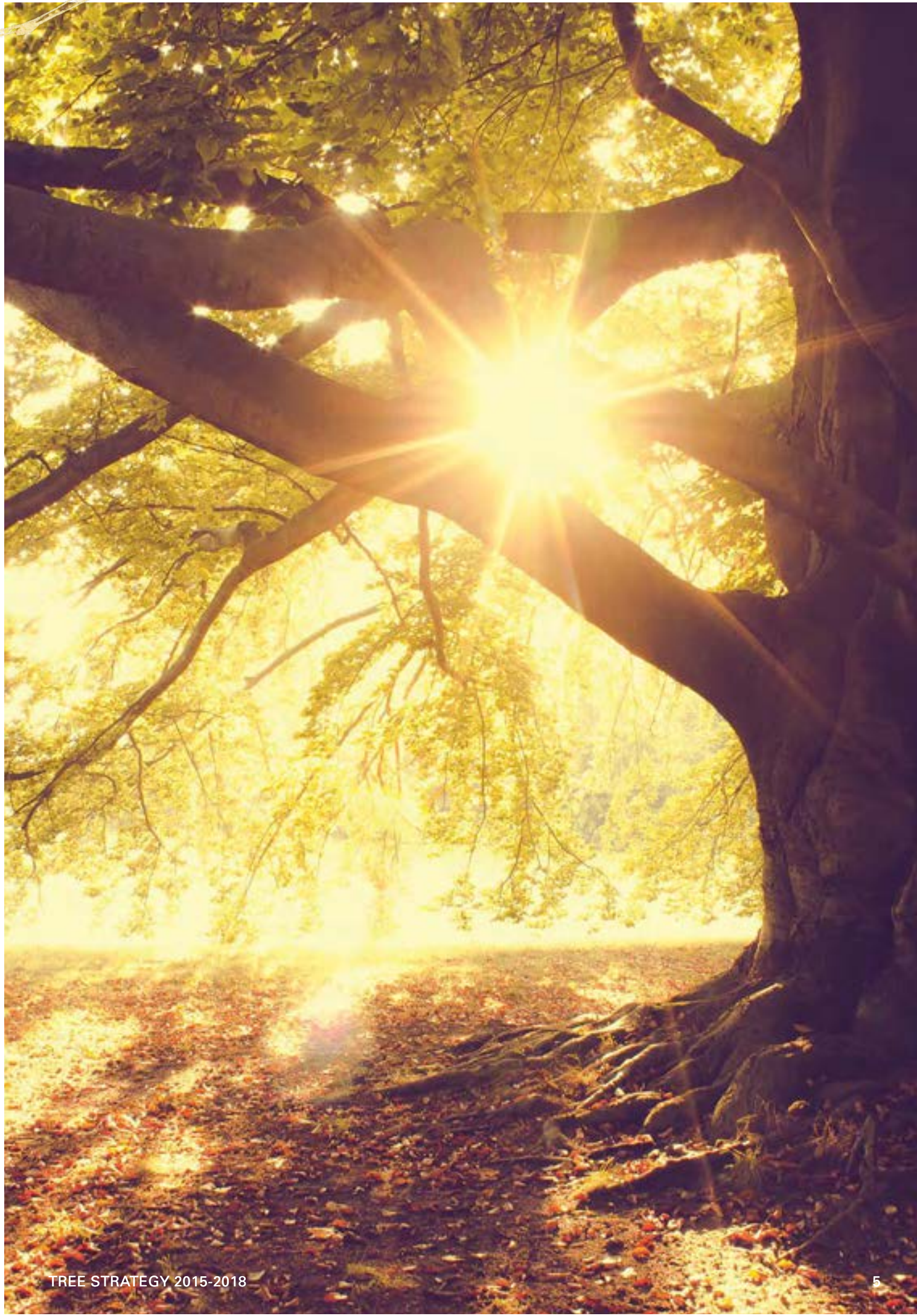
Cities around the world now regard trees as critical urban infrastructure – as important to how a city functions as roads or public transport. Furthermore, trees are seen as particularly vital to the health and wellbeing of communities. The benefits of urban forests span environmental, economic, cultural and political domains. These benefits are interrelated, with each cumulatively feeding into the creation of resilient sustainable urban landscapes.

Given the pressure on governments to plan for greater populations, increased urban density and climate change adaptation, there is a clear opportunity to communicate the importance and benefits of urban forests in creating resilient, sustainable cities that provide healthy and enjoyable places for people to live, work and play.

This City of Unley Tree Strategy provides the foundation of how Council will continue to enrich and enliven our neighbourhood's character and amenity through the continued management of one of our most valuable assets, now and for future generations. The document sets out an ambitious vision for improving sustainability in Unley. This Tree Strategy is an integral part of Council's Environmental Sustainability Strategy (in development).

The strategy recognises the achievements of previous elected members, administration and field base practitioners who have all played an important part in the establishment of a diverse urban forest. Acknowledging this solid foundation an opportunity exists to build, maintain and enhance this important asset within the City by providing a visionary yet practical approach for future tree managers.

Council will engage the community on this draft Strategy, evaluate feedback and then finalise the document prior to implementation. Once the Strategy has been finalised it is not intended to further consult with the community on every aspect, rather inform the community on specific initiatives as they are implemented.





About THIS Strategy





Purpose

The purpose of this Strategy is to provide a framework that will facilitate the regeneration of the Urban Forest in the City of Unley and provide sustainability for the City moving forward. Furthermore, the purpose is to align the Strategy with the overall objectives of the Unley Strategic Plan as described in a series of tiered strategies, in particular the Environmental Sustainable Strategy.

This document builds on the significant works already undertaken and currently underway within the City of Unley.

Unley City Council currently has approximately 26,000 Council owned trees within the local government area of 14 square kilometres. Trees constitute an important element of the rich cultural heritage of Unley and are a considerable asset to the community on many levels. They complement the environment, enhance our enjoyment of streets and open spaces by making them more comfortable and pleasant, and just as importantly they provide a wide range of other benefits such as shade, cooling and habitat for wildlife.

Conversely, trees constitute a potential risk to the community and to property on a number of levels, ranging from interference with underground or above ground services to risk to property and personal safety through such events as limb drop or lifting of paved walking surfaces. Like other assets, such as buildings, trees require effective and coordinated management to maximise their benefits to the community and the environment and minimise risks, such as damage to property or personal injury.



Council is committed to nurturing, preserving and developing these important community resources.

This Strategy uses a hierarchy of; pathways and objectives, initiatives, indicators and targets. The Strategy seeks to provide an appropriate level of guidance and framework and in some situations recommend developing a more detailed supporting plan or establishing a program to focus efforts.

The Urban Forest

PUTTING TREES IN CONTEXT

Urban forestry is broadly defined as the management of trees, shrubs and other vegetation in urban areas. It focusses on the 'forest' or larger population of trees rather than individual trees along streets, in parks and open spaces and within commercial, industrial and residential properties. Trees in cities are a major component of the green infrastructure, the natural resources upon which the City relies. Healthy, resilient and liveable towns and cities that can sustain growing populations in 21st century Australia will feature viable and vibrant urban forests.

The City's urban forest consists of all trees and vegetation located throughout the local government area; irrespective of the tree species origin (native, exotic), location (street, park, garden, school) or ownership (public, private, institutional). As distinct from arboriculture and horticulture, urban forestry considers the cumulative benefits of an entire tree population across a town or city. Looking holistically at the urban forest and its associated ecosystem allows for consideration of the broader issues of climate change, urban heat island effects and population growth that can be influenced by and which can affect an urban forest.

The urban forest, measured as a canopy cover percentage of the total land area, is recognised as a primary component of the urban ecosystem. It is one component of a complex built environment that includes roads, car parks, footpaths, underground services, buildings and other structures. Urban forests mean different things to different people, yet they contribute positively to the way we see our towns and cities and how we use them.





Urban forestry can be described as the science and art of managing trees, forests and natural ecosystems in and around urban communities to maximise the physiological, sociological, economic and aesthetic benefits that trees provide society (Schwab, 2008).

Trees are the largest elements in the urban forest. They are such an important and critical part of our urban fabric and support the basic elements that sustain life: the air we breathe, the water we drink and shelter from the wind in winter and sun in summer.

All components of the urban forest allow those living in our towns and cities to connect to the natural landscape. The urban forest can thrive alongside the hard infrastructure associated with urbanisation.

Urban forests play a vital role in the health, social framework and economic sustainability of a city. Trees are working 24 hours a day, every day, improving our environment and quality of life.

The key messages in marketing the Urban Forest to support the goals of this strategy are as follows:

- urban forests provide essential benefits we cannot live without;
- a healthy and safe urban forest doesn't happen by chance – it is the result of proper planning, management, and community investment;
- healthy urban forests can assist with many community problems;
- urban forests and natural areas are connected; good management of one helps the other.

“For an urban forest to be sustainable there must be a wide age-distribution of trees to create a continuous cycle of succession.”

Apart from ensuring that there is a new generation of trees to take the place of trees which must be removed for health or structural reasons, the most expensive stages of a tree's life are in the very early stages and in old age or senescence. Hence a mix of ages is more financially sustainable and assists Council spread the risk.

Having a diverse mix of species – both native and exotic - reduces the risk of loss should one species be susceptible to a new pest or disease. Diversity of tree species also provides benefits for biodiversity, aesthetic reasons, improves resilience and the provision of summer shade and winter sun (Sydney University, 2008).

UNLEY'S URBAN FOREST

Trees play an important role in the environmental and aesthetic context within Unley adding social, economic and environmental value to the City.

Many street boulevards were established by environmental pioneers in the early 1900s. The majestic Plane Trees of Victoria Avenue and Northgate Street in Unley Park owe their existence to the early arborists and City Planners who pre-empted and delivered a vision for the City. Many of the trees existing along the major boulevards of the City date back nearly one hundred years. These early plantings have been complemented by a Council decision in the late 1970s to plant every street that can be planted with street trees.

The City's streetscape is supported by numerous natural park and open space trees many of which pre-date European settlement. While Unley is restricted to 3% open space, many large remnant trees remain to support a diverse urban forest. These park trees are further complemented by private land owner tree plantings many of which also date back to the early 1900s.

The City is fortunate that property sizes within much of Unley are large, enabling trees of a significant size and canopy to have been planted and managed within the private realm. These trees along with those in Council ownership contribute significantly to the aesthetic and environmental 'feel' of the City.

THE UNLEY CONTEXT

THE DEMOGRAPHICS OF COUNCIL'S STREET TREES

Funding was provided during the 2014/15 financial year for Council to undertake a detailed audit of the street tree asset.

The audit involved a street by street assessment of the street trees from a range of pre-determined criteria, and has been designed to provide reliable up to date data on the street tree population to ensure tree succession planning is based on good current information. Furthermore, the audit provides supporting evidence for the establishment of a programmed approach to succession tree planting throughout the City.

The collection of tree status data, analysis and translation of this data are important measures in proactive tree management and planning.

The primary stage of the audit grouped the tree assets in segments covering between 1 to 15 trees per group. Approximately 2,300 asset groups were detailed within the primary stage data collection of the project.

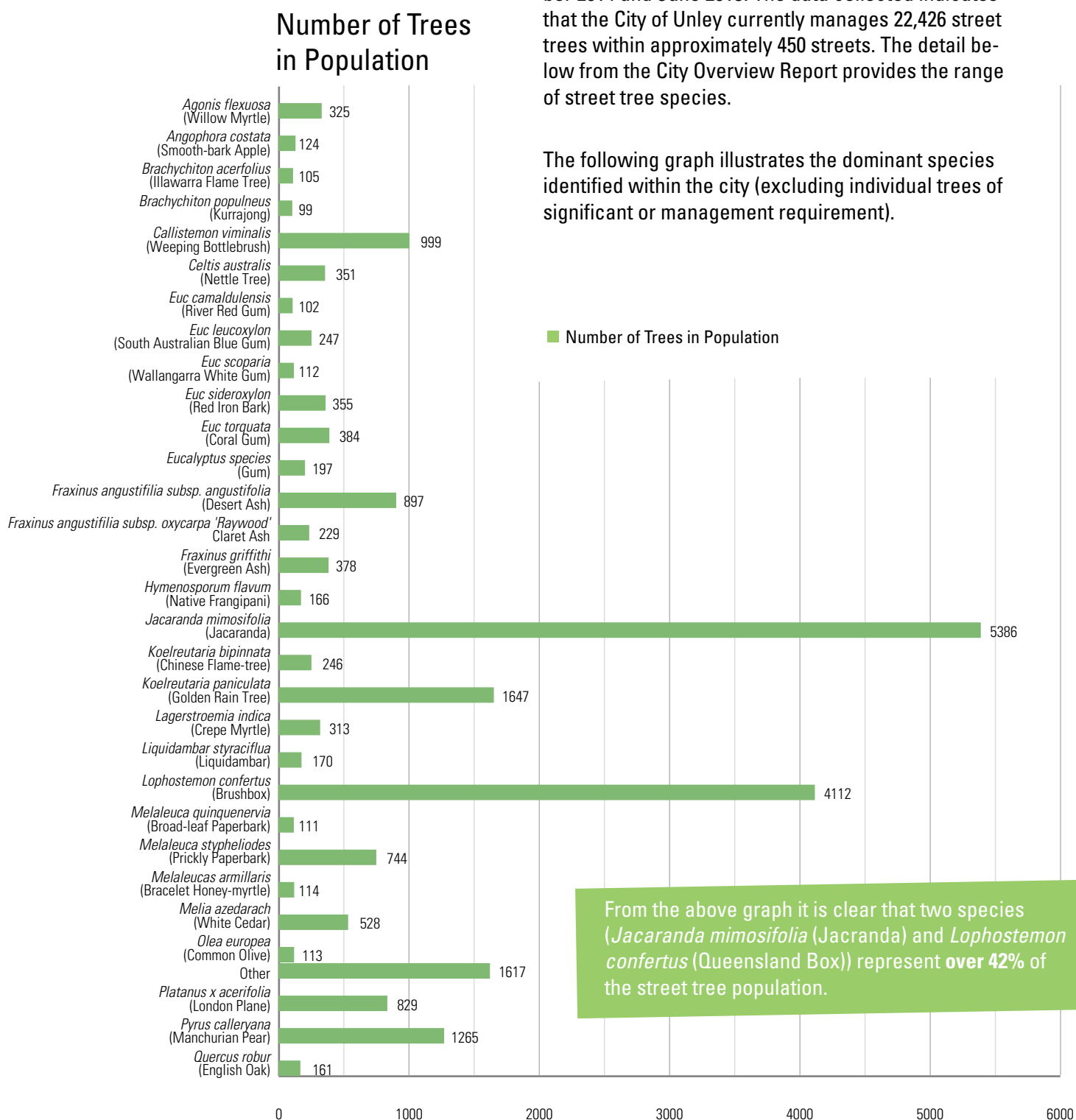




STREET TREE NUMBERS & SPECIES

The street tree data was collected between December 2014 and June 2015. The data collected indicates that the City of Unley currently manages 22,426 street trees within approximately 450 streets. The detail below from the City Overview Report provides the range of street tree species.

The following graph illustrates the dominant species identified within the city (excluding individual trees of significant or management requirement).



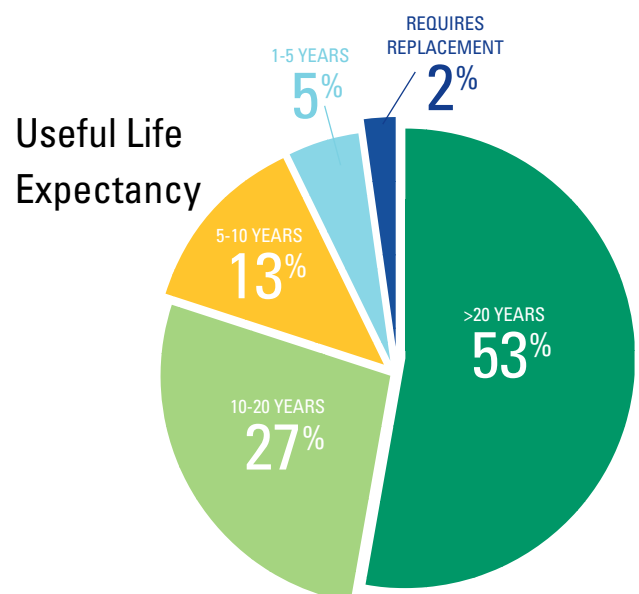
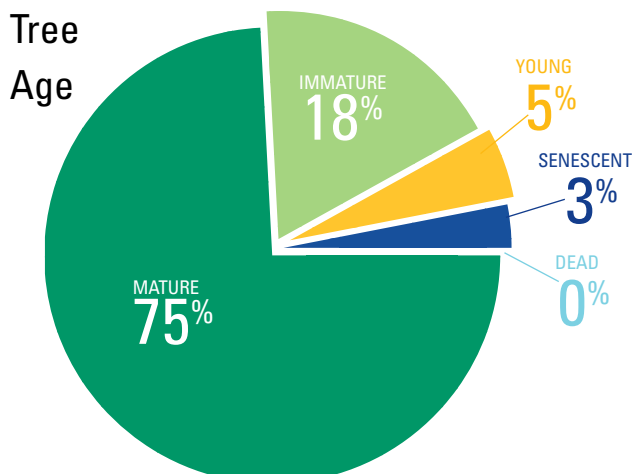
USEFUL LIFE EXPECTANCY (ULE) OF THE STREET TREE ASSET

An analysis of the age of the street tree asset and the Useful Life Expectancy (ULE) becomes critical in assisting the succession planning process. The data collected and taken from the audit below indicates that 53% of the street tree asset has a ULE greater than twenty years. Conversely this indicates that 47% of the trees have a ULE less than twenty years. A tree's ULE is determined using several factors observed during the tree assessment including the tree's age, health and structural condition as well as its aesthetic and environmental contribution to the local area.



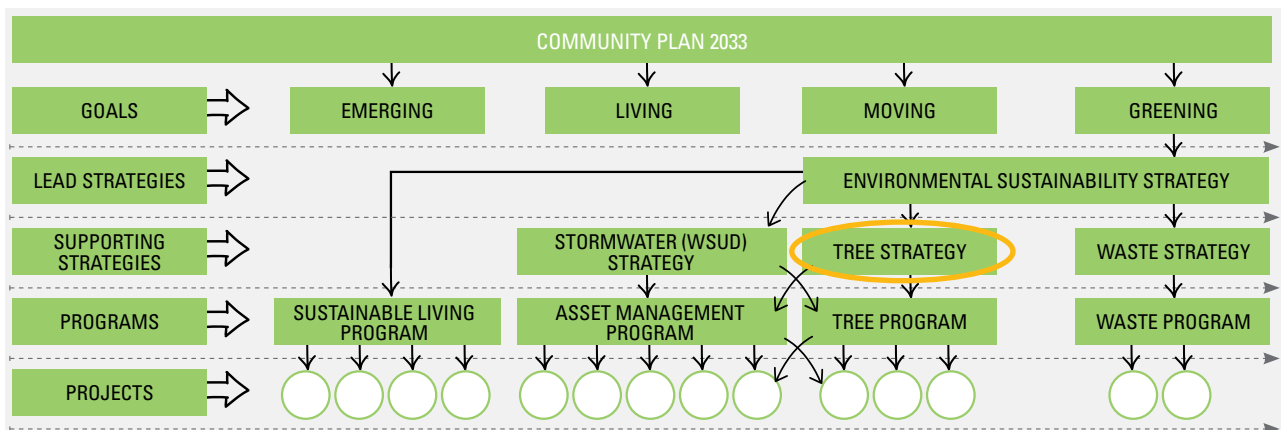
It should also be noted that while 74% (16,671) of the tree population within the City is mature, over half of the population has a ULE that exceeds twenty years with 20% (4,485) of the tree asset expected to require replacement within the coming five to ten years. The data reveals that 7% or 1,570 trees will require replacement within the next five years.

The age range for the tree population is moderately distributed and ranges between young and senescent. The following graphs show the number of trees within each of the age ranges collected as well as the remaining Useful Life Expectancy estimated for these trees.



Strategic Context

The Tree Strategy will directly support the outcomes of the Environmental Sustainability Strategy and the Greening goal in the Community Plan as outlined in the flowchart below.



The Tree Strategy also links to the delivery of a number of other lead strategies and plans, specifically the Living Well Public Health Plan (Priority 3 - Preparing for Climate Change), the Open Space Strategy (in development) and the Active Ageing Strategy (in development).

Principles

The development of this Strategy is underpinned by principles which are reflected through the vision, objectives, strategies, indicators and targets. The City of Unley has developed a set of guiding principles to ensure assets throughout Unley are developed and managed for the needs of the community. Trees within the City of Unley are classified as an asset and managed in a manner consistent with other Council owned assets.

Council has developed a set of guiding principles to ensure assets throughout the city are developed and managed in a responsible, systematic manner to meet the needs of the community:

1.

EQUITY ACROSS THE COMMUNITY

A balanced approach is taken ensuring that residents across the community have equal opportunities for required services.

- Council recognises that trees are an integral part of the environment add aesthetic quality to life across the City, and will be treated as an asset.
- Street tree plantings or removal will be based on a holistic City wide themed approach promoting the orderly planning of each area.
- Design landscapes to reflect the cultural integrity, identity and character of Unley and its neighbourhoods.

2.

SUSTAINABLE ASSETS

Assets are designed & maintained in a manner cognisant of a triple bottom line outcome (financial, environmental, social) and utilising a life cycle approach.

- Council has a responsibility for the planning, establishment, maintenance and removal of all trees located within the City's street-scapes and open space (parks, reserves, streets, medians and nature strips).
- Trees are considered to be community assets that contribute to the wellbeing of the community and to the natural environment.
- Council recognises and values the significance of trees within the urban setting in that they create functional and aesthetic street-scapes, provide natural habitat and natural shade.
- Council will ensure a diversity of tree species and ages to maximise resilience against pest and diseases and weather extremes.

3.

RISK SENSITIVE

Asset based decisions are made in a manner where risks are identified, understood and managed (WHS, Environment, Public Safety, Community).

- Tree assessments are undertaken within a risk framework consistent with the industry standards and demonstrate reasonable care.
- Council is committed to protecting and maintaining trees within the municipality whilst meeting its obligation to provide a safe environment.
- Council aims to preserve and protect the City's Regulated trees both on Council owned and private land in line with the legislative controls outlined in the Development Act 1993.

4.

STRATEGIC CONSISTENCY

Assets related to services are planned and maintained within an integrated planning framework

- The Tree Strategy complements other relevant strategies and plans including the Environmental Sustainability Strategy, Living Well Plan and Open Space Strategy, to ensure an integrated approach across Council.
- The on-ground delivery of the Tree Strategy through programs and projects will be planned and maintained through annual business planning.

5.

FUNCTIONAL & SERVICE LEVEL

Assets are designed and maintained to ensure they are fit for purpose and meet the agreed level of service.

- Council commits to enhancing existing biodiversity sites and establishing new biodiversity sites through tree management and additional local provenance tree plantings.
- Trees will be selected and maintained in a manner consistent with the desired/targeted service level for each specific site.

6.

COMPLIANT

Assets are designed and maintained to meet compliance requirements at a minimum.

- All new street tree plantings are required to be compliant with relevant legislative requirements.
- Accessibility and walkability are key functions of the Age Friendly City streetscape and it is incumbent on Council to ensure that wherever possible a balance is reached whereby streets, parks and other public land is accessible to all.
- Property owners within Unley have a responsibility to manage trees within the boundary of their properties.

7.

INNOVATION & IMPROVEMENT FOCUSED

Alternative methods of providing services/assets are regularly examined & improvements considered, to ensure “best value” options are applied.

- Trees will be managed in a manner that recognises and finds a careful balance between the historical character of Unley’s inner-city urban environment and new expressions of social, environmental and aesthetic values in streetscape renewal programs.
- Council commits to promote the use of innovative techniques for water sensitive urban design to support tree growing solutions in streets and Council owned open space.
- Continue to support an urban forest that can tolerate and continue to thrive in climatic extremes.
- Continue to identify opportunities to plant trees within our City/streets to enhance streetscapes.





Issues

— AND —

Challenges



Ageing tree population

Many of the City's trees, including those in streets and parks, are well over 50 years old (74% of street trees are mature) and reaching the end of their useful life.

The City of Unley manages the population of ageing trees through regular assessments to determine which trees need to be treated or removed, and by planning when, how and with what trees they will be replaced. Managing ageing trees requires careful consideration. Urban tree renewal is not simply a question of replacing dying trees, but is also one of identifying the most resilient and appropriate replacement plan and engaging in a meaningful dialogue with a broad range of stakeholders and community members.

The City of Unley's key challenges in terms of ageing trees are:

- An ageing tree population requires increasing resources to manage and sustain. Over time, the environmental value of urban trees diminishes and they become hazardous to people using the City's public spaces. A high proportion of over-mature trees carries an element of public risk (and cost) and must be managed accordingly.
- Uniform, symmetrical avenues create wonderful vistas along our avenues and main streets, and in the City of Unley these are largely synonymous with broad-canopied deciduous trees such as cedars and planes.



Trees like us have a finite life. There needs to be community recognition that they start small move through maturity and eventually die. Source: Google Images

Water & soil moisture

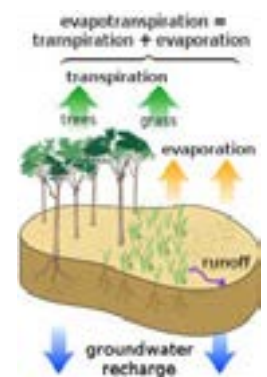
To achieve these aesthetics, it is desirable to plant identically aged trees that will maintain the visual consistency of the avenues. However, this can pose challenges for the community when confronted with large numbers of trees requiring replacement at the same time.

While community engagement is important in managing an ageing tree population, particularly in relation to tree removals, there are times when Council will be required to make decisions against the wishes of some of the local community. When arboricultural assessment identifies unacceptable risk concerns with trees, the Council's decision to remove them may over-ride the community's wish for the trees to be retained. In these instances, the appropriate level of information will be provided to the local community.

Water is the primary element needed for vegetation growth. The recent extended drought and water restrictions severely damaged the health of the City of Unley's urban forest, resulting in an increase in tree mortality. The most recent useful life expectancy mapping that has been undertaken shows that about 74% of our trees are mature and potentially could reach the end of their useful lives within a similar period. Much of this is due to long term effects of low water availability.

Mature trees help to ameliorate the urban heat island effect both through shading of urban surfaces and atmospheric cooling through evapotranspiration. Maximising the potential for vegetation to cool the city through evapotranspiration is another important reason to maintain soil moisture.

Adequate available soil moisture is critical for healthy vegetation. Extended years of drought have left soil moisture levels morbidly low, affecting tree health throughout the municipality. In particular, trees in traditionally irrigated landscapes were affected by a combination of low rainfall and decreased irrigation due to watering restrictions.



Source: Google Images



TreeNet inlets capturing stormwater from the watertable and utilising the water to support tree growth.





While recent seasonal rains have been valuable, soil moisture remains depleted and this poses an ongoing threat to tree health. A number of active and passive approaches are currently undertaken to replenish soil moisture and ensure it is maintained at levels to provide healthy growth. Changes to irrigation practices, mulching, water well installation, soil injection, water barrier and tanker watering have preserved the health of many trees. Tree health monitoring and measurement of soil moisture provide strategic guidance to direct resources and will be vital in ensuring the health of the future forest.

With an expected long-term low water future and the desired move away from reliance on costly potable water, alternative water sources are needed to ensure healthy vegetation growth. The capture and reuse of stormwater is an important way to decrease reliance on potable water, particularly given the great quantity of stormwater flowing along creeks through the City. The City that has traditionally shed water needs to capture, store and reuse it. However, this presents challenges as well as opportunities. In particular storing stormwater for reuse in dry periods is challenging in densely-built urban areas, but can be supported by wetlands, underground tanks and water sensitive urban design.

The City of Unley is committed to a journey towards becoming a water sensitive city. In doing so, it will create a more liveable, resilient and sustainable city for future generations. The implementation of Water Sensitive Design (WSUD) techniques integrated into traditional work programs is one such approach which will contribute to achieving this outcome.

The development of integrated WSUD strategies into Council works programs is one way to focus on delivering urban greening, enhanced streetscapes and mitigated urban heat load for future generations. The concept of liveability within the urban environment in the context of this strategy seeks to improve micro climate benefits which will stem from enhanced tree health and shade across the city.

While larger scale water sensitive urban design opportunities may not always exist in a highly urbanised Council like Unley, there are always smaller scale micro initiatives that can be trialled and implemented. The reduction of footpath widths to provide wider nature strips, tree stormwater inlet and waterwell installations and Second Tier Greening of nature strips are just a few initiatives trialled and pursued to support water retention within the City. Innovation in water retention and re-use need to be continually researched, explored and trialled to ensure water availability to support tree growth.

These initiatives enable the improved retention of soil moisture and ultimately facilitate a broader palette of tree species which can be planted in the street tree network.



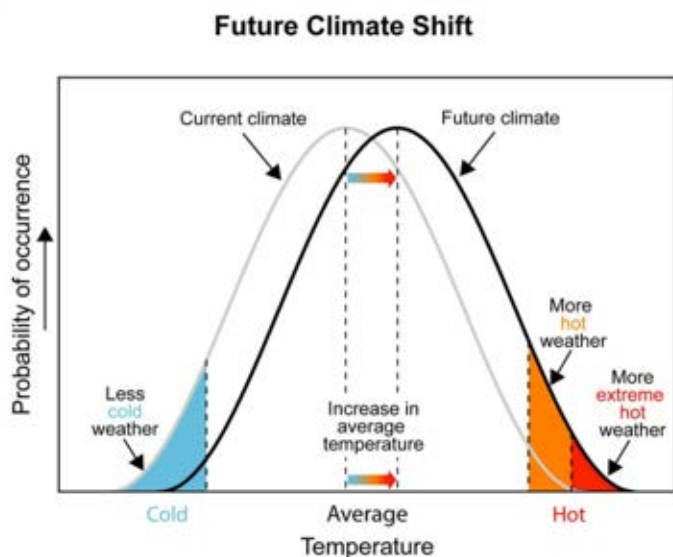
Stormwater diversion pits capturing rain water from property overflow and storing the water in a pit slowly dispersing into the nature strip supporting tree growth.

Climate Change



The Australian Government's most recent report on climate change, the Critical Decade, states unequivocally that it is 'beyond doubt' that climate change is occurring. The primary cause of the observed warming and associated changes since the mid-20th century – human emissions of greenhouse gases – is also understood with a high level of confidence.

Whilst the effects of climate change are just becoming discernible, they will become increasingly prominent. The effects over coming decades will include warmer average temperatures, heat waves, more extreme storm events and lower average annual rainfall. We have already observed the damage caused by extreme heat and floods in Australia in recent years, and it is likely that these events will become more prevalent.



Source: Google Images

The risks to cities of more severe weather conditions will increase, bringing with them high economic, social and environmental risks and costs. Specifically in relation to trees, the impacts of climate change will include:

- The susceptibility of vegetation to increasing and emerging pests and diseases will challenge the urban forest's ability to withstand and recover from these outbreaks. Recent observations in NSW pine plantations have found that drought-stressed trees are suffering increased incidence of attack from insect stem borers, bark beetles and fungi. Changes in climate can affect pests' life cycles. Warmer summers can increase insects' development rate and reproductive potential, while warmer winters can increase over-winter survival. Many pests and diseases may have extended geographical ranges as warmer temperatures affect flight behaviour and vector spread. Introduced pests may also find conditions more favourable for population growth. Forests not previously at risk could become vulnerable as pests and disease ranges change.
- Extreme weather events directly affect vegetation health, generally leading to a reduction in canopy cover and overall decline. Heat extremes can lead to foliage and trunk scorch and canopy desiccation. Storms can shred foliage, break branches and uproot trees.
- Lower rainfall will result in increasing frequency of tree death in many species and overall forest health decline in response to frequent and severe drought.
- Inundation can lead to soil erosion, salinity, tree instability, tree mortality and damage to infrastructure. In southern Australia, more frequent extremes of wet and dry periods may increase the incidence of the root rot pathogen *Phytophthora cinnamomi*. Trees weakened by this disease have a reduced capacity to survive drought.

In the Unley context, it is increasingly important to research and develop appropriate tree palette species, both native and exotic, for use in streets and parks that will adapt to climate change moving forward. Increasing the diversity of species used will assist Council adapt and maintain a healthy, environmentally sustainable and resilient tree population.

Urban Heat Island & Extreme Heat

The urban heat island effect is common worldwide as cities become warmer than nearby suburban and regional areas, particularly at night. After a hot day, parts of the city can be four to seven degrees hotter than surrounding rural areas. This phenomenon occurs all year round, but it becomes a problem during hot weather.

In periods of prolonged heat, the urban heat island effect increases pressure on the city. It exacerbates heat stress, particularly for vulnerable people such as the elderly, the very young, and those with pre-existing medical conditions. Heat waves already kill more Australians than any other natural disasters and have led to many deaths in nationally over the past 50 years. Victoria's Chief Health Officer found that the heat wave preceding the 2009 Black Saturday fires contributed to an increase above normal of 374 deaths in inner Melbourne – almost double those who died as a result of the fires. People living in high-density areas are at greater risk during heat events as a result of the urban heat island effect (Reference: City of Melbourne Urban Forest Strategy).

This heat also contributes to the decline of certain tree species. Extreme heat, particularly if combined with low soil moisture, causes the foliage and even the bark of some trees to scorch, which can lead to tree decline.

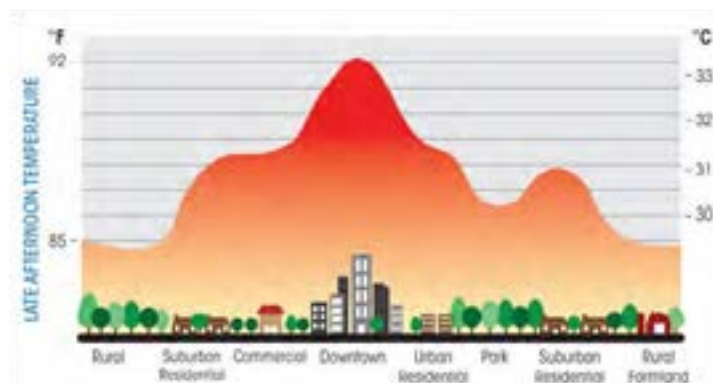
The urban heat island effect has three main causes:

- **Impervious hard surfaces:** Buildings and pavements are typically impervious and have high heat absorption capabilities. Asphalt and concrete trap and store heat from the sun, while solar radiation is reflected off building surfaces along street canyons, causing greater absorption of solar energy and a

reduction in the reflective power of these surfaces.

- **Human activity:** Motorised transport is a major contributor to increased greenhouse gas emissions. In hot weather, the use of air conditioners increases, generating more waste heat.
- **Low vegetation coverage:** With less vegetation, cities receive less natural cooling from shade and evapotranspiration. Urban forests have proven to be one of the most effective methods for mitigating heat retention in urban areas, particularly central business districts. However, there are several challenges we face in tackling the urban heat island, including:
 - The current urban heat island effect will be exacerbated by predicted climate changes.
 - The existing tree canopy cumulatively covers 26.1% of Unley's public streets and park areas. This leaves a large proportion of Unley's streets and parks without natural shade.
 - It can take 20 years for a tree to grow to a size that will effectively assist in mitigating the urban heat island effect.
 - Vegetation cover must be primarily composed of species that are able to survive and remain healthy under hotter conditions.
 - Mitigating the urban heat island effect may require increased water use during dry periods to maintain tree health and maximise evapotranspiration.

The use of Green Infrastructure, including trees, increases the resilience of the City of Unley to climate change. Street trees, green corridors and well-designed parks contribute towards a reduction in the urban heat island by providing shaded places that are also safe, sustainable and attractive.



Source: Google Images

Population Increase & Urban Infill

As well as having ecological value, old trees or established vegetation add character and heritage value to an area. Unfortunately, they are often casualties of infill housing construction. Loss of individual trees, particularly along boundaries, can reduce the privacy of existing houses, and the amenity value and character of a City. Over a broader area, the effects of the loss can accumulate, as important parts of the area's ecology are lost, and wildlife corridors dislocated, affecting birdlife and seed distribution.

“Loss of individual trees, particularly along boundaries, can reduce the privacy of existing houses, and the amenity value and character of a City,,



Increased development densities often result in greater site coverage by buildings and pavements, resulting in:

- Reductions in the extent of vegetation on private land, especially large canopy trees.
- Reduction of permeable ground surfaces that allow for the infiltration of rainwater into the soil.
- Increased shading of streets by buildings, potentially to the extent that tree growth suffers due to the lack of sunlight.
- Increased pressure on public spaces to accommodate more uses – whether for recreation in parks or for traffic and parking in streets – which can result in direct competition with plantings for space as well as making more demanding growth conditions due to more extensive hard or compacted surfaces.

Canopy trees need room to grow and the competition for the physical space to grow mature trees (above and below ground) is rapidly increasing.

In servicing the population density increase, the urban forest has been gradually reduced as the existing trees make way for development or other land usage. In many instances, the opportunity to replace the trees and open spaces has been lost forever. Private property allotment sizes vary throughout the city of Unley, but, most residential allotments are becoming increasingly smaller and the commercial sites have maximised their built form to extend to property boundaries. Trees are competing with off-street parking, rear studio apartments and swimming pools and in some instances, the desire for 'maintenance free' yards.



Source: Google Images

A Perth example showing the loss of vegetation through urban infill

Community Expectations & Resistance to Change

The City of Unley has a wide and varied population of residents, living in apartments, terrace houses, small and large lot suburban housing. Our residents have different perspectives and interaction with trees and the urban forest. The community as a whole also includes business owners and employees who may visit and engage with the City and its trees every day. As such, the City encompasses many people with an extremely diverse range of interests and attitudes toward trees. These are often influenced by an equally diverse range of factors such as age, income, education, cultural background and exposure to natural environ-



Significant failure of Cedar in Myrtle Bank caused property damage and 'near miss' personal injury.

ments. At the extreme there is often the irrational fear of trees, even though statistically there is far greater chance of being killed by lightening than dying due to a tree failure.

Appropriate maintenance and pruning can often alleviate concerns, and appropriate repair or redesign of infrastructure can also be undertaken with little impact to the tree and the tree can continue its valuable contribution for many decades to come.

