

# COUNCIL AGENDA

## Council Meeting

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

***Monday***

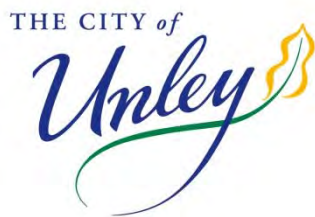
***29 April 2019***

***7.00pm***

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



Peter Tsokas  
**Chief Executive Officer**



### **OUR VISION 2033**

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

### **COUNCIL IS COMMITTED TO**

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

### **ACKNOWLEDGEMENT**

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

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

### **PRAYER AND SERVICE ACKNOWLEDGEMENT**

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**

Nil

#### **1444 LEAVE OF ABSENCE**

7-8

- Councillor M Hudson seeks a leave of absence from 8 May 2019 to 14 June 2019

#### **1445 CONFLICT OF INTEREST**

Members to advise if they have any material, actual or perceived conflict of interest in any Items in this Agenda and, if so, a Conflict of Interest Disclosure Form is to be submitted for each Item

#### **1446 MINUTES**

Minutes of the Council meeting held on  
25 March 2019

**Minutes issued separately**

#### **1447 MINUTES**

Minutes of the Council meeting held on  
15 April 2019

**Minutes issued separately**

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

Nil

#### **1448 PETITIONS**

- Lan Kelly, Forestville  
Re. Driveway Connecting Anzac Highway and Third Avenue Forestville

9-14

#### **1449 DEPUTATIONS**

- Ryan Hopkins, Parkside  
Re. Item 1450, Children Crossings Adjacent to Parkside Primary School

15-17

**ITEM NO****PAGE NO****PRESENTATIONS**

Nil

**REPORTS OF COMMITTEES**

Nil

**REPORTS OF OFFICERS**

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1462	<b>MOTIONS OF WHICH NOTICE HAS BEEN GIVEN</b>	
	<ul style="list-style-type: none"><li>Councillor D Palmer – City of Unley Sesquicentenary Celebration</li></ul>	223-225

1463      **MOTIONS WITHOUT NOTICE**

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

**QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

- |      |   |         |
|------|---|---------|
| 1464 | • Councillor D Palmer Re High Rise Compliance   | 226-228 |
| 1465 | • Councillor D Palmer Re Residential On-Street Parking Permits for Multi Dwelling Buildings | 229-230 |
| 1466 | • Councillor P Hughes Re Duplication of Waste Management Costs by Residents                 | 231-234 |

**QUESTIONS WITHOUT NOTICE**

- |      |  |         |
|------|--|---------|
| 1467 | • Councillor K Anastassiadis Re Pruning of Trees/ Plantings Along the Bikeway: Wayville                      | 235     |
| 1468 | • Councillor S Dewing Re Preventing Landlords from Raising Rent on King William Road Following Upgrade Works | 236-237 |
| 1469 | • Councillor S Dewing Re Residential Parking Permits   | 238-239 |

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

1470      **CORRESPONDENCE**      240-241

- Hon Stephan Knoll MP, Minister for Transport, Infrastructure & Local Government – noting correspondence under consideration by Minister

1471      **MAYOR'S REPORT**      242-243

1472      **DEPUTY MAYOR'S REPORT**      244

1473      **REPORTS OF MEMBERS**      245-250

Council to note the attached reports from Members:

- Councillor M Rabbitt
- Councillor M Broniecki
- Councillor J Dodd
- Councillor J Russo
- Councillor D Palmer

## **CONFIDENTIAL ITEMS**

1474	Confidentiality Motion for Item 1475 – King William Road Redevelopment – Construction Contract Award	252
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## **FUTURE ITEMS – MONTH-MONTH** (subject to change)

Enforcement Policy  
Animal Management Plan Year 3  
Community Home Support Program (CHSP) Funding Extension  
Community Grants Program – Recommendations for funding March Leah Street  
Banner Poles  
Draft LATM 3 – Clarence Park  
Shared Streets  
Future Tree Strategy

## **NEXT MEETING**

Monday 27 May 2019 – 7.00pm

## **LEAVE OF ABSENCE**

**REQUESTED BY:** COUNCILLOR M HUDSON  
**PERIOD OF LEAVE:** 8 MAY 2019 – 14 JUNE 2019  
**ITEM NUMBER:** 1444  
**DATE OF MEETING:** 29 APRIL 2019  
**ATTACHMENTS:** 1. LEAVE OF ABSENCE NOTIFICATION

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### **1. RECOMMENDATION**

That:

1. The request for leave of absence by Councillor M Hudson for the period 8 May 2019 – 14 June 2019 be approved.
-

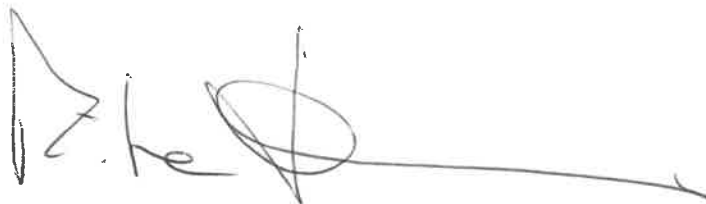
To: His Worship Michael Hewitson, AM  
Cc: CEO Peter Tsokas.

9<sup>th</sup> April, 2019

### **NOTIFICATION**

I request formal leave of absence from Council between May 8 and June 14, during which time I will be in Nepal on my annual visit.

Signed:

A handwritten signature in dark ink, appearing to read 'Mike Hudson', followed by a long horizontal line extending to the right.

Councillor Mike Hudson, JP.



## RECEIPT OF PETITION

<b>REPORT TITLE:</b>	PETITION RE DRIVEWAY CONNECTING ANZAC HIGHWAY AND THIRD AVENUE FORESTVILLE
<b>ITEM NUMBER:</b>	1448
<b>DATE OF MEETING:</b>	29 APRIL 2019
<b>ATTACHMENTS:</b>	1. PETITION
<b>PRINCIPAL PETITIONER:</b>	LAN KELLY
<b>NUMBER OF SIGNATORIES:</b>	10
<b>NATURE OF PETITION:</b>	The Petitioners object to the proposed vehicle access to through traffic from Anzac Highway to Third Avenue, Everard Park as part of the Arcadian development.

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### 1. **RECOMMENDATION**

That:

1. The petition be noted.
  2. The principal petitioner be notified that as the development has been approved by the State Commission Assessment Panel there is no mechanism for Council to challenge or seek alteration to the approved plans.
- 

### 2. **OFFICER'S COMMENTS**

#### ***Procedural Information***

The petition was acknowledged on receipt, with the lead petitioner advised that it would be presented to the ordinary Council meeting scheduled for 29 April 2019.

The current requirements for a petition are that the name and address of each person who signed or endorsed the petition be included. Council is advised that of the 18 signatories on the petition:

- two (including the lead petitioner) have not 'signed' the document – however, given that this is an 'electronic' petition, in this instance it is considered reasonable to accept the writing of these names as a signature.
- eight did not provide an address – accordingly these cannot be counted in the number of signatories presented to Council.
- In addition, there are four signatories (not counted in the 18 above) noted via email, but evidence of that is not included with the petition.

### ***Petition Information***

On 22 November 2018 the State Commission Assessment Panel (SCAP) approved a development application by Arcadian Property for the construction of a mixed use development at 22-28 Anzac Highway and 6-14 Third Avenue, Everard Park / Forestville.

The development comprises two, six (6) level buildings fronting Anzac Highway, comprising dwellings and ground level commercial; seven (7) three (3) level dwellings fronting Third Avenue; and nine (9) two (2) level dwellings and a single, three (3) level building comprising eleven (11) dwellings, located internally within the site.

The approved plans for the development included an internal driveway that links Anzac Highway with Third Avenue.

Council were provided the opportunity to provide a submission to SCAP and raised concerns with the undesirable connection through the site and inconsistency with the planning policy. The following is an extract from the Council submission to SCAP regarding the internal driveway and carparking:

- *The vehicle access to Anzac Highway is consolidated but not so to Third Avenue. Further, the movement is connected through the site compromising intent to ensure physical limitation of only rear secondary portion of development vehicle access and movement to Third Avenue with undesirable traffic implications;*
- *Vehicle access for the 4 northern row dwellings to Third Avenue could be provided off the common driveway from the rear to reduce street crossovers, extent of paving, building exposure, lack of landscaping and loss of on-street parking;*

Notwithstanding Council comments, the development was approved with the internal driveway linking Anzac Highway to Third Avenue.

Whilst Council acknowledges the concerns raised within the petition there is no mechanism for Council to challenge or seek alteration of the approved plans.

## Petition against driveway connecting Anzac Highway and Third Ave

We, the undersigned, would like to express our concern at the planning approval for the "Live Third Ave" development that permits a driveway allowing traffic to drive between Anzac Highway and Third Ave.

This is **against** Unley Council's Development Plan for the site:

*"Vehicle access should be consolidated to single [access] points primarily to Anzac Highway with secondary movement to Third Avenue, and designed so that they **do not connect or provide through movement** for vehicles between the frontages."*

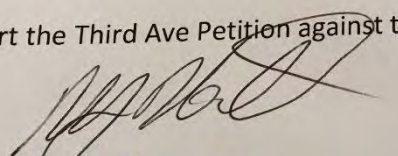
We understand that a traffic study commissioned by the developer raised no concerns about significantly increased traffic on Third Ave. However, as residents, we have local knowledge of the short cuts that drivers take, particularly travelling south towards South Rd or Leah St/East Ave along Third Ave, Everard Tce or Grove Ave. We do not believe the traffic study has adequately addressed these possibilities. Access from the neighbouring KFC on Anzac Highway to Third Ave is blocked due to previous concerns about increased traffic. In addition, future local traffic may cut through the development between Third Ave and Anzac Highway to avoid the Leader St/Anzac Highway intersection, particularly if traffic increases along Leader St due to the proposed Kaufland supermarket, creating disturbances for the new residents.

Therefore, we respectfully request that the developer, Arcadian Property, remove vehicle access to through traffic from Anzac Highway to Third Ave. We believe that only properties with direct frontages on Third Ave should have vehicle access to Third Ave. This development has the potential to increase amenities to the local community such as shops, cafes and a walking trail along Brownhill Creek, and this traffic restriction will help to improve community sentiment towards the development.

Signed		Date
Lan Kelly	70 Third Ave Forestville	25/3/2019
Ben Cazzolato	70 Third Ave Forestville	25/3/2019

and neighbours:


I support the Third Ave Petition against through traffic from Anzac Highway

Signed		Date	22/03/2019
	MIKE CARTER		
	23 THIRD AVE		

I support the Third Ave Petition against through traffic from Anzac Highway

Signed

Date 22/03/2019

  
VICTORIA  
MIKE CARTER  
23 THIRD AVE

Support the Third Ave Petition against through traffic from Anzac Highway

Name

JAMES CARTER

Address

23 Third Ave, Forestville

Signed

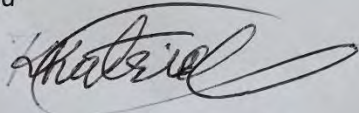
Date

23/3/2019

I support the Third Ave Petition against through traffic from Anzac Highway

Signed

Date



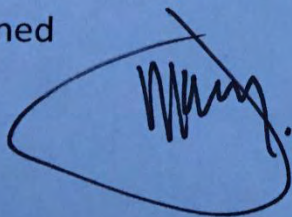
20-3-2019.

OF 7 THIRD AVE FORESTVILLE.

I support the Third Ave Petition against through traffic from Anzac Highway

Signed

Date

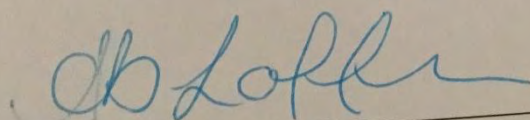


24.3.19

I support the Third Ave Petition against through traffic from Anzac Highway

Signed

Date



21/3/2019.