It is also important that people recognise and are informed about the need for change. Trees are living organisms and as such will grow, mature and eventually die.



Source: Google Images

As trees age they will require maintenance and then eventually require removal and replacement. In a natural ecosystem this happens gradually and with little fanfare or impact on people. In an urban environment an ageing or hazardous tree cannot usually be left until it completely falls apart.

Tree removal can be traumatic and emotional. Often trees have been in place for many decades prior and people have grown up with them and become attached to their presence, their size and their aesthetic appeal. The trees may also represent associations, memories and links to past events and historical places. For these and many other reasons, some parts of the community often have expectations of trees being retained for very long periods and beyond their useful life expectancy. They may even entertain retaining a tree no matter what the costs or risks. There will come a time, however, when the benefit of keeping an individual tree is far outweighed by the hazard to life or property and the monetary cost of maintaining it. As with all assets, a tree will need to be replaced with the next generation, as painful as this may be. When managing and establishing an urban forest the needs of the many may often have to outweigh the preferences of the few.

Tree Succession Planning & Programming



A significant challenge faced by Council is the fact that many boulevard and specimen trees are reaching the end of their natural life. Coupled with the effects of drought, increasing intensity of heat during summer, and water restrictions, this decline has been accelerated and in many cases is irreversible. The opportunity now exists to transform our street tree assets into a healthy, diverse, resilient and well-designed forest that will enable our City to adapt to a changing climate, mitigate urban heat island effects and provide protection and wellbeing to the community.

Tree succession planting is applied on a whole-of-street basis. By its nature, it involves the process of tree removal. It is in practice a difficult task to accurately judge the life expectancy of any individual tree when making a decision to remove it. The first principle must always be that if the tree cannot be maintained to an acceptable level of risk or amenity then it

should be removed. Criteria for tree removal, as part of succession planning, must therefore be clear and consistent, so that all parties affected by the strategy are well informed. The information supporting priorities for succession renewal planting should also be based on sound arboricultural knowledge.

A significant target from this Tree Strategy will be the creation of a Street Tree Succession Plan. The purpose of the Succession Plan will be to provide a street tree succession renewal framework that will facilitate the regeneration of the Urban Forest in the City of Unley and provide sustainability for the City moving forward. The Succession Plan is also aimed at ensuring that the City of Unley continues to have tree lined streets that will provide solid, sustainable environmental foundations for the future communities of the City while retaining the aesthetic qualities of our streetscapes.



Age Friendly City

“ Ageing is a cause for celebration in the City of Unley - our people are living longer and healthier. The City of Unley has a key role to play in helping our community to get the most out of their lives. We need to ensure that our City is accessible for everyone, promotes health and wellbeing and provides opportunities for connection, inclusion and contribution. We want our people to live fulfilled lives throughout their lifetime and never feel like they need to leave the City of Unley,,

The above summary quotation from the current City of Unley Active Ageing Strategy provides streetscape design challenges for the future. The City promotes that within the municipality; every street that can be planted with street trees has and will continue to be planted. Our community expects tree-lined streets with a height and canopy that provides shade and scope to an otherwise harsh streetscape.

As an urbanised inner city municipality, many of the streets are narrow from property boundary to kerb. Trees require space to grow, mature and survive. Within limited space they often come into conflict with the street hard infrastructure. They potentially impact on the accessible width of a footpath carriageway and regularly lift the pavement as they mature. This provides challenges as we strive to reach the goal of creating an environment that is pleasant, safe and accessible through Age Friendly pathways.

A balanced approach will be required in reaching the Age Friendly goals with the community potentially being asked to accept a modified streetscape with smaller less intrusive trees or more innovative solutions are explored such as narrowing roadways to provide more space for trees.

Street tree in Mary Street, Unley. The challenge is to decide if the tree remains or the need for an legislative age friendly footpath takes priority.



Vision & Pathways

TO REGENERATING UNLEY'S TREE ASSET

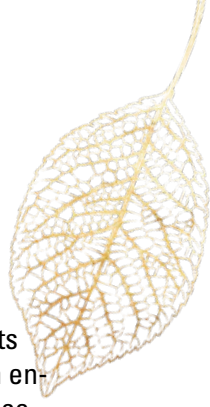
The City of Unley's tree vision is to create a resilient, healthy and diverse urban forest that will provide solid, sustainable environmental foundations for the future communities of Unley.

The City of Unley's urban forest contributes greatly to the City's character and is integral to ensuring Unley is a green city.

A healthy urban forest can provide cleaner air, filtered stormwater and lower city temperatures.

Trees create important habitat for mammals, birds, insects and reptiles and make beautiful city streets. Streets filled with trees and landscaping can also have psychological benefits in reducing stress and providing spaces for relaxation and contact with nature.





The longevity of trees can span decades and even centuries. These trees may persist as monuments to human intervention or management of the landscape longer than the labours of any other human endeavour. They are part of our heritage, and are a living link between the present generation and those which have preceded and those which will follow.

The City of Unley recognises the economic, social and environmental value of trees and is committed to maintaining and enhancing trees across the City of Unley in parks, reserves, open space and streets to 'green' the City, contribute to a liveable City, strengthen habitat and biodiversity. Trees are a valued asset and contribute strongly toward the Urban Forest and Green Infrastructure of the City.

PATHWAYS

The control and management of trees within the City of Unley urban environment can be classified within 3 key pathways:

Pathway 1 - Street Trees

Street trees in the City of Unley have an important function and role to improve the micro-climate and liveability of the City, and contribute to its diverse inner urban, heritage, environmental and social character. This will be achieved by improving the design, management and sustainable maintenance of new and existing streetscapes which recognise the layers of natural and constructed history of Unley. An increased range of tree species will be used to reflect changes in the local neighbourhood character, the City's open space character and to improve biodiversity.

Pathway 2 - Park Trees

As the urban population grows and private green space becomes less available, public open space increases in social and community value. The City of Unley has significantly less open space than most local government authorities within metropolitan Adelaide. Furthermore, within this open space are significant parcels of remnant vegetation including trees which pre-date European settlement. There is a responsibility that these remnant and other important trees within the City are managed and enhanced for today and future generations.

Pathway 3 - Private Trees (Regulated and Significant)

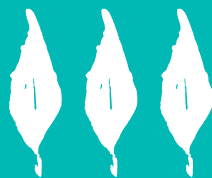
It is well recognised that many of the largest and most significant trees within the City are located within the boundaries of private properties.

Growing and maintaining large canopy trees is a worthwhile investment and a cornerstone of today's movement toward sustainable communities. The City of Unley contains numerous remarkable trees; trees with historic, cultural, social, aesthetic and botanic value. Many are at threat from development, urban infill, pests and diseases, pollution and other factors.

Trees take many years to grow. As we already have an established urban forest, it makes sense that the City should implement strategies and actions to retain trees that are healthy and in good condition. Specifically, Regulated Trees are usually the larger trees within the City and have been found to be more valuable (providing between 4 to 8 times the benefit) than small trees (Portland, 2004). Therefore, the City recognises it needs to promote the maintenance and protection of these assets.

Pathway 1

STREET TREES



OBJECTIVE:

Encourage attractive, healthy and appropriate street trees for the benefit of the community which contribute to the:

- liveability and wellbeing of our City
 - environment and sustainability both now and in the future.
-

INITIATIVES

1. SELECTION AND LOCATION

- 1.1 Ensure tree species selection and associated guidelines are in line with site specific locations taking into account:
 - Age Friendly requirements;
 - transport functions;
 - open space needs;
 - utilities and service provisions;
 - food security considerations; and
 - Environmental Sustainable Strategy outcomes.
- 1.2 Develop a palette of species suitable for street tree planting which considers varying infrastructure location situations, service requirements and takes into account the impact of pedestrian egress and Climate Change.
- 1.3 Proactively support Council resource sharing initiatives to propagate, develop and establish new street tree species. Actively support trial planting opportunities.

2 PLANTING AND ESTABLISHMENT

- 2.1 Develop and implement site establishment protocols and guidelines to ensure the long term viability of trees selected in streets.
- 2.2 Develop formative pruning guidelines and programs for early establishment of trees to maximise canopy potential.
- 2.3 Develop site preparation guidelines to ensure sustainable planting conditions for new trees ensuring maximum canopy potential, including below ground spaces and water infiltration. Examine the suitability of incorporating waterwell installations within replacement planting programs.
- 2.4 Develop and maintain sustainable tree planting programs and schedules to ensure new sapling trees are provided with the best development potential.
- 2.5 Develop and ensure watering programs and schedules meet new tree requirements during establishment phase.
- 2.6 Research and consider contemporary trials to determine the value and impact of growth fertilisers, water retention initiatives and other environmental sustainable treatments.

3 MAINTENANCE

- 3.1 City of Unley adopt a proactive approach to managing the risks in existing street trees.
- 3.2 Undertake tree maintenance to meet site specific expectations in line with Australian Standards.

- 3.3 Ensure City of Unley tree maintenance staff and contractors are capable of delivering in line with competency and capacity standards.
- 3.4 Council will encourage the development of staff skills in arboriculture and recruit suitably qualified staff.

4 REMOVAL OF TREES

- 4.1 Develop and implement a Second Generation Tree Strategy and program which prioritises streets for tree renewal, is based on sound sustainability principles, is funded and is aligned to the Unley Community Plan. (The 2014/15 street tree audit identified that there are 16,671 mature street trees in the City. This figure represents 74% of the total number of trees.) From an asset management perspective this raises a concern that many of the mature trees could reach the end of their useful life expectancy and require replacement at a similar period in time.
- 4.2 Remove individual trees as requested or identified ensuring appropriate Visual Tree Assessment and approval processes are followed.
- 4.3 Ensure weed species trees are not planted and where necessary are removed from inappropriate locations.

5 REPLACEMENT

- 5.1 Ensure that a diverse and sustainable range of species is utilised through street tree planting and replacement across the City. The 2014/15 street tree audit identified that two species of tree (*Jacaranda mimosifolia* – 5,386 and *Lophostemon confertus*-Queensland Box – 4,112) constituted 42.4% (9,498 of 22,426) of Council's street tree asset. A reliance on a dominant species leaves the City vulnerable to pest and disease and potential loss of the street tree asset.
- 5.2 Develop and implement plant procurement specifications in line with the Street Tree Succession Plan and individual tree replanting requirements.
- 5.3 Develop and implement protocols for nursery stock selection in line with relevant Australian Standards.
- 5.4 Explore opportunities to develop supplier relationships and pre-order processes and standards in advance.

6 RESIDENT RELATED

- 6.1 Council will consult and engage the community and affected landowners (in line with Council's Community Engagement Process) where large scale plantings, street tree renewals and tree removal works are to occur. Council will appropriately inform and involve the community in tree management through community engagement and encouraging the community to be involved in adopting and supporting tree planting and follow up watering.
- 6.2 Establish clear protocols and guidelines in relation to the Local Government Act (Section 221) as they relate to trees.



STREET TREES

INDICATORS AND TARGETS:

Indicator 1	An annual tree succession program which identifies streets for renewal based on identified criteria and funded at sustainable levels.
Target 1	City of Unley Street Tree Succession Plan developed in Year 1 (2015).
Indicator 2	Through street tree succession planning, the City of Unley will have a mixed age class distribution of street trees across the City.
Target 2	A street tree renewal target of 2,000 trees planted over the next 5 years (2015-19).
Indicator 3	Work toward a long-term goal to increase the species diversity of street trees within the City. The City move toward a more healthy, environmentally sustainable, resilient tree population
Target 3	A street tree diversity reduction from 42.4% to 40.5% (415 trees) of tree species <i>Jacaranda mimosifolia</i> (Jacaranda) and <i>Lophostemon confertus</i> (Queensland Box) over the next 5 years (2015-19).
Indicator 4	Newly planted trees are maintained to ensure their short and long-term survival.
Target 4	Annual survival and health achievement target of 90% in first 12 months of the tree's life.
Indicator 5	The percentage of maintenance program pruning will meet the tree Level of Service requirements to ensure the long-term sustainability of the street tree asset.
Target 5	95% of trees meet the prescribed Level of Service requirements in annual condition assessment.



Pathway 2

PARK TREES

OBJECTIVE:

Ensure park and open space trees are resilient, safe, healthy, sustainable, diverse and positively contribute to:

- the health and wellbeing of our City
 - supporting Unley as a liveable City.
-

INITIATIVES

1. SELECTION AND LOCATION

- 1.1 Ensure tree species selection and guidelines are in line with park and open space site specific situations taking into account:
 - age friendly needs;
 - open space strategy requirements;
 - shade and shelter requirements;
 - environmental sustainable considerations;
 - existing infrastructure, including current and proposed use;
 - long term viability, maintenance and risk considerations;
 - food security considerations; and
 - impact on recreational use by park users.
- 1.2 Develop a diverse palette of species suitable for park and open space tree planting that considers:
 - environmental contribution;
 - varying infrastructure location situations;
 - Climate Change;
 - seasonal change requirements ie deciduous/ evergreen;
 - size and scale;
 - adherence to CPTED (Crime Prevention Through Environmental Design) principles;
 - heritage and memorial considerations; and
 - food security opportunities.

2 PLANTING AND ESTABLISHMENT

- 2.1 Develop and implement site establishment protocols and guidelines to ensure the long term viability of trees selected in parks.
- 2.2 Develop formative pruning guidelines and programs to guarantee the viable early establishment of trees to ensure the 'best chance' to maximise canopy potential.
- 2.3 Develop site preparation guidelines to ensure sustainable planting conditions for new trees ensuring maximum canopy potential, including below ground spaces and water infiltration.
- 2.4 Develop and maintain sustainable tree planting programs and schedules to ensure new sapling trees are provided with the best development potential.
- 2.5 Develop and ensure watering programs and schedules meet new tree requirements during establishment phase. Where possible utilise recycled water options including those available through the Managed Aquifer Recharge network.
- 2.6 Research and consider contemporary trials to

determine the value and impact of growth fertilisers, water retention initiatives and other environmental sustainable treatments.

3 MAINTENANCE

- 3.1 Council adopt a proactive approach to managing the risks in existing park and open space trees.
- 3.2 Develop auditing and maintenance condition assessment protocols to reduce risk and ensure Unley's parks provide a safe experience for park users.
- 3.3 Undertake tree maintenance to meet site specific expectations in line with Australian Standards.
- 3.4 Ensure City of Unley tree maintenance staff and contractors engaged by Council are capable of delivering in line with competency and capacity standards.
- 3.5 Council will encourage the development of staff skills in arboriculture and recruit suitably qualified staff.

4 Removal of Trees

- 4.1 Develop park tree removal protocols that consider and balance:
 - habitat retention;
 - nature play;
 - tree aesthetics;
 - veteran tree management;
 - risk and safety to park users;
 - inappropriate and/or weed species;
 - potential damage to park infrastructure; and
 - park development needs.
- 4.2 Remove individual trees as requested or identified ensuring appropriate Visual Tree Assessment and approval processes are followed.

5 REPLACEMENT

- 5.1 Develop and implement plant procurement specifications in line with Second Generation programs and individual tree replanting requirements.
- 5.2 Develop and implement protocols for nursery stock selection in line with relevant Australian Standards.
- 5.3 Explore opportunities to develop supplier relationships and pre-order processes and standards in advance.

6 RESIDENT RELATED

- 6.1 Council will consult and engage the community and affected landowners (in line with Council's Community Engagement Process) where large scale plantings, park tree renewals and tree removal works are to take place. Council will appropriately inform and involve the community in tree management through community engagement and encouraging the community to be involved in adopting and supporting tree planting.
- 6.2 Council will consider removal of resident planted trees in parks which do not conform to an approved park management plan or are deemed an inappropriate species.



PARK TREES

INDICATORS AND TARGETS:

Indicator 1	Through park and open space tree succession planning, the City of Unley will have a mixed age class distribution of trees with the potential to reach Regulated size across the City.
Target 1	Renewal target of 250 trees with the potential to reach Regulated size upon maturity over the next 5 years (2015-19) within Council's parks, reserves and open space.
Indicator 2	Supporting Council's vision of encouraging food security throughout the City by ensuring, a selection of fruit and nut trees are available for selection and planting in Unley's parks where appropriate.
Target 2	Renewal target to plant 100 fruit and nut trees over the next 5 years (2015-19) within Council's parks, reserves and open space.
Indicator 3	Newly planted trees as part of park and open space succession planting are maintained to ensure their short and long-term survival.
Target 3	Annual survival and health achievement target of 90% in first 12months of the tree's life.
Indicator 4	Work toward a long-term goal to increase the species diversity of park trees within the City.
Target 4	Move towards a park and open space tree composition of no more than 5% of one tree species, nor more than 10% of one genus and no more than 20% of any one family (matches City of Melbourne target).



Pathway 3

PRIVATE

(REGULATED & SIGNIFICANT TREES)

OBJECTIVE:

Ensure private Regulated and Significant trees within the municipality are protected in line with The Development Act 1993 in balance with Council's commitment to encourage sensitive and sustainable development.

INITIATIVES

1 FACILITATOR

- 1.1 Examine opportunities through a review of Unley Council's Development Plan to retain Regulated and Significant trees within private properties.
- 1.2 Council will provide incentives for the community to become engaged in the planting and ownership of trees within private properties to adapt to the impacts of Urban Infill and assist in preserving the Urban Forest.
- 1.3 Review, update and maintain Unley's Council's Significant Tree list (included within Council's Development Plan).
- 1.4 Develop a palette of trees appropriate for planting within construction sites to assist developers and new property owners maintain Unley's urban forest. Examine the possibility of trialling trees identified within the palette to act as a source for developers and the wider Unley community.
- 1.5 Investigate the feasibility of auditing and/or mapping Council's listed Significant and remnant trees. Potential for data to be stored as a GIS layer for Council and community reference.

2 DEVELOPMENT PROTECTION

- 2.1 Develop and establish clear procedural protocols for dealing with Development Applications which include Regulated and Significant trees within a development site to assist with the delivery of Council's Environmental Sustainable Strategy.
- 2.2 Develop and establish clear procedural protocols for dealing with Development Applications involving the removal of Regulated and Significant trees.
- 2.3 Define relevant tree policy protocols within Council's Development Plan (Objectives 60 & 61) to ensure Council is optimising its ability to protect and retain Significant and Regulated trees.
- 2.4 Develop a pro-forma or set of questions to assist and guide developers in addressing relevant Development Plan tree environmental criteria to enable Council administration to make informed assessment decisions.

3 MONITORING/COMPLIANCE

- 3.1 Develop and establish clear procedural protection protocols for monitoring and ensuring compliance for Development Applications that include Regulated and Significant trees within a development site.



PRIVATE TREES

INDICATORS AND TARGETS

Indicator 1	With an aim to retain more Regulated and Significant trees on private property throughout the City, establish clear, consistent, rigorous and agreed policy interpretations of objectives and principles of development control within Council's Development Plan.
Target 1	Review and establish agreed Development Plan policy and objective interpretations in Year 1 of this strategy.
Indicator 2	Encourage and support the planting of appropriate trees on development sites to ensure the long-term sustainability of the urban forest.
Target 2	In the life of this strategy develop a 'Places and Spaces Tree Palette Guide' to be made available and promoted to developers and property owners within developed sites.



References

City of Burnside: Tree Management Strategy – Our Next Generation: Burnside’s Urban Forest

City of Melbourne: Urban Forest Strategy – Making a Great City Greener – 2012 – 2032

University of Technology Sydney: Institute for Sustainable Futures – Benchmarking Australia’s Urban Tree Canopy

City of Marion: Tree Management Policy

Morton A.: Urban Tree Management Principles – Speakers’ Paper – The Australian Institute of Landscape Architects 2005 Tree Management Forum

Burwood Council: Street Tree Management Strategy

City of Yarra: Yarra Environment Strategy

National Urban Forest Alliance: July 2014 – Australian Partnership Plan 2014-2020

City of Unley: Age Friendly Strategy

City of Darebin: GreenStreets Streetscape Strategy – 2012-2020

Curtin University: Cool Communities: Urban Trees, Climate and Health

Ecological Associates: Independent Inquiry Into Management of Trees on Public Land

City of Sydney: Urban Forest Strategy





Civic Centre

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REPORT OF COMMITTEE

REPORT TITLE:	MINUTES OF COMMUNITY AND CULTURE COMMITTEE MEETING – 11 NOVEMBER 2015
ITEM NUMBER:	302
DATE OF MEETING:	23 NOVEMBER 2015
ATTACHMENTS:	1. COMMUNITY & CULTURE COMMITTEE MINUTES 11/11/2015

1. EXECUTIVE SUMMARY

Community Grant Funding Allocations – September 2015 Round

Members sought clarification on the recommendations for funding on a number of applications.

The Cultural Development Coordinator, Matthew Ives, stressed that although a number of applications met the criteria, the September 2015 funding round was very competitive with 24 applications being received requesting funding totalling \$86,575. The increase in the number of applications meant that not all applications could be funded and those meeting the criteria will be encouraged to re-apply in the March 2016 funding round.

Recommendations for funding were accepted by the Committee.

Public Arts Strategy Update

The report covered the history of the Public Arts Strategy, Year 1 Projects, Public Art Audit, and an update on Year 2. Feedback was sought from the Committee on ideas for Year 3.

A stronger focus on the aesthetic integrity of artworks in Unley was suggested as well as a thematic approach along road/rail corridors and parks. It was commented that we need to keep in mind what Unley is known for.

2016 Unley in Harmony Program

The Committee commented that the proposed program appeared to be more of an international day than a harmony day, with education being lost in entertainment.

It was agreed that new concepts for Harmony Day in keeping with the 2010 Council decision to promote the educational aspects should be explored.

2. RECOMMENDATION

MOVED:

SECONDED:

That:

1. The minutes of the Community and Culture Committee meeting held on Wednesday, 11 November 2015, be received.
2. The recommendations listed under:

Item 9

Community Grant Funding Allocations – September 2015 Round

Item 10

Public Arts Strategy Update

Item 11

2016 Unley in Harmony Program

inclusive, be adopted.

COMMUNITY AND CULTURE COMMITTEE

Meeting held on Wednesday, 11 November 2015, at 7pm
Unley Council Chambers, 181 Unley Road, Unley

MEMBERS PRESENT:

Councillor Peter Hughes (Presiding Member)
Councillor Michael Rabbitt
Rev Dr Lynn Arnold
Mrs Elizabeth Bleby
Mr John Hill

OFFICERS PRESENT:

Ms Megan Berghuis, General Manager Community
Mr Matthew Ives, Cultural Development Coordinator
Ms Hanlie Erasmus, Manager Libraries and Museum
Ms Mandy Smith, Manager Community Development
Ms Pam Hocking, Executive Assistant Community

OBSERVERS:

REPORT TO COUNCIL: 23/11/2015

ACKNOWLEDGEMENT:

The Presiding Member opened the meeting at 7pm with the Acknowledgement and welcomed Members and members of the Gallery to the meeting.

APOLOGIES:

Councillor Michael Hudson
Councillor Robert Schnell

CONFIRMATION OF MINUTES:

MOVED: John Hill

SECONDED: Michael Rabbitt

That the minutes of the meeting of the Community and Culture Committee held on Wednesday, 16 September 2015, as printed and circulated, be taken as read and signed as a correct record.

CARRIED

CONFLICT OF INTEREST:

Councillor Hughes advised that in relation to Item 9 – Community Grant Funding Allocations – September 2015 Round – he is a member of the Sturt Bowling Club, but not an officer, so does not believe this is a conflict of interest.

DEPUTATIONS / PRESENTATIONS:

Nil.

REPORTS OF OFFICERS:

ITEM 9: COMMUNITY GRANT FUNDING ALLOCATIONS – SEPTEMBER 2015 ROUND

Mr Matthew Ives, Cultural Development Officer, spoke to the item and was available to answer questions.

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised the Committee that he thought the meeting would benefit from a suspension of meeting procedures for 20 minutes to allow for open discussion.

This was agreed with a two-thirds majority.

Meeting procedures were suspended at 7.09pm.

Meeting procedures were reinstated at 7.34pm.

MOVED: Lynn Arnold

SECONDED: Elizabeth Bleby

That it be recommended to Council that:

1. The report be received.
2. The Committee recommends to Council for endorsement the Community Grant funding as detailed in Attachment 1 to Item 9/15.
3. The applicants to be notified of the outcome of their application.

CARRIED UNANIMOUSLY

ITEM 10: PUBLIC ARTS STRATEGY UPDATE

Mr Matthew Ives, Cultural Development Officer, presented on the item and was available to answer questions.

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised the Committee that he thought the meeting would benefit from a suspension of meeting procedures for 20 minutes to allow for open discussion.

This was agreed with a two-thirds majority.

Meeting procedures were suspended at 7.58pm.

Meeting procedures were reinstated at 8.28pm.

MOVED: Elizabeth Bleby

SECONDED: Michael Rabbitt

That it be recommended to Council that:

1. The report be received.

CARRIED UNANIMOUSLY

****ITEM 11: 2016 UNLEY IN HARMONY PROGRAM**

Ms Hanlie Erasmus, Manager Libraries and Museum, spoke to the item and was available to answer questions.

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised the Committee that he thought the meeting would benefit from a suspension of meeting procedures for 20 minutes to allow for open discussion.

This was agreed with a two-thirds majority.

Meeting procedures were suspended at 8.28pm

FURTHER EXTENSION TO SUSPENSION OF MEETING PROCEDURES

A further extension to the suspension of meeting procedures for 10 minutes was supported with a two-thirds majority.

Meeting procedures were suspended at 8.48pm.

Meeting procedures were reinstated at 9pm.

****ITEM 11: 2016 UNLEY IN HARMONY PROGRAM (contd.)**

MOVED: John Hill

SECONDED: Michael Rabbitt

That it be recommended to Council that:

1. The report be received.
2. The Administration explore new concepts for Harmony Day in keeping with the 2010 decision to promote the educational aspects.
3. The budget for Harmony Day be increased to \$7,000 in 2015/2016 as part of the next budget review.

CARRIED UNANIMOUSLY

NEXT MEETINGS:

The Committee determined that meetings for 2016 be held at 6.30pm in the Unley Council Chambers on the following dates:

Wednesday, 10 February 2016

Wednesday, 11 May 2016

Wednesday, 10 August 2016

Wednesday, 16 November 2016

CLOSE OF MEETING

The Presiding Member closed the meeting at 9.10pm.

.....
PRESIDING MEMBER

.....
DATE

REPORT OF COMMITTEE

TITLE: MINUTES OF DEVELOPMENT STRATEGY AND
POLICY COMMITTEE (DSP) – 16 NOVEMBER
2015

ITEM NUMBER: 303

DATE OF MEETING: 23 NOVEMBER 2015

ATTACHMENTS: 1. DSP MINUTES – 16 NOVEMBER 2015

1. **EXECUTIVE SUMMARY**

Planning Strategy and Policy Program Update

This report provided a periodic update on the progress of the Strategic Planning Projects and Planning Policy Development Plan Amendment program.

Unley Central Development Plan Amendment – Stage 1 Review

Geoff Butler from URPS, presented on Stage 1 background investigations. The Committee provided feedback to assist with ensuring all key matters are appropriately addressed.

Development Strategy and Policy Committee Meeting Dates 2016

The Committee decided on the meeting dates for 2016.

2. **RECOMMENDATION**

MOVED:
SECONDED:

That:

1. The minutes of the Development Strategy and Policy meeting held on Monday 16 November 2015, be received.
2. The recommendations listed under:

Item 12

Planning Strategy and Policy Program Update

Item 13

Unley Central Development Plan Amendment – Stage 1 Review

Item 14

Development Strategy and Policy Committee Meeting Dates 2016

Inclusive, be adopted.

DEVELOPMENT STRATEGY AND POLICY COMMITTEE

Minutes of Meeting

**Held Monday 16 November 2015 commencing at 7.00pm
Council Chambers
181 Unley Road Unley**

MEMBERS PRESENT:

Councillor Don Palmer – Presiding Member
Councillor A Lapidge
Councillor J Boisvert
Councillor L Smolucha
Councillor R Salaman
Mr D Wallace
Mr G Pember
Mr L Roberts

OFFICERS PRESENT:

Mr David Litchfield, General Manager Economic Development & Planning
Mr David Brown, Principal Policy Planner
Ms Kelley Jaensch, Executive Assistant to GM Economic Development & Planning

ACKNOWLEDGEMENT

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

CONFIRMATION OF MINUTES

MOVED: Councillor Lapidge

SECONDED: Councillor Salaman

That the Minutes of the Development Strategy and Policy Committee, held on Monday 21 September 2015 as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

APOLOGIES

Mayor Lachlan Clyne – ex officio
Councillor John Koumi
Mr Stephen Yarwood

OBSERVERS

Nil.

CONFLICT OF INTEREST

Nil.

PRESENTATION

Nil.

CHANGE TO ORDER OF AGENDA

The Presiding Member requested that Item 13 be brought forward on the agenda to enable a presentation by URPS.

This was agreed with two thirds majority.

****ITEM 13**

UNLEY CENTRAL DEVELOPMENT PLAN AMENDMENT – STAGE 1 REVIEW

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised the Committee that he thought the meeting would benefit from a short term suspension of meeting procedures, for 45 minutes, to allow for open discussion.

This was agreed with a two thirds majority.

The standing orders were suspended at 7.02pm.

FURTHER EXTENSION TO MEETING PROCEDURES

A further extension to the standing orders for 30 minutes was supported with a two thirds majority.

Standing orders were suspended at 7.47pm.

Standing orders were reinstated at 8.17pm.

MOVED: Councillor Boisvert

SECONDED: Councillor Salaman

That:

1. The report be received.
2. That the *Unley Central DPA* Stage 1 URPS Briefing Notes be acknowledged.
3. Comments from the DSP Committee be taken into consideration when moving to the next stage.

CARRIED UNANIMOUSLY

ITEM 12
PLANNING STRATEGY AND POLICY PROGRAM UPDATE

MOVED: Doug Wallace
SECONDED: Councillor Smolucha

That:

1. The report be received.

CARRIED UNANIMOUSLY

Councillor Salaman left the meeting at 8.24pm and returned at 8.26pm during debate on the above Item.

ITEM 14
DEVELOPMENT STRATEGY AND POLICY COMMITTEE MEETING DATES 2016

MOVED: Lloyd Roberts
SECONDED: Councillor Salaman

That:

1. The report be received.
2. The Development Strategy and Policy Committee meet quarterly on the third Monday of the month at 7.00pm at the Council Chambers, 181 Unley Road Unley, with appropriate adjustments to accommodate other meetings, in accordance with the meeting schedule outlined below:

Monday	15 February 2016
Monday	18 April 2016
Monday	18 July 2016
Monday	17 October 2016

CARRIED UNANIMOUSLY

The Presiding Member closed the meeting at 8.37pm.

.....
PRESIDING MEMBER

DECISION REPORT

REPORT TITLE: CLARENCE PARK COMMUNITY CENTRE
PARTNERING AND MANAGEMENT
AGREEMENT 2015-2018

ITEM NUMBER: 304

DATE OF MEETING: 23 NOVEMBER 2015

AUTHOR: MANDY SMITH

JOB TITLE: MANAGER, COMMUNITY DEVELOPMENT

1. EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement of the new Partnership and Management Agreement between the City of Unley and Clarence Park Community Centre Incorporated for the operation of the Clarence Park Community Centre for the period December 2015-December 2018.

The City of Unley has been working in partnership with the Clarence Park Community Centre Inc (CPCC) since 2002. This partnership model of community centre management has proven to be successful with both parties working collaboratively to ensure the Centre offers maximum value for local residents.

The current partnership agreement has expired and, following a review of the agreement, a number of changes have been incorporated into the new agreements to align it to current legislation and provide greater clarity on the responsibilities and liabilities of each party.

In summary these are:

- A restructure of the agreement from a four part document to a two part document.
- Outlining both parties obligations regarding services provided at Clarence Park Community Centre.
- Introduction of twice yearly partnership meetings.
- Requirement for 100% of room hire fees that Council enables the CPCC Board to retain in lieu of a grant to be re-invested into community programs or into the Centre.
- Clarity in the paid and unpaid staff that Council cannot be responsible for, e.g. those associated with the childcare service.

2. RECOMMENDATION

That:

1. The report be received.

2. The Partnership and Management Agreements between the City of Unley and Clarence Park Community Centre Incorporated, as contained in Attachment 1 to Item 304/15, be endorsed.
 3. The Chief Executive Officer be delegated to execute the Partnership and Management Agreements.
-

1. RELEVANT CORE STRATEGIES/POLICIES

The Clarence Park Community Centre makes a valuable contribution towards achieving Council's Strategic goals of:

- *Living, Our Path to a Vibrant City*
Strategic Objective 2.4 Healthy and active community
Strategic Objective 2.5 Collaborative and engaged community
- *Greening, Our Path to a Sustainable City*

Community centre programs and services are also linked to the following Council strategies and plans:

- *Living Active, Sport and Recreation Plan*
- *Living Young, Youth Development Plan*
- *Active Ageing Strategy*
- *Living Well – The Regional Health Plan for the Cities of Unley and Mitcham*
- *Community Centres Direction Paper*

2. DISCUSSION

The Clarence Park Community Centre has been a valuable part of the Clarence Park community for the last 32 years.

Since 2002, the Clarence Park Community Centre has operated under a partnership agreement between the City of Unley and Clarence Park Community Centre Incorporated (CPCC). Under the existing Agreement the responsibilities of each party primarily includes:

Council:

- Provide the building, associated maintenance, insurance and utility costs.
- Employ and fund core staff at the Centre, including the Centre Coordinator and Customer Service Officer.
- Provide day to day management and operation of the Centre.
- Provide an operational budget relevant to its responsibilities, including approximately \$27,000 for equipment, phone and data lines, office supplies and promotion.

- Provide the proceeds from hall hire to the CPCC in lieu of a grant to support their programs and services (based on 2014/15, this was \$46,000 of income).
- Recruit, train and support volunteers.

CPCC

- To work directly with the community to plan, implement and foster relevant and accessible programs and projects that meet the needs of the local community.
- Employ and manage CPCC staff for the coordination of programs and services (currently 2.6 FTE staff).
- Fulfil their obligations as a corporate entity.
- Seek grant funding to support activities.

The current partnership agreement between Council and CPCC expired in July 2014. Negotiations on a new agreement commenced in April 2014 and the current Agreement has been extended on a month to month basis whilst these negotiations have been in progress.

Current Situation

Utilisation rates for the Clarence Park Community Centre are currently over 70%, the highest utilisation of all the four community centres within the City of Unley. There are approximately 67,000 visitors to the Centre each year and 52 community groups and regular hirers are supported to varying degrees by staff and volunteers to provide services to the community. These groups include:

- Clarence Park Food Cooperative
- Good Food Co-op / Urban Orchard
- Environmental markets
- Fitness programs

Throughout the term of the current Partnership Agreement, CPCC has provided a range of community programs in partnership with Council. These include:

- A licensed occasional childcare centre
- T.O.Y.S (Together Offering Your Skills) men's shed program
- Playgroup
- "Moving Madness" exercise program for children
- School holiday programs including the annual kids market
- Exercise programs
- English conversation
- Computer courses for beginners
- A variety of arts and environmental workshops
- Healthy Living for Seniors
- Annual Christmas concert.

Council's financial support to CPCC also extends to the men's shed program, which was provided \$15,000 via an annual grant outside of the Partnership Agreement in

2014/15 and 2015/16 as a result of the Community Centres Direction Paper and the transition of staffing of this program from Council staff to Board staff. It should be noted that no further financial support is committed or intended beyond 2015/16 for this program.

Review of the Current Agreement

A recommendation of the Community Centres Direction Paper, endorsed by Council in February 2014, was that a review of Council's existing partnership agreements with both the CPCC and the Goodwood Community Services Inc be undertaken to:

- Determine the effectiveness of the agreements.
- Improve efficiencies in financial management and staffing.
- Clarify and negotiate the roles and responsibilities of both parties.
- Explore opportunities for improving service delivery and utilisation rates.

This review was conducted and the key findings included:

- The agreement is effective in enabling both parties to work collaboratively to provide integrated service to the community.
- Part of the success of the model can be attributed to the composition of the CPCC Board that includes active community members and the involvement of Elected Members and Council staff, which ensures a good ongoing working relationship between the two parties.
- The agreement lacked legal rigour, which placed both parties at risk due to unclear responsibilities and liabilities.
- Amendments are required to align the agreement to legislation changes in relation to the *Work Health & Safety Act 2012*.
- A lack of flexibility in the current agreement in relation to the staffing provided by Council.
- Unclear reporting structures within the existing agreement.

Proposed changes to the new Agreements

As a result of the review, a number of changes have been made in the attached proposed agreements (Attachment 1 to Item 304/15) including:

- A restructure of the agreement from a four part document to a two part document. Part A comprises a Management Agreement which outlines the parties' obligations regarding services provided at Clarence Park Community Centre. Part B is a separate document which outlines the working relationship and agreed outcomes required for the benefit of the local community, and is called the Partnering Agreement.
- The removal of details on the hours and employment terms for Council staff members employed to support the Centre operations, enabling Council greater flexibility in relation to the staffing of the Centre.
- Clarity on the role of Council staff members on the CPCC Board (i.e. they are to have no voting rights and should not participate in decision making or confidential discussions) to avoid potential conflicts of interest.

- Increased reporting requirements, including the need to report against agreed KPIs.
- Introduction of twice yearly partnership meetings to ensure the constant monitoring and evaluation of the effectiveness of the agreement.
- Requirement for 100% of the room hire fees that Council enables CPCC to retain in lieu of a grant to be fully reinvested back into the development and delivery of programs and activities that are of direct benefit to the Community and the Centre. (Previous agreements enabled the retention of these fees as surplus.)
- Greater clarity around roles and responsibilities, including defining services Council is not responsible for (e.g. Childcare and the men's shed program). Council has no responsibility or involvement in the supervision of Board staff and volunteers associated with these programs. With the recent changes to the *Work Health and Safety Act 2012*, legal advice indicated that CPCC is required to take over the management of volunteers placed in their programs. In order to facilitate this, CPCC has requested a one-off fee of \$3,200 to develop a volunteer program, plus an annual grant amount of \$5,000 based on the required additional duties associated with volunteer management previously provided by Council. This additional fee has been included into the new draft agreement
- Offering a three year term only with the right of renewal being with Council.

These changes enable a more sustainable model, with clear accountability and the legal rigour required.

Attachment 1

Negotiation Process

The Council's negotiation team has consisted of the General Manager Community, the Manager Governance and Risk, and the Manager Community Development. The CPCC negotiation subcommittee comprised the CPCC Board Chairperson, Deputy Chairperson and Treasurer. Approximately six negotiation meetings were held between the parties in order to reach a partnership agreement supported by both parties. The changes outlined above have been successfully negotiated with CPCC and they are in support of signing the new agreement, as indicated in their attached letter (Attachment 2 to Item 304/15).

Attachment 2

3. ANALYSIS OF OPTIONS

Option 1 – The Partnering and Management Agreements between the City of Unley and the Clarence Park Community Centre Incorporated, as contained in Attachment 1 to Item 304/15, be endorsed.

This option would see a continuation of a relationship with CPCC for the management of the Clarence Park Community Centre. The new agreement provides greater clarity on roles and responsibilities, a higher level of risk management and improved reporting and accountability structures. It also

provides Council an opportunity to continue to support a community centre management model which has achieved high community participation and community ownership.

The new arrangement would come at an increased expense of \$5,000 per year, plus a one off fee of \$3,200 related to volunteer management.

Option 2 – Endorse the Partnering and Management Agreement between the City of Unley and Clarence Park Community Centre Incorporated as contained in Attachment 1 to Item 304/15.

This option would enable the endorsement of the new agreement with any amendments Council chose to make. Consideration should be given to the implications of any changes along with the negotiation process with CPCC should amendments be made.

Option 3 - Do not endorse the continuation of a Partnership with Clarence Park Community Centre Incorporated for the operation of the Centre.

Council has the option to take over the entire management of the Centre, independent from CPCC, offering Council full control of the operations and programs of the Centre. This would represent a lost opportunity to support the Clarence Park Community Centre's active community involvement which is strongly aligned to local identity, the Centre's history and is well embedded into the Clarence Park community. This could also present a significant reputation risk, anticipating a high degree of community outrage in an area that has recently been impacted by a high level of change.

4. **RECOMMENDED OPTION**

Option 1 is the recommended option.

5. **POLICY IMPLICATIONS**

5.1 Financial/budget

- The Clarence Park Community Centre is budgeted to cost Council \$156,000 in 2015/16.
- The draft Agreement would cost Council an additional \$3,200 for the establishment of a CPCC Volunteer Program in 2015/16, plus \$5,000 per annum for the on-going volunteer management. In 2015/16 this funding is available in the approved existing budget and, in future years, this could be absorbed through the budget Council provides for community contributions and agreements with community organisations. The funding allocated to support the Men's Shed (\$15,000) is no longer required beyond 2015/16.
- Taking into consideration that under this agreement the hall hire income is relinquished by Council in lieu of a grant, this model of community centre

management is slightly higher than the other models of operating community centres in Unley.

5.2 Stakeholder Engagement

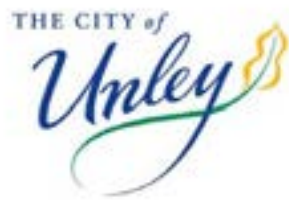
- The CPCC negotiation sub-committee has kept the CPCC Board well informed of the negotiation process and outcomes.
- While initially presented with various options for management models, the CPCC Board has indicated its strong support for continuing in a partnering model with Council for the management of the Clarence Park Community Centre and there is CPCC Board endorsement for the signing of the agreement.
- Broader stakeholder engagement is not required on the proposed amendments to the agreement.

6. REPORT CONSULTATION

Position	Department
Manager Governance and Risk	Governance and Risk
Acting Manager Organisational Development	Organisational Development
Team Leader Community Centres	Community Development
Clarence Park Community Centre Coordinator	Community Development
Manager Finance & IT	Finance and IT
Manager Property and Assets	Assets

7. ATTACHMENTS

1. Draft Agreements (Parts A and B)
2. Letter of support CPCC



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THE CORPORATION OF THE CITY OF UNLEY
ABN 63 714 797 082
Council

And

CLARENCE PARK COMMUNITY CENTRE INC
ABN 32 898 477 452
The Association

December 2015 – December 2018

MANAGEMENT AGREEMENT (Part A)

The Management Agreement (Part A) between The Corporation of the City of Unley and the Clarence Park Community Centre Incorporated outlines the parties obligations regarding the Services in relation to the Clarence Park Community Centre located at 72-74 East Terrace, Black Forest SA 5035.

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The Partnership Agreement (Part B) is a separate document which outlines the working relationships and agreed outcomes required to be achieved for the benefit of the local community between The Corporation of the City of Unley and the Clarence Park Community Centre Incorporated.

MANAGEMENT AGREEMENT

Between:

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The Corporation of the City of Unley ABN 63 714 797 082 of Civic Centre, 181 Unley Road, Unley SA 5061, P.O. Box 1, Unley SA 5061 Ph: 8372 5111; Fax: 8271 4886; Email: pobox1@unley.sa.gov.au (**Council**).

- and -

Clarence Park Community Centre Incorporated ABN 32 898 477 452 of 72-74 East Terrace, Black Forest SA 5035, Ph: 8293 8166; Fax: 8293 2886; (**the Association**)

INTRODUCTION

- A. Council owns and has care, control and management of the Premises.
- B. The Association is an incorporated community organisation.
- C. In this Agreement, Council engages the Association to provide and be responsible for the delivery of programs and Services from the Premises.
- D. Council recognises the value that the Community Centre brings to the community and the operations support Council.

TERMS

PART 1 - PRELIMINARY

1. **Dictionary:** In this Agreement:

Administrator means at any time an individual administering this Agreement for Council as last notified to the Association, and initially means the individual named in Item 3 of the Schedule (or delegate).

Business Day means a day other than:

- (a) a Saturday or Sunday;
- (b) a day which is a public holiday in South Australia (within the meaning of the *Holidays Act 1910*); or
- (c) a day that falls between Christmas and New Year's Day.

Contract Material means all information (however stored) and things brought or required to be brought into existence by the Association in the Services.

Council's Inputs – see Item 6 of the Schedule.

GST, taxable supply and tax invoice have their meaning in *A New Tax System (Goods and Services Tax) Act 1999*.

Insurances mean insurances of the type/s or kind/s and at least the level/s of cover stated in Item 8 of the Schedule.

Intellectual Property means intellectual or industrial property of any kind including, without limitation, copyright, trade secrets or other information protected by law.

Permitted Use – see Item 5

Premises – see Item 1 of the Schedule.

Representative means at any time an individual administering this Agreement for the Association as last notified to Council, and initially means the individual named in Item 4 of the Schedule (or delegate).

Reasonableness – The appropriate standard or quality of decision-making that must be considered when making an administrative decision

Services – see Item 7 of the Schedule, or as the parties may agree in writing. The Services include incidental services not expressly mentioned but necessary for the satisfactory and efficient completion and performance of the Services expressly mentioned.

Special Condition – see Item 9 of the Schedule.

Subcontractor – An individual or business contracted to perform part or all of the obligations of The Association.

Term – see Item 2 of the Schedule, subject to early termination or extension as this Agreement may allow.

Worker means an individual (not an employee or volunteer of Council) who carries out work in any capacity for the Association, and includes a volunteer.

Expressions defined elsewhere in this Agreement have those meanings.

2. **Interpretation:** In this Agreement: neuter includes masculine and feminine; singular includes plural and *vice versa*; reference to a person includes a body politic or corporate, an individual and a partnership and *vice versa*; headings do not affect construction; no rule of construction applies to the disadvantage of a party because that party put forward this Agreement or any portion of it.
3. **Exclusion of warranties:** Subject to the other provisions of this Agreement, Council does not warrant:
 - 3.1 the nature, quality, reliability or fitness for purpose of the Premises or any plant or equipment supplied;
 - 3.2 that the Association would provide the Services at a surplus; or
 - 3.3 anything else.

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PART 2 - ENGAGEMENT

4. **Engagement:** The parties agree Council engages the Association to provide the Services in relation to the Premises during the Term and on the terms of this Agreement.
5. **Prior steps:** This Agreement governs any Services in relation to the Premises provided by the Association in anticipation of the signing of this Agreement.
6. **Objects:** The objects of the engagement are to:
 - 6.1 satisfy in part Council's statutory function to provide services and facilities that benefit its area; and
 - 6.2 maximise the use of the Premises by the community.
7. **Exclusivity:** The engagement is exclusive, however, Council may source Services from a third party if and to the extent the Association for any reason (other than Council's default) is unable to provide those Services as this Agreement requires.
8. **Term:** The Term is subject to early termination on the earliest of:
 - 8.1 the date a party (**Party 1**) gives written notice of termination to the other party (**Party 2**) because Party 2 for 10 Business Days or more failed to remedy its breach of this Agreement after prior written notice from Party 1 specifying the breach and requiring its remedy and stating that Party 1 intends to terminate the Term if Party 2 does not remedy;
 - 8.2 the date a party (**Party 1**) gives written notice of termination to the other party (**Party 2**) because for reasons to which clause 38 (*force majeure*) applies, the Association is for 10 continuous Business Days or more, or for total 20 Business Days or more in any 12 months, unable to provide all or substantially all of the Services, provided that the notice is given while such *force majeure* subsists;
 - 8.3 the date all of the following are satisfied:
 - 8.3.1 the Premises are unsafe or damaged as not to be usable under this Agreement or are inaccessible due to that damage; and
 - 8.3.2 Council gives written notice to the Association that Council considers that the rectification of the problem is impracticable or undesirable, or Council fails to rectify the problem within a reasonable time after the Association made written request to Council to do so; and
 - 8.3.3 before the problem is rectified, a party gives written notice of termination to the other party; or
 - 8.4 the date Council gives written notice of termination to the Association because either:
 - 8.4.1 in Council's reasonable opinion the Association is insolvent;
 - 8.4.2 any information provided by the Association to Council in connection with this Agreement is misleading or deceptive in a material particular; or

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- 8.4.3 the Association allows anything that in Council's reasonable opinion is likely to bring Council or the Premises into disrepute.

9. **Winding up the Term:** On termination of the Term:

- 9.1 rights and obligations of a party accrued before the termination are not affected;

The Association must vacate the Premises, return to Council any of Council's property in the Association's possession or under its control and, within 5 Business Days give to Council copies of any Contract Material in the Association's possession or under its control and not previously given to Council; and

- 9.2 the parties remain liable to observe and perform such provisions of this Agreement as expressed to survive the termination of the Term or capable of doing so.
- 9.3 Fixed assets would remain with the property, however the Administrator will agree to removal subject to appropriate area reinstatement at the total cost of the Association.

PART 3 – CONTRACT MANAGEMENT

10. **Administrator for Council:**

- 10.1 At all times during the Term, Council must have appointed an Administrator with authority to act generally for Council in the administration of this Agreement. At any time, Council may by written notice to the Association substitute another Administrator.
- 10.2 The Association may assume a communication from the Administrator is made with the authority of Council and that the Administrator keeps Council informed of relevant issues.

11. **Representative of The Association:**

- 11.1 At all times during the Term, the Association must have appointed a Representative with authority to act generally for the Association in the administration of this Agreement. At any time, the Association may by written notice to Council substitute another Representative.
- 11.2 Council may assume a communication from the Representative is made with the knowledge and authority of the Association. The Association knows a matter known to the Representative.

PART 4 – INPUTS FROM COUNCIL

12. **Council's Inputs:** At all times during the Term and for the sole purpose of the Association providing the Services, Council must on a timely basis make available Council's Inputs to the Association.

This clause is an exhaustive statement of Council's obligations to provide to the Association any information, goods or services for the purposes of the engagement.

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13. **Use of a Council's asset:** Where for the purposes of the engagement Council requires or allows the Association the use of any asset of Council:

- 13.1 The Association does not thereby acquire any proprietary or security interest in the asset;
- 13.2 the right to the use rests in contract only (and is not in the nature of a lease or tenancy), is limited to use in the provision of the Services, and subject to such reasonable conditions as Council may at any time notify the Association, always including those now following;
- 13.3 as regards the Premises, the Association must:
 - 13.3.1 comply with any reasonable written directions (howsoever called) given by Council to the Association about the management, safety, care or cleanliness of the Premises or the preservation of good order therein; and
 - 13.3.2 on termination of the Term, remove promptly all its property from the Premises, (unless otherwise directed in writing by Council) make good any damage caused by its use or that removal (fair wear and tear excepted) and return to Council any keys for the Premises, and in default pay any reasonable costs Council incurs in making good or obtaining new locks and keys as applicable;
- 13.4 as regards any item of plant or equipment owned or leased by Council, the Association must use the same with reasonable care and return the item in the same condition (fair wear and tear excepted) as when first taken, and in default pay any reasonable costs Council incurs in making good;
- 13.5 as regards an asset that is the name and / or logo of Council, the use is subject to Council's prior approval in relation to size, prominence, placement and colours.

PART 5 – INPUTS FROM THE ASSOCIATION

14. **Resources generally:** At all times during the Term, subject to clause 12, on its own behalf and at its own cost, the Association must have available adequate resources (including financial, technological, physical and human resources) to provide the Services and perform the engagement.

15. **Insurances:**

- 15.1 At all times during the Term, the Association must hold the Insurances as stated in Item 8 of the Schedule.
- 15.2 The effecting of Insurances does not limit the liabilities of the Association under other provisions of this Agreement.
- 15.3 Prior to commencing the provision of the Services and on each anniversary of the commencement of the Term, the Association must provide evidence of Insurances.
- 15.4 If by reason of the Association's default or negligence Council claims under the *Local Government Association Mutual Liability Scheme* or under insurance held by Council, the Association must bear any excess or deductible incurred in respect of that claim.

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16. **Workers:**

- 16.1 The Association must ensure that a Worker is of good character, qualified, competent, inducted in safety and environmental protocols, properly supervised, given and made to use appropriate safety clothing and equipment, courteous to members of the public when providing Services.

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17. **Subcontractor:** Except with Council's prior written consent, the Association must not subcontract any of the Services. Consent may be conditional. Such consent not to be unreasonable withheld, delayed or conditioned.

18. **Equipment:** At all times during the Term, the Association must ensure that any equipment used by the Association in providing any of the Services is fit for the purpose for which used.

PART 6 – SERVICES

19. **Standard of care:** The Association must provide the Services in conformity with, in descending order of priority:

- 19.1 any applicable law or mandatory code of practice;
- 19.2 such of Council's policies / procedures / operating guidelines about workplace safety, protection of the environment, records management then current so far as relevant, noting these will be provided by the Administrator as relevant;
- 19.3 any reasonable instructions as may be given by Council;
- 19.4 any service levels or benchmarks agreed with Council;
- 19.5 the exercise of reasonable skill, care and diligence;
- 19.6 the other provisions of this Agreement.

The Association must promptly and to the satisfaction of Council make good or pay compensation for any injury, death, loss or damage of property to the extent caused by the Association's or a Worker's wilful default or negligence.

20. **Meetings:** The Partnering Team as defined in the Partnership Agreement will meet every 6 months to review the Management and Partnership Agreements.

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21. If at any other time during the Term Council so requires (but not more frequently than once every 30 days), upon reasonable notice either party must attend an informal meeting at Council's offices or at the Premises to discuss the past and / or future performance by the parties of this Agreement.

22. **Defective provision of Services:** If either party fails to provide any of the Services in conformity with the Agreement and elect not to terminate the Term by reason of that failure, either party may require the other party to provide those Services again.

PART 7 – RECORDS AND REPORTS

23. **Records:** At all times during the Term and for at least 24 months thereafter, the Association must keep commercially reasonable records regarding its performance of this Agreement. At any time during that above period Council, its agents and its auditors may inspect and take extracts from those records wherever kept.

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24. **Urgent reports:** The Association must report to Council on the same day as occurs or, if that is not practicable, on the next Business Day:

- 24.1 any injury to an individual when upon the Premises and requiring off-site medical attention;
- 24.2 Any legally notifiable consequence, fact, event, situation, omission, occurrence, activity or failure that could result in a claim being made against Council or Council becoming party to any legal action.
- 24.3 any material damage to the Premises or any loss or material damage to any property of Council upon the Premises;
- 24.4 a material interruption to the provision of any of the Services from any cause; and / or
- 24.5 a material variation, suspension, revocation or expiry of Insurance.

If at any time Council requires, within 2 Business Days the Association must provide to Council reasonable details of a matter reported under this clause and / or the progress and / or outcome of the matter reported.

25. **Ad hoc reports:** At any time, Council acting reasonably may require the Association promptly provide to Council any information as in the opinion of Council relates to the past or future performance by the Association of this Agreement.
26. **About reports:** A written report of the Association under this Agreement must be given as an electronic file (in an accessible format) attached to an email sent to Council.

PART 8 – USE OF PREMISES

27. **Permitted Use:** The Association must use the Premises only for the Permitted Use as stated in Item 5 of the Schedule and must not use or allow the Premises to be used for any other use.

28. **Hall Hire:**

- 28.1 Income received from provision of hiring the Premises' facilities must be fully reinvested back into program development and delivery and activities that are of direct benefit to the Community and Centre as both parties recognise that these funds are moneys that otherwise would be receivable by the Council and in effect represent funding to the Association from the Council.
- 28.2 The Association agrees to take responsibility for the hiring of the Premises facilities to the public according to agreed charges and policies.
- 28.3 Income received from the hiring of the Premises' facilities must be clearly designated in the Association's audited financial statements and reported annually to Council along with demonstrated expenditure.
- 28.4 Income received from provision of hiring the Premises' facilities must be fully reinvested during the term of the Management Agreement unless otherwise negotiated.

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29. **Use of Premises:**

- 29.1 The Association will ensure that the Premises are used carefully and responsibly and in accordance with any directions that may be given by the Council from time to time.
- 29.2 The Association will be responsible to remediate to standard by repairing or correcting any damage or malfunction which results from any misuse or abuse of the Premises by the Association or a Hirer.

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30. **Expenses:** Except to any extent approved by Council in advance and in writing or as otherwise specified in this Agreement, Council is not liable to pay to or to reimburse the Association for any fee, levy, duty, cost or expense incurred by the Association in providing the Services or costs incurred by the Association's negligence.

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PART 9 - GOODWILL

31. **Intellectual Property:**

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- 31.1 A party does not under this Agreement obtain a proprietary or security interest in any Intellectual Property of the other.
- 31.2 Where under this Agreement a party makes available for the other's use any Intellectual Property:
- 31.2.1 such is limited to the purposes of the engagement and ends when the Term ends;
- 31.2.2 the first party warrants that such use does not infringe the rights of any third party.

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32. **Duty of confidence:** Subject to applicable laws (including the *Local Government Act 1999* and the *Freedom of Information Act 1991*) or to any extent necessary to the performance of this Agreement or in seeking a remedy under this Agreement, or to a person having legitimate interest therein, during the 12 months after the Term, a party must keep confidential and not disclose information about the other party that becomes known as a result of negotiations for or in its performance of this Agreement and not in the public domain.

33. **Publicity:** During and for 12 months after the Term, the Association must not make public comment about this Agreement or Council except:

- 33.1 to any extent required by applicable law; or
- 33.2 with Council's prior written consent.

The Association must refer to Council any enquiries concerning the Services from any print or electronic or social media.

PART 10 – MISCELLANEOUS

34. **The Association to act in support:** If Council has obligations by mandatory operation of law that Council cannot fulfil without the Association or a Worker acting (or not acting) in a particular manner in the provision of the Services, then:

- 34.1 Council may direct the Association to ensure that such person acts (or does not act) in that manner; and

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34.2 The Association must ensure such direction is complied with immediately, or if a timeframe is specified in the direction, in accordance with that timeframe.

35. **Conflict of interest:**

35.1 The Association warrants that at the date this Agreement bears, no conflict of interest exists or is likely to arise in the performance of its obligations under this Agreement.

35.2 If during the Term the Association knows of an actual or potential conflict of interest in the Association's performance of this Agreement, the Association promptly must notify Council in writing giving reasonable details. Council would treat such information as confidential.

36. **Assignment:** Except with Council's prior written consent, the Association may not assign or declare a trust over any of its rights or obligations under this Agreement. Consent may be conditional.

37. **Indemnity:** As a continuing obligation, the Association indemnifies and holds harmless Council against all claims, liability, costs or expenses in respect of:

37.1 the employment of a Worker, including a claim or finding that a Worker is an employee of Council;

37.2 the injury or death of an individual; and / or

37.3 loss or damage of any property,

in connection with the Association or a visitor to the Premises either: (a) entering, leaving, occupying or using the Premises; (b) using any property of Council upon the Premises; or (c) bringing on, installing or using upon the Premises any fixtures, plant or equipment not owned or leased by Council.

The above indemnity excludes a claim, liability, cost or expense to the extent caused by either: (i) a structural defect in the Premises or the building of which it forms part, if the defect was not caused or contributed to by the wilful default or negligence of the Association or a Worker; or (ii) Council's breach of this Agreement or the negligence of Council or a Council employee.

38. **Force majeure:** A party is not liable for failure to perform this Agreement to the extent and for so long as its performance is prevented or delayed because of circumstances (a **force majeure**) outside the party's direct control and without fault or negligence by that party, but only if that party:

38.1 immediately notifies the other party, giving reasonable details;

38.2 does everything reasonable to remedy the cause quickly;

38.3 immediately recommences its performance when the cause of the *force majeure* no longer exists.

39. **Vicarious liability:** As between these parties, the Association is liable to Council for anything done or not done by a Worker that if done or not done by the Association would breach this Agreement.

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40. **Dispute resolution:**

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- 40.1 Subject to this clause, any dispute in connection with this Agreement must not be the subject of litigation pending the party raising the dispute:
 - 40.1.1 notifying the other party as to the nature of the dispute (with reasonable details), and what action the party giving notice thinks will resolve the dispute;
 - 40.1.2 by the same or other notice, inviting the other party to a meeting of the parties' respective agents at some convenient location with a view to resolving the dispute.
- 40.2 If a party gives notice of a meeting as above, each party must send to the meeting an agent with authority to resolve the dispute, and at the meeting make a good faith attempt to resolve the dispute.
- 40.3 This clause does not prejudice the right of a party to:
 - 40.3.1 seek injunctive relief to prevent immediate and irreparable harm; or
 - 40.3.2 terminate the Term where the basis for doing so is not in dispute.

41. **Electronic communications:** Wherever practicable, written communications under this Agreement must be by email or, failing that, by postal mail.

42. **Notices:** To be effective, a notice under this Agreement must be in writing and given to a party either:

- 42.1 by registered post to the recipient's address now stated or as last notified - notice by post is given 3 days after it is posted or (if earlier) at the time at which the letter would be delivered in the ordinary course of post;
- 42.2 by email to the recipient's email address now stated or as last notified - notice by email is taken to be given if and when the recipient issues a notice (by email or otherwise) confirming the notice has been read; or
- 42.3 as permitted by legislation applicable to the recipient.

43. **Ombudsman Act:** The *Ombudsman Act 1972* empowers the Ombudsman to investigate any "administrative act", which expression includes an act done in the performance of functions conferred under a contract for services with Council. The Association agrees to comply with all its obligations as may arise under that Act in relation to this Agreement or the engagement.

44. **Legal relationship:** For the purposes of this Agreement (Part A), the parties are independent contractors and not partners, joint venturers, principal and agent, trustee and beneficiary for the provision of the Services or otherwise. Neither party may hold out any of its agents, employees or contractors to be the agent, employee or contractor of the other party. Except as this Agreement may specify otherwise, neither party may pledge the credit of the other, nor purport to enter into obligations on its behalf. In dealings with third parties for the purposes of the engagement, the Association must make clear the Association is only a contractor of Council.

45. **Severance:** If any part of this Agreement is found to be invalid or void or unenforceable, then that part will be severed from this Agreement and the remainder of this Agreement will continue to apply.

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46. **Special Conditions:** Any Special Condition prevails over other provisions of this Agreement to the extent of any necessary inconsistency.
47. **About this Agreement:** This Agreement:
- 47.1 may be executed in counterparts - each executed counterpart is deemed an original of this Agreement;
 - 47.2 is the whole contract between the parties about its subject matter, and supersedes any prior contract or obligation between the parties about its subject matter;
 - 47.3 may be modified only by written agreement signed by or for both parties.
 - 47.4 encompasses the Agreement titled "Part B – Community Centre Partnering Agreement".
 - 47.5 If the event of any inconsistencies between this Agreement and "Part B – Community Centre Partnering Agreement", this Agreement will prevail.
48. **Costs:** A party bears its own costs of negotiating or preparing this Agreement.

.....
Signed for Council	Signed for the Association
Name:	Name:
Title:	Title:
Date:	Date:

A person signing on behalf of a party warrants they have authority to bind that party for that purpose

SCHEDULE

Item 1: **Premises:**

Clarence Park Community Centre, 72-74 East Terrace, Black Forest SA 5035

Item 2: **Term:**

Starts 1 Amend to 3 year agreement from the date of signing

Item 3: **Administrator:**

Manager Community Development of Council at the time, or person acting in that or similar position.

Item 4: **Representative:**

The Chair of the board of management of the Association at the time, a person acting in that position, or a Board nominated representative.

Item 5: **Permitted Use**

Administration and program delivery, events or as otherwise agreed with Council

Item 6: **Council's Inputs:**

Working Capital

- (a) Payment of all, rates, taxes and charges relating to the Premises, including charges as deemed reasonable by Council, for telephone, electricity, water, gas, security, commercial cleaning, pest control, building and ground maintenance, fire safety annual inspections.
- (b) Grants for such purposes, upon such conditions, of such amounts and at such times as Council may choose to award.

Premises

- (a) Keys / security codes for 24/7 access to the Premises.
- (b) Any structural repairs not caused by the Association's wilful default or negligence.
- (c) Clean the Premises to a reasonable standard at least weekly (toilets at least daily if used that day), with a 'spring clean' every 12 months.
- (d) Remove rubbish upon the Premises to bins provided, and set out the bins for roadside collection.
- (e) Maintain and replace as required any garden / grassed area upon the Premises, including watering, trimming and cutting, annual application of fertiliser.
- (f) Receive and verify any delivery of parts / consumables to the Centre.
- (g) Effect minor repairs and maintenance to a Facility that do not require trade qualifications.
- (h) Attend promptly at the Premises if informed of break-in or fire upon the Premises.
- (i) Receive, respond to in a civil manner and if practicable satisfy any enquiries or complaints about the Premises or an event upon the Premises.
- (j) Council will undertake regular WHS inspections of the safety of the building

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- (k) Council will undertake repairs and maintenance in line with standard asset management principles and agreed organisational Levels of Service.

Plant / equipment

- (a) Any improvements, plant, equipment, fixtures or fittings upon the Premises for the time being and either owned by or leased to Council.
- (b) Access to photocopiers / printers as reasonably required.

Consumables

Toilet / kitchen requisites

Labour

- (a) A manager (part-time) of the Premises (a Council employee), and with authority for him or her to coordinate and give direction to any Worker.
- (b) The (part-time) services of other Council employees as reasonably required and that at the time Council is able to, and agrees to, provide.
- (c) Ensure Council workers are employed and onsite during the opening hours of the Centre (in cases where core staff are unavailable, they will be substituted by another Council worker)
- (d) Ensure a Council staff member attends the monthly Board meetings and the Annual General meeting (including Board meetings held outside of Business Hours)
- (e) Council workers will provide general support and advice to the Association

Information

- (a) The loan of 1 copy (in hard copy or electronic format) of any floor plan / operating or maintenance instructions for fixtures now held by Council.
- (b) Systems and procedures for hire of the Premises.
- (c) Such advice or directions reasonably required by the Association.

Item 7: Services

7.1 Services offered and provided by Council:

Subject always to the current annual business plan and the other provisions of this Agreement:

- (a) Seek grant funding from other sources in government and private sectors.
- (b) Organise and host (free or fee-paid) educational / sport / recreation / leisure events at the Premises consistent with any Council policy at the time.

7.2 Services offered by the Association:

- (a) TOYS Program
- (b) Childcare Centre Service
- (c) Development and delivery of Community Programs
- (d) Development of Terms and Conditions for hire and ensure hirers comply.
- (e) Seek grant funding from other sources in government and private sectors.

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- (f) Promote the use of the Premises within the community, with priority to residents and community groups in the area of Council, and with attribution of Council's support to the Premises. A booking of any portion of the Premises may be on an *ad hoc* or seasonal basis.
- (g) Organise and host (free or fee-paid) educational / sport / recreation / leisure events at the Premises consistent with any Council policy at the time.
- (h) Provide such labour (paid, or volunteers) as required for activities upon the Premises to be conducted safely and to an acceptable standard.
- (i) On each day the Premises are to be used for an activity, open and attend (via a responsible adult) at the Premises during the activity, close and secure the Premises (include set any alarm) after the day's activities.
- (j) Report to Council promptly any manifest loss, damage (including graffiti) or want of repair particularly as concerns any roof / plate glass / external door or lock / burglar or fire alarm.
- (k) Reports to Council as this Agreement requires.
- (l) Record each day's receipts in books of account (or if Council provides access to any software for that purpose, within that software).
- (m) Pay within terms any invoice for goods / services to the Premises ordered by the Association.
- (n) Such other things as this Agreement requires of the Association.

The Association may not add to or make an alteration to the Premises except with Council's prior written approval. Approval may be conditional.

Item 8: Insurances:

It is a requirement for the Association to provide:

- (a) Worker's compensation insurance for its employees engaged in providing any of the Services - if so required by law.
- (b) Public Liability Insurance cover in respect of the Premises for at least \$20 million, the policy for which extends to Council as an insured.
- (c) If the Services include the provision of food and / or beverages, Product Liability Insurance in respect of those Services for at least \$5 million, the policy for which notes Council extends to Council as an insured.
- (d) Professional Indemnity Insurance for claims made for financial loss, bodily/personal injury or property damage arising from an act, error or omission in the performance of the Services provided by the Association.
- (e) Against loss, damage or destruction of the Association's property upon the Premises for full replacement value.
- (f) Council is responsible for the Building Insurance.

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Item 9: Special Conditions:

- (a) If at any time during the Term, the Rules / Constitution of the Association are modified or replaced, within 10 Business Days, the Association must provide a copy to Council.
- (b) Within 10 Business Days after the minutes are first available, the Association must provide to Council a copy of minutes of any meeting of the Board of Management of the Association held during the Term.
- (c) Within 10 Business Days after their approval by the Board of Management of the Association during the Term, the Association must provide to Council a copy of the annual financial report of the Association.

2015-2018 Community Centre Partnering Agreement

(Part B)



Clarence Park Community Centre Incorporated

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Appendices

- Annexure 1 - Reporting Template – To be developed
- Annexure 2 – Inventory Clarence Park Community Centre -To be included
- Annexure 3 - Team Leader Community Centres Position Description-To be included
- Annexure 4 - Community Centre Coordinator Position Description-To be included
- Annexure 5 - Community Administration Support Officer Position Description-To be included

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Appendix 1 . Reporting Template

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BACKGROUND

This Partnering Agreement (Part B) is to record the relationship between the Clarence Park Community Centre Incorporated (the Association) and the Corporation of the City of Unley (Council), both committed to working together to achieve a benefit for the local community in respect to the management and operation of the Clarence Park Community Centre (Centre).

The Partnering Agreement (Part B) is not a binding contract with contractual force but rather a guide outlining obligations of the Council and the Centre and is to be read with the Management Agreement (Part A).

The Agreement defines the model, roles, responsibilities and expectations of the parties whilst applying the 2014 Council endorsed vision and goals for Community Centre's that in turn will ensure the Centre is well used and valued by local communities.

VISION

To develop vibrant and welcoming community hubs, for connecting and learning, inspiration and opportunity, celebration and collaboration.

MISSION

To strengthen community spirit and well-being through providing diverse, accessible and inspiring opportunities to explore, share, connect and grow.

GOALS

1. Provide **accessible, affordable and friendly community** hubs which connect people, places and information.
2. Facilitate **active citizenship** through inspiring and supporting community members to create and deliver opportunities for community participation.
3. Build **community capacity** through the provision of quality facilities, services, referrals, resources and information.
4. Actively **encourage and support** the community to plan for and respond to current and future needs.
5. Provide and support programs, events and activities which **strengthen community spirit and the cultural life of our community**.
6. Create opportunities for understanding, celebrating and appreciating the **diversity of our community**.
7. Encourage **physical activity and social wellbeing** through facilitating and initiating opportunities for involvement in programs and access to services.
8. Embrace and enable community ownership and participation through diverse **volunteering opportunities**.
9. Utilise **technology** to enhance the effectiveness and efficiency of service provision and program management.
10. Apply **continuous improvement** methodologies to measure both the positive effect of the Program on the lives of community members and the efficiency of this Council service.

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DURATION

This Agreement will operate for a period of 3 years from the date of signing.

RESOURCES AND COMMITMENT

a. Hall Hire

Income received by the Association from hiring the Centre facilities will be retained by the Association for use in its operations in the Centre and must be fully reinvested back into the development and delivery of Programs and activities that are of a direct benefit to the Community and Centre as both parties recognise that these funds are moneys that otherwise would be receivable by the Council and in effect represent funding to the Association from the Council. (Refer to Part A Management Agreement Clause 28)

b. The City of Unley

The City of Unley (Council) agrees to:

- provide access to the Centre and maintenance as outlined in the Management Agreement
- provide operational funding and staffing as per this Partnership Agreement for the provision of Community Development programs and associated activities.
- pay a one off amount of \$3,200.00 to the Association for the establishment of their volunteer program. This is to be paid upon receipt of an invoice after the date of signing of the Agreement.
- pay an annual grant of \$5,000.00 to the Association for the life of the Agreement for ongoing management of the volunteer program. To be reviewed at 6 months from the date of signing.
- administer any funds received through the Department for Community and Social Inclusion

c. State Government Funding

Funding from the State Government is made available from Department for Communities and Social Inclusion under the Family and Community Development Program. The terms and conditions of this funding are contained in the Service Agreement between Department for Community and Social Inclusion and the Corporation of the City of Unley, with a focus on direct prevention, early intervention and community development services for South Australian families with children, youth and individuals, particularly those who are vulnerable or at risk, or experiencing a life changing event or personal emergency, or are experiencing financial disadvantage.

- The program outcomes will make a contribution to the achievement of key community and government priorities of:
 - Safe communities, healthy neighbourhoods – through building social connections and providing opportunities for people to participate in, and contribute to, their communities
 - An affordable place to live – through supporting people to develop the skills and capacity to effectively manage their finances and improve their financial situation
 - Every chance for every child – through improving family relationships and supporting families to be resilient.

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d. The Association

The Association agrees to:

- Work directly in line with the Council's Community Plan, implement and foster relevant and accessible programs and projects that meet the needs of the local community.
- Work in collaboration with external parties to develop and deliver integrated approaches to service delivery.
- Seek grant funding from other sources, including government and no-government sector.
- Devise and implement systems for Centre users and the local community to provide feedback on Centre services and facilities and programs.
- Report annually on performance
- Deliver services and programs in line with the Management Agreement (Part A)
- Maintain and enact policies, procedures and plans in relation to the operation of its services and programs

e. The Council and Association

The parties to this Partnership Agreement will focus upon community development projects utilising a range of approaches to develop strong community links. These could include but not be limited to:

- personal development
- adult community education and Lifelong Learning
- pathways for learning
- healthy lifestyle and wellbeing programs
- intergenerational activities
- family well-being programs
- activities and programs targeting disengaged young people
- provision of relevant information
- appropriate referral
- advocacy
- support and encouragement to self-development groups
- positive and active ageing

No programs, activities or events shall be permitted in the Centre that brings either Council or the Association into disrepute.

Council is not responsible for programs or services of the Association, including but not limited to:

- TOYS
- Child Care Service

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RESPONSIBILITIES AS EMPLOYER

a. Council

Council agrees to:

- Provide staffing for each Centre in the form of a Community Centre Coordinator (CCC) and a Community Administration Support Officer (CASO). Each of these positions will be deemed to be employees of the City of Unley. Council will allocate its employees to best meet the current and emerging needs of the local community.
- Ensure Council workers are employed and onsite during the opening hours of the Centre (in cases where core staff are not available, they will substitute with another Council worker)
- Ensure all Council Employees are trained and adhere to any applicable law or mandatory code of practice, Council's policies / procedures / operating guidelines about workplace safety, protection of the environment and records management.
- Meet all salary and associated on costs for its employees
- Provide management and supervision of Council employees through the CCC
- Provide a safe and healthy workplace for its employees.
- Provide daily support and advice to staff, noting Association staff are the responsibility of the Association.
- Provide a council staff member to attend the monthly Board meetings and the Annual General Meeting.

The CCC reports directly to the Team Leader Community Centres, however is responsible for working in a support and leadership role with the Association to maximise the efficiency and operation of the community centre in a sustainable manner. In particular the position will support the Manager Community Development in their role with the Association.

The CCC is also responsible for the supervision of the CASO. The CASO is responsible for providing a full range of efficient, high quality administration support services which meet both daily business needs of the community centre and project requirements for colleagues within the Community Centre's team. The position will support the Team Leader Community Centres and Manager Community Development in their role in the Association.

A position description for the Community Centre Coordinator (CCC) and a position description for the Community Administration Support Officer (CASO) are included as Attachments 1 and 2.

These descriptions are subject to change from time to time. This Partnering Agreement will adopt the latest version of the position descriptions as a general outline of the roles and responsibilities which the Association can expect from the Centre based Council employees.

A representative of the Association will participate in the selection and review of Centre based Council employees, including membership of committees or panels involved. The final hiring decision of Council employees remains the responsibility of Council.

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Council will consult with the Association regarding changes to the deployment of Council employees at the Centre.

Representatives of the Association may have the opportunity to reflect on the performance of Council employees through the Performance Review process.

If there is any feedback in regard to the performance, role or function of the Council employees, the Association's first point of contact is the Team Leader Community Centres. If required all parties will follow the Resolution of Grievances and Complaints Procedure.

b. The Association

The Association agrees to:

- maintain an Employee Management policy
- recruit select and manage all its direct employees/contractors in compliance with all relevant legislation requirements including the Fair Work Act, National Employment Standards, Work Health and Safety and the Child Safe Environment Act
- remunerate all its employees/contractors in accordance with the applicable Award.
- meet the financial requirements for workers compensation, superannuation and any other associated on costs
- provide a safe and healthy workplace for all employees and volunteers of the Centre.