I support the Third Ave Petition against through traffic from Anzac Highway

Signed

Margaret Emmet

Date

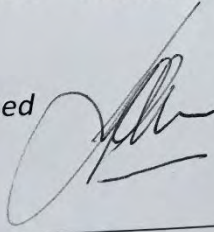
21 March 2019

I support the Third Ave Petition against through traffic from Anzac Highway

Name Helen Oliver

Address 10 Grove Ave

Signed



Date 22/3/18

I support the Third Ave Petition against through traffic from Anzac Highway

Signed



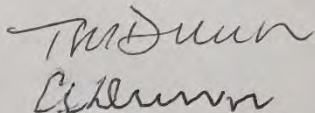
Date 23-3-19

I support the Third Ave Petition against through traffic from Anzac Highway

Name Terri Dunn  
Andy Dunn

Address 9 Grove Ave  
Everard Park

Signed



Date 22.3.19

I support the Third Ave Petition against through traffic from Anzac Highway

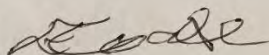
Name

ELIZABETH COOTE

Address

42, THIRD AVE  
FORESTVILLE

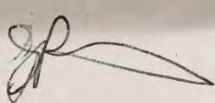
Signed

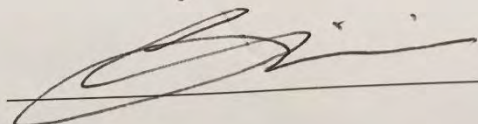


Date

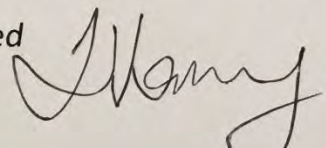
23/3/19.

I support the Third Ave Petition against through traffic from Anzac Highway

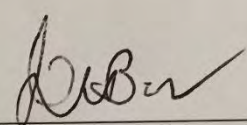
Signed  Date 21/3/19

 21/3/19

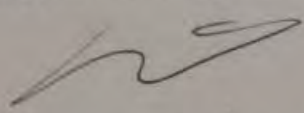
I support the Third Ave Petition against through traffic from Anzac Highway

Signed  Date 21/3/19

I support the Third Ave Petition against through traffic from Anzac Highway

Signed  Date 21/3/19

I support the Third Ave Petition against through traffic from Anzac Highway

Signed  Date 24.3.19

16 Third Ave, Forestville

Via email:

Duc Pham	25 Third Ave	20/3/2019
Sharyn Burnside	8 Grove Ave Forestville	22/3/2019
Tanya Hoendervanger	23 Everard Tce	25/3/2019
Martin Hoendervanger	23 Everard Tce	25/3/2019

## DEPUTATION

**TITLE:** DEPUTATION RE ITEM 1450 CHILDREN  
CROSSINGS ADJACENT TO PARKSIDE PRIMARY  
SCHOOL

**ITEM NUMBER:** 1449

**DATE OF MEETING:** 29 APRIL 2019

**ATTACHMENTS:** 1. DEPUTATION

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1. Ryan Hopkins, Parkside  
Re. Item 1459 Children Crossings Adjacent to Parkside Primary School
-



## DEPUTATION REQUEST FORM

*Please complete this request and return to the City of Unley preferably 5 clear days prior to the Council or Committee meeting at which you wish to be heard.*

**To: The Chief Executive Officer**

I/We hereby request to be heard at the next meeting of (tick the preferred/appropriate box):

☒ Council on 29 / 04 / 2019

OR

☐ Council Committee on / /

Specify name of committee: .....

Given Name: Ryan .....

Surname: Hopkins .....

Address: 24 Young Street, Parkside SA 5063 .....

Contact phone number: 0434 583 257 .....

Email: rh@c4architects.com.au .....

I will be speaking:

On my own behalf: ☐ Yes ☐ No

OR

As the spokesperson of a group of persons? ☒ Yes ☐ No (limit of 3 people)

Given name of 2<sup>nd</sup> speaker: Alison .....

Surname: Scrymgour .....

Address: 24 Young Street, Parkside SA 5063 .....

Contact phone number: 0415 127 524 .....

Email: alison.scrymgour@gmail.com .....



Given name of 3<sup>rd</sup> speaker: Peter .....

Surname: Price .....

Address: 22 Young Street, Parkside SA 5063 .....

Contact phone number: 0428 146 548 .....

Email: rpprice@bigpond.com .....

**If you are speaking as a spokesperson, who or what group are you representing?**

Residents of Young Street Parkside who will be directly impacted by the installation .....  
of a Koala Crossing .....

*If the group has a set of Rules by which the group is governed, please provide a copy of these.*

**The topic or issue I wish to speak about is: (Please give sufficient details of the matter to enable consideration of your request for a deputation)**

The selection of 22/24 Young Street Parkside as the location for a Koala Crossing (Fund .....  
My Neighbourhood Parkside Primary Crossing Project) and the negative impact to residents  
and the community if the crossing is installed at the proposed location. ....

**I have read and understood the Deputations Information Sheet and acknowledge that I must comply with the procedures and guidelines:**

Signed:  .....

Dated: 17/04/2019 .....

**Once completed, please return to the City of Unley, either in person, or by post, facsimile or email [pobox1@unley.sa.gov.au](mailto:pobox1@unley.sa.gov.au)**

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**Office Use Only**

Received (date and time):     /     /     at     am/pm

Acknowledged by Presiding member (Council or Committee) initial and date:     /     /

Acknowledged by Group Manager Governance & Risk (initial and date):     /     /

Approved:    ☐ Yes    ☐ No

Meeting date:     /     /     Deputation time:     .....

Deputee notified:    ☐ Yes    ☐ No    ☐ In writing    ☐ Verbally     Date notified:     /     /

## DECISION REPORT

**REPORT TITLE:** CHILDREN'S CROSSINGS ADJACENT TO PARKSIDE PRIMARY SCHOOL  
**ITEM NUMBER:** 1450  
**DATE OF MEETING:** 29 APRIL 2019  
**AUTHOR:** SATYEN GANDHI  
**JOB TITLE:** TRANSPORT AND TRAFFIC LEAD

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### 1. **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's approval to install Children's Crossings along Young Street and Robsart Street and Kerb Extensions along Castle Street at its intersection with Robsart Street, to improve walking and cycling safety for children who attend the Parkside Primary School.

At its meeting held in October 2017, Council considered a report outlining various projects to be delivered through the State Government's *Fund My Neighbourhood* Program which included the Parkside Primary School treatments. Council resolved to endorse the implementation of these treatments subject to undertaking community consultation.

Council staff have undertaken the necessary and required community consultation process regarding the proposed treatments. The results of this process are summarised in this report and Council's approval is now sought to proceed with the installation of these treatments.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. Installation of a Children's Crossing along Young Street, Parkside, as outlined in Attachment 2 to this Report (Item 1450, Council Meeting, 29/04/2019) be approved.
  3. Installation of a Children's Crossing along Robsart Street, Parkside, as outlined in Attachment 2 to this Report (Item 1450, Council Meeting, 29/04/2019) be approved.
  4. Installation of Kerb Extensions along Castle Street, Parkside, at its intersection with Robsart Street and as outlined in Attachment 2 of this Report (Item 1450, Council Meeting, 29/04/2019) be approved.
- 

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

Community Living

- Our City meets the needs of all generations.
- Our City is connected and accessible

## 4. DISCUSSION

### 4.1 Background

The treatments proposed adjacent to Parkside Primary School are aimed at improving road safety and creating a road environment that is conducive for more children to walk or cycle to school.

The proposed treatments involve the installation of:

- a Children's Crossing along Young Street;
- a Children's Crossing along Robsart Street; and
- Kerb Extensions along Castle Street at its intersection with Robsart Street.

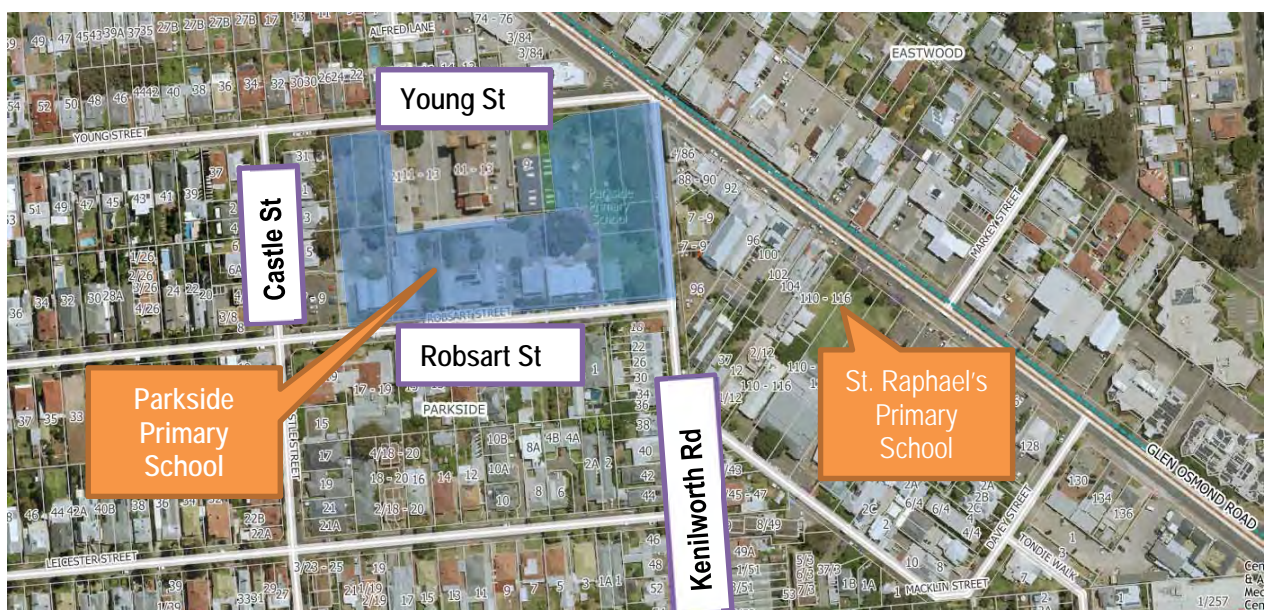
The proposed treatments were recommended as part of “*LATM 2 Parkside and Fullarton*” which was endorsed by Council in July 2018. The LATM recommendations were generally consulted on with the local community before Council endorsement. However, targeted community consultation has been undertaken by Council staff specifically regarding the proposed treatments.

The purpose of this report is to summarise the results of the community consultation process which has been undertaken and the detail design process to finalise the proposed treatments as well as to seek Council's approval for installation of the treatments.

### 4.2 Why do we Need the Children's Crossings near Parkside Primary School?

Parkside Primary School has 410 children currently enrolled. The school's footprint is significant with frontages on Kenilworth Road, Young Street and Robsart Street, which provide the primary access to the site.

In terms of locality, as shown in the map below, there are two (2) primary schools located within 100 metres of each other. This brings a high parking and traffic demand, particularly during morning and afternoon school peak times.



Parkside Primary School is one of the very few schools located within our City without any formal Children's Crossings. A school of this size would benefit from having safer crossing points connected to its main access points. The installation of the proposed crossings is likely to encourage more children to walk and cycle to school and would provide safer means to do so.

A Children's Crossing can be in the form of an Emu Crossing or a Koala Crossing, with the difference being that a Koala Crossing has flashing yellow lights active during school peak hours along with a 25km/hr school zone. The Koala Crossing is the preferred type of crossing for Young Street and Robsart Street as the flashing lights will provide greater awareness to all road users and result in higher compliance from motorists.

#### **4.3 Robsart Street/Castle Street kerb extensions**

The Robsart and Castle Streets intersection is an important node for pedestrians particularly school children walking to Parkside Primary School and nearby Sunrise Christian Primary School. Given the busy peak traffic during school peak hours, it is often difficult to negotiate the intersection. The proposed kerb extensions will reduce the crossing distance and improve the sight lines for motorists while maintaining all vehicle movements. The proposed kerb extensions are shown in Attachment 2 of this report. The kerb extensions will be build at Castle Street (Southside) intersection with Robsart Street.

*Attachment 2*

#### **4.4 Community Engagement**

As part of the State Government's Fund My Neighbourhood Program, this project was submitted by a parent whose child attend Parkside Primary School and who is a resident of the City of Unley. In order for the Program to provide funding, a voting system was put in place to identify the successful projects. The Parkside Primary Pedestrian Safety Upgrades project received 230 votes from the community. It is important to note that the parent who submitted the project requested a Children's Crossing at Young Street.

The proposed treatments are considered to be aligned with Council's strategic objectives of improving walking and cycling within the City and, in this respect, Council endorsed the project subject to community consultation which was undertaken in August 2018 to September 2018. In inviting comments and feedback, a total of 408 letters were delivered to the residents and community within the catchment area as shown in the plan provided below.

The catchment area of the community consultation (as shown below) means that all respondents are residents of the City Unley.



The results of the community consultation are summarised in Table A below.

**Table A – summary of community consultation results**

	Direct mailout (all respondents are City of Unley residents)	Online survey (41 respondents are City of Unley residents)
Total responses received	57	51
Number of respondents supporting the Young Street crossing	49 (86%)	45 (88%)
Number of respondents objecting to the Young Street crossing	6 (11%)	6 (12%)
Number of respondents supporting the Robsart Street crossing	50 (88%)	44 (86%)
Number of respondents objecting to the Robsart Street crossing	3 (5%)	4 (8%)
Number of respondents supporting intersection changes at Robsart/Castle Sts	42 (74%)	47 (92%)
Number of respondents opposing the intersection changes at Robsart/Castle Sts	6 (11%)	2 (4%)
*Please note that there are some respondents who did not provide a clear preference		

It was evident from the results of the community consultation that a clear majority of residents support the proposed treatments and as such, Council staff proceeded to the design phase. A letter was sent on 18 January 2019 to the same catchment area originally consulted in 2018 advising them of the results of the community consultation process and that the detailed design work will commence.

The respondents to the initial community consultation who had supported the project made comments that it is an important initiative and that it will improve safety. The respondents also strongly argued for a safer crossing and other traffic management matters in the immediate vicinity of the school. All the feedback has been considered while designing the proposed changes near the school.



### Adverse Community Feedback

There were three (3) residents who objected to the proposed location of the Children's Crossing along Young Street, with loss of on-street parking being the predominant reason for their opposition. The locations for the proposed Children's Crossings are near the main entry to the school at Young Street. This site was selected based on the rear entry to the School from Young Street, site observations of student movements and experience of similar projects involving the installation of school crossings.

A number of meetings were subsequently held with those residents who raised objections to understand and attempt to resolve their concerns and issues. These meetings were held with residents and the Parkside Ward Elected Members were present at a number of them. The meetings were held on 31 August 2018, 6 December 2018, 4 February 2019 and 18 March 2019. Table B provided below outlines a summary of the residents' concerns and how Council staff have considered and attempted to address them.

Description of the issue	Council response	Outcome
Shift the Young Street crossing to outside/adjacent the 'east gate' entry to the School	The residents have requested to shift the location of the proposed crossing outside or near to where the school's eastern gate is along Young Street. The location was considered but not supported for safety reasons as the location is near an arterial road (Glen Osmond Road) which carries a high number of turning traffic at a considerable speed. Further to this, the drivers are focused on traffic signals and traffic along Glen Osmond Road and not as aware of the potential children presence at Young Street should a crossing be provided as requested. It was also evident from the pedestrian counts undertaken that the location is not a preferred location for school children (only two road crossings were recorded) and it is very likely that the crossing at this location will not be utilised to the same level as it would be if it was to be placed near the western gate entry to school.	The change of location is not supported for pedestrian safety and optimum useability reasons.

Description of the issue	Council response	Outcome
Loss of on-street parking	The residents have objected to the loss of on-street parking (approximately 8 in total) with one property being most impacted as it does not have any off-street parking. The requirements of parking restrictions are stipulated by standards (DPTI) to ensure that the safety and sight lines are maintained.	<p>Administration has amended the designs to accommodate a Permit Zone (outside the school times) near the proposed school crossing along Young Street accommodating one (1) vehicle. This will provide access to parking for residents and their visitors. The designs were also amended to allow for a full time permit zone (on Young Street) outside the school.</p> <p>The Permit Zones are also shown in Attachment 2. All the affected properties (due to loss of on-street parking outside the property) can apply for permit/s to use the Permit Zone.</p> <p>Having said this, the management of on-street parking is at Council's discretion and could be changed/removed and/or amended in future as per Council's decision. The residents have been made aware of this.</p>
Install the children's crossing outside number 30 Young Street further west to the current location	The residents have suggested that the children's crossing should be shifted further west to avoid parking loss. A meeting was held with residents. A safety review was undertaken by an independent expert as resolved at the site meeting between residents, Cr Hudson and a Council Officer.	Tonkin Consulting were engaged to undertake the safety review and provide a location that is most suited for the crossing at Young Street. The report (Attachment 3) identified it should be adjacent to the western gate of the school at Young Street (ie the proposed location).

A meeting was also held with the Deputy Principal of the School on 26 March 2019. The School has made a strong submission in support of both crossings highlighting that it is important for the access and safety of the school children. The School has been working with Council for a number of years now to improve overall safety near the school premises.

On-street parking along Young Street is generally in high demand, however, since the installation of time limited parking by Council, the parking turnover has improved, resulting in better parking availability in the area.

#### **4.5 Locations of the Crossings**

##### **Young Street**

One of the fundamental requirements in locating a school crossing is to ensure that it is located on an existing desire line (i.e. route of travel) that will suit most children. The location is also important if the crossing will be monitored, with locations nearer the school being preferred so that teachers can supervise the monitors themselves.

Maximising the use of the crossing will improve pedestrian safety and also reduce the potential for children to cross the road away from the crossing (if it is not installed in a convenient location on the desire line).

To determine the most appropriate location, Council staff have undertaken pedestrian counts at the three (3) school gates (October 2018) that revealed the western gate is most used in Young Street (noting that there is also a gate in Robsart Street). At this western gate:

- 50 pedestrians (25 adults and 25 children) crossed Young Street in the morning peak period.
- 26 pedestrians (17 adults and nine children) crossed Young Street in the afternoon peak period.
- Of the pedestrians that crossed Young Street opposite the gate (morning and afternoon), about half walked to/from the west along Young Street beyond the junction with Castle Street.
- Similarly, about half walked to/from the east along Young Street.

At/near eastern gate:

- Two pedestrians (two adults) crossed Young Street in the morning period at the entrance near Glen Osmond Road
- Two pedestrians (two adults) crossed Young Street in the morning period at the entrance near the cricket nets.

#### Robsart Street

Similar to Young Street, a pedestrian count was also undertaken on the same day at Robsart Street. The summary of pedestrian counts at and near the main entry gate at Robsart Street is as per the following:

- 52 pedestrians (30 adults and 22 children) crossed Robsart Street in the morning peak period.
- 26 pedestrians (15 adults and 11 children) crossed Robsart Street in the afternoon peak period.

#### **4.6 Learnings/Experiences Based on Other Projects**

In 2018, Council installed a Children's Crossing at Hampton Street South, Goodwood. The crossing was located adjacent to the main entry gate to the school. The location of the crossing was chosen based on a pedestrian count which showed a desired walking line for pedestrians adjacent to the main gate to the School. The number of children crossing adjacent to the main entry gate has more than doubled since the Children's Crossing installation. The number of pedestrian crossings increased from 75 (before installation) to 146 after installation in the school peak hour. A total of 177 pedestrian/children crossings were recorded in both AM and PM school peak times.

The counts also showed that there was minimal to no crossings recorded away from the Children's Crossings. This data clearly demonstrates that a crossing installed in an appropriate location will result in children and parents' utilisation improving, which positively influences overall road safety. The installation of a crossing at Hampton Street South resulted in a loss of approximately 6-7 parking spaces.



#### **4.7 Safety Review**

Per discussions with the residents of Young Street, Council engaged Tonkin Consulting to undertake a safety review with the aim to provide an independent perspective on a safe location for the crossing at Young Street. A copy of the review is provided as Attachment 3 to this report. The review determined that provision of a crossing adjacent to the school entry at Young Street opposite number 22 Young Street is the preferred location from a safety and utility point of view.

*Attachment 3*

#### **4.8 Summary**

There is an overwhelming majority of the community members consulted supporting the installation of the proposal. There has been minority but strong opposition from affected residents of Young Street. The opposition mainly stems from the loss of on-street parking.

One of the fundamental considerations behind the proposal for two Children's Crossings is that the crossings (one each at Young Street and Robsart Street) will allow a better allocation/distribution of the traffic, particularly during peak periods.

Discussions have occurred with DPTI and the No Stopping zones (associated with the school crossing) can be part-time in operation, namely on school days only, 8am to 4pm. This will ensure that the school crossing can work as intended by providing increased safety benefits to the school children, while providing on-street parking outside of school hours. Also, there will be a full time Permit Zone for a small car outside the school frontage opposite number 24 Young Street.

Overall, based on a technical and road safety perspective, the installation of Children's Crossings and Kerb Protuberances will benefit the school community and operation of the local transport network. It is recommended that the proposal should be implemented as outlined in Attachment 2 of the report.

*Attachment 2*

### **5. ANALYSIS OF OPTIONS**

#### **Option 1 –**

- 1. The report be received.**
- 2. Installation of a Children's Crossing along Young Street, Parkside, as outlined in Attachment 2 to this Report (Item 1450, Council Meeting, 29/04/2019) be approved.**
- 3. Installation of a Children's Crossing along Robsart Street, Parkside, as outlined in Attachment 2 to this Report (Item 1450, Council Meeting, 29/04/2019) be approved.**
- 4. Installation of Kerb Extensions along Castle Street, Parkside, at its intersection with Robsart Street and as outlined in Attachment 2 of this Report (Item 1450, Council Meeting, 29/04/2019) be approved.**

Installation of Children's Crossings would result in safer access for school children. The location of the crossings is near the main entry gates to the school and this should result in a higher number of children/parents utilising these access points as opposed to randomly crossing the street. Motorists would also have better vision of children movements as the crossings will result in improved sight lines.

The Kerb Extensions at Castle Street intersection with Robsart Street will result in better sight lines and reduced crossing distance for pedestrians negotiating the intersection, which can be very busy during school peak periods.

Overall the crossing and kerb extensions will allow safer access for all road users and should be able to spread traffic more evenly given there are going to be safer crossings on both Young and Robsart Streets.

The Children's Crossings as outlined above will result in the loss of on-street parking and this is being objected to by adjacent residents. Overall, from a technical perspective it is believed that loss of on-street parking is justified for the improvement in access and safety of school children.

#### Option 2 –

1. The report be received.
2. Installation of a Children's Crossing along Robsart Street, Parkside, as outlined in Attachment 2 to this Report (Item 1450, Council Meeting, 29/04/2019) be approved.
3. Installation of Kerb Extensions along Castle Street, Parkside, at its intersection with Robsart Street and as outlined in Attachment 2 of this Report (Item 1450, Council Meeting, 29/04/2019) be approved.

This option allows for the installation of one Children's Crossing along Robsart Street, which will provide enhanced safety and access for the Parkside Primary school children. It will address the issue of Parkside Primary not having any formal Children's Crossing and will also address the concerns of some residents objecting the proposal due to the loss of on street car parks in Young Street.

However, this Option is likely to increase the demand on this crossing and as such, increase the traffic delays. Given there are over 400 primary school children accessing the road network on a daily basis, from a transport network point of view having two children crossings would distribute the traffic more evenly between the road network. Based on the technical transport planning perspective, this is not a recommended option.

#### Option 3 – do not proceed with the proposed initiatives and the funding be returned to the State Government

This option will result in a missed opportunity to improve safety of access for school children. Parkside Primary School will remain one of the very few schools in Unley without any formal Children's Crossings.

However, this option ensures that the adjacent residents will enjoy the existing level of on-street parking.

## **6. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **7. POLICY IMPLICATIONS**

### **7.1 Financial/Budget**

- There are no foreseeable adverse financial implications associated with the recommendations.
- The funding of the project has been received from the State Government as part of the Fund My Neighbourhood program and the Agreement due date is 31 August 2019 with the condition of no further extension.

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

- There are no foreseeable adverse legislative/risk issues associated with the recommendations.

### **7.3 Staffing/Work Plans**

- If the recommendations are supported, the installation of the Children's Crossings will have to be undertaken before the end of the current Financial Year.

### **7.4 Environmental/Social/Economic**

- The potential benefit of the installation of the crossing is that it would encourage more children walking to school due to the provision of safe infrastructure.
- There would be better distribution of traffic/parking demand in the area due to provision of two crossing points at both main entries to the School.

### **7.5 Stakeholder Engagement**

- As discussed in section 4 of this report, there has been comprehensive community consultation on the matter and the feedback has been one of the key considerations that informed the proposed recommendations.
- Should the recommendations be supported, the community will be notified via letter and an on-line update.

## **8. ATTACHMENTS**

- Attachment 1 – Copy of community survey letter and feedback form
- Attachment 2 – Copy of designs of the Crossings at Young and Robsart Streets and kerb modifications at the Castle/Robsart Streets intersection
- Attachment 3 – Tonkin Consulting Young Street crossing location safety review

## **9. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Peter Tsokas	CEO
Claude Malak	General Manager City Development



**23 August 2018**

**PARKSIDE PRIMARY SCHOOL PEDESTRIAN SAFETY UPGRADES**

As part of the State Government's 'Fund My Neighbourhood Program', the Parkside Primary Safe School Crossing Project was successful in receiving funding for the 2018/19 financial year, having being nominated by a local resident. The project is now with the City of Unley to deliver the safety improvements for schoolchildren, the local community and helping to increase the use of active modes of transport and reduce the speed in the local streets. We are now seeking your feedback on the proposed project.