All Staff and volunteers employed directly by the Association are to report directly to the Association or its nominated Agent (i.e. Childcare Director).

Council staff can attend meetings of the Association to report but are not to vote on any matters or be included in debate or items of Confidentiality or that presents a conflict of interest.

If it is negotiated that the Council staff work additional hours outside of the operating hours of the Centre for and on behalf of the Association, the cost of these additional hours and associated on costs (e.g. long service leave, personal leave, workcover, superannuation etc.) will be the responsibility of the Association. Council will forward a letter of agreement to be signed on behalf of the Association prior to such additional employment being undertaken.

The parties to this Partnership Agreement acknowledge that there will be occasions when the Centre based Council employees will have conflicting priorities, and agree to work together to ensure that these situations are recognised and dealt with co-operatively.

A representative of the Council may participate in the selection and review of Centre based employees, including membership of committees or panels involved. The final hiring decisions of the Association, remains the responsibility of the Association.

The Association will consult with Council regarding changes to the deployment of Association employees at the Centre.

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Any Volunteers on Board Programs will be recruited by the Association and required to be supervised and report direct to the Association. Council staff will not be responsible for direction supervision of Association Volunteers.

VOLUNTEER MANAGEMENT

The parties to this Partnership Agreement acknowledge that each party will be responsible for the direct supervision of their recruited volunteers and the model of best practice in volunteer involvement as outlined in the National Standards for Involving Volunteers in Not for Profit Organisation's and agree to implement these standards for the management of volunteers operating in the Centre.

COMMUNITY MANAGEMENT

Community management is understood to be the involvement of local community members in leadership. This can occur formally through membership in the Association structure and informally through participation in working groups, projects and general volunteering opportunities.

The Association model provides an opportunity for residents to be actively involved in local decision making in regards to governance, facility management and program development/delivery. It also provides an excellent opportunity to support emerging leaders and leadership skills across the community.

a. Council

Council values and supports community management in the development and implementation of Community Development initiatives and recognises the commitment of Centre volunteers to participate in this process.

Council agrees to engage and support members of the Centre in community management initiatives.

The Community Centre Coordinator will provide support to the Association in setting the strategic directions of the Centre; business planning, and budgeting.

Centre based Council employees work is guided by the Council's Annual Business Plans, Centre's Strategic and business plans objectives and policies and the roles position description and personal development plans.

b. The Association

The Association agrees to:

- work with Community Development principles in the local community
- develop strategic plans, business plans and financial budgets which clearly match the strategic objectives of the Centre
- establish appropriate policies for the Centre's governance and service delivery
- work in partnership with Council through the Community Centre Coordinator to realise the aforementioned objectives
- hold meetings (feedback and information) between Community Centre Coordinator, Chairperson or a Board nominated proxy and nominated representative from the Council on a regular basis. In these sessions all parties have the opportunity to raise issues or questions about the Community Centre Coordinator and Community

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Administration Support Officer's work and these employees can give and receive feedback concerning his/her duties

- manage the organisation on behalf of its members, in accordance with its Constitution to achieve its organisational goals and objectives.

The role of the Association is to set strategic directions, in the context of the terms of this partnership and to ultimately be responsible for the proper management of assets and liabilities (including Association employees and volunteers).

STRATEGIC AND BUSINESS PLANS

Council agrees to develop an annual Community Centres Team business plan in consultation with all Community Centre Coordinator's, which all Council employees across the Community Centres Team will be accountable. This business plan will be developed in response to Council's Community Plan and relevant strategic plans and will operate in line with the financial year.

The Association will develop a Strategic Plan which will indicate strategic links to the Council Community Plan and an annual Business Plan which relates directly to the Strategic Plan. The Community Centre Coordinator and Manager Community Development will be able to provide assistance for this.

The Association's Annual Business Plan will outline the proposed activities to be undertaken for that year in order to achieve the stated outcomes. This Business Plan will be submitted to Council prior to 30 March each calendar year.

The Management Committee will develop and approve a budget for each financial year which will be submitted to Council.

MONITORING AND REPORTING

The parties of this Partnership Agreement agree that it is essential to achieve a balance between the need to convincingly demonstrate achievements and the need to keep information gathering as simple and unobtrusive as possible.

Monitoring and reporting mechanisms need to be proportionate and not impose unreasonable burdens.

Council requires the Association to provide a quarterly reporting schedule outlining the Centres level and nature of usage in activities, including program delivery, attendance and hiring (See Annexure 1, Reporting Template)

FINANCIAL REPORTING

Sound financial management provides accurate information to the Association to assist with the development of a sustainable budget, to ensure the Centre provides accurate financial projections and is able to manage financial risks, Council recommends that the Centre employs a book keeper or finance office with the minimum qualifications of a Certificate 1V in Accounting, and that they comply with the Australian Accounting and Auditing standards in relation to handling and treatment of accounting matters in order to obtain uniformity in accounting and auditing practice.

Centres must use the National Standard Chart of Accounts for their financial management and report against these for the financial acquittal of all Council funding and grants.

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ROLES

Both parties recognise that in order to develop the full potential of the relationship each party will strive to create practical solutions and understanding when processes are unable to be adhered to.

A partnering team will be formed and meet at least bi-annually with additional participants from both organisations as agreed.

PARTNERING TEAM

Partnering Team Council:	Role
<ul style="list-style-type: none">• Manager Community Development• Community Centre Coordinator• Team Leader Community Centres	<ul style="list-style-type: none">• Maintenance of the partnering relationship• Mobilising and managing resources• Establishment of reporting requirements and systems• Review of performance against KPIs• Review and adjustment of KPIs• Identification and resolution of major issues for partnering relationship• Identification of opportunities for development of the partnering relationship• Assessment of the effectiveness of the partnering relationship
Association: <ul style="list-style-type: none">• Chairperson• two other representatives	

RELATIONSHIPS TO OTHER ARRANGEMENTS

This Partnering Agreement should be read alongside the Management Agreement (Part A)

Should either Party breach the Partnering Agreement, this will be taken to be a breach of the Management Agreement and vice versa.

SHARING INFORMATION

The parties of the Partnership Agreement agree to share information in good faith, in full and on time so that both partners can make informed decisions about their joint work and about the partnering relationship.

Confidentiality must be observed and maintained at all times.

MEDIA PROTOCOLS

Council has established media protocols and staff experienced in the presentation and release of material (both 'good news' stories as well as managing any controversial issues).

The parties agree that there will be liaison on any proposed media activity concerning the partnership, including exchange of statements and announcements, before the material or information is released publicly.

The Team Leader Community Centres will be responsible for securing the necessary approvals for any material about the partnership for release through the media. Within the Centre the Chairperson will be responsible.

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KEEPING RECORDS

Notes from Partnering Team meetings will record the date, which was present, major topics, decisions, areas which need further discussion and agreed actions.

In addition to information related to the funding document, the partners will decide from time to time who needs what other types of information and in what form.

MANAGING RISK

The parties acknowledge that managing the risks associated with legal, financial, reputational and operational liabilities is a shared responsibility.

The parties agree that they will develop a joint Risk Management Strategy which identifies risks and determines which of the following risk strategies will be used:

- avoidance (eliminate, withdraw from or not pursue)
- reduction (mitigate)
- sharing (transfer, outsource or insure)
- retention (accept and budget).

Both parties are committed to complying with Work Health and Safety requirements and where possible, achieving standards that are beyond those imposed by legislation. We will endeavor to achieve these to the best of our ability. Specifically, we are committed to ensuring, in consultation with workers and their representatives: a healthy and safe work environment, including systems of work, plant, equipment and substance management that minimises the risk of injury or illness while at work.

If an injury, incident or near miss occurs at the Centre, or an activity of the Centre, a notification must be provided to council within 24 hours. If the CCC or CASO are not available notification needs to be given to the Manager Community Development phone 8372 5111.

GRIEVANCE PROCEDURES

The Association agrees to establish a complaints register in order to collect, manage and respond to customer feedback and ensure that formal grievance procedures are established within 6 months of the date of this Agreement.

Council agrees to provide advice and assistance as required.

RESOLVING ISSUES

Both parties are committed to timely, respectful and shared problem solving.

The parties agree to the following protocols for resolving disputes between them as they arise:

- whenever possible resolve the dispute directly between the parties. Initially this should occur between the Association and the Council employed staff
- if unresolved then the issue will be referred to the Association Chairperson and Manager Community Development then General Manager Community and if still unresolved Chief Executive Officer of Council.
- appropriate documentation regarding the dispute and its resolution will be maintained and copies given to each party.

In no way does the above restrict or limit the Association from making representations to elected members and other officials of the Council as it sees fit. Rather, it is recognition by

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both parties that conflicts are inevitable and that an agreed procedure can help to maintain relationships when they are most needed.

TERMINATION

If one party proposes terminating this Agreement before 30 June 2017, the other party will be notified in writing of this intention and the reasons.

Notification will be required to be provided as early as reasonable possibly taking in reasonable account of the commitments relating to the Agreement and the people affected by it.

The Agreement will not be considered to be terminated prior to the expiry date unless and until an exchange of correspondence documents the acceptance of termination from both parties.

A termination of this Agreement results in termination of the Management Agreement (Part A) and vice versa.

REVIEW OF THE AGREEMENT

This Partnering Agreement will be reviewed at least annually by a process to be developed and agreed by the Partnering Team.

At least six months prior to the conclusion of this Agreement, the Partnering Team will carry out an evaluation of the success of the Agreement.

This Agreement, or any of its terms and conditions, may only be varied by the mutual agreement, in writing of both parties.

DATED

BETWEEN

AND

The Corporation of the City of Unley

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Attachments

Annexure 1 - Reporting Template – To be developed

Annexure 2 – Inventory Clarence Park Community Centre -To be included

Annexure 3 - Team Leader Community Centres Position Description-To be included

Annexure 4 - Community Centre Coordinator Position Description-To be included

Annexure 5 - Community Administration Support Officer Position Description-To be included

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CLARENCE PARK COMMUNITY CENTRE

09 November 2015

Mr Peter Tsokas
Chief Executive Officer
Unley City Council
PO Box 1
UNLEYSA 5061

Dear Mr Tsokas

Clarence Park Community Centre Partnership Agreement.

I write to advise that the Clarence Park Community Centre Inc wishes to continue working in a partnering agreement with the Unley Council for the Management and operations of the Clarence Park Community Centre.

We believe this model allows Council to work collaboratively with the Clarence Park community to ensure the Centre is able to successfully serve the needs of the local community.

As you are aware, our current partnership agreement expired in June 2014, and we have been in negotiations on a new partnership agreement since early 2014.

We have now reached an agreement that our Board is in support of. While it is disappointing that Council can no longer manage our volunteers for us, we believe with the additional financial support outlined in the agreement, we will be able to ensure the continuation of volunteers in our programs, which is a fundamental to our ability to maintain local community involvement in our programs.

Yours sincerely



Emma Hosking
Chairperson
Clarence Park Community Centre Board of Management

DECISION REPORT

REPORT TITLE: SHARED STREET CONCEPT – ANDERSON STREET , FULLARTON

ITEM NUMBER: 305

DATE OF MEETING: 23 NOVEMBER 2015

AUTHOR: SATYEN GANDHI

JOB TITLE: MANAGER TRANSPORT AND TRAFFIC

1. **EXECUTIVE SUMMARY**

Council at its meeting held on 24 August 2015 endorsed that *“A shared zone concept be developed for community consultation with residents of Anderson Street and a report be brought back to Council in late 2015.”*

The purpose of this report is to update Council on the results of investigations and to seek Council's guidance on infrastructure enhancement for a 'shared street' concept for Anderson Street, Fullarton and a decision on whether to proceed to community engagement.

The Department of Planning, Transport and Infrastructure (DPTI) is the approving authority for shared zones in South Australia. From discussions with DPTI, it is understood that their preference is to have a shared street type of design approach as opposed to a formal shared zone.

Administration has prepared a concept to reflect an enhanced shared street type of environment. However, this enhancement will involve reconstruction of the road reserve at Anderson Street.

The first order cost estimates suggest total costs of \$150 000 to undertake the works, and there will need to be a budgetary allocation for such type of works. No community engagement has been undertaken on the shared street plans as yet, however significant consultation has previously been undertaken on traffic and parking matters including petitions received.

Anderson Street is currently scheduled for a reseal in the 2018/19 year in the Asset Management Plan. However, this is always reviewed as the scheduled date approaches, and the Anderson Street infrastructure is currently in quite good condition.

2. **RECOMMENDATION**

That:

1. The report be received.

2. The Anderson Street residents be advised that the proposal to construct shared street infrastructure will be considered by Council in the 2016/17 budget deliberations, and if included in the budget, further consultation will occur with local residents.
 3. Residents of Anderson and Dawson Streets be informed accordingly.
-

1. RELEVANT CORE STRATEGIES/POLICIES

- 2.1 Moving - Community Plan 2033
An integrated, accessible and pedestrian-friendly City
- 3.2 Draft Active Ageing Strategy
Focus Area 1 – Outdoor Spaces and Buildings
Focus Area 2 - Transportation

2. DISCUSSION

Council at its meeting held on 24 August 2015 endorsed the following:

- *A shared zone concept be developed for community consultation with residents of Anderson Street and a report be brought back to Council in late 2015.*

Following Council's resolution from the 24 August 2015 meeting, discussions have been held with DPTI about the possible introduction of a shared zone. DPTI's preference is to have a shared street environment at Anderson Street rather than a formal shared zone. They suggest that it is more appropriate to have a road environment that targets lower speeds (below 30 km/hr) than a very low signed speed limit of 10km/hr. A 10km/hr speed limit often creates frustration among road users and is more suitable for pedestrian mall types of environment where pedestrian traffic is very high compared with vehicular traffic. DPTI recommends restricting shared zones to high commercial activity areas, medium to high-density areas or recreational areas. As such, a formal shared zone at Anderson Street is not supported by DPTI.

If Council were to pursue DPTI's preference for a shared street environment in Anderson Street, this would result in a design approach that facilitates better pedestrian movements along a single road surface shared by pedestrian and vehicles. This type of design will negate the need for formal DPTI approval.

Shared Zone/Shared Street for Anderson Street

There is often a level of confusion surrounding shared streets and shared zones and the following information provides the basic difference and design approaches for both of them:

Shared Zones

- A shared zone is a formal shared zone arrangement on a section of a road where shared zone signs apply.
- A Shared zone designation mandates a speed limit of 10 km/hr, and gives pedestrians priority over vehicles.
- A Shared zone will still require all the infrastructure design amendments that are usually done for a shared street type of design.

Shared Street/Shared Space

- A shared street environment is usually achieved through design enhancements that create an intuitive lower speed and traffic calming shared road environment.
- There are no formal speed reductions associated with this type of design and no priority for one mode of transport over the other. Rather the road space is shared by all road users.
- There are no formal DPTI approvals required for a shared street.

Existing Conditions

Anderson Street runs between Florence Street to the south and Dawson Street to the north. It is a local street in Fullarton, primarily providing access to local traffic (both vehicular and foot traffic). The following are key features of Anderson Street:

- Slow entry from Dawson Street via a sharp 90 degree bend and short sight distance.
- T-junction at Florence Street (T-junction rule requires motorists to give-way to traffic in Florence Street).
- Short street length of road (117 metres) – insufficient to gather speed.
- Very narrow road reserve - width varies between 6.2 metres and 6.6 metres, and promotes a slow speed visual environment.
- Kerb to kerb width varies between 4.7 metres and 5.8 metres.
- There is a kerb & gutter on east side, and kerb (only) on the west side.
- No footpath on the east side.
- Footpath on the west side varies (0.85 metres maximum width but impractical to use).
- “No Parking” restrictions exist along the street so that staggered parking is allowed on one side only.
- Storm water is surface flow with no stormwater infrastructure present in the street (e.g. no side entry pits or underground storm water pipes).



Photo 1: pedestrians walk on road



Photo 2: parked cars straddle footpath

The street environment is narrow and quiet with low traffic volumes (less than 200 vehicles per day, and low speeds less than 36 kilometres per hour (km/hr). Observations show that vehicles straddle the footpath when parking on the street. The lack of reasonable access to footpaths leaves pedestrians with no option but to walk on the roadway. There are no recorded collisions at Anderson Street as per the latest five year data provided by the (DPTI), although there are anecdotal reports of near misses. In other words, Anderson Street is already

operating as a shared street environment. Guidance is sought from Council whether to further enhance the infrastructure of the shared street.

Concept Design for Anderson Street

The SA Government has endorsed the “Streets for People” (SFP) guidelines. These guidelines support and provide information on designing people-friendly streets with a focus on functionality of streets as link and place. SFP is the South Australian guideline and is well accepted as a reference document for shared street type road designs.

The Anderson Street enhanced shared street concept design (Attachment 1 to Item 305/15) is in line with these guidelines. In accordance with these guidelines, the Link and Place classification for Anderson Street is V-E (local link / local place), and as such, the SFP guidelines recommend a:

- Focus on slow speed environment, pedestrian and cycling priority and accessibility, and good informal surveillance.

Attachment 1

Allied to this, the following design criteria have been established and provide information on how the recommendations are incorporated into the Anderson Street design:

Outcome	Design feature
Motorists are aware of Shared Space environment	Install entry treatment with distinctive pavement
Target Speed 30km/h or less	Reduce speed of vehicles entering Anderson Street by entry treatments with small radii and distinctive pavement. Staggered mid-block squeeze points with landscaping and distinctive pavement.
Shared surface level	Remove kerb (west side) and kerb & gutter (east side)
Stormwater	Regrade road to central low point and install invert drain. Water to sheet off at each end of Anderson Street.
No roadside elements that are potential hazards	Locate landscaped squeeze points around stobie pole locations to create buffer
Improved public realm	Landscaping, removal of kerbing, distinctive pavement sections. Consider WSUD options for landscaped sections.
Improved safety	Slower traffic throughout Anderson Street. Slower entry off of Florence Street visual cues of shared environment. Improved lighting as required

The aforementioned design response would enable a shared road surface catering for pedestrian and vehicle movements while targeting a lower speed environment. In order to achieve this, street redesign and reconstruction is required. First estimates suggest this work would cost in the order of \$150 000, but more detailed design and construction drawings will enable more precision in cost estimates. There does not appear to be cheaper options that

will provide appropriate shared street infrastructure, although some staging of works may be possible.

3. ANALYSIS OF OPTIONS

Option 1 – The Anderson Street residents be advised that the proposal to construct shared street infrastructure will be considered by Council in the 2016/17 budget deliberations, and if included in the budget further consultation will occur with local residents..

If funded by Council, and subsequently supported by the community, it will see reconstruction of the Anderson Street road reserve, including an upgraded road surface, upgraded lighting as required and traffic calming measures at both ends.

This upgrade will also provide an opportunity to have landscaping in selected locations as shown in the plans, which would improve the amenity of the area. There has been no community engagement as yet on the shared street plans, and there is no provision for this work in the Long Term Financial Plan (LTFP). There is provision for resealing of the road in 2018/19. That plan is always reviewed as the date draws closer, and adjustments made depending on the condition of the infrastructure. Resealing is only part of the construction work entailed in the attached plan.

Undertaking budget deliberations before further community engagement would ensure that when the community is engaged, they would have appropriate information on if and when the works will be implemented. If the project is not funded in the future budget plans, there is little point in undertaking the engagement.

Option 2 – The enhanced shared street concept as outlined in attachment 1 be supported in principle as a future goal, and the existing arrangement remain unchanged until the scheduled reseal of Anderson Street. The local community be advised accordingly.

This proposes considering the shared street upgrade at the time of the next scheduled reseal. This is not planned within the current three year program. The reseal budget will still require enhancing to address the cost difference between the shared street concept works and like for like replacement.

However, there are some local residents who consider an upgrade to the pedestrian environment an absolute priority and this option may not be in alignment with their views.

4. RECOMMENDED OPTION

Option 1 is the recommended option.

POLICY IMPLICATIONS

5.1 Financial/budget

- The approximate cost of undertaking the works as outlined in attachment 1, would be in order of \$150 000.
- There is no provision for such funding allocation for Anderson Street in current financial plans, both in short and long terms.
- Should Council support the undertaking of the works, appropriate budget allocations/adjustments will be required. Also, there would be minor increases in on-going maintenance costs associated with the upgraded street.

5.2 Legislative/Risk Management

Australian Road Rule 238 provides for pedestrian access along public roads. Specifically rule 238 regulates the following:

Pedestrians travelling along a road (except in or on a wheeled recreational device or toy)

- *A pedestrian must not travel along a road if there is a footpath or nature strip adjacent to the road, unless it is impracticable to travel on the footpath or nature strip.*

It can be argued that Anderson Street footpath in its current condition makes it impractical to travel on the footpath and pedestrians are legally walking along Anderson Street. This indirectly creates a shared street environment.

With implementation of the concept design, the risk to road users would be alleviated by applying traffic calming design measures in line with the SFP guidelines. The proposed design is a shared street approach rather than a shared zone treatment. As suggested in Option 2 above, DPTI approval would require creating a shared zone.

5.3 Stakeholder Engagement

There has not been community engagement on the proposed shared street design. However, there have been a number of consultations undertaken to date, with locals of Anderson Street and Dawson Street. These consultations have been on the matters of traffic management, parking, and access and associated issues. Following the consultations, changes were made to parking and traffic management signs in the area. However, the issue of footway access is unresolved. It is also evident from the consultations that residents of Dawson Street are not supportive of any changes at Anderson Street that may involve access restrictions. It is important to note that due to the narrow road width of Anderson Street, creating a wider footpath will mean there will not be enough space for two way traffic.

5. REPORT CONSULTATION

The Assets team as the manager of the road reseal and infrastructure replacement program have been consulted on the matter.

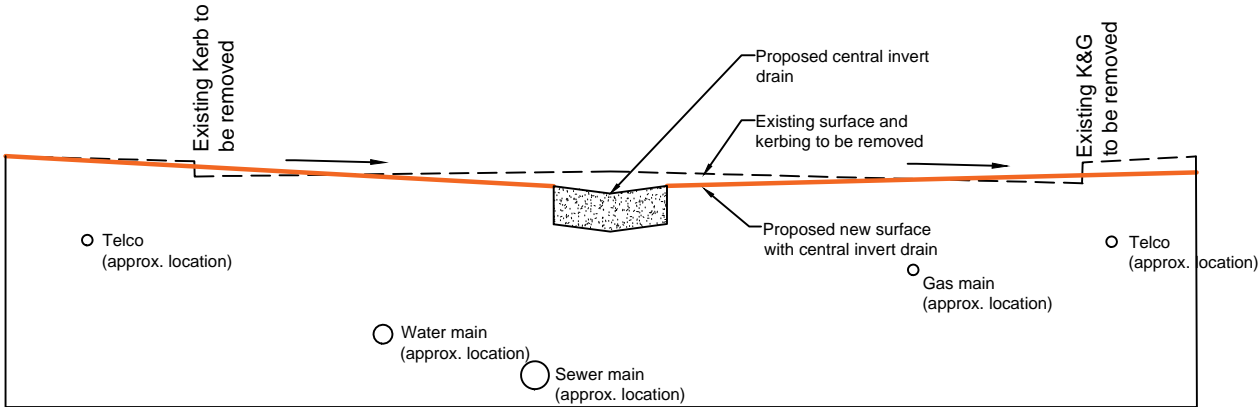
7. ATTACHMENTS

Attachment 1 – Enhanced shared street concept design - Anderson Street

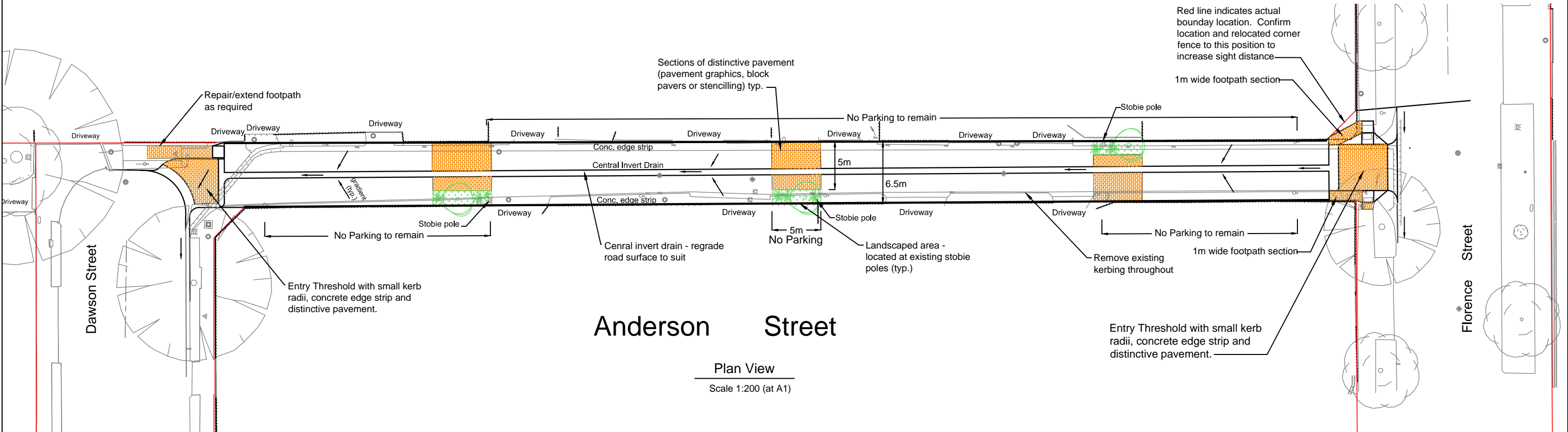
8. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
David Litchfield	General Manager Economic Development and Planning

- Notes:
- Concept design only - not for construction
 - Survey by Alexander Symonds
 - Services shown indicative only from service lids and Dial B4 You Dig information
 - Street lighting to be assessed and upgraded if required
 - Detail design and sight distance to comply with Australian Standards, Guidelines and DPTI Manual of Legal Responsibilities and Technical Requirements for Traffic Control Devices.



Section A-A
Scale 1:20 (at A1)



Plan View
Scale 1:200 (at A1)

DECISION REPORT

REPORT TITLE: CONSERVATION GRANTS
ITEM NUMBER: 306
DATE OF MEETING: 24 NOVEMBER 2015
AUTHOR: PAUL WEYMOUTH
JOB TITLE: MANAGER DEVELOPMENT

1. EXECUTIVE SUMMARY

The purpose of this report is to consider and determine applications to the City of Unley Conservation Fund.

A total of 25 applications were received relating to works with a total value of \$300,106.00. It is recommended that 22 applications be funded on a pro rata basis in accordance with Council Policy to the value of \$60,000. The annual budget for this fund is \$50,000. Because some approved projects do not actually occur, there has been a historic underspend on this program.

In 2013/14 Council decided to fund the applications on the basis that the Conservation Fund had a notional allocation of \$60,000. This was to ensure that conservation of Unley heritage received the highest possible allocation from the fund each year and assumes that some approved projects would not proceed.

2. RECOMMENDATION

That:

1. The report be received.
 2. The Conservation Grants be funded as detailed in Attachment 1 to Item 306/15 (pro rata allocation \$60,000)
-

1. RELEVANT CORE STRATEGIES/POLICIES

Goal 5.3 Good governance and decision making

The City of Unley Conservation Fund Policy is the relevant Policy.

2. DISCUSSION

The City of Unley Conservation Fund encourages and assists residents with the appropriate maintenance of the City's heritage places (and historic contributory items) and significant trees. The budget for the Fund is \$50 000 per financial year.

The Conservation Fund provides funding of up to 50% of the total cost of works with a maximum amount of \$1000 for significant trees (advice, retention and maintenance pruning) and \$5000 for local heritage buildings/contributory items restoration and maintenance.

The Conservation Fund was advertised during August and September 2015 in the Messenger and on Council's website and a total of 25 applications were received relating to works with a total value of \$300,106.00.

Council's heritage advisor has reviewed the applications made in relation to local heritage places and contributory items and Council's arborist has reviewed the one application made in relation to the pruning of a significant tree.

The recommendations and a summary of details for all submissions are attached (Attachment 1 to Item306/15) for Member's information.

Attachment 1

Of the 25 applications, 1 application has not provided sufficient information to be recommended for support. One application by the Capri Theatre has recently been funded separately by Council (refer Council resolution for Item 216 in August 2015). One application is not eligible for funding as it is not a local heritage item or contributory building.

The remaining 22 applications are recommended for support. The 22 applications are eligible to receive \$77, 337.50 in funding based on the guidelines in Council 's policy. As this total exceeds the \$50,000 contained within the 2015/16 budget the grant funding has been allocated on a pro rata basis.

In past years the full \$50,000 has not been expended as there is generally a proportion of applications that do not proceed with the proposed works. In 2013/14 Council made the decision to fund the applications on the basis of a pro rata allocation of \$60,000 to offset the proportion of applications that do not proceed.

This option is again provided to Council with Attachment 1 specifying pro rata allocations of \$50,000 and \$60,000.

3. ANALYSIS OF OPTIONS

Option 1 – That Conservation Grants be funded as detailed in Attachment 1 to Item 306/15(pro rata allocation \$60,000)

There is \$50,000 in the 2015/16 budget for conservation grants. Council has received eligible grants that total \$77,337.50. If Council endorses Option 1 the eligible grants will be allocated pro rata funding equivalent to \$60,000. The applications recommended are consistent with Council Policy.

The advantage of this option is that applicants receive a greater pro rata allocation than option 2. The disadvantage is that there is a small risk that the budget will be exceeded. In past years the full \$50,000 has not been expended as there is generally a proportion of applications that do not proceed with the proposed works.

Option 2 – That Conservation Grants be funded as detailed in Attachment 1 to Item 306/15 (pro rata allocation \$50,000)

There is \$50,000 in the 2015/16 budget for conservation grants. Council has received eligible grants that total \$77,337.50. If Council endorses this option all of the \$50,000 available in the budget will be allocated on a pro rata basis. The applications recommended are consistent with Council Policy.

The advantage of this option is that all applications will receive a pro rata allocation and there is no risk of the budget being overspent. The disadvantage is that there may be an underspend of funds that Council have allocated for the conservation of Unley's heritage if some approved projects do not proceed. .

4. RECOMMENDED OPTION

Option 1 is the recommended option.

5. POLICY IMPLICATIONS

5.1 *Financial/budget*

There is a \$50,000 allocation in the current budget to implement the recommendation.

6. REPORT CONSULTATION

Consultation occurred with Council's Heritage Advisor and Council Arborist.

7. ATTACHMENTS

- Attachment 1 – Conservation Grants funding allocation
- Attachment 2 - Conservation Funds Policy

8. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
David Litchfield	General Manager Economic Development and Planning

DEVELOPMENT –
CONSERVATION GRANT FUNDING ALLOCATION:
NOVEMBER 2015

Conservation Grants

PROPERTY	DESCRIPTION OF WORK	ESTIMATED COST (LOWEST QUOTE)	MAXIMUM ELIGIBLE AMOUNT	PRO RATA ALLOCATION (\$50,000)	PRO RATA ALLOCATION (\$60,000)	HERITAGE/ARBORIST COMMENTS
(1) 110-114 Glen Osmond Road Parkside Local Heritage Place	Repair cracking to rear of school hall	\$3,850.00	\$1,925.00	\$1,244.55	\$1,493.45	Recommendation – Support subject to clarification of methodology and scope of work.
(2) 141 Goodwood Road Goodwood State Heritage Place (Capri Cinema)	Paint Exterior	\$39,320.00	-	-	-	Funded separately – Refer Council resolution for Item 216 August 2015.
(3) 49 Young Street Parkside Contributory Item	Obtain consultant's report and paint verandah	\$1000.00	\$1000.00	\$646.52	\$755.82	Recommendation – Support contribution for \$500 towards Incospec report and \$500 towards painting.
(4) 30 High Street Unley Park Contributory Item	Salt Damp Treatment and repointing/repairs to brickwork	\$10,967.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation - Support subject to clarification of methodology and scope of work.
(5) 107 Young Street Parkside Local Heritage Place	Paint exterior	\$6995.00	\$3,497.50	\$2,261.19	\$2,713.43	Recommendation - Support
(6) 106 Cambridge Terrace Malvern Contributory Item	Restore front verandah	\$2050.00	\$1025.00	\$662.68	\$795.22	Recommendation – Support subject to clarification of roof profile and finish, details of timber posts and details of fascia and any decorative elements.
(7) 20 Commercial Road Hyde Park Local Heritage Place	Reroof main roof and verandah	\$25,000.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation – Support

(8) 6-10 Windsor Street Unley Local Heritage Place	Repaint exterior facade	\$6,329.00	\$3164.50	\$2,045.90	\$2,455.08	Recommendation - Support
(9) 39 Cambridge Terrace Malvern Contributory Item	Restore verandah (New concrete slab, slate and tiles)	\$25,894.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation – Support subject to development approval.
(10) 42 Porter Street Parkside Local Heritage Place	Restore verandah	\$4,200.00	\$2,100.00	\$1,357.69	\$1,629.22	Recommendation – Support subject to development approval and clarification of roof profile and colour and post fixings.
(11) 15 Wilkinson Road Parkside Local Heritage Place	Repair to external walls and chimneys	\$21,084.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation – Support subject to clarification of scope of work and methodology.
(12) 13 Montpelier Street Parkside Local Heritage Place	Restore timberwork to front verandah and repairs to front fence.	\$1766.00	\$883.00	\$570.87	\$685.05	Recommendation – Support subject to development approval for front fence.
(13) 70 Alfred Street Parkside Contributory Item	Reconstruct verandah including tiling and painting to front façade and new fence	\$8830.00	\$4415.00	\$2,854.37	\$3,425.25	Recommendation – Support subject to development approval for front fence and verandah.
(14) 6 Marion Street Unley Contributory Item	Restore, repoint and remove paint from sandstone walls	\$9725.00	\$4862.50	\$3,143.69	\$3,772.43	Recommendation - Support subject to clarification of methodology and scope of work.
(15) 13 Wooldridge Avenue Millswood Local Heritage Place	External painting	\$14,420.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation - Support
(16) 93 Fisher Street Fullarton Contributory Item	Front verandah works, repoint three front pillars, replace porch ceiling, battons, scotia, mould & Paint	\$6780.00	\$3390	\$2,191.69	\$2,630.03	Recommendation – Support
(17) 53 Young Street Parkside Contributory Item	New verandah	\$39,982.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation - Support subject to development approval.

(18) 5 Nelson Street Fullarton Significant Tree	Prune	\$1850.00	\$925.00	\$598.03	\$717.63	Recommendation - Support
(19) 56 Austral Terrace Malvern Contributory Item	Reinstate front façade & west wall, repoint, repaint, salt damp treatment where required	\$14,244.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation - Support
(20) 23 Marion Street Unley Contributory Item	New concrete slab and tiles to front verandah	\$20,550.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation – Support subject to development approval and provision of adequate documentation regarding replacement tiles.
(21) 56 Marion Street Unley Contributory Item	Repoint stone porch wall at front & complimentary security screen door	-	-	-	-	Recommendation – Do not support due to insufficient information provided.
(22) 54 Ethel Street Forestville Local Heritage Place	Repair & treat and paint timber windows	\$950.00	\$475.00	\$307.10	\$368.51	Recommendation - Support
(23) 3 Fisher Street Myrtle Bank Local Heritage Place	Section of front fence	\$24,970.00	\$5,000.00	\$3,232.58	\$3,879.10	Recommendation - Support subject to development approval.
(24) 62 Marion Street Unley Contributory Item	Reinstate façade & structural repair to corner	\$9350.00	\$4,675.00	\$3,022.47	\$3,626.96	Recommendation - Support subject to development approval.
(25) 10 Castle Street Parkside (NOT ELIGIBLE)	Repairs to stone oven building at rear, repairs & repoint adjoining brick bakehouse & repoint chimney's on main residence	-	-		-	Recommendation – Do not support as not eligible.
Total		\$300,106.00	\$77,337.50	\$50,000.00	\$60,000.00	

Conservation Grants

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Policy Type:	Council Policy
Reference Number:	COU 19
Responsible Department:	Corporate Services
Responsible Officer:	General Manager
Legislation	Development Act, 1993
Relevant Delegations:	N/a
Related Policies and Procedures	N/a
Community Goal	3.1 Ensure that urban development and infrastructure meet the changing needs of the community whilst maintaining the City's heritage, amenity and character.
Council Resolution:	Policy Adoption 23 August 2004 Item 397 Policy Amendment 22 November 2004 Item 476 CS&P 17 May (319/10) C 24 May (665/10) Item 108 CSP 14 May 2012 Item 420 C 28 May 2012
Date Adopted:	28 May 2012
Review Date:	May 2013

1. POLICY STATEMENT

The purpose of this policy is to provide a framework for the application and operation of two Conservation Funds established to encourage and assist with the appropriate maintenance of the City's private heritage places (and historic contributory items) and significant trees.

The Conservation Funds complement other initiatives operated by Unley Council for many years including the free Heritage Advisory service.

State Heritage Places attract their own funding assistance from State and National Government grants and so are generally not eligible for the Conservation Fund. If a State Heritage Place has been unsuccessful in receiving funding through a recent State or National heritage funds scheme then it may be eligible for the Conservation Fund.

2. PRINCIPLES

Unley's vision is to become the 'City of Villages'; proud of its history, built character, landscaped environment and community well-being while ensuring sustainability into the future by responding to the need and expectations for change. The important valued features need to be retained and conserved to provide the context and foundation to build upon.

Unley's history, built and natural character are reflected in the extensive presence of early buildings and mature landscaping. The most notable examples have been specifically recognised by designation as heritage places, contributory items within historic areas and significant trees to ensure their protection.

Retention, care and pride are generally evident in these features by owners but they are also often appreciated by the wider community for their contribution to Unley's unique character. Appropriate maintenance can sometimes involve greater or ongoing costs. Council acknowledges their special recognition and value to the community by offering additional support, including the Conservation Funds to subsidise conservation advice and work, together with other initiatives.

The Council operates an annual budget and review of allocations for the Local Heritage Places (and Historic Contributory Items) and Significant Trees Conservation Funds. The provision of subsidies in accord with the procedures detailed in this policy are dependent upon the Council's budget at any given time, and the availability of funds.

A clear and comprehensive framework and set of procedures is required to manage the Conservation Funds, guide eligibility for assistance and manage associated resources fairly, responsibly and effectively.