The project involves the installation of Koala School Crossings on Young Street and Robsart Street with kerb build out treatments at the Robsart and Castle intersections. A Koala School Crossing incorporates yellow flashing lights to warn motorists of the presence of schoolchildren and to provide a safe crossing. The other benefit is that it helps reduce the speed in the area. The design of the school crossings will prohibit parking (during school days) 20m prior the crossing and 10m after the crossing to improve the safety of the schoolchildren by increasing visibility.

**Young Street School Crossing**

We are looking to install a Koala School Crossing on Young Street near the entrance to the school walkway opposite 22 – 24 Young Street. The traffic volume on Young Street is 1800 vehicles per day with an average speed of 34.3km/hr with 261 vehicles in the morning peak and a further 199 in the afternoon peak. Currently there are 22% of vehicles exceeding the posted speed limit.

**Robsart School Crossing**

We are looking to install the second Koala School Crossing on Robsart Street near the main School entrance opposite 13 – 15 Robsart Street. The traffic volume on Robsart Street is 665 vehicles per day at an average speed of 24.4km/hr and there are 112 vehicles in the morning peak with 64 in the afternoon peak. 0.3% of vehicles exceed the posted speed limit at this location.

**Robsart / Castle Street Intersection**

The Robsart / Castle Street pedestrian safety protuberances will help to increase pedestrian safety by providing greater visibility of the pedestrians and providing a protected space which reduces the available road width and in turn reduces vehicle speeds in the area.

A form has been attached to seek your feedback of the Koala School Crossings and the intersection treatments. Should you wish to discuss this further, I can be contacted on 8372 5111, or via email at [pobox1@unley.sa.gov.au](mailto:pobox1@unley.sa.gov.au).

Yours sincerely

Bill Zissopoulos

**Traffic and Parking Advisor**



PARKSIDE PEDESTRIAN SAFETY UPGRADES



Image 1: An example of the pedestrian crossing point with protuberance, linemarking and flashing lights.  
Image sourced from: <http://www.playford.sa.gov.au/page.aspx?c=14950>



Image 2: An example of pedestrian safety protuberance at the intersection of Surrey Street and Hampton Street South. New kerb, ramps and blue painting treatment to be installed to protect pedestrians and cyclists by reducing the road crossing distance.

DATE  
23.08.18



# FEEDBACK FORM



## PARKSIDE PRIMARY SCHOOL PEDESTRIAN SAFETY UPGRADES

We are seeking your comments on the proposed KOALA SCHOOL CROSSINGS AND PEDESTRIAN SAFETY PROTUBERANCES ON YOUNG, ROBSART AND CASTLE STREETS, PARKSIDE to improve the pedestrian safety in the area. Feedback will be received until Friday 14 September 2018 and will be considered by COUNCIL'S TRANSPORTATION AND TRAFFIC DEPARTMENT.

Please provide your contact details

Name

Address

Email

Phone number

Return this form by Friday 14 September 2017 either by using the reply paid envelope provided or posting to:

PARKSIDE PRIMARY SCHOOL PEDESTRIAN SAFETY UPGRADE PROJECT  
City of Unley  
PO Box 1  
Unley SA 5061

1. DO YOU SUPPORT THE KOALA SCHOOL CROSSING ON YOUNG STREET?

☐

YES

☐

NO

2. DO YOU SUPPORT THE KOALA SCHOOL CROSSING ON ROBSART STREET?

☐

YES

☐

NO

3. DO YOU SUPPORT THE PEDESTRIAN SAFETY PROTUBERANCES AT THE ROBSART/CASTLE INTERSECTION?

☐

YES

☐

NO

4. COMMENTS ON THE PROPOSAL?



**NOTE:**  
ALL SETOUT INFORMATION DERIVED FROM SURVEY PROVIDED BY COUNCIL. REFER TOTAL CONSTRUCTION SURVEYS DRAWING 2340/T/01 FOR DATUM AND COORDINATE SETOUT. ANY DISCREPANCIES SHALL BE REPORTED TO COUNCIL PRIOR TO WORKS COMMENCING.

DRAWING INDEX	
SHEET NUMBER	TITLE
01	LOCATION PLAN AND DRAWING INDEX
02	YOUNG STREET KOALA CROSSING - GENERAL CONSTRUCTION
03	YOUNG STREET KOALA CROSSING - TRAFFIC CONTROL
04	YOUNG STREET KOALA CROSSING - SIGNALS
05	ROBSART STREET KOALA CROSSING - GENERAL CONSTRUCTION
06	ROBSART STREET KOALA CROSSING - TRAFFIC CONTROL
07	ROBSART STREET KOALA CROSSING - SIGNALS
08	INTERSECTION OF ROBSART AND CASTLE STREET - GENERAL CONSTRUCTION
09	INTERSECTION OF ROBSART AND CASTLE STREET - TRAFFIC CONTROL

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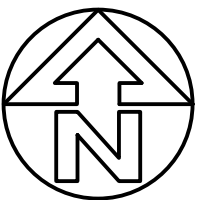
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CITY OF UNLEY

PARKSIDE PRIMARY SCHOOL CROSSINGS

PEDESTRIAN CROSSING IMPROVEMENTS

LOCATION PLAN AND DRAWING INDEX

PRELIMINARY

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JOB NUMBER

20190372

SHEET NUMBER

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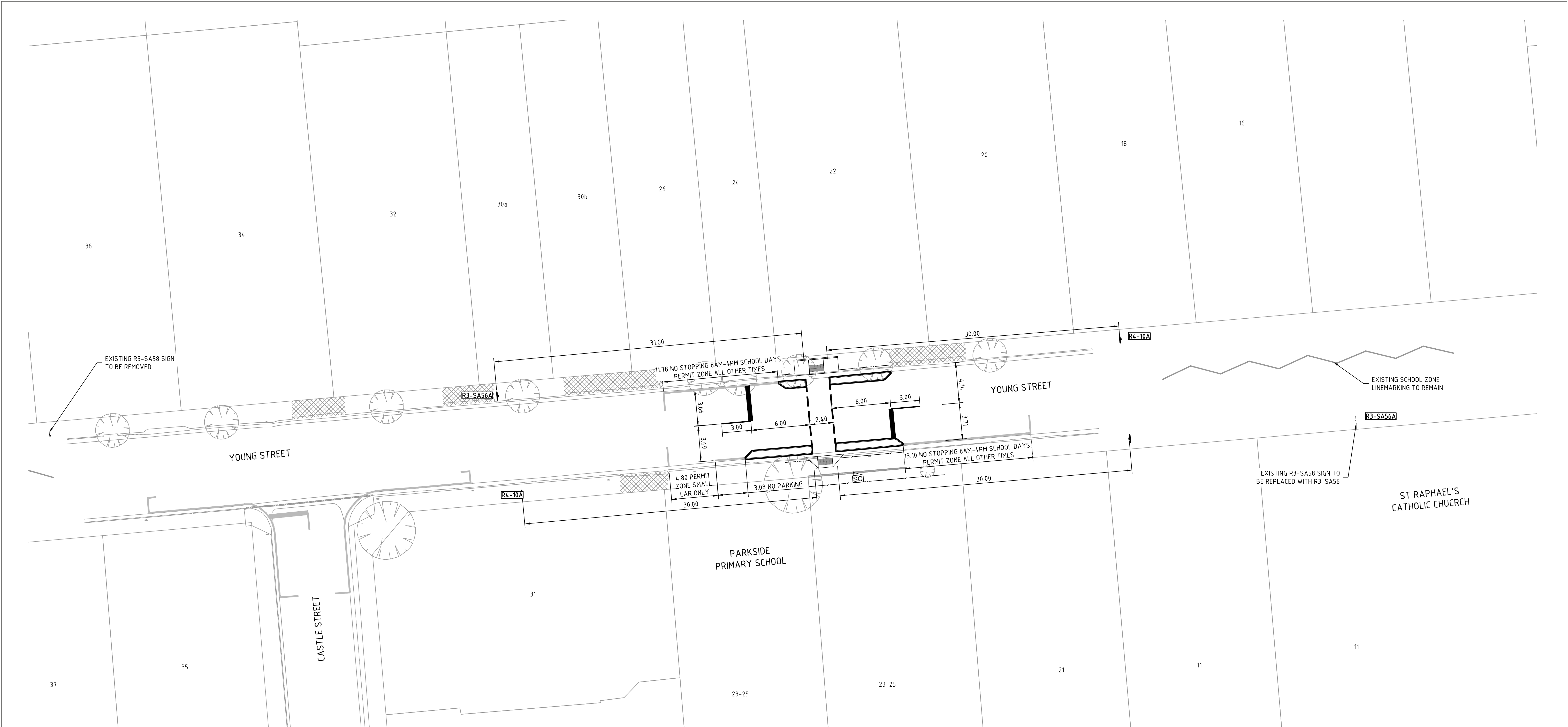
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2	R4-10A	SPEED LIMIT 40 AREA

**TRAFFIC NOTATION:**

- DESIGNED IN ACCORDANCE WITH THE MANUAL OF LEGAL RESPONSIBILITIES AND TECHNICAL REQUIREMENTS FOR TRAFFIC CONTROL DEVICES, AUG. 2012.
- ALL SIGNS AND LINE MARKING IN ACCORDANCE WITH AS 1742 MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
- ALL DIMENSIONS SHOWN IN METRES.
- RETRO REFLECTIVE PAINT ON NEW SECTION OF MEDIAN KERB.

**LINE MARKING LEGEND:**

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	150mm WHITE CROSSWALK LINE, 1m LINE SEGMENTS AND 200mm GAPS
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	STOP BAR 450 WIDE
	SIGNAL CONTROLLER
	"KOALA" PEDESTRIAN CROSSING
	EXISTING DRIVEWAY

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SURVEY DATE:05.03.19

COORDS & DATUM

MGA94 ZONE 54

ALL LEVELS TO A.H.D.

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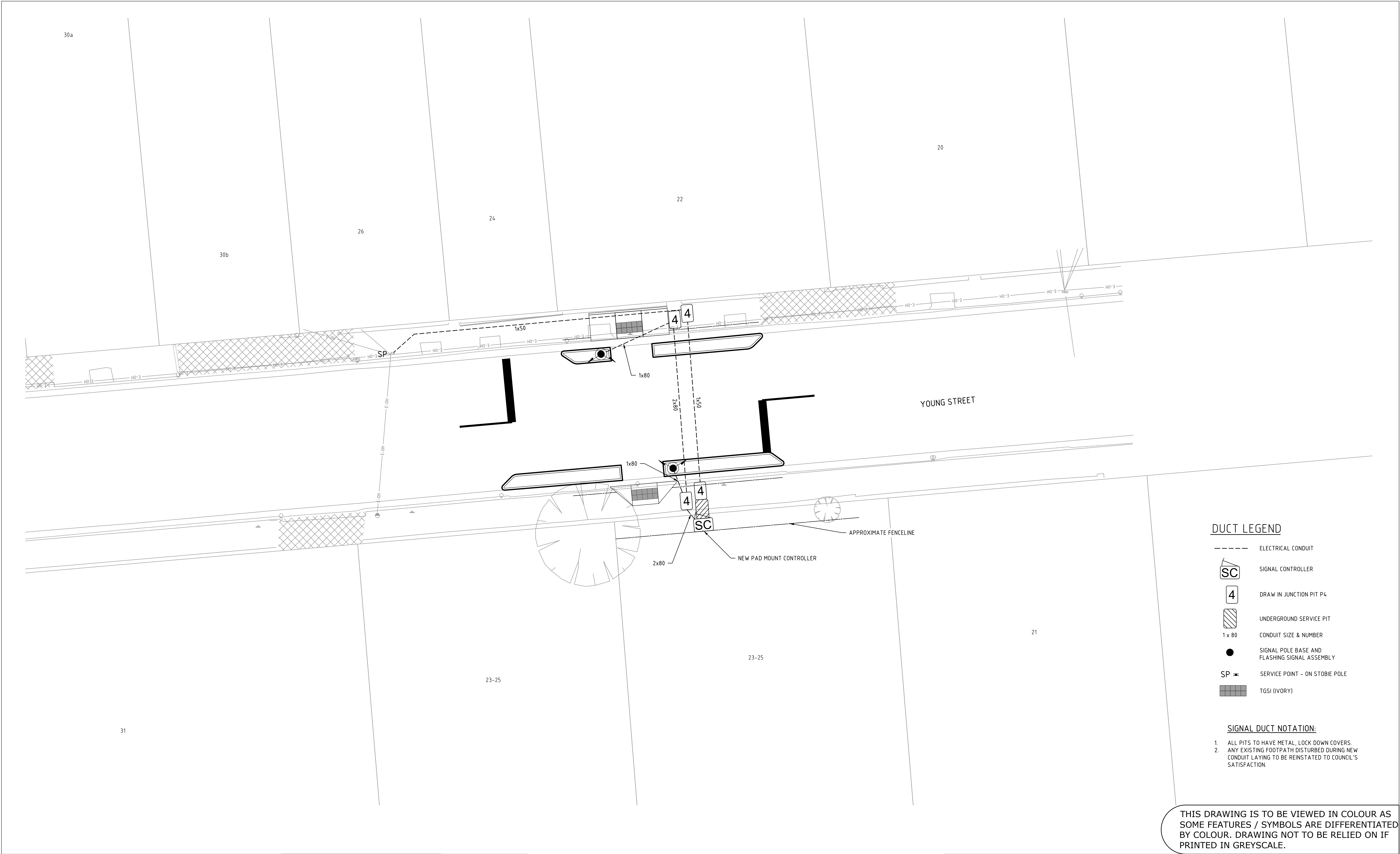
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**CITY OF UNLEY**

PARKSIDE PRIMARY SCHOOL CROSSINGS  
PEDESTRIAN CROSSING IMPROVEMENTS  
YOUNG STREET KOALA CROSSING  
TRAFFIC CONTROL

PRELIMINARY

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- SIGNAL CONTROLLER
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- UNDERGROUND SERVICE PIT
- CONDUIT SIZE & NUMBER
- SIGNAL POLE BASE AND FLASHING SIGNAL ASSEMBLY
- SERVICE POINT - ON STOBIE POLE
- TGSi (IVORY)

SIGNAL DUCT NOTATION:

- ALL PITS TO HAVE METAL, LOCK DOWN COVERS.
- ANY EXISTING FOOTPATH DISTURBED DURING NEW CONDUIT LAYING TO BE REINSTATED TO COUNCIL'S SATISFACTION.