3. POLICY OBJECTIVES

The policy aims to:

- support Council's vision, strategic plans and policies for preservation of the City's heritage places (and historic area contributory items) and significant trees;
- encourage and assist private owners to manage recognised valued buildings and trees by subsidising the conservation of the long term heritage value of the place and its contribution to historic streetscape character;
- encourage and assist private owners to manage significant trees by subsidising their management or maintenance in a safe sound and aesthetically pleasing condition;
- complement other support initiatives;
- provide a clear framework for the operation of the Conservation Funds in an equitable, transparent and accountable manner.

4. DEFINITIONS

For the purposes of this policy the following definitions are to be applied:

"Significant Tree" has the same meaning and criteria as are currently applicable under the Development Act 1993 and associated Regulations, as amended.

As at February 2012, this means having a trunk circumference of three (3) metres or more – or, in the case of trees with multiple trunks, a total circumference of three (3) metres or more and an average circumference of 625mm or more – measured one metre above natural ground level.

Significant Trees as identified in Table Un7 of the Unley (City) Development Plan are eligible for priority consideration under this policy.

State Heritage Place means State Heritage Places as identified in table Un/3 of the Unley (City) Development Plan.

"Local Heritage Place" means Local Heritage Places as identified in Table Un/3 of the Unley (City) Development Plan.

"Contributory Heritage Items" means Contributory Items as identified in Fig Un/(RHC)/1 to 7 in the Unley (City) Development Plan.

"Privately owned" means not in government ownership i.e. residents, businesses, incorporated bodies etc. are all considered to be "private owners" for the purposes of this policy.

5. REFERENCES

Development Plan Unley (City)
Policy 4.4.07 – Conservation Funds (adopted 23 August 2004 and amended 22 November 2004).

6. PROCEDURES

6.1 Eligibility

- (a) Conservation grants may be considered in relation to significant trees, state and local heritage places and contributory items as defined in this policy.
- (b) Owners of State Heritage Places who have been unsuccessful in receiving State or National Heritage Funding for the same project may be considered for the City of Unley Conservation Fund.
- (c) A significant tree, heritage place or contributory item which is the subject of an application for conservation funding must be privately owned and must be situated within the City of Unley.
- (d) Applications will be accepted only from the owner(s) of a significant tree/place/item.

- (e) Properties that have previously received the maximum available funding will not be eligible to apply for funds for a period of five (5) years from the date that the maximum amount of funds has been received.
- (f) Work that has already commenced will not be eligible for funding assistance unless the work has been undertaken for urgent structural reasons and advice has been sought from a Council officer prior to undertaking the work.

6.2 What types of projects will be considered?

The following types of projects will be considered, provided that as much of the original building fabric as possible is retained:

- external structural repairs;
- conservation works to the exterior of the building, including those that restore, conserve, enhance or reinstate heritage features to the front facade, walls, verandah, windows and/or roof of the building including:
 - ☐ re-pointing or repair of stonework;
 - ☐ removal of non-original paint and/or plaster;
 - ☐ painting external timber elements;
 - ☐ salt damp treatment; and
- repairs to or reinstatement of original front fencing based on historic or archival records (or side and/or rear fencing if such fencing is specifically listed as part of a Local Heritage Place).

Please note: Internal works will only be considered where deemed essential to the structural stability of the building.

6.3 What doesn't the Grant Scheme cover?

Applications for the following works will not be considered:

- buildings owned or leased by a Council or Government Agency;
- conservation work with a value of less than \$1,000;
- work already commenced or previously completed, except in instances where emergency repair work is required, at the discretion of Council;
- routine maintenance such as termite treatment, pest control;
- electrical or plumbing work (unless it relates directly to improving the building's structural soundness or public appearance);
- internal works (unless required for structural stability of the building);
- side or rear boundary fencing (unless such fencing is specifically listed as part of a Local Heritage Place);
- the purchase of a building or site;
- construction of additions or outbuildings;
- relocation of a heritage building.

6.4 Grant Conditions

- (a) Grants are available only for the costs of expert advice, conservation and restoration of heritage places or contributory items to conserve original elements or reinstate the original appearance and the maintenance and management of eligible trees. All conservation work funded by a Council grant must be undertaken by suitably qualified and licensed contractors. Funding is not available for the removal of trees or for inappropriate lopping, pruning or "tree damaging activity" as defined by the Development Act 1993.
- (b) When a conservation grant is made the applicant must accept the Council's right to photograph the subject trees, property and/or items, before and after conservation work. The applicant must also provide Council with photographic documentation of building work prior to and after completion.
- (c) Any liabilities arising from conservation work that is financially supported by the Council shall attach to the grant recipient and not to the Council.
- (d) All trees/places/items which are the subject of applications for conservation funds must be assessed by suitably qualified specialists in the relevant field ie an arboriculturalist for a tree; or an architect/contractor specialising in building conservation for a building. The reports of such assessments must be made available to the Council and its delegates to assist in allocating grants.
- (e) Conservation grants are available for up to 50% of the total cost of a single grant application:
 - (i) of a significant tree up to a maximum amount of \$1,000 per application; and
 - (ii) of a heritage place and/or contributory item(s) up to a maximum of \$5,000.

Where the scope of the conservation work or the circumstances of the applicant warrant further consideration outside this framework, the request may be presented to the Council for determination of any special merit for additional funding.

- (f) A successful applicant must sign an agreement setting out the terms of a conservation grant which must include a time limit (maximum of 12 months) for the completion of any works funded with Council's assistance.
- (g) Grants will be provided only while conservation funds remain in the budget allocated by Council for the relevant financial year.

- (h) Payment of grants is to be made only following inspection of the satisfactorily completed conservation work, by a Council officer. Grant recipients are to provide receipts and detailed invoices before payment is made. Where residents have particular cash flow difficulties, some provision may be made with the approval of the relevant senior manager. The Council preserves the right to withhold payment of allocated grants if conservation work does not meet appropriate standards and/or differs from the work that was proposed in the application.

6.5 Administration

- (a) The Council Administration will receive and assess applications in accordance with this Policy, and make recommendations for the Council's consideration on the allocation of grants. The Administration will oversee the inspection of conservation work which is assisted by the Council through this funding scheme.
- (b) The availability of conservation funds (when allocated in the Council's budget) is to be advertised to the community within three months of the declaration of the budget and again, later in the financial year, if funds remain unallocated.

DECISION REPORT

REPORT TITLE: BUILDING AND SWIMMING POOL
INSPECTION POLICY REVIEW

ITEM NUMBER: 307

DATE OF MEETING: 23 NOVEMBER 2015

AUTHOR: PAUL WEYMOUTH

JOB TITLE: MANAGER DEVELOPMENT

1. EXECUTIVE SUMMARY

The Building and Swimming Pool Inspection Policy has been reviewed and a minor change to the content in 6.4(f), to insert a reference to the ability to issue expiations for breach of Section 84 enforcement notices. No other significant changes are required other than to convert the policy into the new policy format. Council endorsement is now sought.

2. RECOMMENDATION

That:

1. The report be received.
 2. The updated "Building and Swimming Pool Inspection Policy" Attachment 1 to Item 307/15 be endorsed.
-

1. RELEVANT CORE STRATEGIES/POLICIES

Goal O 5.3; Good governance and legislative framework.

2. DISCUSSION

Council's Building Inspection Policy was adopted by Council on 25 June 2012 after an extensive review of the policy by Administration and Council's solicitors to ensure that it addressed the impact of the *Development (Trusses) Variation Regulations 2011* which came into effect on 1 July 2012.

The Policy was further amended in March 2014 to incorporate changes arising from the *Development (Swimming Pool Safety) Variation Regulations 2013* which required Council to develop a swimming pool inspection policy by 1 April 2014.

The Policy has now been updated to reflect the new Policy template requirements. There has also been one minor change to the content in 6.4 (f) to insert a reference to the ability to issue expiations for breach of Section 84 enforcement notices.

There is no need to make any further change to the Policy as it reflects current legislative requirements. Council are currently undertaking a level of audit inspections to meet the requirements of this Policy and will continue to do so in 2016.

3. ANALYSIS OF OPTIONS

Option 1 – That Council endorse the Building and Swimming Pool Inspection Policy

Council policies should be regularly reviewed to ensure they are still relevant, reflect current practice, and are compliant with legislation.

The endorsement of the policy listed in Attachment 1 will ensure consistency with legislative requirements and a clear direction for Council, administration and the community in managing this distinct area of responsibility.

Option 2 – That no changes be made to the policy

The existing policy could remain, however the review process has identified some minor amendments to layout and wording to remain consistent with current templates and operational practices.

4. RECOMMENDED OPTION

Option 1 is the recommended option.

5. POLICY IMPLICATIONS

5.1 *Legislative/Risk Management*

- Development Act, 1993 and Development Regulations 2008.

6. REPORT CONSULTATION

The review of these policies has been undertaken in conjunction with staff of the Development Services Unit.

7. ATTACHMENTS

- Building and Swimming Pool Inspection Policy

8. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
David Litchfield	General Manager Economic Development and Planning



BUILDING & SWIMMING POOL INSPECTION POLICY

Policy Type:	Council
Responsible Department:	Development
Responsible Officer:	General Manager, Economic Development and Planning
Related Policies and Procedures	4.2.02 Building Inspection
Date Adopted:	C114, 25 June 2012
Last Council review:	November 2015
Next review date:	November 2016
ECM Doc Set ID:	

1. POLICY STATEMENT

This Policy, in relation to building work, is mandatory under Section 71A(1) of the *Development Act 1993* ('Act')

In relation to swimming pools, this Policy is mandatory under Section 71AA(7) of the *Development Act* and Regulation 76D(4a) of the *Development Regulations 2008* ('Regulations')

Pursuant to Section 71A(2) this Policy must (and does) specify:

- (a) a level or levels of audit inspections to be carried out by the Council on an annual basis with respect to building work within its area (including building work assessed by private certifiers under Part 12) involving classes of buildings prescribed by the regulations; and
- (b) the criteria that are to apply with respect to selecting the buildings that are to be inspected under the policy.

Pursuant to Section 71A(4a) this Policy complies with any regulation prescribing a minimum level of inspections to be carried out by the Council on an annual basis with respect to building work within its area (including building work assessed by private certifiers under Part 12 of the Act). As of writing, the only regulation to do so is Regulation 80AB.

Pursuant to Regulation 76D(4b) this Policy complies with the requirements set out in that regulation as to minimum levels of inspection of swimming pools (including safety fences and barriers associated with such swimming pools) within the area of the Council.

This Policy does not apply to the appropriate authority constituted under Section 71(19), commonly known as the Building Fire Safety Committee, nor does it apply to an inspection under Section 71(1).

2. COMMUNITY GOAL

5.3 Good governance and legislative framework

3. POLICY OBJECTIVES

The Council is empowered by the Act to inspect building work within its area. Such inspections aim to:

1. detect building work which does not accord with a development approval (or exemption),
2. detect building work or practices which do not accord with the requirements of the Act,
3. detect buildings and building work which are unsafe, and
4. gather the evidence necessary (a) to correct situations 1, 2 and 3 above, and (b) to punish those responsible.

By undertaking such inspections, the Council aims to deter persons from undertaking building work except in accordance with a development approval (or exemption) and the requirements of the Act.

In addition, the Council intends that where such inspections reveal problems (that is, one or more of situations 1 – 3 above exist), the evidence gathered by such inspections will permit the Council to take action to correct those problems.

This Policy provides general guidance as to when and what corrective action may be taken when problems are detected.

4. PRINCIPLES

This policy provides a framework for building inspections and swimming pool inspections under the Act.

In accordance with Section 71A(4) this Policy has been prepared taking the following matters into account:

- (a) the financial and other resources of the council, and of its local community; and
- (b) the impact that a failure to inspect a certain number of buildings of the relevant classes over a period of time may have on its local community; and
- (c) past practices of the council with regard to inspections and the assessment of building work in its area; and
- (d) whether the area, or a particular part of the area, of the council is known to be subject to poor building conditions; and
- (e) information in the possession of the council on poor building standards within its local community; and

- (f) the public interest in monitoring the standard of building work within the community and in taking steps to provide for the safety and health of people who use buildings.

In relation to swimming pools, this Policy acknowledges the serious risk to life safety (particularly for young children) posed by swimming pools which lack the swimming pool safety features required by the Development Act and Regulations.

5. DEFINITIONS

Words and phrases defined by the Development Act and the Development Regulations have the same meaning when used in this Policy.

In addition, the following words and phrases are defined:

<i>audit inspection</i>	<p>an <i>inspection</i> which determines (within the scope of the inspection and only insofar as the inspection is able to do so) whether or to what degree the inspected building work complies with:</p> <ul style="list-style-type: none">• the relevant development approval or any applicable exemption• if applicable, any other relevant documents (for example a required checklist) <p>an audit inspection does not involve any assessment of building work against the building rules or swimming pool safety requirements at large, nor any assessment of the structural or functional adequacy of any building work.</p>
<i>building inspection</i>	<p>an <i>audit inspection</i> of building work, excluding any building work comprising solely a swimming pool (including related swimming pool safety features) or swimming pool safety features or portion thereof</p>
<i>inspection</i>	<p>a comparison by an <i>inspector</i> (with or without assistants) of</p> <ol style="list-style-type: none">(a) visual observations of that building work, and(b) measurements or test results of selected parts¹ of that building work, with: <ul style="list-style-type: none">• the plans and details (if any) which form part of a development approval (or exemption) which relates to that building work, and• if applicable, any other relevant documents (for example a required checklist)² <p>and may include the interview of any person associated with the building work.</p>

¹ How such parts are to be selected is dealt with later in this Policy.

<i>inspector</i>	an authorised officer of the Council, appointed under Section 18 of the Development Act, who holds a current accreditation as a building surveying technician (or equivalent or greater accreditation), or who has been approved by the Minister under Regulation 87(3)(c)
<i>person</i>	includes all legal persons including bodies corporate
<i>swimming pool inspection</i>	an <i>audit inspection</i> of a swimming pool (including related swimming pool safety features) or swimming pool safety features or portion thereof
<i>swimming pool safety requirements</i>	the requirements of the Development Act 1993 and Development Regulations 2008 pertaining to swimming pool safety

Where this Policy refers to an *inspection*, that is a reference to an *audit inspection* as defined above. Where this Policy uses the word “inspect”, that means “undertake an *audit inspection*”.

6. POLICY

6.1 SELECTION OF BUILDING FOR INSPECTION

Excluding swimming pools, not all buildings will be inspected. The Council does not have the resources to do so. However, all swimming pools known to the Council will be inspected in accordance with this Policy.

Buildings will be selected for inspection in accordance with the following criteria (in descending order of preference):

1. buildings which appear to be unsafe;
2. buildings which ordinarily present a high risk to fire and life safety, and in particular swimming pools;
3. buildings which are used by many people, particularly where many people do so simultaneously;
4. buildings which involve roof framing;
5. buildings which are obliged to provide access to disabled persons;
6. buildings in respect of which a complaint has been made; and
7. in the event that inspection of the foregoing buildings does not result in the prescribed minimum inspection levels being met, any other buildings.

² At present a supervisor’s checklist is prescribed in relation to roof framing under Regulation 74(5), and the Minister’s Schedule 5 roof framing checklist is prescribed under Regulation 74A in relation to the provision of truss information by a truss manufacturer.

Where a building is selected for inspection it may be inspected at any stage of construction, and may be inspected more than once (i.e. it may be inspected at different stages of construction).

As noted above, all swimming pools known to the Council will be inspected in accordance with this Policy.

6.2 LEVELS OF INSPECTION

Prescribed Minimum Levels

In accordance with Section 71A(4a) and Regulation 80AB(2) this Policy specifies the following minimum inspection levels for all classes of buildings, other than (a) Class 10 buildings which are not attached to any part of the roof framing of a building of another class, and (b) swimming pools:

where the building work involves the construction of any roof framing within the area of the Council:

- (a) a number of inspections equal to **66%** of the building rules consents³ issued over the course of the year⁴ for building work involving the construction of any roof framing where a licensed building work contractor is responsible for the relevant building work⁵; and
- (b) a number of inspections equal to **90%** of the building rules consents issued over the course of the year for building work involving the construction of any roof framing where a licensed building work contractor is not responsible for the relevant building work⁶.

In accordance with Regulation 76(4b) this Policy specifies the following minimum levels of inspection of swimming pools (including safety fences and barriers associated with such swimming pools):

- (a) at least **80%** of swimming pools constructed over the course of the year must be inspected within **2 weeks** of the Council being notified of the completion of—
 - (i) in the case of a swimming pool the construction of which required the construction of a safety fence or barrier—the construction of the safety fence or barrier; or
 - (ii) in any other case—the construction of the swimming pool;
- (b) the remaining **20%** of swimming pools constructed over the course of the year must be inspected within **2 months** of the Council being notified of the completion of—

³ For the purposes of this Policy, a variation to an operative building rules consent does not, itself, count as a building rules consent and nor does the extension of the operative period of any building rules consent (whether operative or lapsed).

⁴ For the purposes of this Policy, “the year” is the relevant calendar year.

⁵ Regulation 80AB(2) does not identify what “the relevant building work” is. For the purposes of this Policy “the relevant building work” is the entirety of the building work to which the relevant approval or exemption relates.

⁶ See above note. Adopting this interpretation has the effect that paragraph (b) applies to “owner-builder” situations. This is consistent with the recommendations of the October 2008 Report of the Ministerial Taskforce on Trusses.

- (i) in the case of a swimming pool the construction of which required the construction of a safety fence or barrier—the construction of the safety fence or barrier; or
- (ii) in any other case—the construction of the swimming pool.

Counting Inspections

To determine whether the minimum numbers set out above are met:

- (a) building inspections must be counted in accordance with the methodology set out below; and
- (b) swimming pool inspections must be cross-referenced with swimming pools known to be constructed.

The first inspection of the building work forming part of any particular building is counted as one inspection.

Where building work forming part of a building is inspected at a particular stage, and problems are found, any re-inspection undertaken to determine whether the problems have been corrected does not count as an inspection. Rather, it is taken to be part of the initial inspection.

However, inspection of building work forming part of a building at a later stage is counted as a separate inspection, even if the building was inspected at an earlier stage.

Target Inspection Levels

In addition to⁷ the prescribed minimum levels, the Council aims to inspect:

- (a) in relation to building work which relates to a non-residential building or buildings (but excluding free-standing Class 10 buildings), a number of inspections equal to 20% of all notifications received by the Council under Section 59(1) and Regulation 74(1)(a) for the intended commencement of such building work.

6.3 INSPECTION PROCEDURES

The Team Leader Building will, in consultation with the Council's inspectors, prepare an inspection procedure.

The inspection procedure will:

- include a standard-form inspection checklist;
- identify what evidence should be gathered during an inspection so as to permit punishment of any person found to be responsible for any breach of the Act or Regulations arising from, or in connection with the inspected building work;
- set out what record keeping will occur, including how evidence gathered in the course of an inspection is to be filed; and

⁷ But recognising that inspections undertaken to satisfy the prescribed minimum levels may also wholly or partially satisfy the target inspection levels.

- set out what statistics must be identified and reported, including to whom and how such reports will be made.

All inspections will comply with the inspection procedure insofar as is reasonably practicable and the inspector in each case will complete the inspection checklist.

6.4 ENFORCEMENT & DISPUTE RESOLUTION

All inspectors will hold current delegations which permit directions to be given under Section 84(2) by the inspector.

Where an inspection reveals a problem the inspector will determine what action to take to correct the problem or may refer the matter to a Team Leader or Manager. In determining what action to take, the inspector will not permit a problem to be fixed in manner which prevents the inspector from reasonably observing that the problem has been fixed unless the inspector considers exceptional circumstances apply.

Possible actions include:

- (a) obtaining a verbal or written assurance from the person responsible for the building work (for convenience called “the builder”) that the problem will be corrected by a particular date and will be left in a state so that the correction can be inspected, and scheduling a follow-up inspection on that date to verify that has occurred;
- (b) in the case of a breach of the Act or Regulations, giving a direction⁸ to a person under Section 84(2) to
 - i. refrain (for a specified period or until further notice) from the act or course of action that constitutes the breach; and/or
 - ii. make good any breach in a manner, and within a period, as specified;
- (c) taking, or arranging to be taken in the name of the Council, such urgent action as is required because of any situation resulting from the breach pursuant to Section 84(2)(c);
- (d) in the case of a threat to safety arising out of the condition or use of a building or an excavation, or a threat to any State or local heritage place, making an emergency order under Section 69(1) which requires the owner of any land or building to:
 - i. evacuate the building or land;
 - ii. not to conduct or allow a specified activity;
 - iii. immediately terminate a specified activity; and/or
 - iv. carry out building work or other work;
- (e) also in the case of a threat to safety arising out of the condition or use of a building or an excavation, or a threat to any State or local heritage place, making an emergency order under Section 69(1) which:
 - i. prohibits the occupation a building or land; or

⁸ A direction can be given verbally, but will lapse if not confirmed in writing by 5 pm on the next business day by the authorised officer who gave the direction. Owing to the inherent difficulty of “confirming” verbal directions (there is rarely a verbatim record of the verbal direction), verbal directions will ordinarily be limited to directions to refrain from further building work (commonly known as a “stop work” direction) and will, before the verbal direction lapses, be followed by fresh directions in writing which supersede the verbal direction.

- ii. prohibits the use of a building or land for a specified activity, or an activity of a specified class;
- (f) expiating a breach of Section 84 or Regulation 74 (the notification, supervisor's checklist and non-concealing requirements), pursuant to sub-Regulation 74(8).

Legal Proceedings

Legal proceedings, including civil or criminal proceedings, will not be commenced by an inspector.

Where the correction of a problem becomes a dispute between the Council and another party, the Council will first attempt to resolve the dispute without use of legal proceedings.

Attempts which may be made to resolve such disputes include:

- (a) in the case of a dispute as to the meaning of a building rules consent, referring the matter to a building assessor;
- (b) involving other Council officers and inspectors for clarification and/or a second opinion of the dispute; and
- (c) consulting an independent professional with expertise in the relevant area.

6.5 LIABILITY

The Council inspects building work and swimming pools in accordance with the objectives of this Policy and for the public good. Inspections are not carried out for the benefit of any past, current or future owner, occupier or neighbour of any building work. The Council does not accept that it owes a duty to such persons or indeed any particular person in relation to any inspection.

Section 99 provides that no act or omission in good faith in relation to a particular development by a council or an authorised officer after the development has been approved subjects that person or body to any liability.

All inspections will be undertaken in good faith.

The Council does not accept any liability in relation to any inspection. In relation to any allegation of liability (including any claim) no officer other than the CEO may admit liability.

7. LEGISLATION/REFERENCES

Development Act 1993
Development Regulations 2008
Disability Discrimination Act 1992
Guide to Safer Roof Framing 2012

8. POLICY DELEGATIONS

The officers listed below have sub-delegation under this policy:

- The Chief Executive Officer will implement this Policy.

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

9. ROLES/RESPONSIBILITIES

- Manager Development

10. AVAILABILITY

The policy is available for public inspection during normal office hours from;

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

11. DOCUMENT HISTORY

Date:	Council/Committee/Internal	Comment:
12 June 2012	CSP	
25 June 2012	C114/12	
11 March 2014	C1071/14	Was policy number COU18
23 November 2015		

DECISION REPORT

REPORT TITLE: LICENCE TO KIRINARI, 41 OXFORD TCE
ITEM NUMBER: 308
DATE OF MEETING: 23 NOVEMBER 2015
AUTHOR: ALAN JOHNS
JOB TITLE: MANAGER, PROPERTY ASSETS

1. EXECUTIVE SUMMARY

The current shared access Licence granted to Kirinari School for use of 41 Oxford Tce expires in December 2015 (at the end of school term).

Kirinari have expressed an interest in continuing the shared use throughout the 2016 school period.

Previous Licence Agreements have been in place on a year by year basis since 2013 pending clarification of Council's requirements for the site, as part of the Unley Central Precinct.

2. RECOMMENDATION

That:

1. The report be received.
 2. A short-term Licence Agreement be negotiated with Kirinari School for shared access to 41 Oxford Terrace during the 2016 school year under the same Terms and Conditions as are currently in place and for an annual fee of \$2,450 plus GST.
 3. Signage be erected providing details of public access times.
 4. Council reaffirm its position to Kirinari that any licence agreement is only for a short term, pending outcomes of options associated with the Unley Central Precinct Project.
-

1. RELEVANT CORE STRATEGIES/POLICIES

- 2.1 Good governance and legislative framework
- 2.2 A financially sustainable approach to business and planning activity
- 2.3 Healthy and active community

2. DISCUSSION

Kirinari Community School currently use 41 Oxford Terrace as a play space for students on a shared basis during school terms.

The current (and proposed) Licence provides access to Kirinari from 8.30am to 5pm on any school day during the term of the licence with public access available outside of these times. The Licensee is also (but not limited) allowed to use the licence area at least once a school term for such events as School Graduations, Fund raising event etc.

Whilst informal agreements were in place prior to 2013, an annual Licence has been in place since then, that provides security to the school to enable them to continue their use of the site while enabling Council to continue to explore longer term options for the area in conjunction with master planning for Unley Oval and Unley Central precincts.

Kirinari School are aware their on-going tenure is limited and subject to Council actions on precinct redevelopment, particularly relating to 39 and 41 Oxford Terrace. Having said this, it would be beneficial to both parties if Council reminded Kirinari of the short term nature of the licence as part of the new negotiations.

During previous deliberations on licensing to Kirinari, Council has also considered leaving the area vacant, or using the land to provide basic car-parking facilities to relieve local pressures.

The car-parking option was considered likely to provide 16 to 20 parking spaces at a construction cost of some \$10,000.

3. ANALYSIS OF OPTIONS

Option 1 – A short term Licence Agreement be negotiated with Kirinari School for shared access to 41 Oxford Tce during the 2016 school year under the same Terms and Conditions as are currently in place and for an annual fee of \$2450 plus GST

Signage be erected providing details of public access times

This option will enable the school to continue to use the property as a recreation space for students and will also allow other uses outside of the school's licenced use, should Council wish to explore these options.

While entering into an Agreement with the school will limit any other potential uses for this site during the licence period, the Agreement is only for a short period and Council will receive income for use of the site.

The short term nature of the Agreement will also enable Council to continue to explore the future use of the area in the context of options for

the master planning associated with the Unley Oval and Unley Central precincts while not being hindered by long term agreements.

Option 2 – Not proceed with a Licence to Kirinari School and further explore other opportunities for the site

This option allows Council to explore other opportunities for the site such as the provision of a car park. Council has previously considered this concept in earlier reports.

4. RECOMMENDED OPTION

Option 1 is the recommended option.

5. POLICY IMPLICATIONS

5.1 *Financial/budget*

- There is no cost in implementing this recommendation and an income of \$2450 will be received by Council. The price is determined under the Property Management Policy and reflect the 'part time' access/shared used arrangement.

5.2 *Legislative/Risk Management*

- A Licence Agreement to Kirinari School is a low risk option for Council and will generate a small monetary return.
- A Licence or other appropriate Council use of this land will likely meet the test of public scrutiny whereas not granting approval to Kirinari and leaving the site vacant and unused will possibly generate community unrest. At the same time, continuing to extend the current arrangements may lead to an expectation that a long term lease will be granted.

5.3 *Staffing/Work Plans*

- There is no additional staffing or resourcing matters necessary to accommodate the outcomes of this report?

5.4 *Stakeholder Engagement*

- Stakeholder engagement is not required as part of this proposal.

6. REPORT AUTHORISERS

Name	Title
John Devine	GM, Assets and Environment
Alan Johns	Manager, Property Assets

INFORMATION REPORT

REPORT TITLE: QUARTERLY PERFORMANCE REPORT
ITEM NUMBER: 309
DATE OF MEETING: 23 NOVEMBER 2015
AUTHOR: DEBBIE WASHINGTON
JOB TITLE: PROJECT OFFICER

1. **EXECUTIVE SUMMARY**

The report provides Council with a quarterly performance report which provides data analysis and reports on strategic planning, service delivery activity and financial performance across the whole of the organisation. The report assists to keep Elected Members informed and support strategic decision making, continuous improvement and strategic governance.

2. **RECOMMENDATION**

That:

1. The report be received.
-

1. RELEVANCE TO CORE STRATEGIES/POLICY

1.1 Organisational Excellence

- 5.3 Good governance and legislative framework
- 5.4 An environment of continuous improvement and innovation
- 5.6 Enabling information systems and robust reporting

2. DISCUSSION

The City of Unley has developed a 4 Year Plan which informs its Annual Business Plan 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.

A quarterly corporate report mechanism has been developed to provide Council with prudent and strategic information that will support and inform its decision making.

The report ensures Council is demonstrating on going and improved public accountability and provides evidence and opportunities to drive and support continuous improvement.

The report provides Council with a performance report on a quarterly basis.

This report covers the period from July to September 2015. Council has previously collected data for the 2013/14 and 2014/15 financial years and can make comparisons with previous years. A media report is also included.

Data trending illustrates some interesting points:

1. The first quarter has been consistently the busiest quarter for the year with call volumes up by 9% on the last quarter. However, service levels remain above target for the quarter in terms of prompt response to incoming calls (average 87%) and a low proportion of abandoned calls (average 1.7%).
2. Staff turnover was 3.8%, higher than usual for a quarter period.
3. Reporting for work health safety incidents has increased significantly, however this is a positive development as it demonstrates a pro-active approach to workplace safety and is the foundation of a genuinely safe culture.

3. POLICY IMPLICATIONS

Financial/budget

- None

Legislative / Risk Management

- None

Staffing / Work Plans

- None

Environmental / Social / Economic

- None

Stakeholder Engagement

- There has been no community consultation with regards to this policy

4. ATTACHMENTS

1. Appendix 1: Quarterly Corporate Performance Report
2. Appendix 2: Media Report

5. REPORT AUTHORISERS

Peter Tsokas
CEO

City of Unley Quarterly Corporate Performance Report

1st Quarter (July - September 2015)



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CEO UPDATE

This section provides a summary of key actions undertaken by the CEO over the last 3 months and also provides a brief update on progress against specific projects.

2015/16 Key Performance Indicators

1. Leadership

- a) Achieve an 80% satisfaction rating in the annual 360 feedback process, if conducted.**
- b) Action plans developed and implemented across the whole organisation to improve the cultural gaps identified in the 2015 survey.**

2. Governance

- a) The LG Association Mutual Liability Scheme audit to be equal or above SA Metro Average.**

Each year in March, the Local Government Mutual Liability Scheme require that Councils undertake an annual Review process. The Risk Profile Review Process is divided into two parts:

- Part 1 : Questions relating to Governance/Finance & People
- Part 2 : Questions relating to Operational Services & Functions

The information gathered from the questions is used to evaluate the level of risk management being implemented within the context of Council's requirements pursuant to legislation and community expectations.

The questions are not just "compliance" oriented, but rather target Council's strategic and governance processes to ensure that measures are in place to achieve strategic objectives.

The next Review will take place in March 2016.

3. Financial Management

- a) Identify \$400,000 - \$750,000 in operational savings or productivity increases without a reduction in services to be implemented in the 2016/17 year.**
- b) Achieve end of year actual budget result within the range of + or – 1% of revised budget as approved by Council.**

The first quarter financial performance saw an operating result of \$304k favourable to budget, with both revenue and expenditure favourable to budget year to date.

Income was favourable by \$165k with better than anticipated results in Rates, Statutory Income, User Charges and Other Income all ahead of budget expectations.

The favourable expenditure position of \$139k relates to variances in employment and interest costs. The favourable employment costs relates, in the main, to the Enterprise Agreement

currently being negotiated for Depot staff which will see any agreed increases backed dated to July 2015, bringing employment costs back into line.

Both Operating Projects and Capital Works are slightly unfavourable to budget (\$62k and \$6k respectively) however this generally relates to timing issues and small variances which are not anticipated to impact on the budget.

Cash flow has been positive during the quarter with operational cash flows of \$2.3m, which in turn has enabled, along with transfer of investments, to reduce our short term drawn down facility by \$3.3m to \$1.7m at quarter's end.

c) Continue to identify and implement income generation opportunities.

A review of Centennial Park's future fund has commenced and we are waiting for commencement of the paid parking trial.

4. Strategic/Annual Business Plan

a) Funding models for major projects are submitted to Council for consideration

This work will be presented to Members in 2016.

b) Goodwood Road Power lines Streetscape Stage 1 completed

SAPN have now engaged a contractor to commence work on the undergrounding of power lines from the beginning of December, subject to approvals from DPTI for night works and directional boring under the tram intersection. These works are expected to be completed around August 2016.

All easements have been agreed by private land owners and Council for the placement of switching cubicles. Some preparation works have been carried out by council, including the removal of a tree on 83 Goodwood Road. Goodwood Road Business Association is being kept informed on PLEC progress.

Design work on the streetscape upgrade has commenced, including kerb and footpath levels, pavement options. This work will also include the arts strategy for the precinct.

c) Unley Central Redevelopment: development deed completed

In progress, working to Council timetable as per Item 2 – Special Council 1 June 2015.

d) Asset Management system implemented

The implementation is on track with a proposed 'Go live' date of 27th January 2016 for mobility and work orders with predictive modelling being undertaken on 4 main asset classes (roads, footpaths, buildings & bridges) to inform the 16/17 budget. The mobile devices are currently being procured with training scheduled for December 2015 and change management workshops currently being rolled out for operational staff.

e) Develop policy and identify sites of strategic importance to the city and instigate actions to enable consideration of purchase of properties.

The first meeting of the Steering Group will take place in December 2015.

5. Innovation and Change

Complete service reviews for

- i. Community centres**
- ii. Finance**
- iii. HR**
- iv. Community transport**
- v. Depot workshop**
- vi. 3 other services/process to be chosen by the CEO**

The Service Review program for 2015-16 has commenced. The following is a summary of the progress at the end of quarter one.

i) Community Centres: The community centre usage data collection analysis is complete and the findings will be presented to Council at the December Briefing Session.

ii) Finance: This service will be reviewed in the next few months.

iii) HR: This service will be reviewed in the next few months.

iv) Community Transport: The current service profile has been documented and benchmark analysis complete. Key findings will be presented to Council later in the year.

v) Depot Workshop: The draft report is complete and Council will be presented with the key findings and recommendations in December.

vi) 3 other services/ processes: The CEO has initiated project briefs to be developed for the following areas:

- Traffic and Parking- end to end business processes to improve customer service and the use of technology.
- Customer Service - call centre and operations review.
- Assets and Infrastructure Administration – review of the activities performed to improve efficiency, customer service and the use of technology.

6. Relationships with Stakeholders

- a) Actively contribute to the CEO and Mayor/CEO meetings of ERA.

A briefing of the ERA Strategic Plan will occur in November.

7. Community

Develop strategies for improving the services identified as in need of improvement from the Community Survey: traffic management, car parking, footpaths and footpath sweeping.

Traffic management

- Council is working through an agreed program of local area traffic management studies to determine if there are opportunities to improve traffic management.

Car parking

- Pay for use parking machines will be installed before Christmas.
- Options are being investigated for further consolidation of rear car parking of businesses in main streets.

Footpaths and Footpath Sweeping

We are currently implementing the new street cleansing levels of service and monitoring acceptability with the community. The Levels of service related to footpaths is currently being developed & discussions with Council are to commence in December. Budgets have been set this year to deliver the current levels of service in both areas, which we are tailoring to better suit requirements where possible.

External Relations

France

In 2014, the Council entered into an Historical Partnership agreement with the town of Pozières, France.

The City of Unley works closely with Alliance Française which is based in Unley and is currently drafting an MoU with them seeking mutual beneficial opportunities. Further opportunities may become available for an ongoing partnership with another city in France.

Siha District Council, Tanzania

Following elections in Tanzania, there is a new Minister of Local Government. We have sent him a letter congratulating him on his appointment, together with background of previous discussions.

China

The South Australian Government has a China Engagement Strategy which aims to increase business for South Australian businesses; in terms of trade and investment as well as increasing tourism and numbers of university students from China. They have identified that local councils are key to the success of the strategy. The Council has been working closely with the Australia China Business Council in SA to identify opportunities for Unley in each of these areas.

ACBC invited the City to host Invest in SA Business Migrant forum on 27 November. Organised by the State Government, the exhibition will showcase regional Councils and businesses to potential Chinese investors. We will also be hosting a Student Networking Event on 3 December, building on from the successful event held in 2014. The event will provide opportunities to welcome and promote our City to Chinese students.

The City of Unley is developing a Memorandum of Understanding with the Confucius Institute (University of Adelaide) on a number of initiatives to assist in this area.

Other local Councils, such as the Cities of Onkaparinga, Charles Sturt and Prospect have been working with their local businesses and have successfully identified new opportunities for investment and trade with the Chinese. We have also been learning from their experiences.

India

The Indian Government has adopted a 'Smart Cities' programme. The Mayor is investigating an opportunity to share our knowledge with an Indian city, possibly in governance to assist.

Quarterly Financial Report

City of Unley Quarter ended September 2015

Council has commenced the process of undertaking the year end reporting process and as such the year end numbers are very preliminary and subject to change arising from normal year end accounting adjustments. It is proposed that the preliminary end of year financial report will be presented to Council in August 2015.

Adjustments required include the processing of end of year accruals, adjustments arising from infrastructure revaluations and the provisioning of employee entitlement, accounting for Brown Hill Keswick Creek transactions and year end reconciliations.

Funding Result Summary

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	Full Year Revised Budget \$'000	Forecast \$'000	Fav/(unfav) Movement in Forecast \$'000
Operating income	39,351	39,187	165	43,945	44,252	307
Operating expenditure	10,546	10,685	139	41,804	40,852	952
Funding surplus before Projects	28,805	28,501	304	2,141	3,400	(1,259)
Net expenditure - Operating projects	222	160	(62)	2,119	2,109	10
Net expenditure - Capital projects	1,694	1,689	(6)	12,033	11,960	73

As shown above the operating result is favourable to budget and the minor variances in relation to projects (Operating and Capital) relate to timing of projects as they are being planned and scoped.