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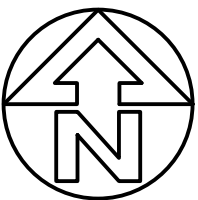
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CITY OF UNLEY

PARKSIDE PRIMARY SCHOOL CROSSINGS  
PEDESTRIAN CROSSING IMPROVEMENTS  
YOUNG STREET KOALA CROSSING  
SIGNALS LAYOUT

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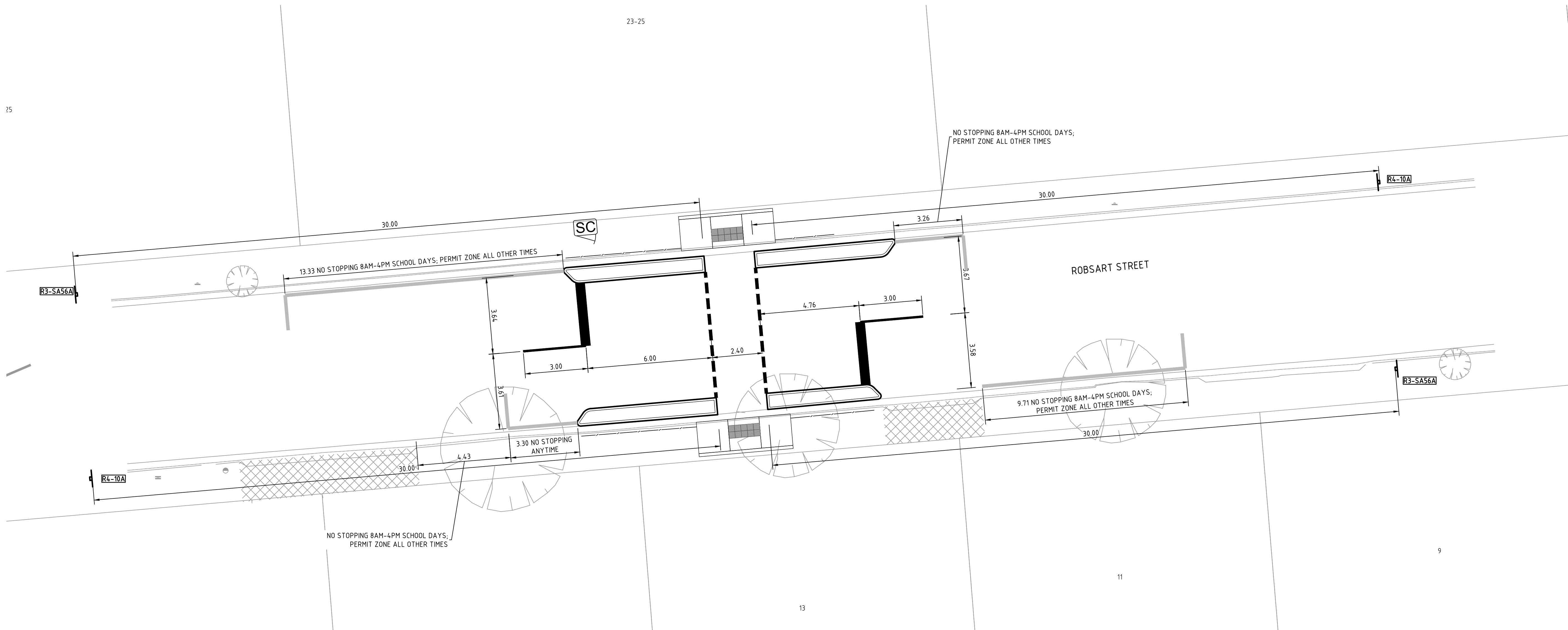
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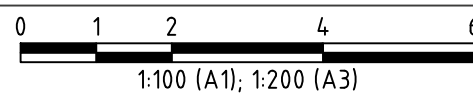
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TRAFFIC NOTATION:

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LINE MARKING LEGEND:

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	150mm WHITE CROSSWALK LINE, 1m LINE SEGMENTS AND 200mm GAPS
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	SIGNAL CONTROLLER
	"KOALA" PEDESTRIAN CROSSING
	EXISTING DRIVEWAY



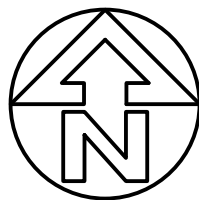
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SURVEY DATE:05.03.19

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MGA94 ZONE 54  
ALL LEVELS TO A.H.D.

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CITY OF UNLEY

PARKSIDE PRIMARY SCHOOL CROSSINGS  
PEDESTRIAN CROSSING IMPROVEMENTS  
ROBSART STREET KOALA CROSSING  
TRAFFIC CONTROL

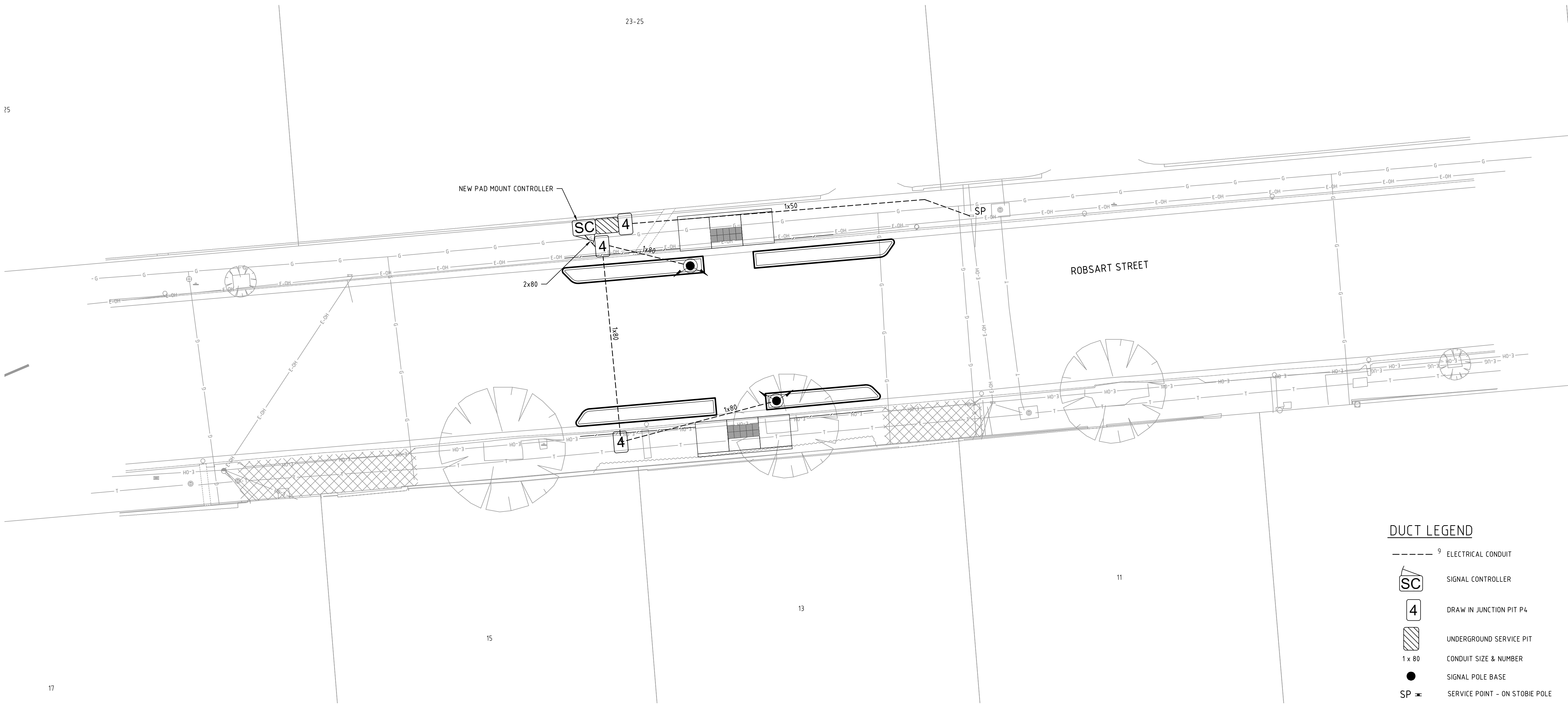
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



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23-25



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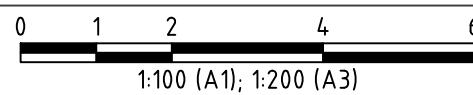
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-  UNDERGROUND SERVICE PIT
-  1 x 80 CONDUIT SIZE & NUMBER
-  SIGNAL POLE BASE
-  SP SERVICE POINT - ON STOBIE POLE

SIGNAL DUCT NOTATION:

1. ALL PITS TO HAVE METAL, LOCK DOWN COVERS.
2. ANY EXISTING FOOTPATH DISTURBED DURING NEW CONDUIT LAYING TO BE REINSTATED TO COUNCIL'S SATISFACTION.

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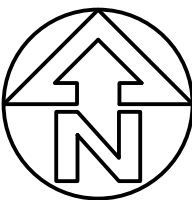
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SURVEY DATE:05.03.19

COORDS & DATUM  
MGA94 ZONE 54  
ALL LEVELS TO A.H.D.