ON TRACK TO MEET BUDGET



ON TRACK DEBT RECOVERY



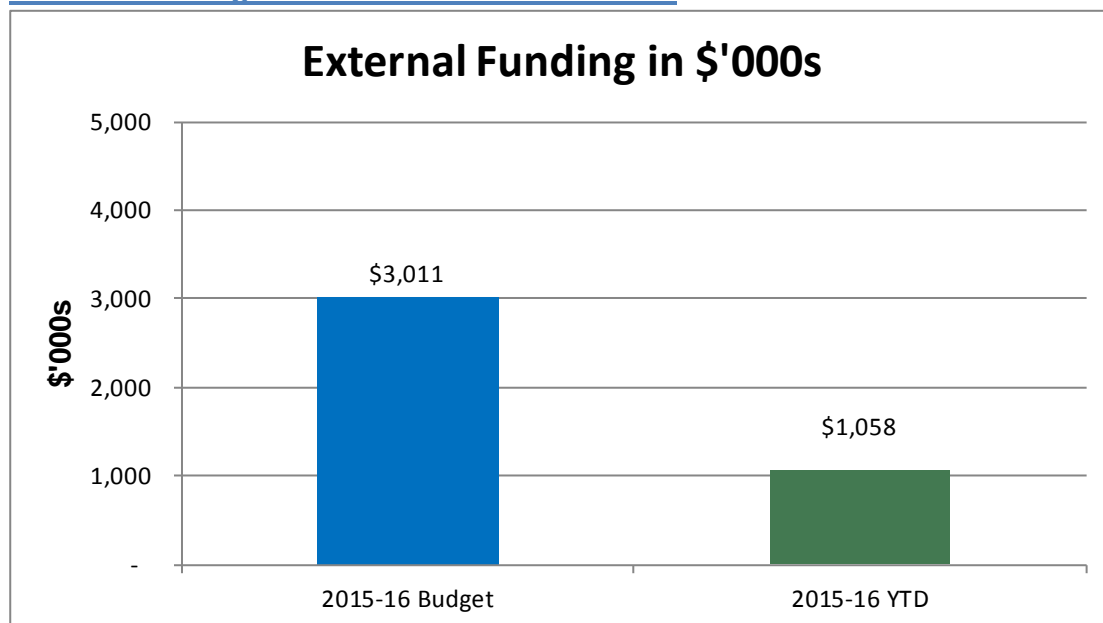
ON TRACK CASH FLOW



ON TRACK COMMUNITY LOAN REPAYMENTS



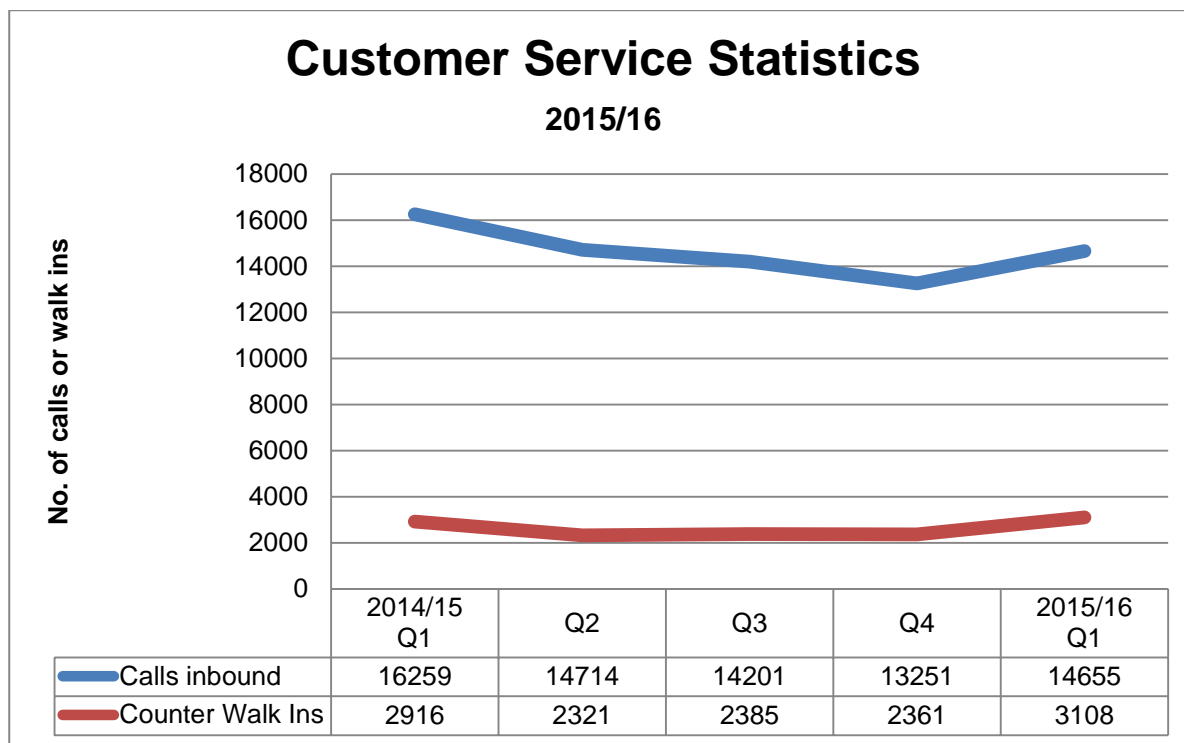
External Funding Grants & Subsidies 2014-2015



	2015-16 Actuals \$'000s	2015-16 YTD Budget \$'000s	Variance \$'000s	2015-16 Budget \$'000s
Grants - Health & Ageing	470	466	4	1,283
Grants - Financial Assistance Grants	99	99	-	396
Grants - Library Board	151	151	-	278
Grants - Local Roads	38	93	(55)	161
Grants - Roads to Recovery	-	-	-	543
Operating Grants - total	758	809	(51)	2,661
Capital Grants - New	300	300	-	350
Capital Grants	300	300	-	350
Total Grants & Subsidies	1,058	1,109	(51)	3,011

As shown above, Council is unfavourable to budget by \$51k to the end of September 2015 as a result of a change in timing for Local Roads funding. This was as a result of receiving the first two quarters of this grant in the 2014-15 financial year.

Customer Service Performance



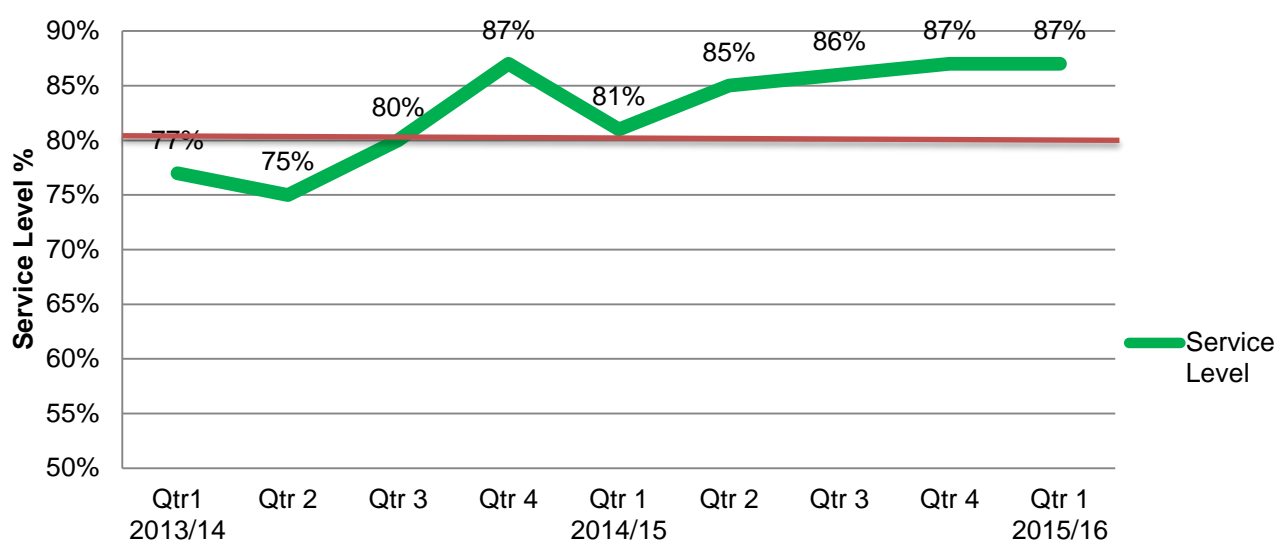
This quarter consistently tracks as the busiest and as expected call volumes significantly increased (9% call increase) compared to the last quarter. Factors contributing to this spike related to payments for both dog renewals and first quarter rates, due at the end of August and beginning of September. This was compounded by a large number of queries relating to parking and traffic as a result of the Royal Adelaide Show.

Compared to the same quarter last year, call volumes have declined in line with a long term trend.

Front counter transactions increased considerably compared to the last quarter, as expected in line with the peak time. Compared to the same quarter last year, the front counter traffic increased by approximately 192 transactions.

Service Level Tracking

Quarter Average 2013/14-2015/16



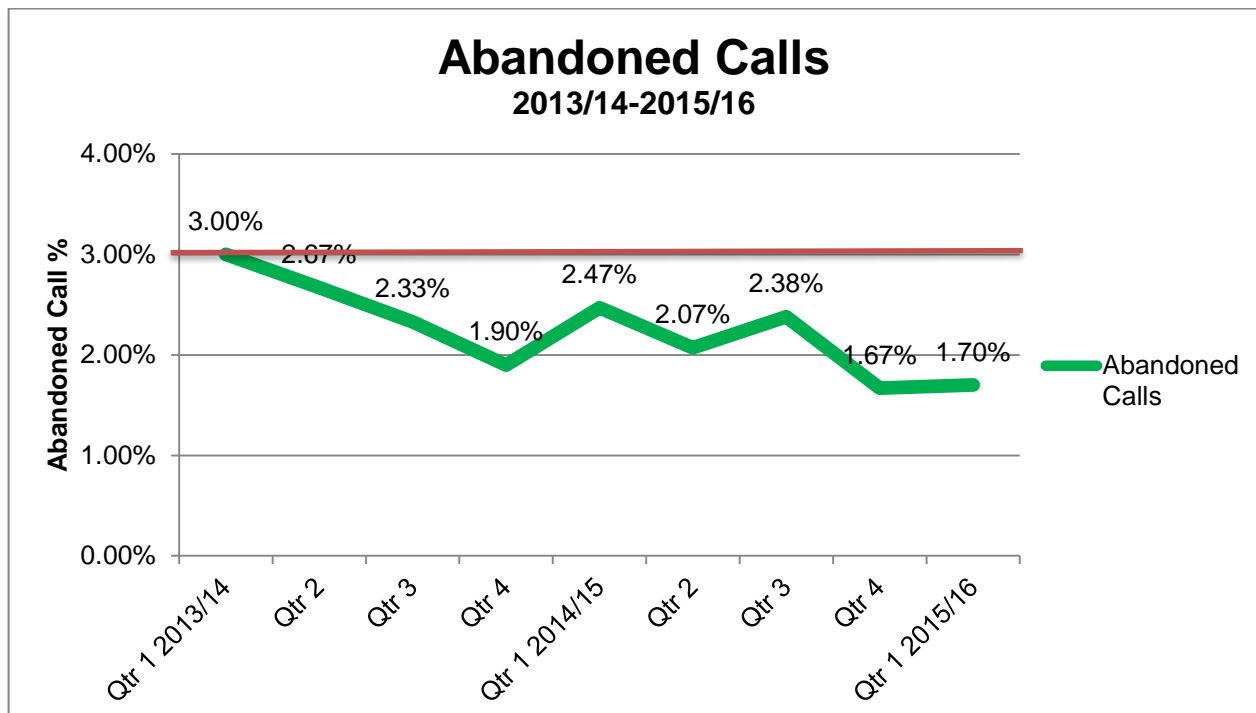
Quarter Comments

Key Performance Indicators

Service Response = Answer 80% of all incoming calls within 30 seconds. (An increase from 70% for 2013/14)

Service Levels compared to the same quarter last year have improved significantly and continue to exceed targets.

This improvement is due to a number of measures including the implementation of a skilled casual pool which provides the ability to tailor staff to cater for peak times thereby allowing more effective coverage at both the front counter and contact centre.



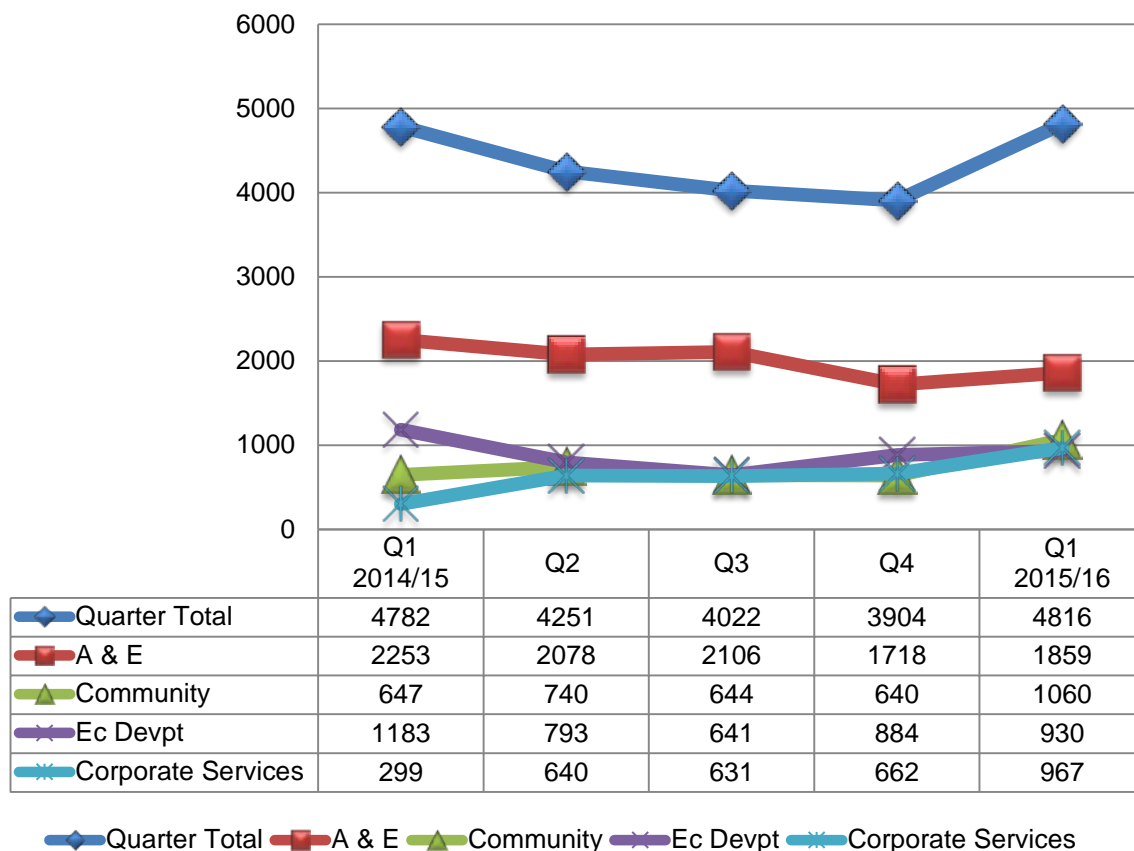
Quarter Comments

Abandoned Calls = No greater than 3%

The abandoned call rate remains consistently low and continues to exceed expectations.

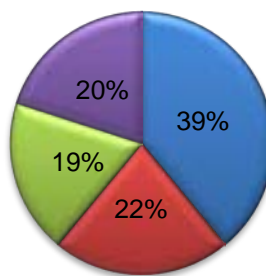
Compared to the same quarter last year, the abandonment rate has considerably improved and this can again be attributed to staffing efficiencies.

Customer Requests for Service 2014/15-2015/16



Customer Requests for Service 2015/16 Q1

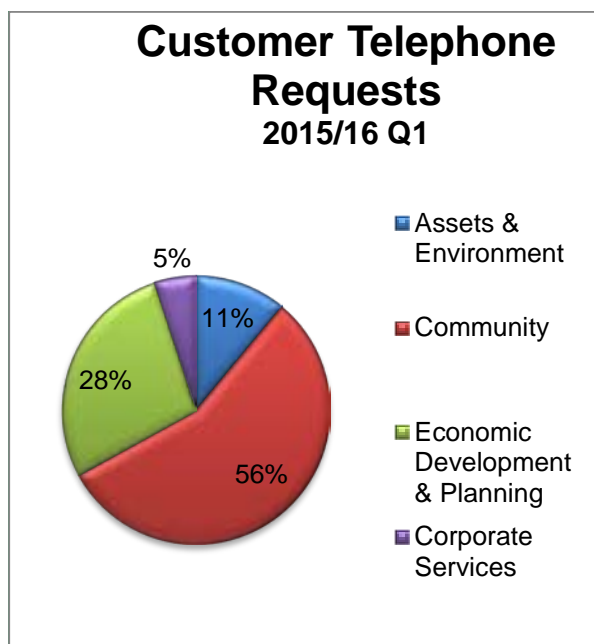
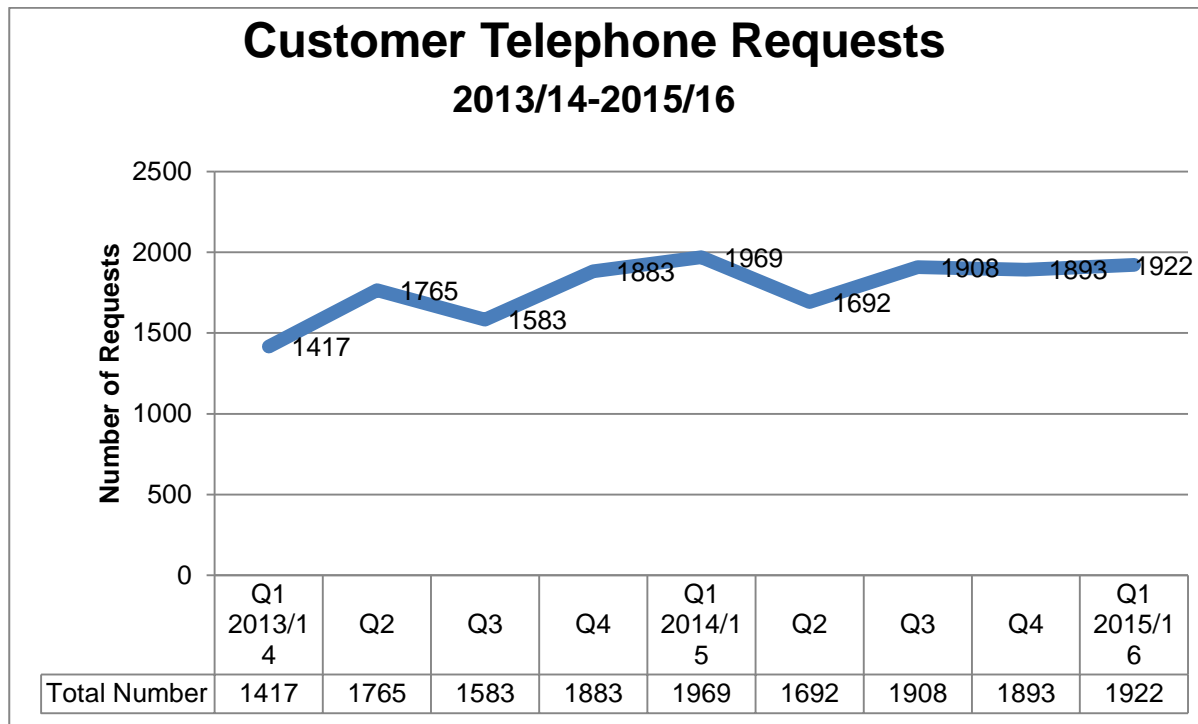
- Assets and Environment
- Community
- Economic Development & Planning
- Corporate Services



Quarter Comments

1. Total Customer Requests for Service for the current quarter were 4,816 which is consistent with the same quarter last year.
2. 98% (4,741) of customer requests for service were either closed out or not yet due for completion.

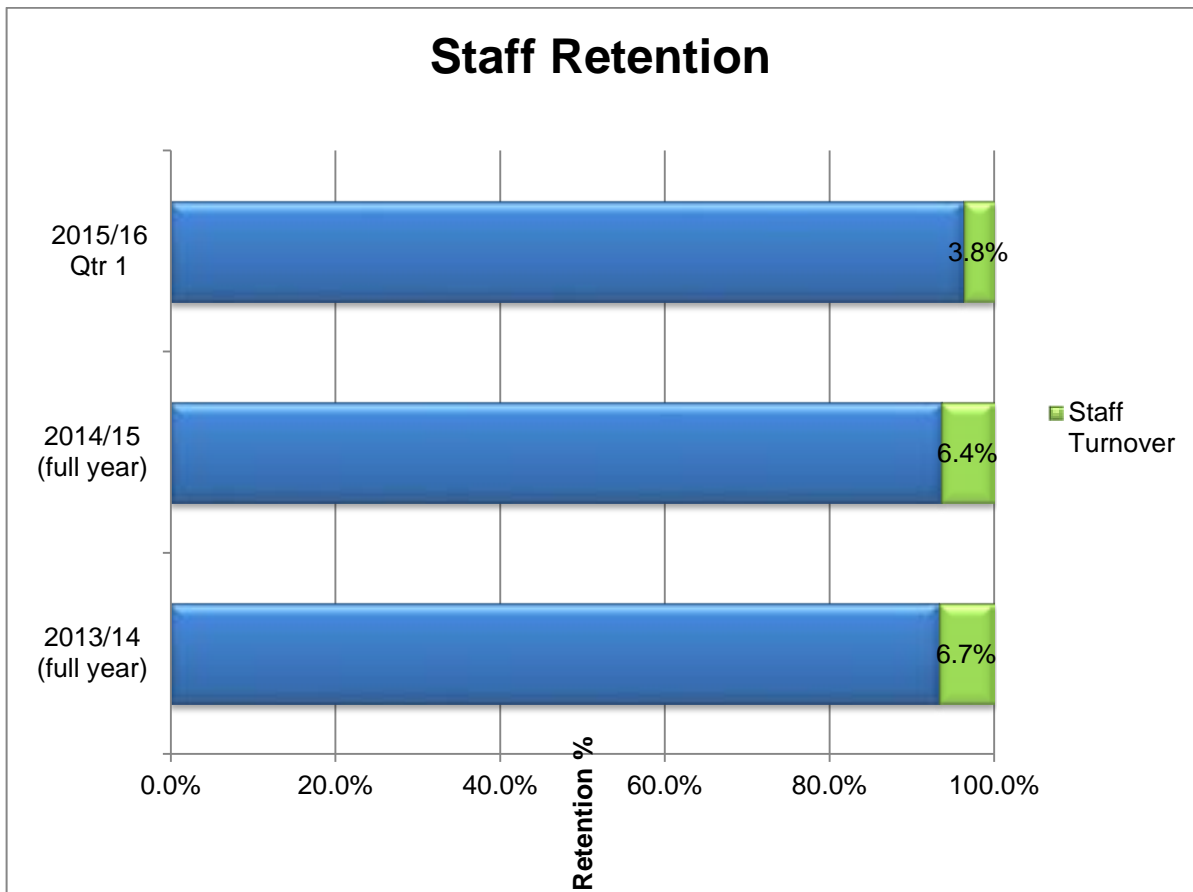
Customer Telephone Requests



Quarter Comments

Total Customer Telephone Requests for the current quarter were 1,893 with a consistent daily average compared with the previous quarter.

Staff Retention

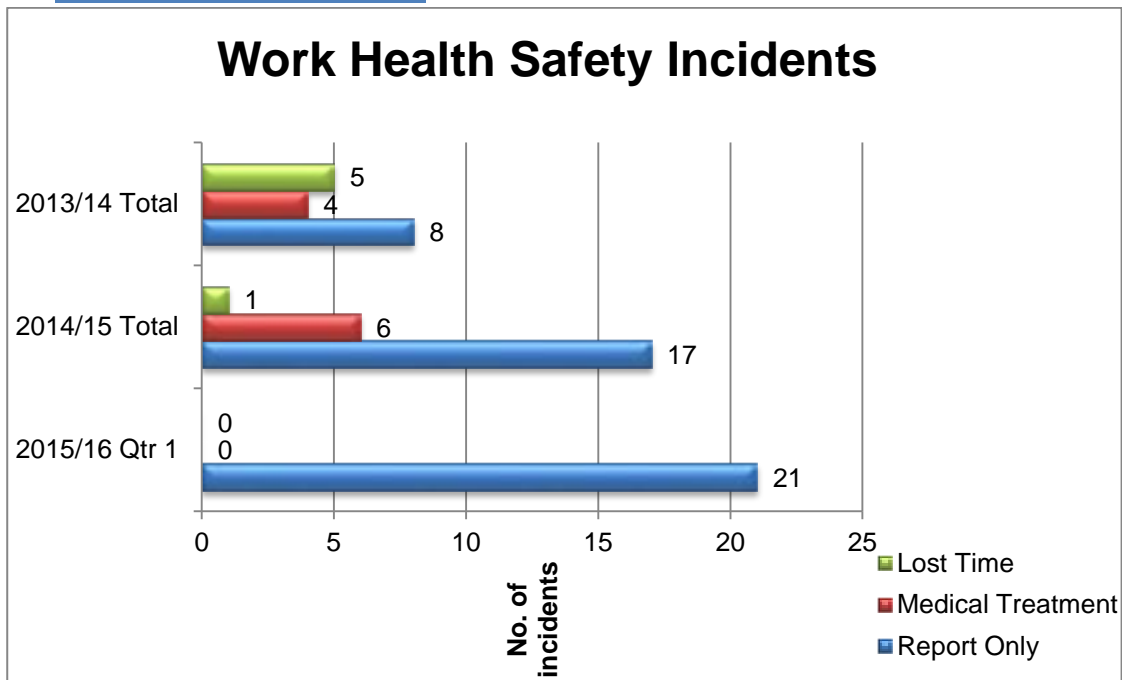


Notes

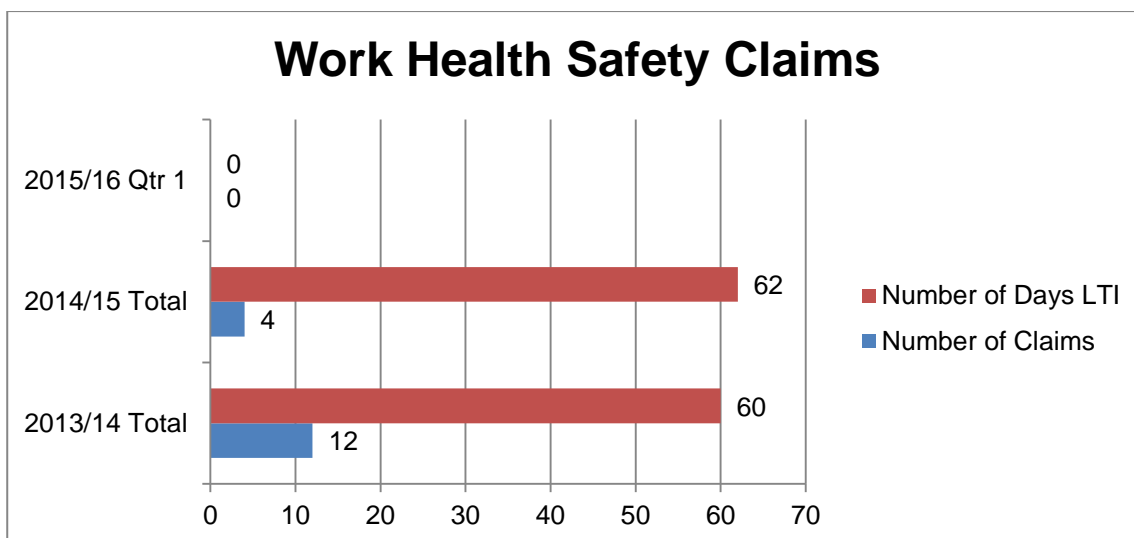
Turnover for the 1st quarter was 7 staff members from our 191 FTE, equating to a turnover of 3.8% and retention of 96.2 % for the period. The turnover includes the finalisation of three long term absences, and the conclusion of four staffs' contracts.

Note: These figures do not include casual and short-term contract staff whose arrangements have finalised.

Work Health Safety Report



Work Health Safety Claims Report



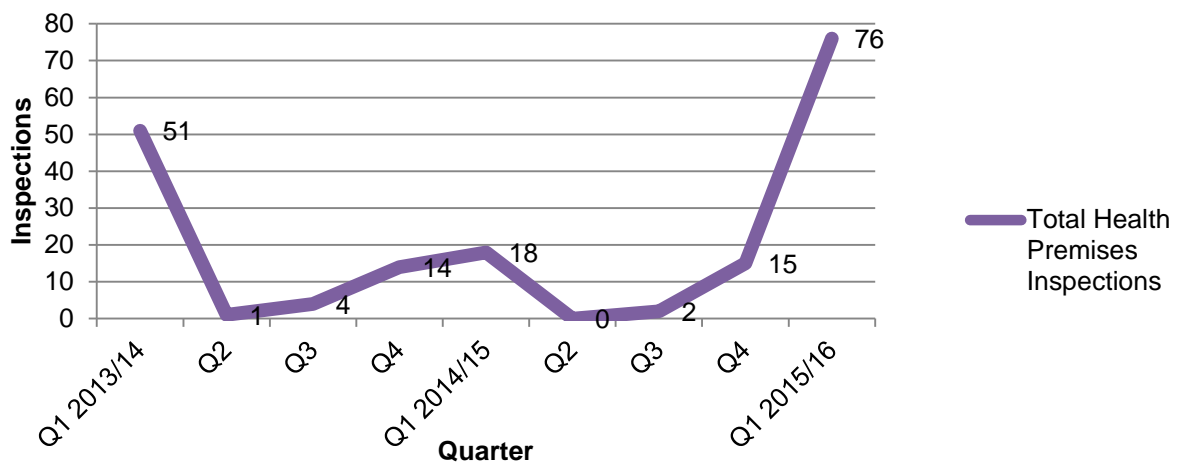
Quarter Comments

During the quarter, an increased number of Report Only notifications (21) were received which is a great news story as it demonstrates the effective development of a reporting culture which enables a pro-active approach to workplace safety and is the foundation of a genuinely safe culture.

Our zero lost time incidents is a result of a continued focus on increasing the visibility of WHS across the organization through training and improved signage, and demonstrates the level of commitment the Organisation has to the wellbeing of our staff .

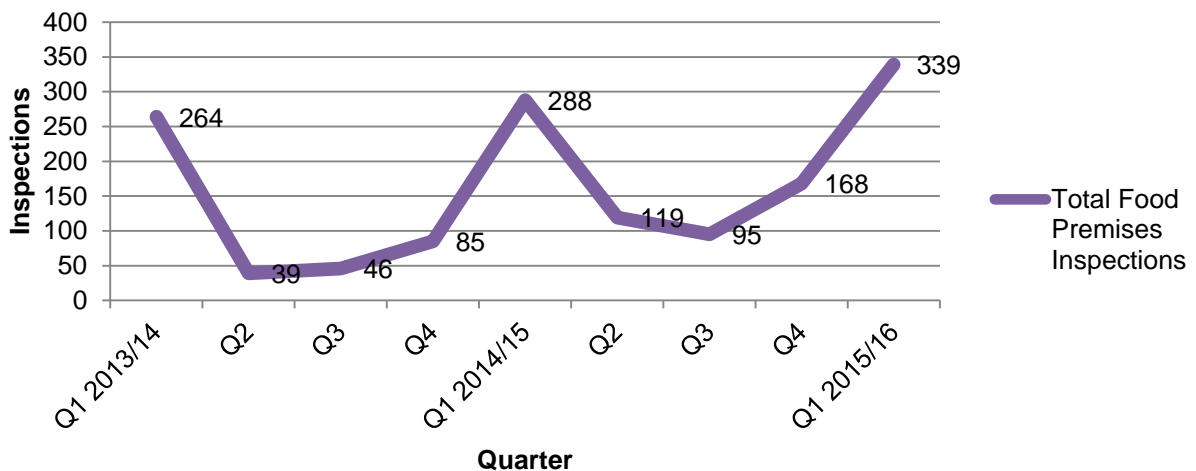
The reduction in claims continues as a result of active management of organizational risk and overall WHS diligence that targets zero workplace injuries.

Total Health Premises Inspections



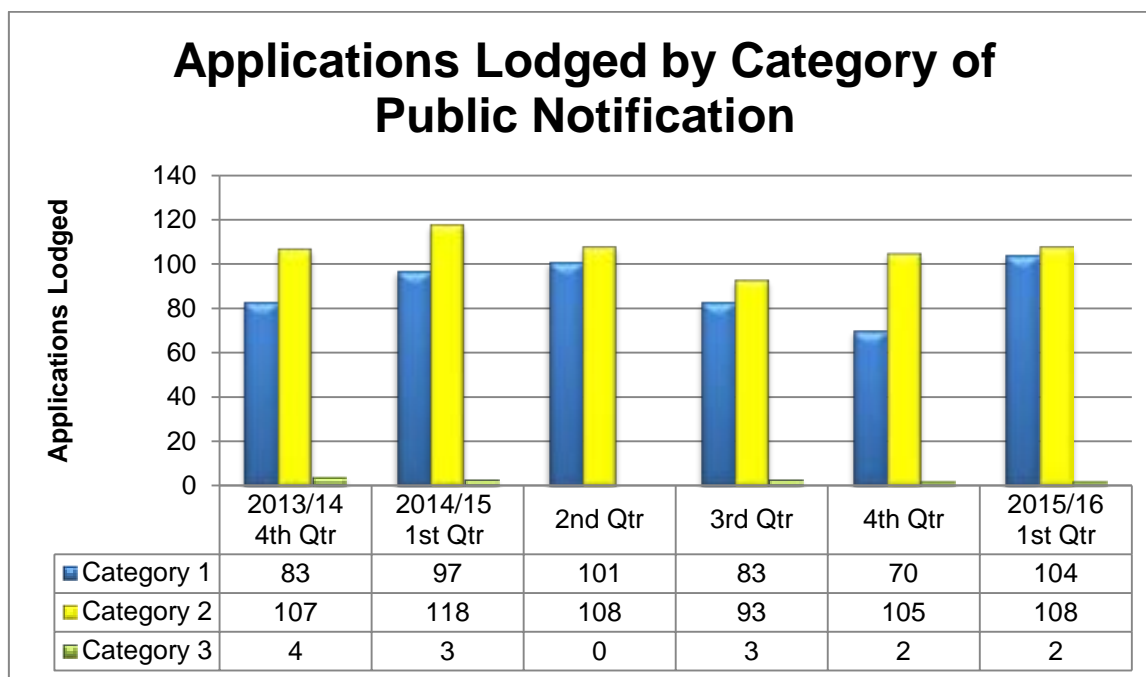
In addition to swimming pools, cooling towers and warm water systems, this quarter's figures also includes hairdressers, beauty and skin penetration businesses.

Food Premises Inspections



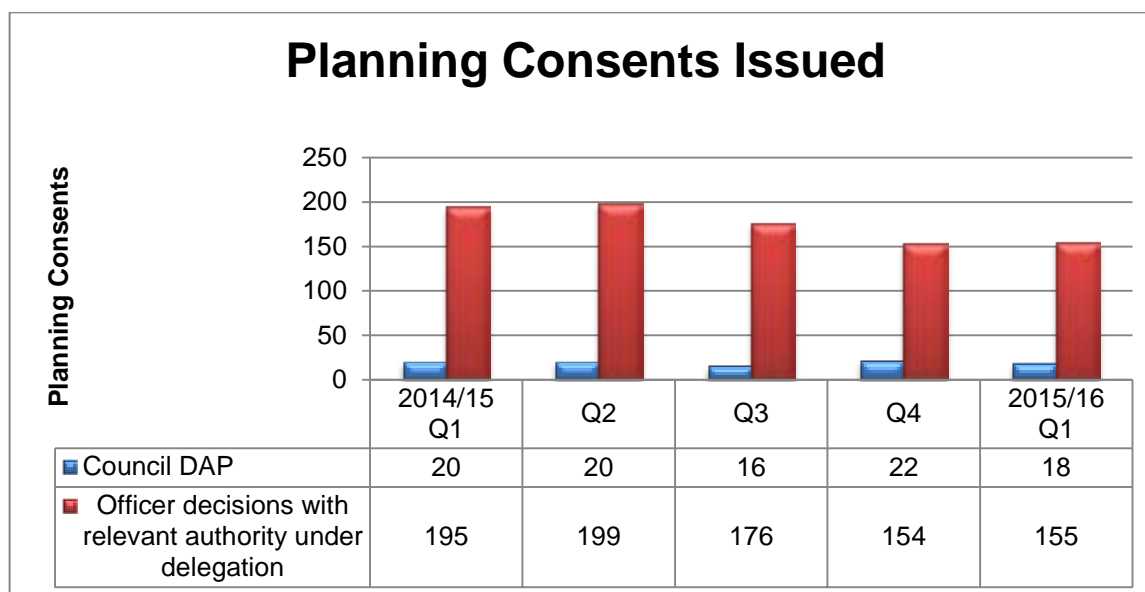
Inspections for the first quarter include food inspections undertaken at the Adelaide Show, of which this year there were 162.