SHEET SIZE

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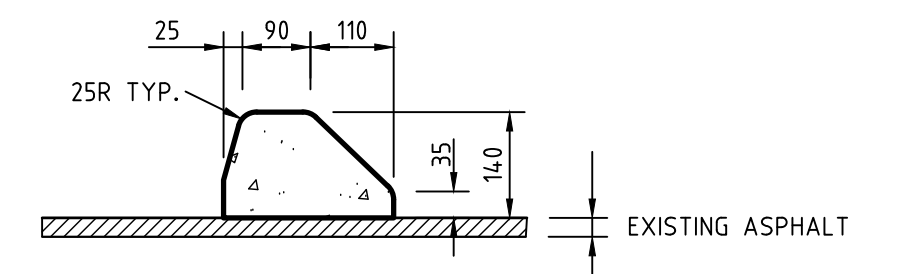
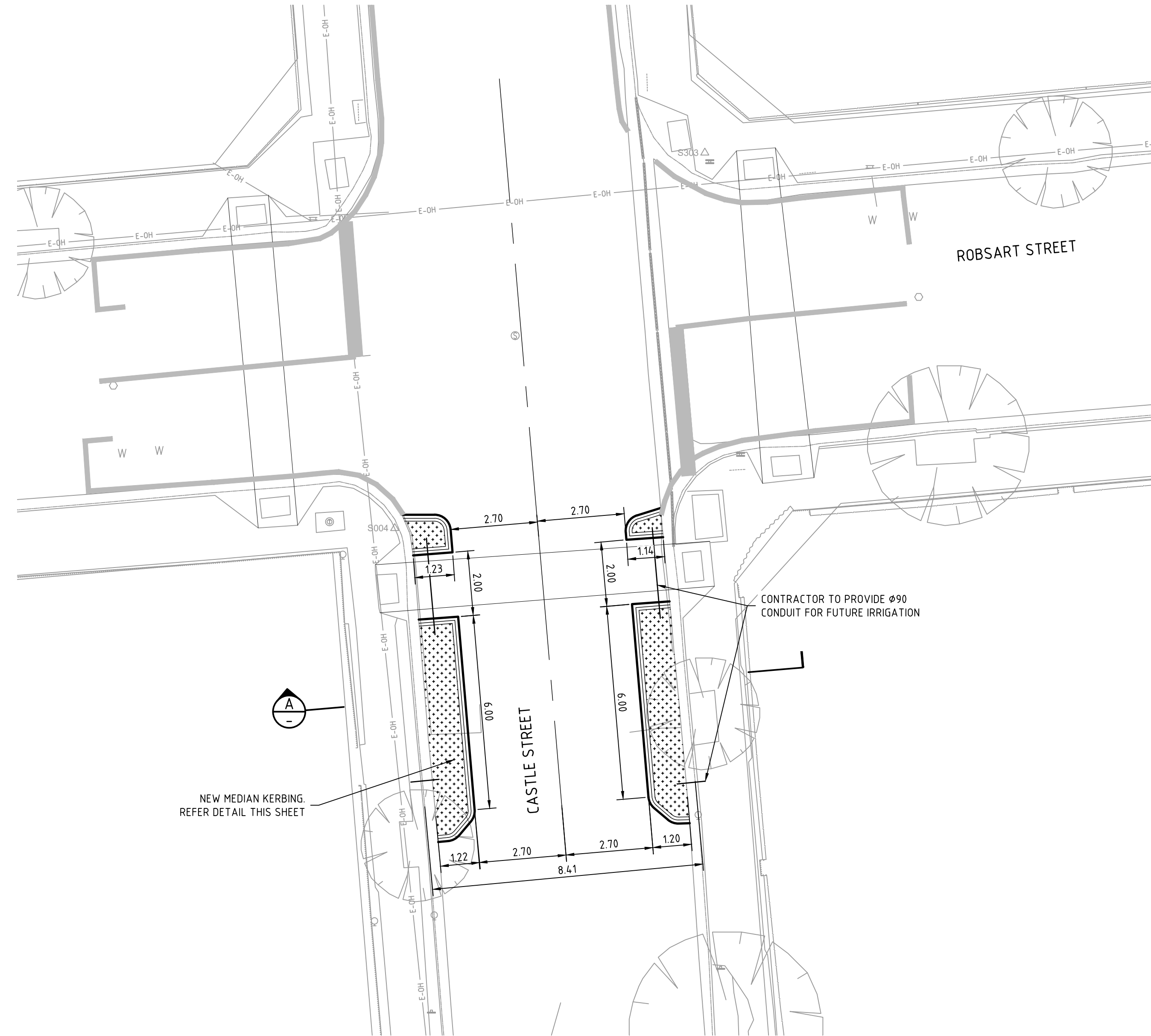
CITY OF UNLEY

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PEDESTRIAN CROSSING IMPROVEMENTS  
ROBSART STREET KOALA CROSSING  
SIGNALS LAYOUT

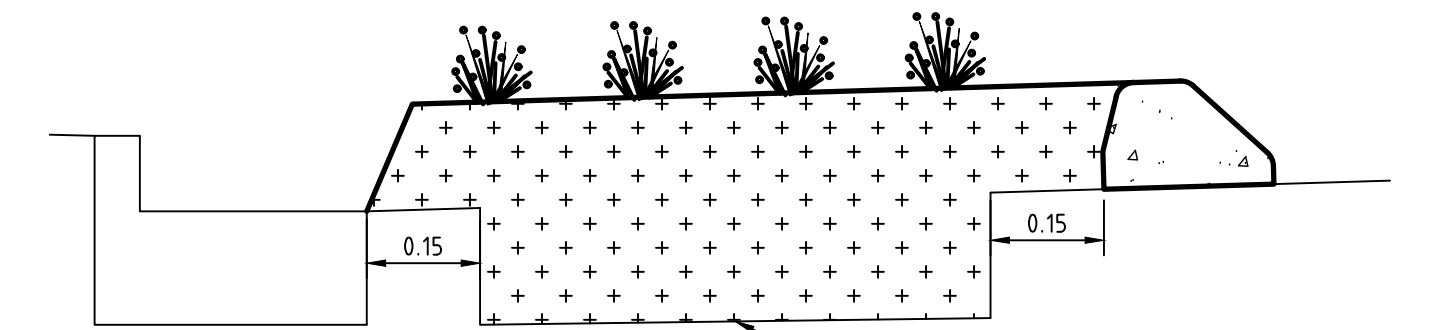
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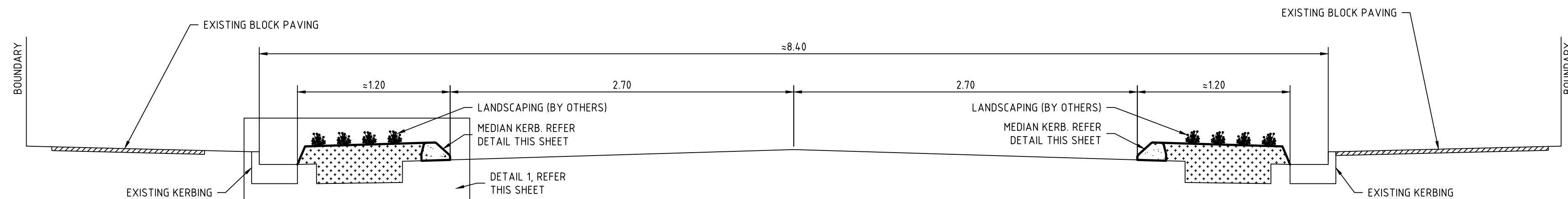
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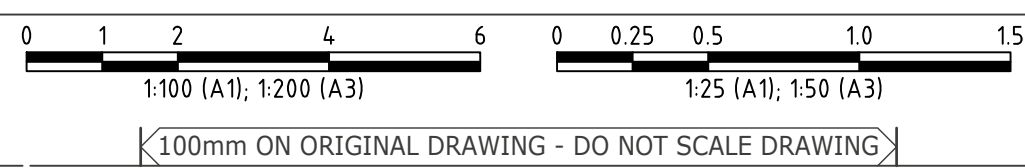
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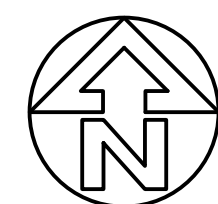
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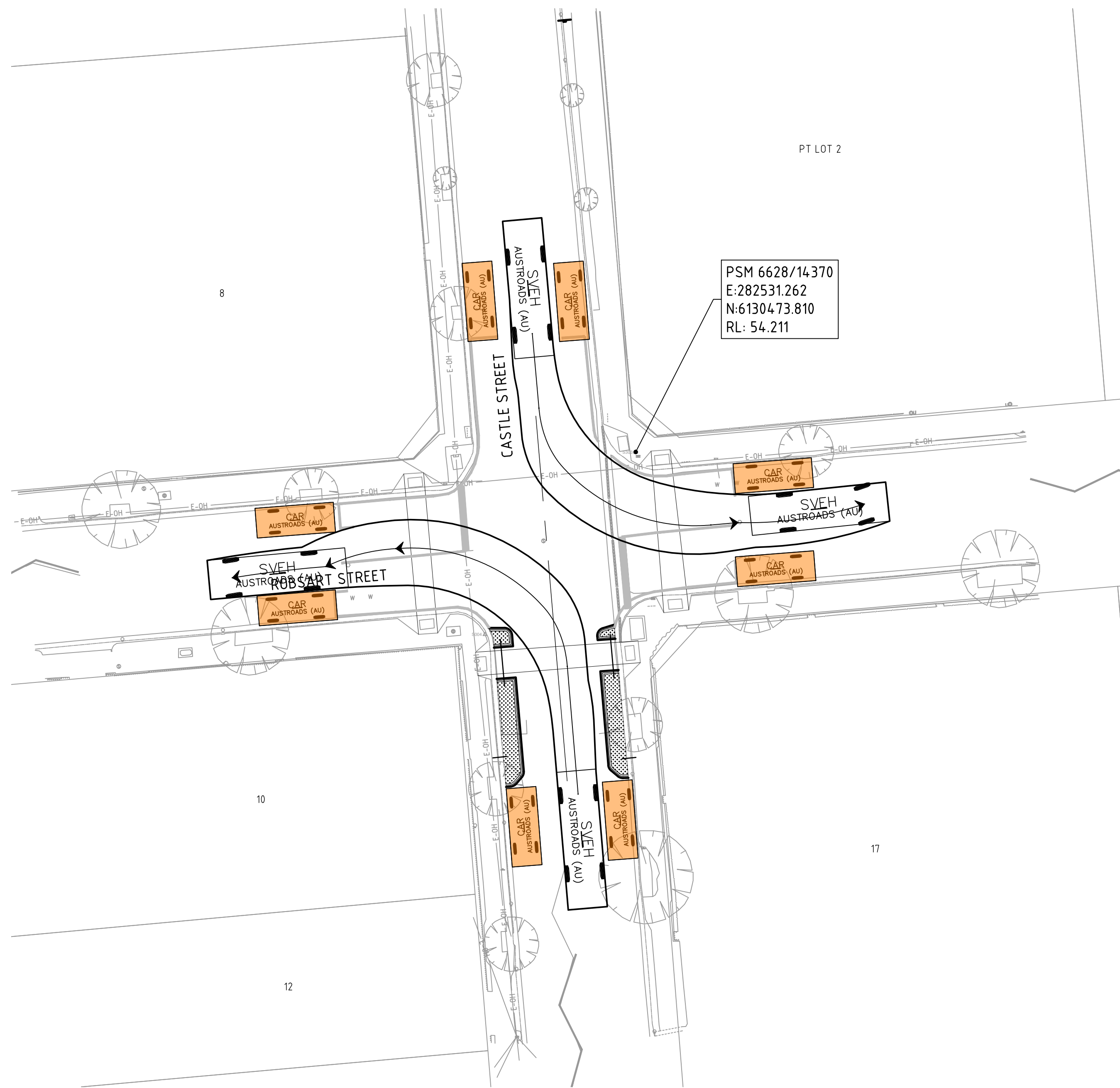
CITY OF UNLEY

PARKSIDE PRIMARY SCHOOL CROSSINGS  
PEDESTRIAN CROSSING IMPROVEMENTS  
INTERSECTION OF ROBSART AND CASTLE STREET  
GENERAL CONSTRUCTION

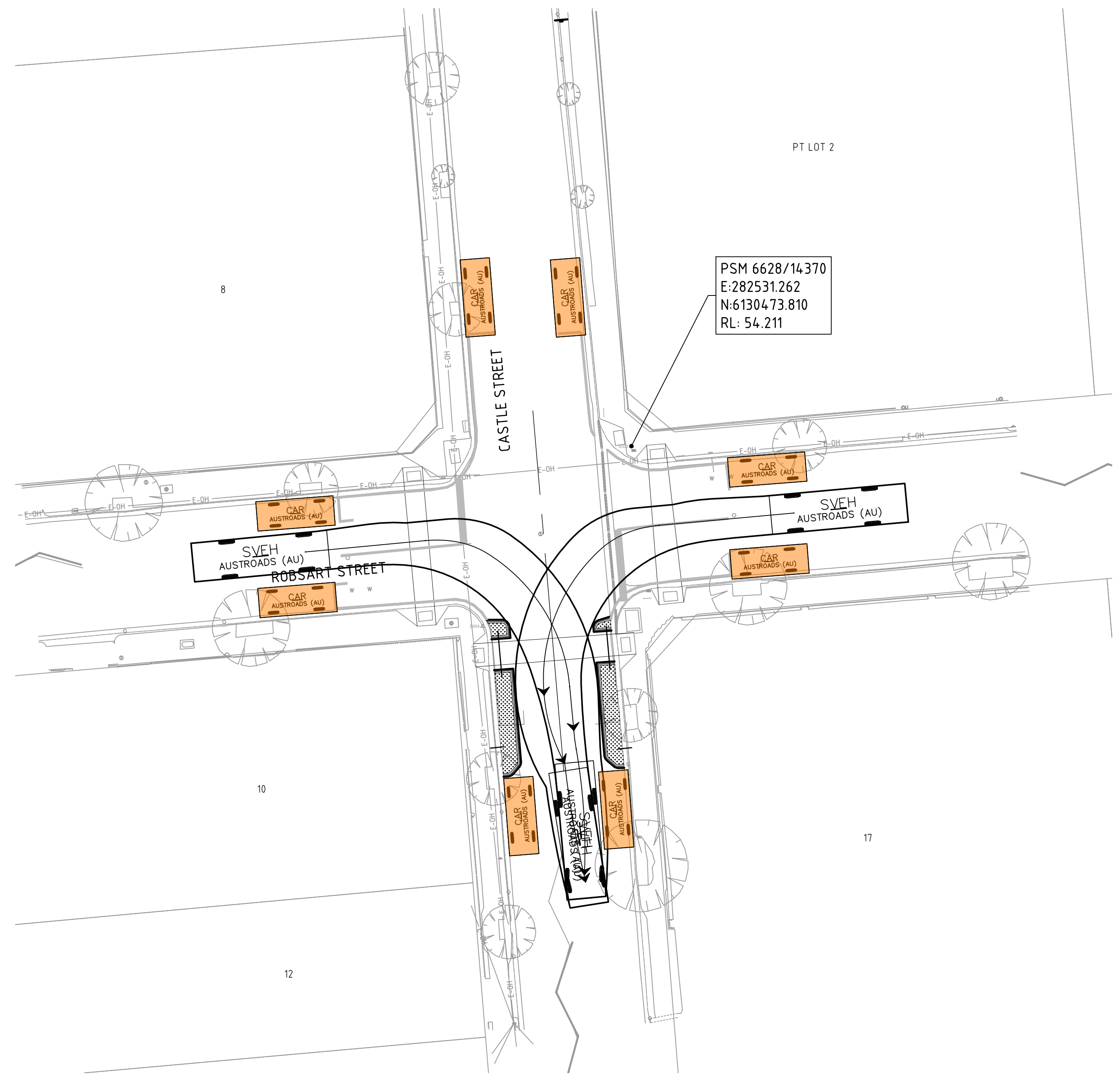
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VEHICLE MOVEMENTS FROM CASTLE STREET ONTO  
ROBSART STREET USING 8.8m 'SERVICE' VEHICLE



VEHICLE MOVEMENTS FROM ROBSART STREET ONTO  
CASTLE STREET USING 8.8m 'SERVICE' VEHICLE

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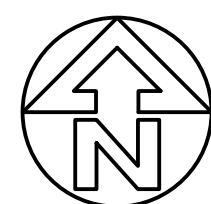
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COORDS & DATUM  
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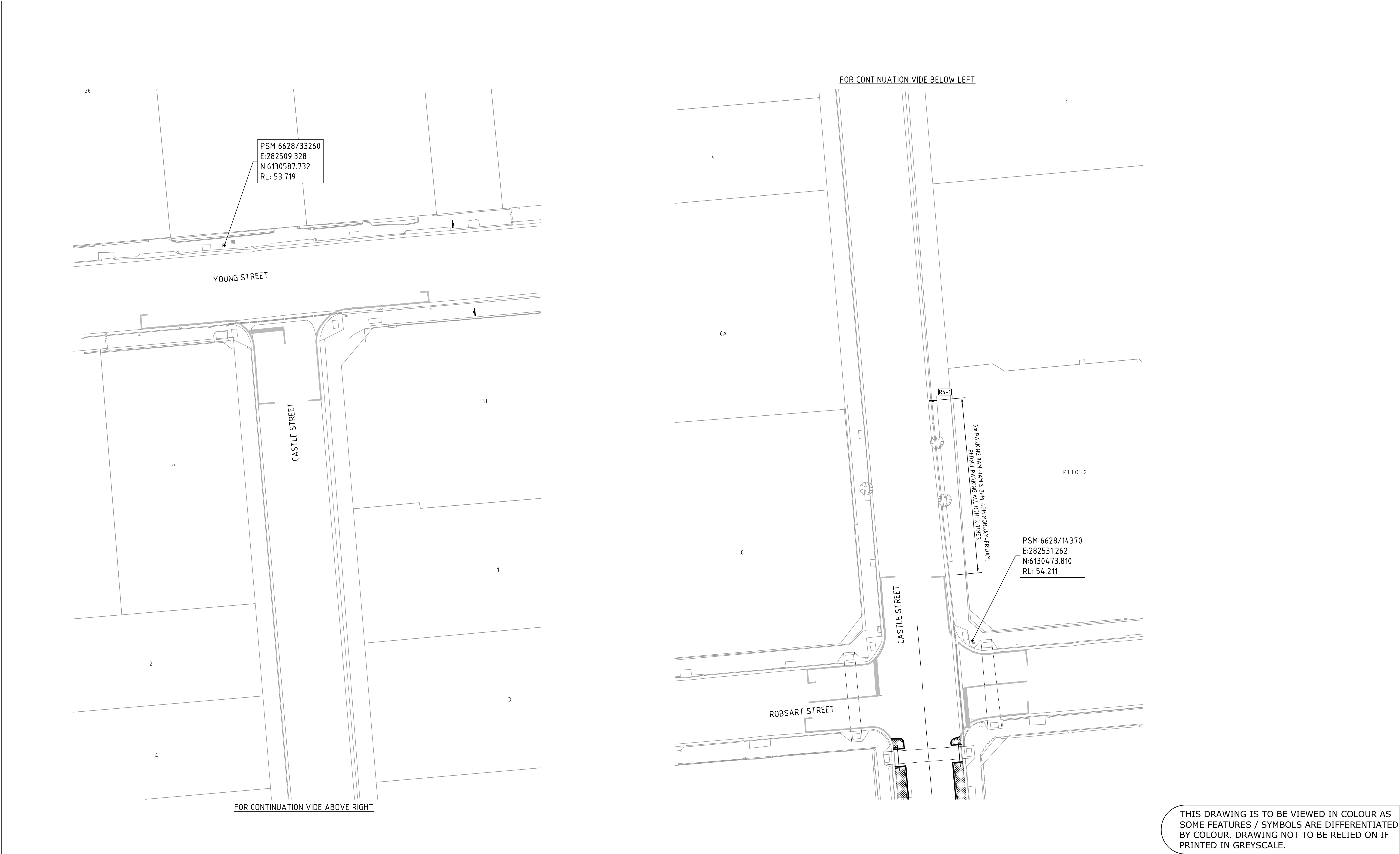
CITY OF UNLEY

PARKSIDE PRIMARY SCHOOL CROSSINGS  
PEDESTRIAN CROSSING IMPROVEMENTS  
INTERSECTION OF ROBSART AND CASTLE STREET  
VEHICLE MOVEMENT

FILENAME:	JOB NUMBER	SHEET NUMBER	REVISION
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20190372L01A\_Parkside Primary Crossing Assessment

15 March 2019

Bill Zissopoulos  
Parking and Traffic Advisor  
City of Unley  
Email: bzissopoulos@unley.sa.gov.au

Dear Bill

PARKSIDE PRIMARY SCHOOL  
YOUNG STREET SCHOOL CROSSING

Further to our recent discussions we provide the following safety assessment of alternative locations for a proposed school crossing (Koala) in Young Street adjacent the western school gate.

The Parkside Primary School has been successful in securing funds for various safety treatments around the school, including a potential school crossing in Young Street adjacent the western school gate. We have reviewed three potential locations for a crossing at a concept level and offer the following comments from a road safety perspective.

We note that there are other issues that will need to be considered as the preferred design is progressed, including impact on drainage, street trees and on-street parking. These matters will be considered separately.



Site Location

Tonkin Consulting ABN 67 606 247 876 ACN 606 247 876  
Level 2, 170 Frome Street Adelaide SA 5000  
Telephone +61 8 8273 3100 | adelaide@tonkin.com.au | tonkin.com.au  
Adelaide | Berri | Mt Gambier | Mildura | Darwin | Brisbane | Sydney

**Building  
exceptional  
outcomes  
together**



Three potential locations for a crossing near the western school gate have been identified as shown above:

1. Opposite the former church frontage (adjacent #30 Young Street)
2. Immediately west of the gate (adjacent #26 Young St)
3. Immediately east of the gate (adjacent #22 Young Street)

One of the fundamental requirements in locating a school crossing is to ensure that it is located on an existing design line (ie route of travel) that will suit most children. The location is also important if the crossing will be monitored, with locations nearer the school being preferred so that teachers can keep an eye on the monitors themselves.

Maximising use of the crossing will obviously maximise road safety, and also reduce the potential for children to cross the road away from the crossing (if it is not installed in a convenient location on the desire line).

We understand that Council has undertaken pedestrian counts at the three school gates (October 2018) that revealed the western gate is most used in Young Street (noting that there is also a gate in Robsart Street). At this western gate:

- 50 pedestrians (25 adults and 25 children) crossed Young Street in the morning peak period
- 26 pedestrians (17 adults and 9 children) crossed Young Street in the afternoon peak period
- Of the pedestrians that crossed Young Street opposite the gate (morning and afternoon), about half walked to/from the west along Young Street beyond the junction with Castle Street.
- Similarly, about half walked to/from the east along Young Street.

From Council's own experience, an appropriately located crossing can actually increase usage of the crossing location. Council recently installed a school (Emu) crossing in Surrey Street adjacent the Goodwood Primary School, and before / after pedestrian counts demonstrates a clear increase in use. To this end, the location of the crossing should ideally suit the majority of current and potential users.

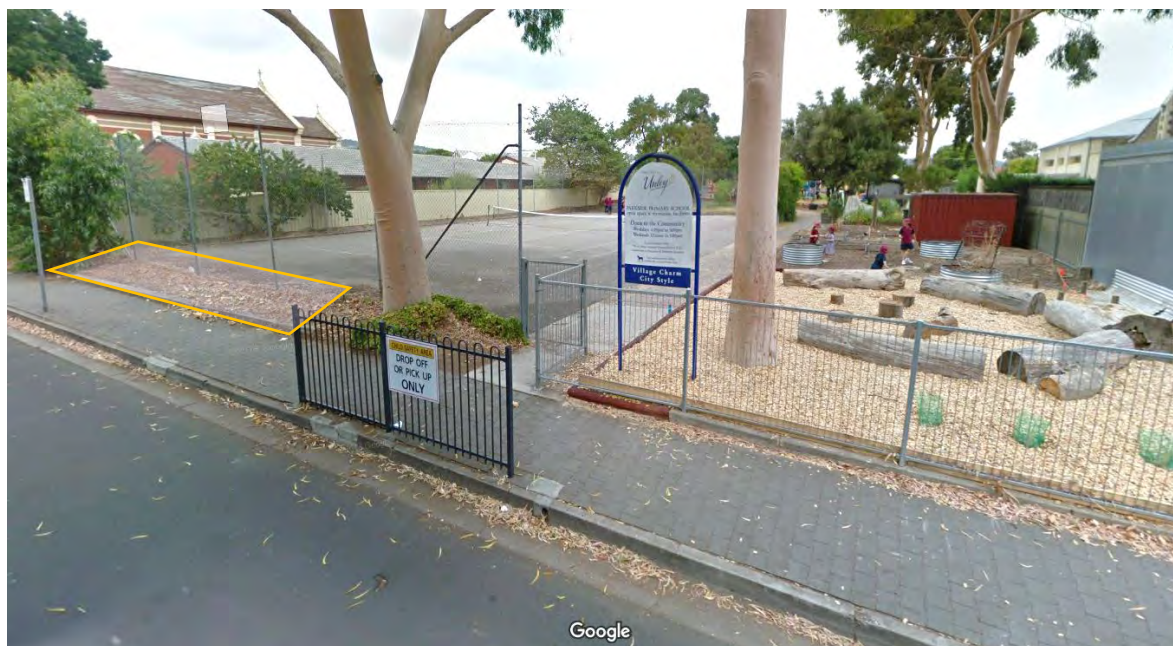
On this basis, we recommend either of locations 2 or 3 adjacent the school gate. Location 1 (opposite the former church) would primarily serve pedestrians walking to/from the western leg of Young Street and is not well suited for pedestrians walking toward Glen Osmond Road. Either option 2 or 3 are considered sufficiently close to the gate to be accessible from either direction of travel.





There is also an advantage if having the crossing located further from the junction with Castle Street to mitigate any queuing and congestion around this junction, noting that option #1 is approximately 20m from the junction.

Of these two locations, Option 3 (east of the gate) has one advantage from a constructability and useability review. In particular, there is a strip of land east of the large gum tree that (subject to the agreement of the school) could be used to widen the footpath behind the school crossing. The existing footpaths are already quite narrow, and the availability of this area would be desirable to facilitate groups of school children waiting to use the crossing at the end of school.



In summary, we believe that either locations 2 or 3 (either side of the existing gate) would suit the majority of existing and potential school children. Option 3 (east of the gate and adjacent #22 Young Street) would be preferable due to the advantages of potentially widening the footpath in this area.