Applications Lodged by Category

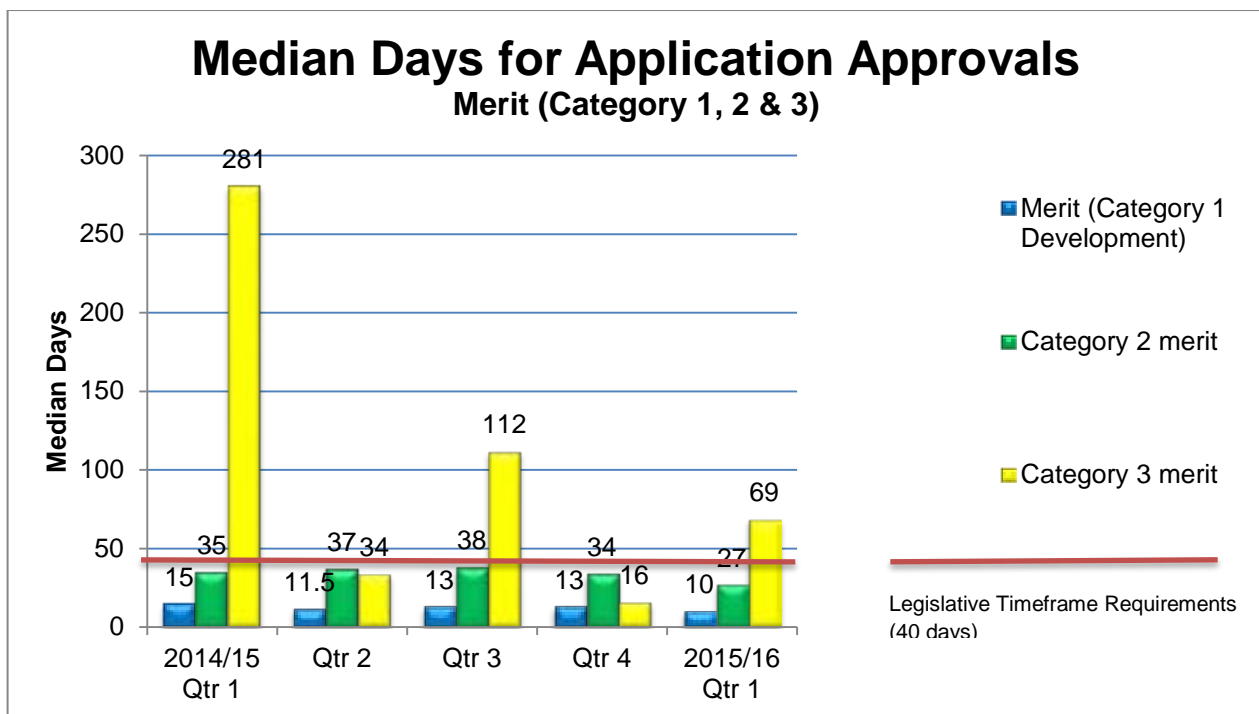
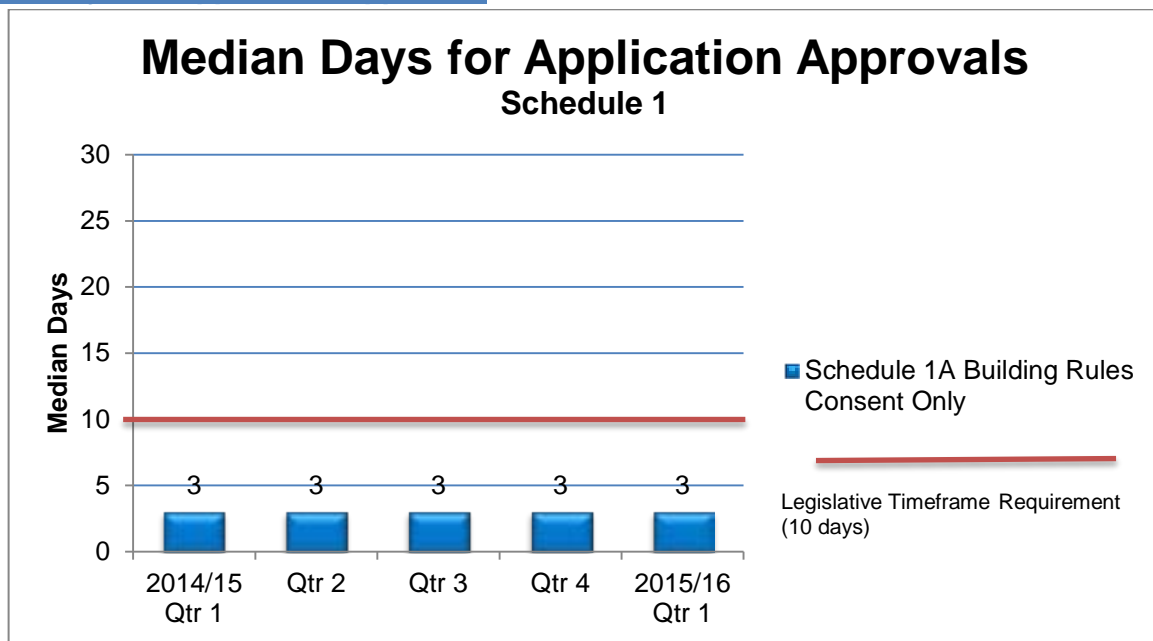


- **Category 1:** No public notice is given, no public consultation occurs and there is no right of appeal by “third parties” against the decision.
- **Category 2:** A notice, describing the development, identifying the land and stating such things as whether it is complying or non-complying development must be given; the relevant authority to the owner and occupiers of adjacent land. (i.e. the neighbours)
- **Category 3:** The same notice must be given to adjacent owners and occupiers. Notice must be given to those considered by the relevant authority to be “significantly affected” by the development and the general public must be notified by publication of a notice in a newspaper.

Planning consents issued by relevant authority

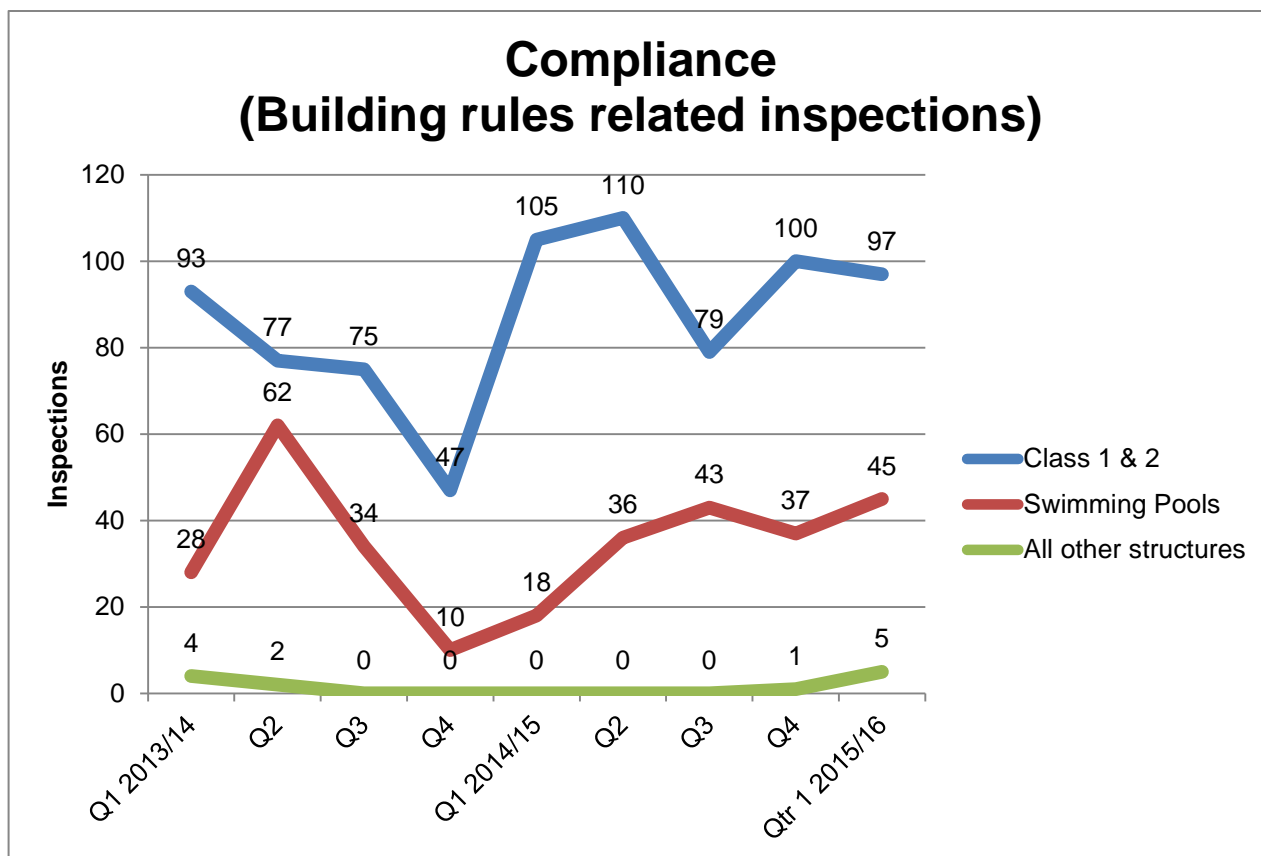


Median Days for Application Approvals



Notes

The Category 3 application in Quarter 1 2015/16 represents 2 applications.



Notes

Numbers refer to the number of sites inspected, not the number of inspections.

Class 1:

one or more buildings which in association constitute—

Class 1a — a single dwelling being a detached house; or

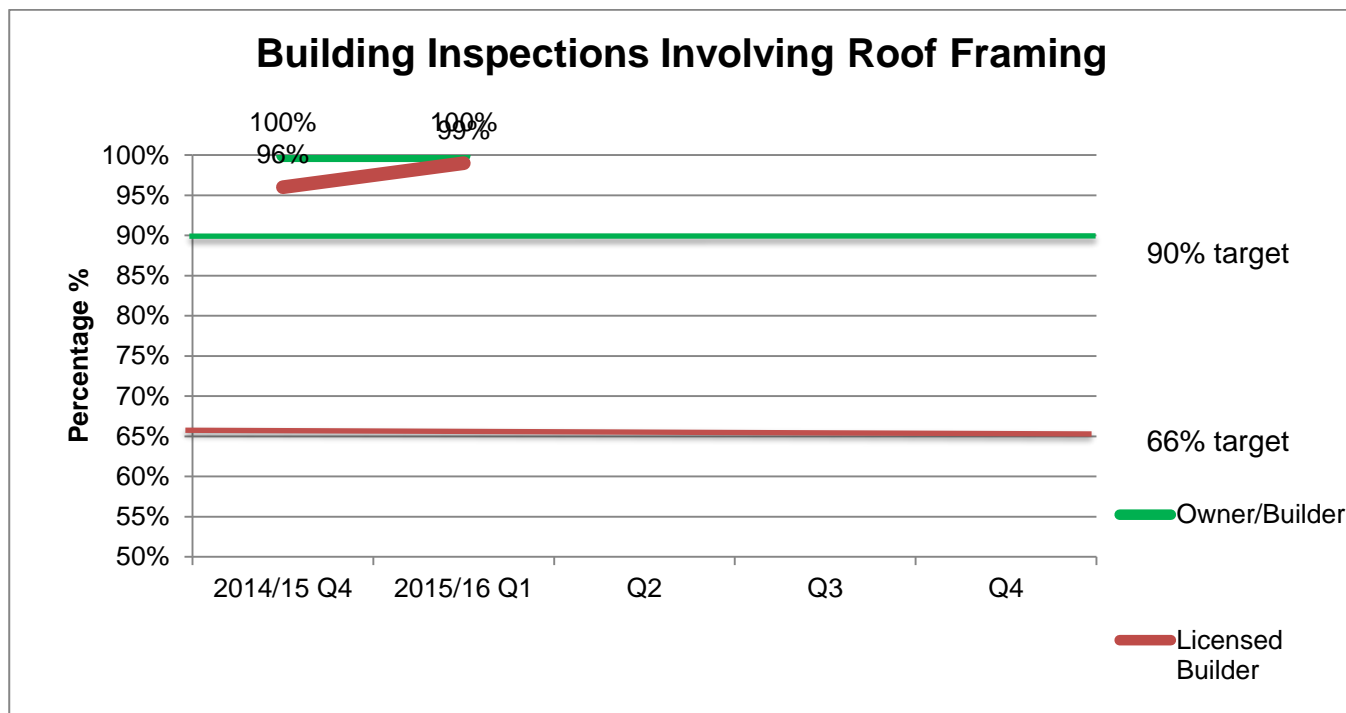
one of a group of two or more attached dwellings, each being a building

Class 1b — a boarding house or like in which not more than 12 persons would ordinarily be resident; or 4 or more single dwellings located on one allotment and used for short-term holiday accommodation, etc.

Class 2:

a building containing 2 or more sole-occupancy units each being a separate dwelling.

Numbers of Building Inspections



Prescribed Minimum Levels

In accordance with Section 71A(4a) and Regulation 80AB(2) Council's Building Inspection Policy specifies the following minimum building inspection levels for all classes of buildings, other than Class 10 buildings which are not attached to any part of the roof framing of a building of another class:

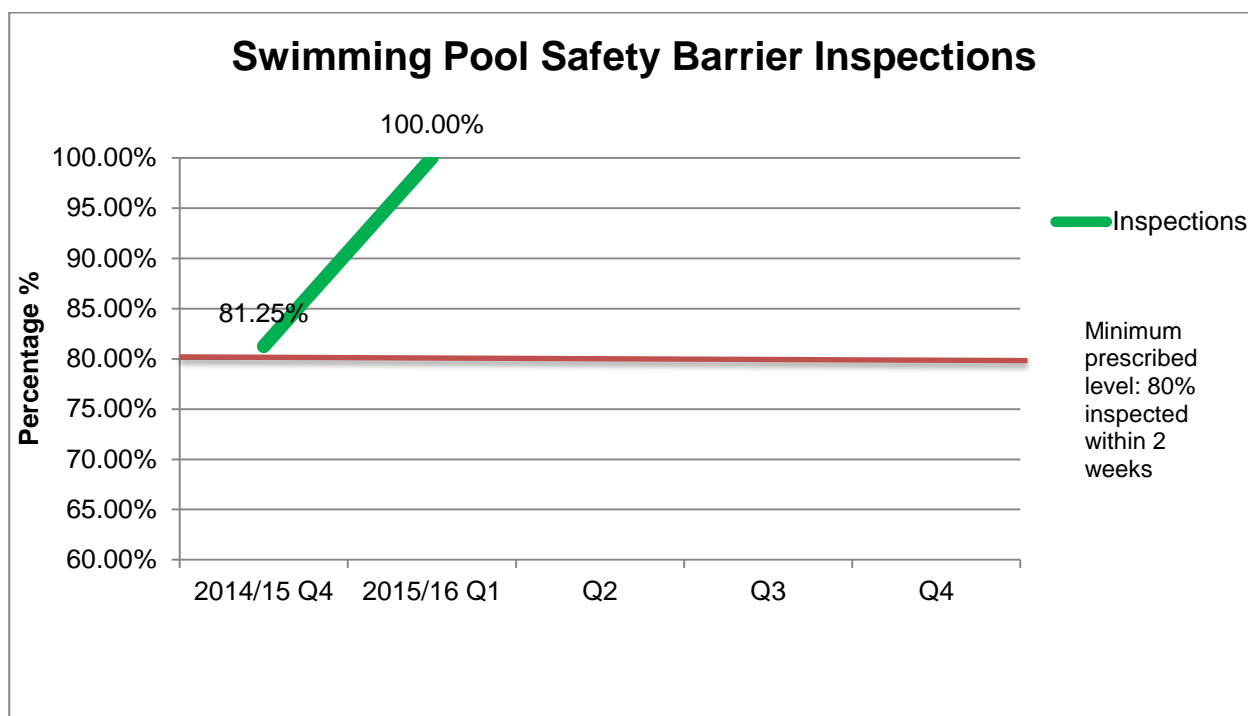
Where the building work involves the construction of any roof framing within the area of the Council:

(a) a number of inspections **equal to 66%** of the building rules consents 3 issued over the course of the year for building work involving the construction of any roof framing where a licensed building work contractor is responsible for the relevant building work⁵; and

(b) a number of inspections **equal to 90%** of the building rules consents issued over the course of the year for building work involving the construction of any roof framing where a licensed building work contractor is not responsible for the relevant building work.

The inspection figures shown confirm compliance with the above percentages and associated legislation.

Swimming pool safety barrier Inspections



Prescribed Levels

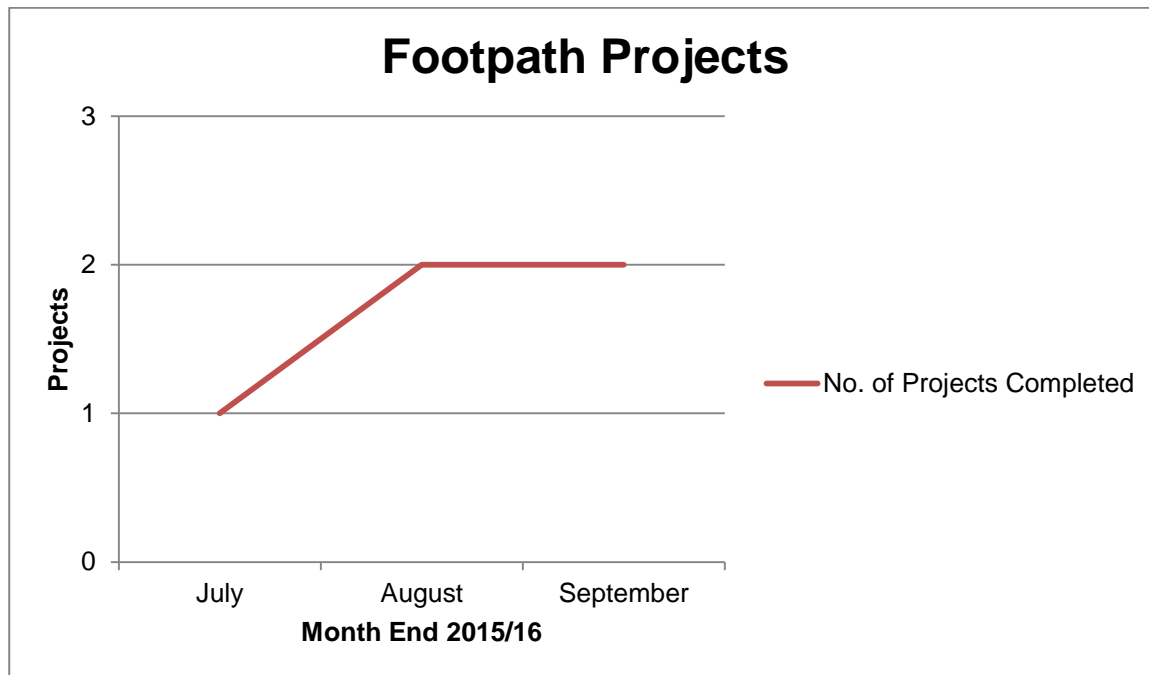
In accordance with Section 71AA(7) and Regulation 76D (4b) Council's Building Inspection Policy specifies the following safety barrier inspection levels.

Where the building work involves the construction of a swimming pool (including safety fences and barriers associated with such swimming pools) within the area of the Council:

(a) a number of inspections equal to 100% of the building rules consents issued over the course of the year for building work involving the construction of swimming pools. Of these:

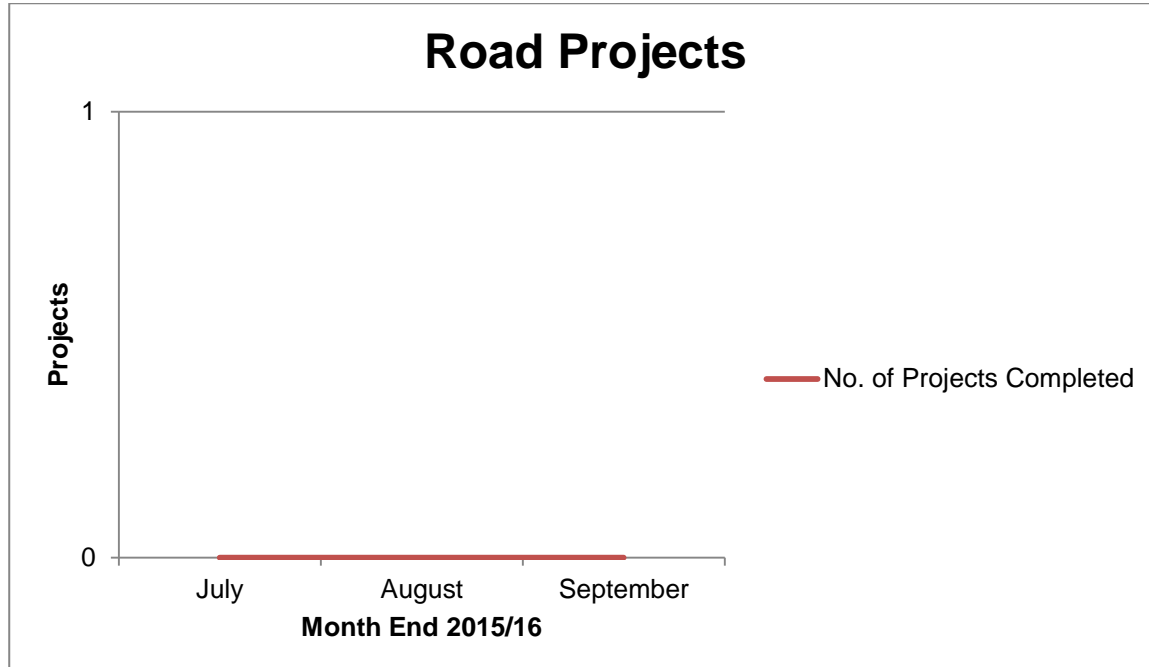
- at least 80% of swimming pools will be inspected within 2 weeks of Council being notified of completion of the permanent swimming pool child-safety barriers;
- no more than 20% of swimming pools will be inspected within 2 months of Council being notified of the completion of the permanent swimming pool child safety

Capital Replacement Projects



Footpaths completed are: Clifton St (Malvern), Randolph Ave (Parkside), Ellsmere Tce (Millswood), Osmond Tce, (Myrtle Bank) and Rossington Ave (Myrtle Bank).

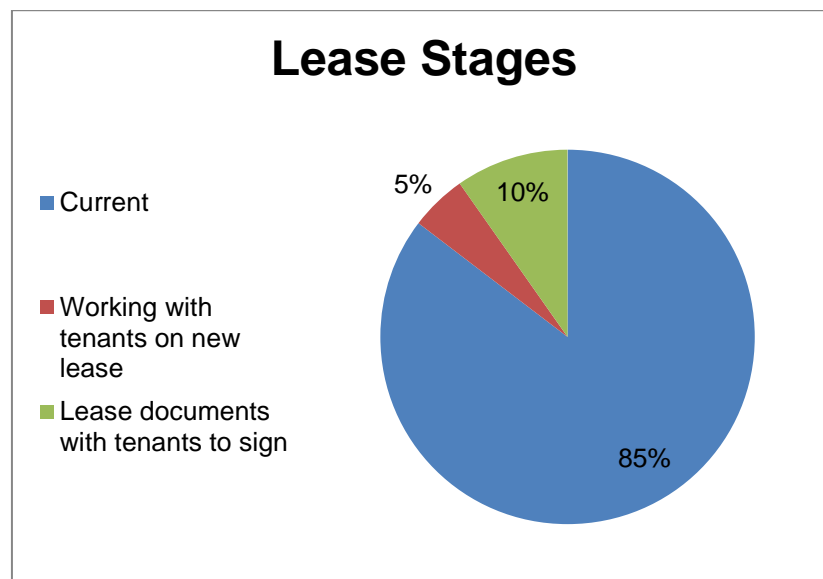
The total number of planned footpaths projects for 2015/16 is 23.



Roads projects will commence in October.

The total number of planned road projects for 2015/16 is nine.

Lease Stages



Notes

Working with tenants on leases

- Sturt District Cricket Club – Unley Oval (New Lease – Current Lease expires 1st October 2015)
- B&M Glass – right of way Charles Lane, Unley (New Licence – Current Licence expired 26 August 2015)

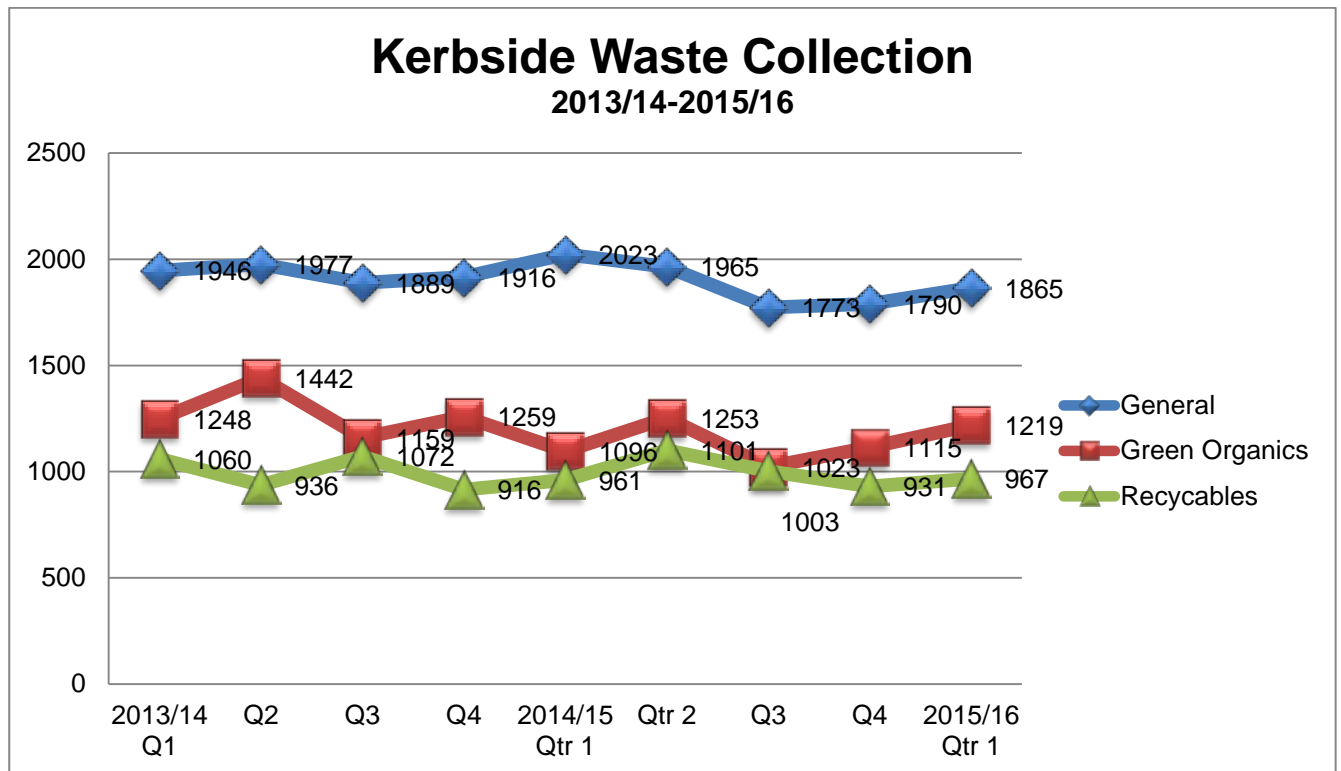
Leases with tenants to be signed

- Goodwood Cricket Club (New Lease – Current Lease expired 1 July 2015)
- Goodwood Saints Football Club (Extension of Current Lease for a further 3 years from 1 July 2015)
- Forestville Hockey Club (Extension of Current Lease for a further 3 years from 1 July 2015)
- St Johns Ambulance – 72 Edmund Avenue, Unley (New Lease – Current Lease expired 22 August 2015)

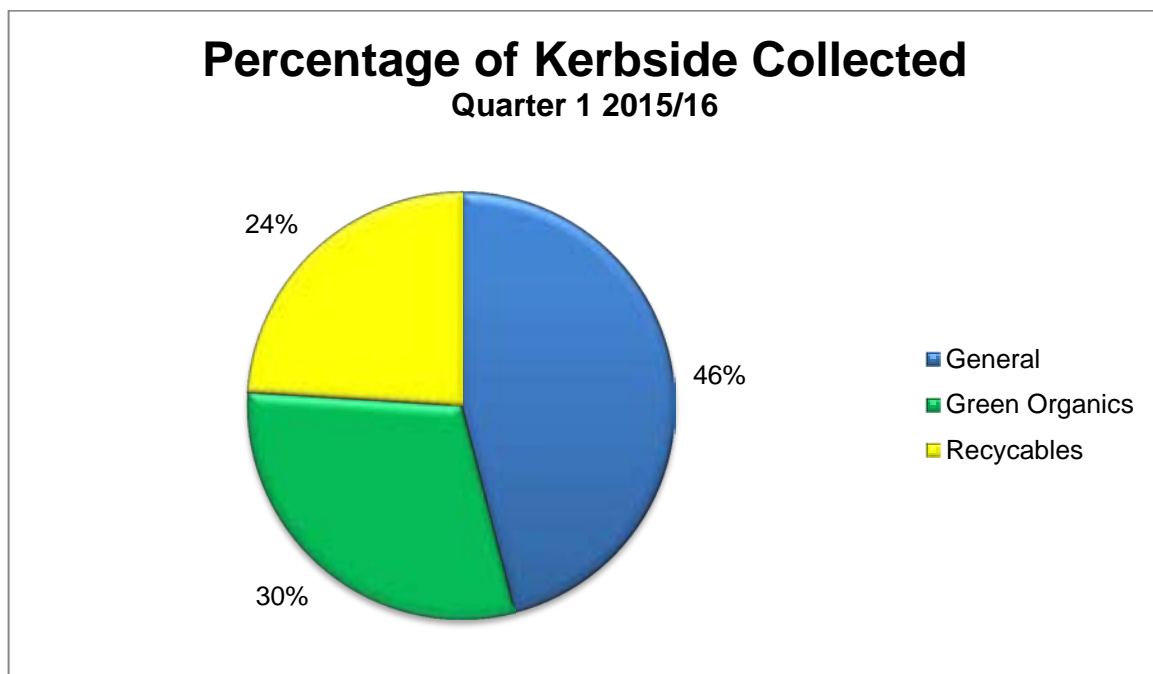
Leases coming up for renewal

- Millswood Croquet Club – Millswood Crescent, Millswood (Extension of Current Lease for a further 3 years from 1 December 2015)
- Fullarton Scouts – 53b Fisher Street (Scammel Reserve), Myrtle Bank (Extension of Current Ground Lease for a further 3 years from 1 December 2015)
- Unley Kindergarten, 45-47 Oxford Terrace, Unley (Extension of Current Lease for a further 3 years from 1 December 2015)
- Kirinari Community School, 41 Oxford Terrace, Unley (New Lease from 11 December 2015)

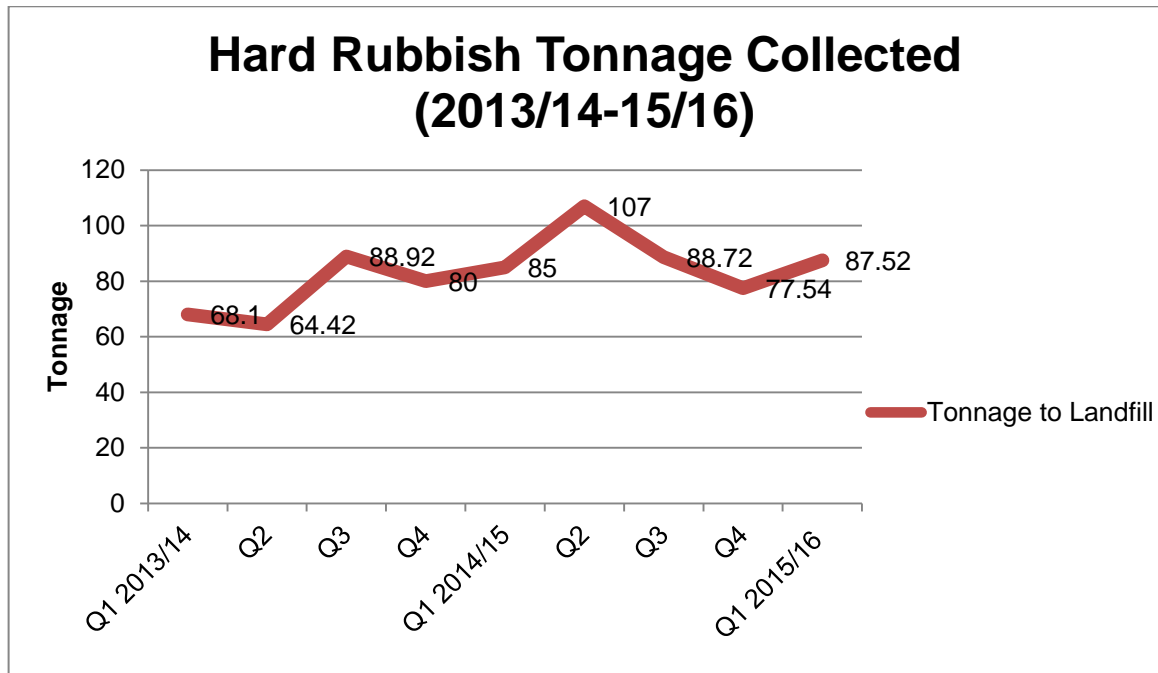
Kerbside Collection



Percentage of Kerbside Collected



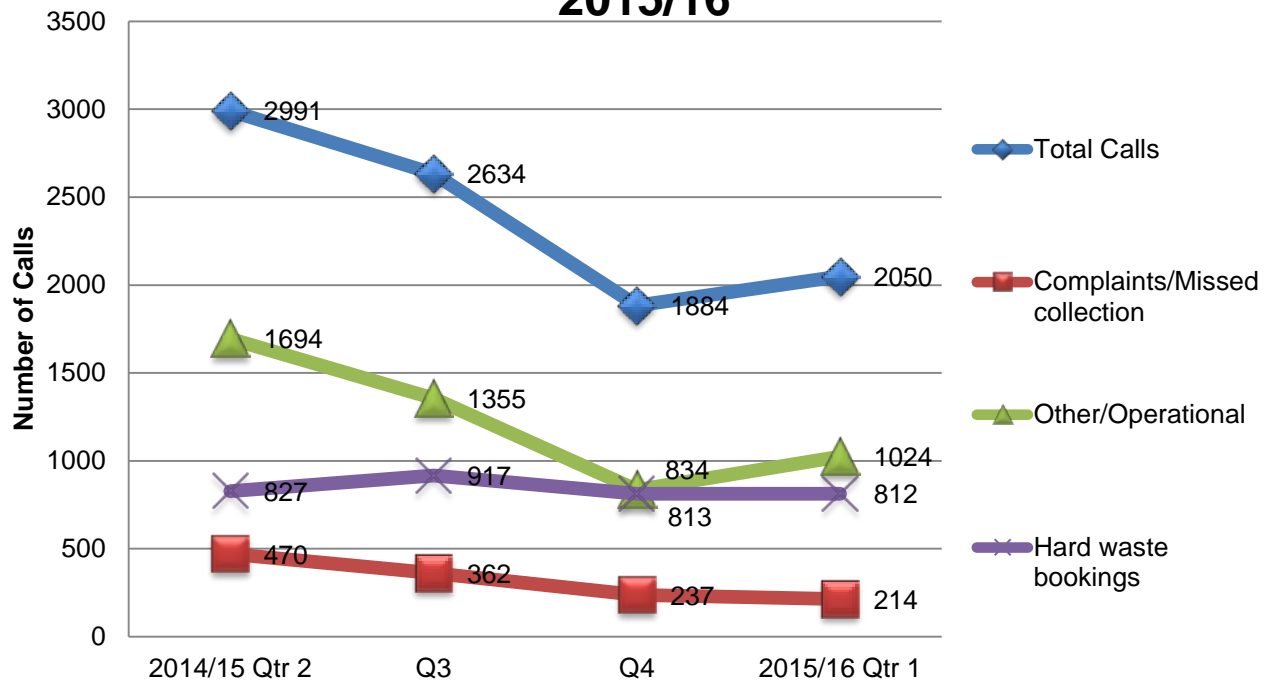
Hard Rubbish to Landfill



Council has continued with its education and awareness programs and currently participating or promoting:

- Battery & Mobile Phone drop off at civic centre, libraries and community centres
- School and kindergarten waste audits and advice
- KESAB - Door Stepping - promote Organics in GREEN BIN
- Promotion & Communication for Garage Sale Trail - 24 October 2015
- Promotion of FREE E-Waste drop off at Adelaide Waste & Recycling Centre and Glen Osmond Recycling Centre
- Continual promotion of Kitchen Caddy & Compostable Liners – available from Council
- Hire of Community Event bins for council and private events on Council's reserves
- Kerbside Waste Audit – recommendations to be implemented
- Developing 2016 Collection Calendar - Including Organics promotion of Peat's Compost Vouchers for FREE bag of compost

Waste Contractor Indicators 2015/16



City of Unley Media Report

For the Quarter, July – September 2015

PROACTIVE MEDIA

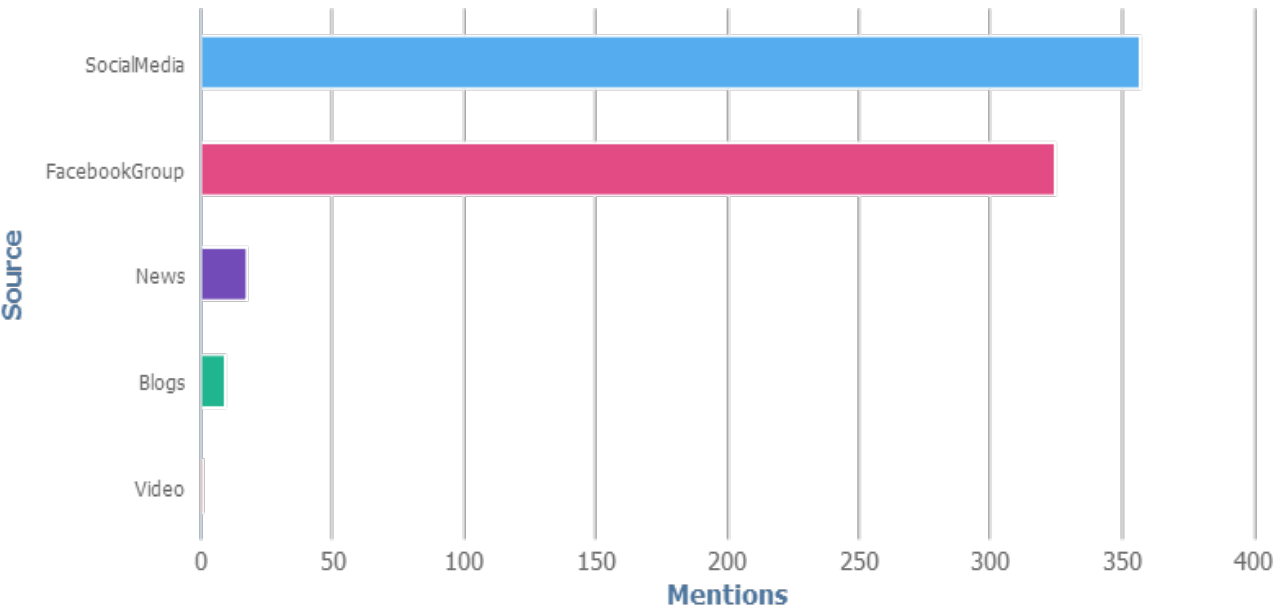
JULY	
Subject	Coverage
Tour Down Under Stage Start	ECM 2nd week of July
Goodwood Rd streetscape	ECM 2 nd week of July
RECHARGE points for electric scooter	ECM 2nd week of August Seniors mag to come
Active ageing strategy	ECM 3rd week of July
forWARDback exhibition	ECM 1 st week of August
AUGUST	
Subject	Coverage
Ageing Strategy engagement	Pitching to television and Seniors mag for September.
Future grandstands at Unley Oval	ECM syndicated. Radio 891 and 5AA
RECHARGE points for electric scooter	ECM 2nd week of August
Opening of Colin 'Tiny' Nelson Grand Stand	Nil
School programs at the Museum	Nil
5 year contract announced for Unley's CEO	Nil
SEPTEMBER	
Subject	Coverage
RECHARGE points for electric scooter	Article in September Seniors mag
Active Unley	Channel 10 weather cross from USC
Double Shot to host Barista Championships	Advertiser indicated interest closer to the event
Active Ageing Strategy – Pet Companionship	MB requested to put on hold
Best Practise - Unley launches new website	Secured story in LG Focus – October issue
Reboot launch	Story likely to be published in ECM 2nd week of October
Youth Budget Allocator	Potential story in Rip it Up (October)
Every Generation	Secured listing in Whats On Guide, theatre/arts website listings, and Indaily for October

REACTIVE MEDIA

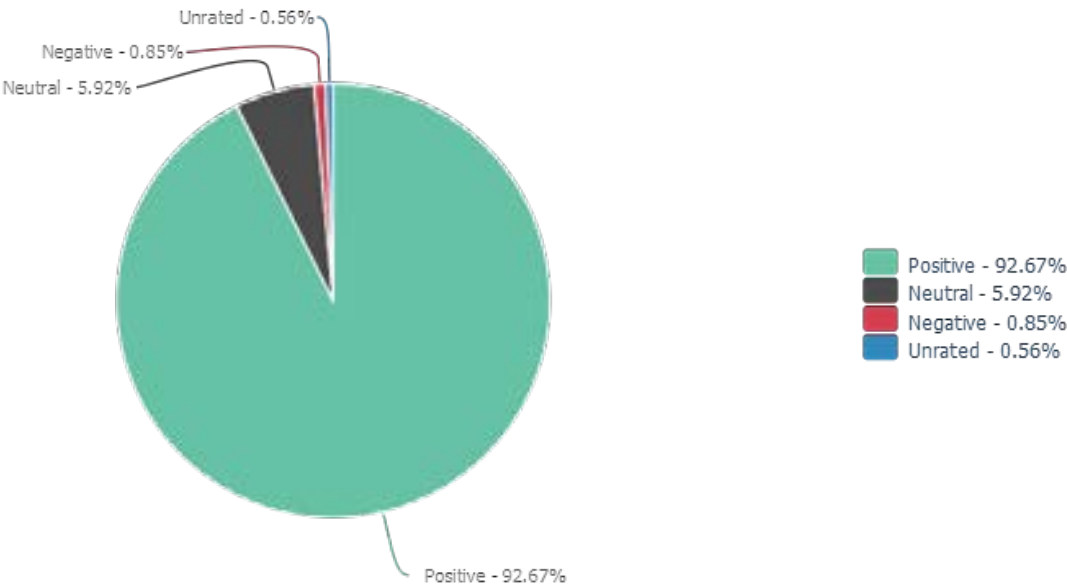
JULY	
Subject	Media
Code of conduct complaints	Advertiser
AnySpace Global partnership	ECM
Significant tree causing damage to St Raphael's church	ECM
ACC dog Park	ECM
Forestville Hockey Club facilities	ECM
Oatey stand - budget	ECM
Discretionary Ward Allowance	Advertiser
Goodwood Oval	ECM
John Rau's draft Park Lands Zone Development Plan Amendment	Advertiser
Unley oval redevelopment	ECM
By-Laws	ECM
Budget Statement	ECM
RECHARGE points for electric scooter	ECM
Goodwood Rd streetscape	ECM
Traffic studies	ECM
Garage located at the corner of Edmund Ave and Duthy Street	Channel 7
AUGUST	
August	Media
AnySpace Global partnership	ECM
Brownhill Creek Option D	ECM
Property in Gladstone Street, Fullarton	ECM
Blackspot funding	ECM
USC opening	ECM
Unley oval grandstands	ECM
Doctors parking ticket complaint	Advertiser, Radio 891, 5AA
SEPTEMBER	
Subject	Media
Show Parking	Syndicated across all SA news limited publications, online, Hit 107.1, Nova and ABC 891
Brownhill Keswick Creek	Messenger
Vacancy rates	Channel 7
Battle of Pozieres Centenary Trip	ECM
USC opening	Messenger
Animal management plan	ECM
Development applications received by the DAC	Yet to be published (likely to be published in the Advertiser)
Backyard pool safety	Messenger
Leader Street upgrade	ECM
Leah Street turning restrictions	ECM
40km speed limits	ABC 5AA

Social Media Coverage

SOURCES VOLUME



SENTIMENT REPORT
The nature of all social media content related to the City of Unley



INFORMATION REPORT

REPORT TITLE: COUNCIL ACTION RECORDS
ITEM NUMBER: 310
DATE OF MEETING: 23 NOVEMBER 2015
AUTHOR: CAROL GOWLAND
JOB TITLE: EXECUTIVE ASSISTANT TO CEO & MAYOR

EXECUTIVE SUMMARY

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

RECOMMENDATION

MOVED:
SECONDED:

That:

1. The report be noted.
-

COUNCIL ACTION REPORTS - ACTIONS TO October 2015

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
COUNCIL	82	City of Unley Library Service Review -	General Manager Community	<p>2. New Readers Advisory Service has commenced at Fullarton Park Library – has been well received by both customers and staff</p> <p>3. The Community Computing program has now ceased and replaced with the new Digital Literacy Program. This is currently in transition while engagement is underway and course materials being finalised however will be fully functional by late 2015. Already receiving good feedback from customers.</p> <p>4. Discussions regarding the Toy Library currently on hold while the new GCS board settles and negotiations occur regarding the partnership model for Goodwood Community Centre.</p> <p>5. Investigations into the layout of Goodwood Library has commenced with an architect engaged to review the floor plan.</p> <p>Site visit undertaken by EMs 5/11/2015. Ongoing.</p>
DSP	3	<p>Draft General Development Plan - 2. Do not endorse the draft General DPA in its current form.</p> <p>3. An opportunity be provided for the scope, nature and timetable of the DPA to be revised to address the issues of concern of the Committee.</p> <p>4. A further report be provided to the Committee in June 2015.</p>	General Manager Economic Development & Planning	<p>Draft reviewed in May 2015. Revision required. Progress delayed primarily due to priority with processing Residential Growth DPA; responding to critical issues with proposed Activity Centres Ministerial DPA, Corridors Ministerial DPA and The 30-Year Greater Adelaide Plan (update 2015) and awaiting their outcomes to understand inherent impacts on scope and nature of policy in General DPA.</p>

COUNCIL ACTION REPORTS - ACTIONS TO October 2015

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
AUDIT & GOV	13	<p>Motion on Notice re Service Review - The Audit and Governance Committee requests the Chief Executive Officer to develop a brief to appoint an experienced sector consultancy to undertake a service and organisational review which will include but not be limited to assessment and recommendations on the following:</p> <ul style="list-style-type: none"> • The efficiency and effectiveness of its operations; the adequacy and deployment of resources in operational activity • The manner in which its resources are directed towards the Council's priorities and provide value for money to the community • Strategic opportunities that will maximise return on Council's major assets • Opportunities to improve the efficiency and/or effectiveness of its services including options to use alternative service delivery mechanisms • Opportunities for cash savings and revenue growth. 	General Manager Corporate Services	Tenders have been received. Audit and Governance Committee to consider proposals at the November meeting.
COUNCIL	161	Draft Active Ageing Strategy - Council endorse the draft Active Ageing Strategy for the purpose of community engagement. 3. On completion of community engagement, a further report be presented to Council to endorse the final Active Ageing Strategy.	General Manager Community	Actioned. Community engagement undertaken July/September. Report will be provided to Council in December.
COUNCIL 13 July	179	Unley Oval Grandstand Upgrade - 2. Engagement with the community be undertaken regarding the nominated grandstand upgrade option1, and Council be advised of the feedback.	General Manager Economic Development & Planning / Community	Actioned. Community engagement to be undertaken August/November and Council advised of the feedback.

COUNCIL ACTION REPORTS - ACTIONS TO October 2015

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
	180	Maud Street Kerb Build Out A Mother's Milk Café Outdoor Dining Area - 2. Option 1, Council support installation of the kerb built out at Maud Street to enable outdoor dining for AMM be endorsed. 3. The temporary water filled barrier protection installed at Maud Street be removed (when the actions in sub para 2 are complete). 4. The residents and traders consulted on the matter be notified of the Council decision.	General Manager Economic Development & Planning	Completion likely to be November 2015.
COUNCIL	282	Selection Panel for 2016 Australia Day Awards - Councillors Schnell, Hudson and Boisvert be appointed to assist the Mayor in the selection of nominees for the Australia Day Awards 2016. 3. Two of the previous Australia Day Award winners be invited to serve on the panel to assist in the selection of nominees for the Australia Day Awards 2016. 4. A confidential memo be sent to Elected Members to advise of the panel's selection.	General Manager Community	Meeting of Panel organised for 2 December. COMPLETED
	283	Proposed naming of Lane between Millswood Crescent and Cromer Parade - 2. In accordance with the City of Unley's Naming Policy, the lane between Millswood Crescent and Cromer Parade be named 'Sasmee Lane' and key stakeholders be informed of this decision.	General Manager Community	Stakeholders advised of the Council decision. COMPLETED.
	285	Revocation of Community Land Classification and Proposed Disposal of Land - Lot 502 Dover Street Malvern - 2. Council formally request the Minister for Planning, to support the revocation of Community Land Status on land identified as Allotment 502 within Filed Plan 34815, Certificate of Title Volume 5381 Folio 56 in the area named Malvern, as a pre-cursor to the negotiation for sale of the portion of land to the owner of 1 Dover Street Malvern.	General Manager Assets and Environment	Letter sent to Minister. Awaiting response.

COUNCIL ACTION REPORTS - ACTIONS TO October 2015

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
	290	Car Parking Policies Review - 2. The updated "Car parking contributions fund" policy at attachment 2 to Item 290/15 be endorsed. 3. The updated "Private car park amalgamation incentive policy" at Attachment 4 to Item 290/15 be endorsed. 4. The "Parking – joint venture on-street parking" policy at Attachment 5 to Item 290/15 be revoked.	Chief Executive Officer	2. and 3 updated in ECM and on website. 4. Deleted from website and ECM copy note made. COMPLETED.
	291	Whistleblowers' Protection Policy - Council endorse the Whistleblowers protection policy at Attachment 2 to Item 291/15.	Chief Executive Officer	ECM updated and copy on website. COMPLETED.
	293	Authorisation to affix the Common Seal - Council authorise affixation of the common seal of the Council to any document that is required or recommended to be executed under seal, where that document has been created as a result of a valid exercise of a power by a council officer given under delegated authority.	Chief Executive Officer	COMPLETED
UBED	14	Review of Differential Separate Rates - 2. A review be undertaken of the role and operation of the Trader Associations, in conjunction with the associations, to ensure they are still the most appropriate method for promotion of the precincts and are supported by the businesses in those precincts. 3. The Unley Business & Economic Development Committee engage and consult with main street traders and businesses to discuss and investigate the existing arrangements for the application of Differential Separate Rates, and provide recommendations to Council as to any changes that may be prudent. 4. A report be submitted to the next UBED Committee meeting on the feasibility of introducing a cap to the differential separate rate and the proposed methodology to be undertaken for reviewing the Trader Association model.	General Manager Economic Development & Planning	Report with modelling drafted for December UBED meeting - Scope for review in preparation.

COUNCIL ACTION REPORTS - ACTIONS TO October 2015

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
	15	Partnership with Business SA - 2. The City of Unley seek to progress the matter of a partnership with Business SA, to better support the businesses of Unley. 3. A formal partnership agreement be negotiated and the CEO authorised to sign such agreement.	General Manager Economic Development & Planning	Partnership agreement being drafted by BEDM - Business SA advised in writing of decision and actions to be taken.
	19	Motion without notice - Representative on Goodwood Library Working Party - Jodie Gaffney be appointed to the working party investigating Goodwood Library options.	General Manager Economic Development & Planning	Working party advised. COMPLETED.

CORRESPONDENCE

TITLE: CORRESPONDENCE
ITEM NUMBER: 311
DATE OF MEETING: 23 NOVEMBER 2015
ATTACHMENTS: 1. CORRESPONDENCE

MOVED
SECONDED

That:

The correspondence from

- Minister for Volunteers
- Dog and Cat Management Board

be noted.



Government
of South Australia

Minister for Communities and
Social Inclusion
Minister for Social Housing
Minister for Multicultural Affairs
Minister for Ageing
Minister for Youth
Minister for Volunteers

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178 North Terrace
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GPO Box 2832
Adelaide SA 5001
DX 115
Tel 08 8463 6560
Fax 08 8463 4480
dcsi.ministerbettison@sa.gov.au

15TDCSI/2703

Mr Lachlan Clyne
Mayor
City of Unley
PO Box 1
UNLEY SA 5061

Dear Mayor

I am pleased to announce the 2015-16 Community Voices Program will open for applications on 26 October 2015.

The Community Voices Program is an exciting initiative that provides a unique opportunity for up to ten community organisations to develop either a short documentary or online video commercial, to be used for promotion, training, education and recruitment of volunteers.

Further information and examples of videos produced through the Community Voices Program can be found at www.youtube.com/user/CommunityVoicesSA.

Community Voices Program guidelines and online application form are available from the Office for Volunteers website at www.ofv.sa.gov.au/programs. I encourage you to ensure as many volunteer-involving organisations as possible are made aware of the program.

The closing date for applications is Friday 4 December 2015.

For more information on the Community Voices Program, please call the Office for Volunteers on 1300 014 712.

I trust you will disseminate this information throughout your networks and I thank you for your assistance.

Yours sincerely

Hon Zoe Bettison MP
MINISTER FOR VOLUNTEERS

22 / 10 / 2015

Subject -	Notification Grant	(2)
Property/Street		
Application No.		
Doc. No.	27 OCT 2015	
For Info/Action	C. Bettison	

SOUTH AUSTRALIA



DCMB Ref: 98 0450

28 October 2015

Mayor Lachlan Clyne
City of Unley
PO Box 1
UNLEY SA 5061

Dear Mayor Clyne

Re: Dog and Cat Management Board Annual Report 2014-15

I am pleased to forward to you a copy of the Dog and Cat Management Board's (the Board) 2014-15 Annual Report.

The Report identifies activity in fulfilling the legislative requirements of the *Dog and Cat Management Act 1995* (the Act) and progress in meeting the objectives of the Board's strategic plan.

Achievements highlighted for this reporting period include:

- Contributing to the development of a substantial legislative reform package for the management of cats and dogs, a Code of Practice for the Welfare of Dogs and Cats in Breeding Facilities and business case for a state-wide dog and cat database.
- The undertaking of a Citizens' Jury to debate what further measures can be introduced or trialled to reduce the number of unwanted pets.
- Expanded delivery of the We Are Family program aimed at parents of children in the 0-4 age bracket.
- Delivery of the Living Safely with pets program to 32,000 children.

The Board's Annual Report also contains local government and hospital statistics which report on the number of dog attack/harassment incidents and hospital presentations.

Subject - <u>UNLEY DOG CAT BOARD</u>	
Priority/Street	
Application No.	
Doc. No.	05 NOV 2015
For Info/Action	Class. <u>ALLIAN</u>
<u>C. Gouillard</u>	

You will note that there has been a 5% increase in the number of registered dogs that have been microchipped (60%) and the desexing rate has also continued to increase to 69% of the registered dog population. The Board finds these increases in responsible dog ownership very encouraging.

For further information regarding the annual report or for additional copies, please contact Linda Allery, Program Manager, Dog and Cat Management Board on 8124 4746 or email linda.allery@sa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Felicity-ann Lewis', with a stylized, cursive script.

Felicity-ann Lewis
Chairperson

Attachments: Dog and Cat Management Board Annual Report 2014-15

MAYOR'S REPORT

TITLE: MAYOR'S REPORT FOR MONTH OF
NIOVEMBER 2015

ITEM NUMBER: 312

DATE OF MEETING: 23 NOVEMBER 2015

ATTACHMENTS: 1. MAYOR'S CALENDAR

RECOMMENDATION

MOVED:
SECONDED:

That:

1. The report be received.
-

DATE	TIME	MEETING SUBJECT	LOCATION
19/10	1pm	MLGG Executive Committee	Adelaide
26/10	5.30pm 6.00pm	Meeting with Minister Brock Council meeting	
27/10	12noon 6.00pm	CEDA – Q&A Focus on Jobs Mayor's Roundtable – Environmental Sustainability	Adelaide Fullarton Park
28/10	2.00pm 3.00pm 5.00pm	Special Meeting MLGG LGA Strategic Planning Workshop Launch – Mayor Exhibition	Adelaide Unley Museum
29/10	1.30pm	PLEC	Adelaide
30/10	9.00am 6.00pm	LGA AGM Broughton Art 47 th Annual Exhibition	Adelaide Fullarton Park
31/10	6.30pm	Alumni Awards Gala Dinner	UniSA
1/11	2.00pm	Encounter Ensemble	Hawthorn
2/11	7.00pm	EM Briefing	
3/11	11.00am	Sunrise School – visit to Council	
4/11	5.30pm	Ceremonial Council Meeting	City of Adelaide
6/11	6.30pm	2015 Tennis SA Awards Night	Adelaide
9/11	7.00pm	EM Briefing	
10/11	9.00am	Ageing & Living Well Think Tank and Innovation Collaborative	Adelaide
11/11	10.30am 2.00pm 4.30pm	Remembrance Day Service EPA Board Forum MLGG Meeting	Adelaide Adelaide
During this period I have met with Elected Members, Administration, Residents and various community groups.			

DEPUTY MAYOR'S REPORT

TITLE: DEPUTY MAYOR'S REPORT FOR MONTH OF
NOVEMBER 2015

ITEM NUMBER: 313

DATE OF MEETING: 23 NOVEMBER 2015

ATTACHMENTS: 1. DEPUTY MAYOR'S REPORT

RECOMMENDATION

MOVED:
SECONDED:

That:

1. The report be received.
-

Meetings with the Mayor, CEO and GMs.
Discussions with EMs.
Various discussions.

The list below mostly excludes events and activities that I would normally attend as an Elected Member eg. Council meetings, briefing sessions, Ward discussions with staff and community events.

At all events attended, any expense incurred was funded by myself.

Thursday 22 October

Lunch with Councillor Mike Hudson in the CBD.

A superb curry laksa.

Mike had just returned from Nepal and wanted a briefing on Council activities over the past few weeks. It was disturbing to learn of the turmoil in Nepal, from the earthquake and growing political unrest.

Saturday 24 October

Attended the Goody Patch Community Garden Open Day to celebrate the Garden's 10th Anniversary. It was looking good; a fabulous achievement; a credit to the Goodwood Primary School and the local community and the hard working volunteers.

I bought a few plants to take home.

Whilst there I attended a workshop presented by Jenny Deans on making Native Bee Hotels; places where native bees can live and breed in the backyard. An informative session. I intend to build a few hotels at home.

Saturday 24 October

Councillor Peter Hughes and I hosted a French influenced dinner at the Marrakech Moroccan Restaurant to celebrate the success of Alliance Francaise d'Adelaide and to commence the farewells for Monsieur Jean-Christophe Trentinella (Director). In 2016 he is leaving Adelaide; to relocate to a new posting overseas.

The restaurant's owner and head chef, Mohamed Bartaouch presided over our table and ensured that the evening was a success. The restaurant now on O'Connell Street, North Adelaide was formerly on King William Road. It was a fitting farewell to Jean-Christophe. It was 3-4 years ago that Councillor Hughes and I first met Jean-Christophe at a Harmony Day event at Goodwood; subsequently we forged a relationship between Unley Council and Alliance Francaise d'Adelaide.

Councillor Hughes and I paid for the meal at Marrakech.

Monday 26 October

Enjoyed a meal with Hon. Geoff Brock, MP - Minister for Local Government; prior to the Council Meeting. The Minister is visiting all 68 SA Councils. His address was frank and refreshing. Given his experience as a Councillor, he has a good understanding of Local Government. I would rank him as the best (ever) Minister for Local Government.

Friday 06 November

Attended my Mother's funeral. She was 99.

My thanks for the kind sentiments from Unley Council.

Wednesday 11 November

The previous night I found a young rainbow lorikeet by the road side.

It was not looking too good and had ants on it. I took it home and placed it in a small cage that I keep in the shed; for such emergencies. I was sure the bird would die that night. In the morning there was renewed life, but it still looked crook.

So I took it to the Adelaide Koala & Wildlife Hospital @ [282 Anzac Highway](#), Plympton.

They provide a free service to native birds and animals. It is next door to a Vet who provides assistance. Here is a link to their website www.akawhospital.org.au Whilst there I asked for and was given a tour of the hospital.

Patients in care were:

- A galah
- A magpie
- Many tawny frog mouth owls
- A kookaburra
- Many koalas, including the mother and baby shown on their website

The hospital is a fantastic success and provides great service through the dedication of a team of volunteers. All of the medical equipment (eg. X-ray machine) is donated by hospitals and medical companies.

I urge residents to:

- Become a volunteer
- Make a donation
- Provide fresh gum leaves on a regular basis for the koalas
- Advertise the above by word of mouth ie. tell your friends

I have been advised that the rainbow lorikeet is recovering.

Here is a link to a video of the bird being fed ...

<https://www.facebook.com/akawhospital/videos/422067301332711/>

When all of the animals are well enough they are sent to carers who provide rehabilitation prior to release to the wild.

It is a worthy cause and I encourage residents to give generously (or just donate fresh gum leaves on a regular basis).

Friday 13 November

Attended the Lions Club of Adelaide Italian's amateur wine show awards event.

Proud (mostly) Italians exhibiting their wines and celebrating the awards.

Many stand-out home made wines.

I judged entry number 563 as the best wine of the show.

It was a 2015 Shiraz, Cabernet Sauvignon and Petit Verdot blend by Unley amateur winemakers Peter and Sandra Hughes. Their four entries won three Golds and a Bronze.

A fantastic night, Italian food, interesting wines and great company. Given the Italian flavour I introduced myself as Roberto. It helped with introductions.

Saturday 14 November

Attended a half day finance training session, facilitated by Mr Henry Botha.

Most Councillors were in attendance.

An excellent session.

Monday 16 November

I visited a resident in Wayville to review a matter of concern in a neighbouring property. When I arrived I was led to a ladder propped against the house and was asked to climb the ladder. The resident followed me up the ladder onto the roof and pointed out the matters of concern in the neighbouring property.

This was the first time I have climbed onto a resident's roof to view a complaint regarding a neighbour.

Tuesday 17 November

Meeting with CEO, Mayor and Executive team to review the proposed agenda for the November Council meeting.

In my calendar:

Tuesday 17 November

Paris Vigil in Soldiers Memorial Gardens @ Unley to express grief and sorrow for the innocent French citizens slaughtered by ISIS in Paris.

Friday 20 November

Spectre (the 24th James Bond movie) @ The Capri, Goodwood.

Saturday 21 November

AC/DC concert @ Adelaide Oval

REPORTS OF MEMBERS

TITLE: REPORTS OF MEMBERS
ITEM NUMBER: 314
DATE OF MEETING: 23 NOVEMBER 2015
ATTACHMENTS: 1. MEMBERS' REPORTS

MOVED
SECONDED:

That:

Council note the attached reports from Members

1. Councillor Michael Rabbitt
 2. Councillor Don Palmer
 3. Councillor Peter Hughes
-

REPORTS OF MEMBERS

TITLE: REPORT FROM COUNCILLOR RABBITT

(a) **Items of particular interest, concern or urgency**

Resident Issue

Apart from an ongoing issue relating to a tree, the only other matter a resident has raised with me is a problem they have with new tennis court lights installed on a neighbour's court.

This is a Category 2 application and because they are not adjoining properties (separated by about 1 metre), the neighbour was not consulted about the proposed installation.

While this is a matter for State legislation, it is an interesting situation that residents across the road and not impacted by the lights are consulted, yet a close neighbour, clearly effected, is not.

In addition, the type of lights installed are designed for a multi court situation, so the illumination carries across to neighbouring properties.

Planning Department is looking into the matter and there will be some adjustment to the angle of the lights, after which lux readings will be taken.

Hopefully the matter can be resolved, but the situation raises a couple of issues that I believe need to be addressed.

(b) **Functions Attended / Forthcoming**

5 Nov	Meeting at Goodwood Library
7 Nov	Unley Libraries Festival
11 Nov	Remembrance Day Service – Soldiers' Memorial Gardens
17 Nov	Paris Vigil
20 Nov	Volunteers' Christmas Function
20 Nov	Ignite Unley
27 Nov	French Market
27 Nov	Invest in SA
28 Nov	ETSY Made Local Market

REPORTS OF MEMBERS

TITLE: REPORT FROM COUNCILLOR PALMER

(a) **Items of particular interest, concern or urgency**

Phone Tower. Goodwood Oval

Members may be interested to know that our DAP refused the Vodafone Phone Tower DA.

The Panel, in debating the item, found that the development was seriously at variance to the Unley Development Plan in that it is a non-complying development would impact significantly on the Historic Conservation Zone, that the tower has not been designed to minimise visual impact on the surrounding neighbourhood and that the application impacts significantly on a high visitation area.

As I see it I interpret this to mean they (the Panel) agreed with the representors that the tower should be located in a more compatible environment.

Of interest was the claim by Vodafone that with society's love affair with data their infrastructure can no longer cope and towers of some description whether high or low intensity will be needed every 800 metres. In guess this means watch this space.

Communication

I have again seen communication that causes me concern in that we are not talking to the person to whom the correspondence is directed.

The recent letter to residents regarding Unley Central. We take 4 paragraphs to get to the point of asking for their contribution. The 1st 3 paragraphs are all about us and our vision.

Some notes from David Koch's key note address at the recent LGA Annual Conference

Our financial sustainability is based on what we do. Governments and other outside factors have an influence but where we are, is all about us.

Footy is not different to us. Developing a reason for businesses and residents to come to your area not the neighbours. **You get what you deserve.**

Boards provide governance strategy accountability and transparency. ...they are not the fans. Good governance means you need to act and behave as the head coach.

The team looks to you to

- Set the philosophies
- Outline the goals
- Provide clear kpi's
- Motivate
- Mentor
- Improve

It is about playing your role. team 1st, team care.

You must stand up for your brand. You must live by that brand

Never, never give up highlight footy reel

What do we stand for as a council

- Engage tribe. .. build passion
- The heartland is your most powerful weapon. But they are you biggest critic if disappointed. They must be heard
- Constantly review
- Anticipate and plan for what's coming
- Adjust to current circumstances
- You get what you deserve
- Don't be afraid to try something new
- Know when to adjust if it is not working
- Community is your soul

Who can we entice into our area that we attract others who feed of them. A killer client.

Recognize that the under 30s have different values to baby boomers. Recognize what their needs are. Mid 30s are looking for lifestyle they can afford but they want to be in new industries. Promote the affordability and lifestyle.

(b) Functions Attended

27 October	Eastside BEC AGM (stuck in traffic jam, arrived as finishing)
28 October	Unley Museum launch of 12 Mayors exhibition
28 October	Clarence Park Community Centre BOM meeting
29 October	LGA Annual Conference
30 October	Opening of Broughton Art Exhibition
5 November	DAP (Phone Tower only item on Agenda)
11 November	Remembrance Day Service at Memorial Gardens
14 November	Elected Member Finance workshop
16 November	Chaired Development, Strategy & Policy Committee meeting
17 November	France Vigil
18 November	Unley Gourmet Gala working group meeting

19 November	both Unley Central public forums.
20 November	the Volunteer Christmas Celebration
21 November	both Unley Central public forums.

REPORTS OF MEMBERS

TITLE: NOVEMBER 2015

REPORT FROM COUNCILLOR

PETER HUGHES

(a) **Items of particular interest, concern or urgency**

(b) **Functions Attended**

28th Oct – Exhibition Launch of Unley Museum's 'Legacies: 12 Mayors of Unley'.

30th Oct – Opening of the Broughton Arts 47th Annual Exhibition, 'Unley Lives', at the Hughes Gallery, Fullarton Park. They are a recipient of Council's Grants program and always appear to make great use of their grant.

7th Nov – The first Gala Christmas Fair organised by the residents of Living Choice, Fisher Street, Fullarton. A very well organised event with a great variety of stalls, demonstrations and activities to experience.

7th Nov – St Chad's Annual Fayre. Under the auspices of Rev Tracey Gracey this continues to be very well supported by the congregation and visitors. A great local community event.

8th Nov – Unley Libraries Festival with the themes of **Learn it, Live it, Love it**. Very well organised and very well attended. Congratulations to all.

ITEM 315
MOTION OF WHICH NOTICE HAS BEEN GIVEN

NOTICE OF MOTION FROM COUNCILLOR LAPIDGE RE MR BRYAN ELLIOTT, CEO CENTENNIAL PARK – APPRECIATION FOR SERVICE TO CENTENNIAL PARK

Councillor Lapidge has given notice of intention to move the following motion at the Council meeting to be held on Monday 23 November 2015:

That:

1. The City of Unley writes to Mr Bryan Elliott expressing its appreciation for his significant contributions over the last 12 years as the Chief Executive Officer of Centennial Park Cemetery Authority.

OFFICER'S COMMENTS

Mr Bryan Elliott has tendered his resignation, effective 30 November 2015, after 12 years service as the Chief Executive Officer of Centennial Park.

The City of Mitcham moved the above Motion on Notice at its meeting on 10 November 2015, and requested that the Notice of Motion be forwarded to the City of Unley for information.

ITEM 316

MOTION OF WHICH NOTICE HAS BEEN GIVEN

NOTICE OF MOTION FROM COUNCILLOR BOISVERT RE PEDESTRIAN SAFETY ON SHARED PATHWAYS

Shared pedestrian/ cyclist pathways are in common use throughout the City and are expected to become more popular as we encourage the community to reduce car travel and walk or use a bike.

With the current rules, where pathway users move in the same direction on the same side of the path, a hazard is created when cyclists come up behind pedestrians unnoticed. This is particularly relevant as many cyclists do not have bells on their bikes to warn pedestrians that they are approaching.

One solution to this would be if cyclists and pedestrians travelled in the opposite direction on a pathway. That is, if cyclists travelled on the left hand side of the path and pedestrians the right hand side.

I am proposing that we write to the Department of Planning, Transport & Infrastructure asking them to investigate the risks associated with how pathways currently operate and consider changing the laws to make it common practice to have contra flow lanes operating on shared pathways.

Proposed motion:

That:

Owing to the inherent risks associated with cyclists and pedestrians travelling in the same direction on shared pathways, that Council Ask Administration to write to DPTI requesting them to:

1. Investigate the risks associated with cyclists and pedestrians travelling along pathways in the same direction on the same side of the path;
2. Consider changing the laws to make it common practice to have contra flow lanes operating on shared pathways, with cyclists travelling on the left hand side and pedestrians the right hand side.

Officers' Comments

While it is recognised that there is a potential hazard with cyclists coming up behind pedestrians on shared pathways, discussions with DPTI indicate that there is no significant accident history as result of the movement.

The Australian Road Rules (ARR) 250, 253 mandate that cyclists are to ride on the left hand side of a path (footpath and shared path) and give way to pedestrians. Furthermore, ARR 258 prohibits a cyclist from riding a bicycle without an appropriate warning device (eg bell).

There is no similar law requiring pedestrians to travel on a specific side of a pathway. Consequently, a new law for pedestrians would have to be introduced if the underlying concern of this motion was to be alleviated.

An alternative option would be to seek better enforcement of the existing road rules related to this issue.

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION FOR ITEM 318 -
GOODWOOD COMMUNITY CENTRE FUTURE
LEASE ARRANGEMENT

ITEM NUMBER: 317

DATE OF MEETING: 23 NOVEMBER 2015

AUTHOR: PAM HOCKING

JOB TITLE: EXECUTIVE ASSISTANT COMMUNITY

1. **EXECUTIVE SUMMARY**

To recommend that Item 318 be considered in confidence at the 23 November 2015 Council meeting and that the Minutes and Report referring to this report remain confidential until the item is revoked by the Chief Executive Officer at a future date.

2. **RECOMMENDATION**

MOVED:

SECONDED:

That:

1. Pursuant to Section 90(2) and 3(b) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer
Ms M Berghuis, General Manager Community
Mr J Devine, General Manager Assets and Environment
Mr S Faulkner, General Manager Corporate Services
Mr D Litchfield, General Manager Economic Development and Planning
Ms R Wilson, Manager Governance and Risk
Ms M Smith, General Manager Community
Ms C Gowland, Executive Assistant to CEO and Mayor

on the basis that it will receive and consider the report on the Lease of Council property and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

- (b) information the disclosure of which
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or

proposing to conduct business, or to prejudice the commercial position of the council; and

(ii) would, on balance, be contrary to the public interest

because it would be in the best interest of Council to consider this matter in confidence.

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION TO REMAIN IN
CONFIDENCE – ITEM 318 - GOODWOOD
COMMUNITY CENTRE FUTURE LEASE
ARRANGEMENT

ITEM NUMBER: 319

DATE OF MEETING: 23 NOVEMBER 2015

AUTHOR: PAM HOCKING

JOB TITLE: EXECUTIVE ASSISTANT COMMUNITY

1. **EXECUTIVE SUMMARY**

To recommend that Item 318 remain in confidence at the 23 November 2015 Council meeting until the order is revoked by the Chief Executive Officer.

2. **RECOMMENDATION**

MOVED:
SECONDED:

That:

1. The report be received.
2. Pursuant to Section 91(7) and 3(b) of the *Local Government Act 1999*:

2.1 The

- ☒ Minutes
- ☒ Report

remain confidential on the basis that the information contained in this report details information which could confer a commercial advantage on a person with whom the council is conducting or proposing to conduct business; and

- 2.2 the minutes and report will be kept confidential until the item is revoked by the Chief Executive Officer.

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION FOR ITEM 321 –
CENTENNIAL PARK CEMETERY AUTHORITY –
QUARTERLY PROGRESS REPORT

ITEM NUMBER: 320

DATE OF MEETING: 23 NOVEMBER 2015

AUTHOR: CAROL GOWLAND

JOB TITLE: EXECUTIVE ASSISTANT TO CEO & MALYOR

PURPOSE

To recommend that Item 321 be considered in confidence at the 23 November 2015 Council meeting and that the Attachments referring to this report remain confidential until the item is revoked by the Chief Executive Officer at a future date.

RECOMMENDATION

MOVED:
SECONDED:

That:

1. Pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer
Mr D Litchfield, General Manager Economic Development & Planning
Mr J Devine, General Manager Assets and Environment
Mr S Faulkner, General Manager Corporate Services
Ms M Berghuis, General Manager Community
Ms R Wilson, Manager Governance and Risk
Ms C Gowland, Executive Assistant to CEO and Mayor

on the basis that it will receive and consider the quarterly progress report on Centennial Park Cemetery Authority, and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

(ii) would, on balance, be contrary to the public interest.

It would be in the best interest of Council to consider this matter in confidence.

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION TO REMAIN IN
CONFIDENCE ITEM 321 – CENTENNIAL PARK
CEMETERY AUTHORITY QUARTERLY
PROGRESS REPORT

ITEM NUMBER: 322

DATE OF MEETING: 23 NOVEMBER 2015

AUTHOR: CAROL GOWLAND

JOB TITLE: EXECUTIVE ASSISTANT TO CEO & MAYOR

PURPOSE

To recommend that Item 321 remain in confidence at the 23 November 2015 Council meeting until the order is revoked by the Chief Executive Officer.

RECOMMENDATION

MOVED:
SECONDED:

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(b) of the Local Government Act:
 - 2.1 The
 - ☒ Attachments

remain confidential on the basis that the information contained in this report could prejudice the commercial position of the person who supplied the information, or confer a commercial advantage on a third party; and
 - 2.2 the attachments will be kept confidential until the item is revoked by the Chief Executive Officer.

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION FOR ITEM 324 –
DAMAGE TO FLOODED GUM

ITEM NUMBER: 323

DATE OF MEETING: 23 November 2015

AUTHOR: CAROL GOWLAND

JOB TITLE: EXECUTIVE ASSISTANT TO CEO & MAYOR

PURPOSE

To recommend that Item 324 be considered in confidence at the 23 November 2015 Council meeting and that the Minutes, Report and Attachments referring to this report remain confidential until the item is revoked by the Chief Executive Officer at a future date.

RECOMMENDATION

MOVED:
SECONDED:

That:

1. Pursuant to Section 90(2) and (3)(f) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer
Mr D Litchfield, General Manager Economic Development & Planning
Mr J Devine, General Manager Assets and Environment
Mr S Faulkner, General Manager Corporate Services
Ms M Berghuis, General Manager Community
Ms R Wilson, Manager Governance and Risk
Ms C Gowland, Executive Assistant to CEO and Mayor

on the basis that it will receive and consider a report on trees, and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

- (f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial.

It would be in the best interest of Council to consider this matter in confidence.

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION TO REMAIN IN
CONFIDENCE ITEM 324 – DAMAGE TO
FLOODED GUM

ITEM NUMBER: 325

DATE OF MEETING: 23 November 2015

AUTHOR: CAROL GOWLAND

JOB TITLE: EXECUTIVE ASSISTANT TO CEO & MAYOR

PURPOSE

To recommend that Item 324 remain in confidence at the 23 November 2015 Council meeting until the order is revoked by the Chief Executive Officer.

RECOMMENDATION

MOVED:
SECONDED:

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(f) of the Local Government Act:

2.1 The

- ☒ Minutes
- ☒ Report
- ☒ Attachments

remain confidential on the basis that the information contained in this report contains information which could reasonably be expected to prejudice the maintenance of law, and

- 2.2 the minutes, report and attachments will be kept confidential until the item is revoked by the Chief Executive Officer.