Yours sincerely,

Paul Simons  
Senior Project Manager

Tonkin



## **INFORMATION REPORT**

**REPORT TITLE:** EASTERN REGION ALLIANCE (ERA) CHAIRMAN  
AND CEO REPORT

**ITEM NUMBER:** 1451

**DATE OF MEETING:** 29 APRIL 2019

**AUTHOR:** LARA JONES

**JOB TITLE:** EXECUTIVE ASSISTANT OFFICE OF THE CEO

---

### **1. EXECUTIVE SUMMARY**

The City of Unley is a member of the Eastern Region Alliance (ERA), a group of six eastern metropolitan councils that originally signed a Memorandum of Understanding (MOU) in 2008, then subsequently signed an updated MOU in 2017. The six ERA councils work together collaboratively to share resources where appropriate, and to improve efficiencies across the region for the benefit of ratepayers.

This item attaches a report from the ERA Chairman and CEOs, which is the latest bi-annual report provided to all ERA councils, and covers the period July to December 2018, for the information of Council.

### **2. RECOMMENDATION**

That:

1. The report be received.
- 

### **3. RELEVANCE TO CORE STRATEGIES/POLICY**

#### **Civic Leadership**

Goal 4: Council will listen to the community and make transparent decisions for the long term benefit of the City.

### **4. DISCUSSION**

The City of Unley is one of six eastern Adelaide Councils that form part of the Eastern Region Alliance (ERA), which is made up of:

- City of Burnside
- Campbelltown City Council
- City of Norwood Payneham and St Peters
- City of Prospect
- City of Unley
- Town of Walkerville

The Chief Executive Officers (CEOs) of the above councils meet monthly to discuss issues of mutual interest, while the Mayors and CEOs meet on a quarterly basis.

The hosting and chairing of the meetings is rotated annually in alphabetic order by council name, with City of Norwood Payneham and St Peters the host council in 2018 and City of Unley the host council in 2019.

A report on the activities of ERA is shown in Attachment 1. This is the fifth such report and covers the period 1 July 2018 to 31 December 2018.

*Attachment 1*

## Chairman and CEO Report

December 2018

City of Norwood Payneham and St Peters – Report 2 (July to December 2018)

### Introduction

To ensure that each ERA Council is kept informed on the progress of initiatives, twice yearly reports are to be presented to the member Councils. This report details activity for the period July to December 2018.

### Activity

#### **Economic Development**

##### Regional Economic Development Manager

In the first part of 2017, recruitment of a Regional Economic Development Manager was undertaken for a 0.8 FTE position over a three-year contract period. Bernadette Walsh, the successful candidate, was based at the Campbelltown City Council. Bernadette resigned in September of 2018. A recruitment process for a 0.6 FTE Economic Development Manager position was completed and Abby Threadgold is now appointed to the position.

##### Australian Tourism Data Warehouse (ATDW)

As part of the approved ERA Economic Development Action Plan tourism is identified as one of the four key drivers of economic development. There are a number of related actions that involve ERA continuing to develop its relationship with the South Australian Tourism Commission (SATC), promoting the region's offering, identifying opportunities for tourism operators and businesses, bolstering the regions tourism value proposition, facilitating famils and increasing the number of listings on the Australian Tourism Data Warehouse (ATDW).

The ATDW was established in 2001, to provide the tourism industry with a national content standard and to create a comprehensive, high quality, consumer relevant database of Australian tourism products and destinations content. ATDW works in partnership with all state and territory government tourism organisations (STOs) to collect, quality assure and manage the wide range of tourism products in the database.

The database enables distributors to pick and choose which product listings, categories and regions they wish to publish on their digital channels, and they can apply their own style and branding. This content is available for online publication through ATDW's multi-channel distribution network. ATDW's content platform consist of over 40,000 quality assured tourism listings and 175,000 images across 11 product categories.

In the metro Adelaide region, there are approximately 500 listings and around 60 of these are from within the Eastern region. In analysing the listings for a six-month period in 2018, there are a number of regional listings that are receiving a significant number of leads and activity as well as some which could benefit from some further education on how to improve the quality of their listing.

It has been agreed by the CEOs that it would be beneficial for the Eastern Region to become a distributor. The ERA website would be able to hold the content, and success of the site can be measured based on traffic through Council web pages, the ERA website and by having discussions with the listed businesses specifically as per their individual traffic.

ERA requested a free 90-day trial which has been approved. Each Council provides information to the ATDW so that distributor registrations can occur and for data to be tested "live". Each participating Council will have their own agreement and fees in place post the free trial. An outcomes report will be provided to ERA following the trial for a decision on whether to commit for the next 12 months.

Sessions will be run with the SA Tourism Commission to provide information on ATDW. The benefits of the ATDW will be promoted and communicated to tourism operators and businesses and there will be an aim to increase the number of regional listings over the next 12-18 months.

The ERA Economic Development Manager will continue to work with the ATDW and Economic Development Managers regarding measures of effectiveness during the trial period and a potential distributor manual or guide.

#### 2018 State Budget Overview and Opportunities

The ERA Economic Development Manager provided a State Budget Overview and Opportunities report to the ERA CEOs Group. There are a number of opportunities for the Eastern Region that will be further developed into business cases and reports prepared for ERA consideration and decision-making going forward. The current Economic Development Action plan is geared towards delivering and achieving on some of these potential opportunities and this alignment and potential will be presented and further explored in a 12-month proposed priorities report in the near future.

#### Economic Development Key Deliverables and Council Feedback

The ERA Economic Development Manager provided an updated version of the Economic Development Framework and Action Plan for January 2018 to December 2020 for the CEOs Group to review and provide feedback.

Abbey has been meeting with key stakeholders and external organisations to be able to review the economic development key deliverables. Feedback from the stakeholders and organisation is that they see a lot of value in ERA and the collaboration work. Consistent feedback across CEOs is to look at approximately 6 deliverables to focus on initially.

ERA Councils want to make sure there is no duplication in the work they are already concentrating on and the current work of the individual ERA Council's needs to align with the ERA economic development work. For example, the welcome kits for new businesses will include the synergies of the region and there will be provision for localised information to be provided by each Council.

The CEOs recognise that all ERA Councils will have differing priorities in the economic development space, and it is important that the ERA Economic Development Manager's direction is supported.



Feedback was collated from the ERA Councils and given the general support by five of the six ERA Councils and the need to build on the momentum gained through the interim work of both the ERA ED Manager and the ERA ED Managers Group, the two deliverables to be focussed on in the short term will be:

1. The region wide cluster mapping and engagement exercise (already underway). A next step is to create maps for each Council area and to apply REMPLAN stats as complementary data to the visuals.
2. The development of a regional prospectus which seeks to capitalise on new data sets and economic profiling now available through REMPLAN (economic resource recently acquired by ERA Councils). The prospectus is an important tool to help raise the profile of the region, support with investment attraction opportunities and help in achieving advocacy and grant and funding opportunities as they arise. It would be built as a living, breathing document with a long shelf as we will need to ensure its content stays current and relevant, in line with the regional business and economic environment and activity. The content developed would also be used to refresh and update the ERA website.

### **LGA Governance Review - GAROC**

The ERA CEOs wrote to the LGA providing its position regarding the composition of GAROC and the nominations process. ERA would like the East Region represented by the current ERA Councils. The ERA CEOs also discussed the timing of the GAROC nominations and the consultation of the ancillary documents. Concerns were raised over the nominations process and that it seemed premature. The LGA advised that part of the reason for the timing was to ensure that the term of the incoming LGA President wasn't disrupted. The LGA was aware that given this timing, a GAROC Member may not be re-elected during the Local Government Elections and that the GAROC boundary areas are yet to be finalised.

A report prepared by Norwood Payneham and St Peters was circulated to ERA Councils to assist with consistency in seeking nominees for GAROC.

Nominations closed on 24 August for the 8 GAROC positions available and the GAROC Members were confirmed at the LGA AGM.

The LGA Board will be made up of 3 members from GAROC and 3 from SAROC plus the LGA President and the LGA Immediate Past President. This was problematic in 2018, given the Local Government elections and the fact that some appointees may not be re-elected. It is noted that the timing of the LGA AGM in an election year needs to be considered. The LGA could swap the OGM and AGM or move the AGM out to December/January in an election year.

### **Move It Aus. – Better Ageing Grant Opportunity**

The 'Move It Aus.' grant program was released by the Australian Sports Commission on 20 September 2018. Offering successful applicants up to \$2m over two years, applications closed on 31 October 2018, with successful applicants to be notified in December 2018. Projects will be completed by December 2020. The program funding has the objectives to:

- Get inactive older Australians active
- Enhance older Australians' understanding of the benefits of regular physical activity including physical and mental wellbeing, and the benefits of social connectedness
- Enhance the capability and capacity of organisations and staff responsible for delivering age-appropriate activities to older Australians.

While a joint ERA application was not submitted on this occasion, the City of Unley submitted an application.

## Planning Reform

Ms Anita Allen and Mr Michael Lennon of DPTI provided an update to the ERA CEOs on the Planning Reform program.

The PDI Act is scheduled to be fully operational by July 2020, this date has been set by Parliament. Each Council will be provided with a dedicated DPTI Transition Manager to assist each Council and their communities to get ready for the new planning system. Mary Ellen has been appointed to assist with this process and will be the point of contact for Councils.

The current 72 Development Plans will be replaced with the new Code. The ePlanning solution will support the new system and will replace the need for Council only systems to process DPAs. The Code will be delivered in three phases:

1. Land Not Within A Council Area (outback areas) (mid-2019)
1. Regional Councils (late-2019)
2. Greater Adelaide Councils (mid-2020)

Following the presentation, a number of questions and comments were responded to by Ms Allen and Mr Lennon. Some questions related to operational matters, however, a number of concerns were about the proposed Code and how this would be transitioned, including concerns with how character and heritage would be dealt with.

The transition into the new planning system is of particular concern to the ERA Councils and it is expected that each Council will continue to individually deal with issues specific to their area and where appropriate, collective responses will be made.

## Planning Arrangements – Regional

The Planning Agreements set out in the PDI Act can be administered through a Joint Planning Board. The intent of the legislation is that the Joint Planning Boards have more autonomy than for example a Local Government Regional Subsidiary.

The project was initially intended to be a competitive process and expressions of interest were invited and DPTI would select who would be involved in the various pilot projects. The project has now moved from a competitive process to keeping all the groups who have expressed interest involved with a possible self-assessment process to occur in the future.

Several Councils are engaging in pilot projects however, there is currently no metropolitan Council participating. Jeff Tate Consulting has been engaged by DPTI and he provided a presentation to the ERA CEOs. Jeff thought there was very little benefit in ERA participating at this point in time as the work of interest to ERA will occur later. It is too early to do anything until there is more clarity around the issue.

ERA is keeping a watching brief on the matter and will follow up to see how the project is progressing.

## **Procurement Policy**

The Northern Adelaide Waste Management Authority (NAWMA) has a contract for paper and cardboard recycling and plastics recycling. At a meeting held with the City of Prospect it was suggested that NAMWA, East Waste and the Southern Region Waste Resource Authority (SRWRA) work together and talk with producers to get some feedback. The Australian Standards are yet to incorporate the issues with China Sword.

A letter was prepared to Minister's Knoll and Speirs regarding the current issues and the CEOs agreed that this letter should go via the LGA.

A letter was also sent to all CEOs regarding next steps and possibly investigating a business model on the commodity recycling material issues.

A future presentation is expected to be given to the Mayors and CEOs Group.

## **Resilient East**

Commencing with Federal funding in 2014, the Resilient East Project is an initiative between the cities of Adelaide, Burnside, Campbelltown, Norwood Payneham & St Peters, Prospect, Tea Tree Gully, Unley, and the Town of Walkerville. The project is hosted by the City of Unley on behalf of the participating Councils. Resilient East is funded by the eight partner Councils, the Department of Environment, Water and Natural Resources, South Australian Fire and Emergency Services Commission, and the Adelaide and Mount Lofty Ranges Natural Resources Management Board.

In November 2016, the CEOs approved a request to fund a 0.5 Regional Coordinator position, with funding subsequently matched by the NRM to coordinate the implementation of the plan across the region and Regional Coordinator, Tim Kelly, was appointed.

The Resilient East Climate Change Adaptation Plan was completed in 2016 and is being implemented under a Climate Change Sector Agreement with the South Australian Government (signed on 23 March 2017). A Resilient East Project Steering Group (PSG) oversees the implementation and includes membership from across the eight participating Councils. The PSG reports progress twice yearly to the ERA CEOs Group. The goal of Resilient East is to ensure our communities, assets and infrastructure, local economies and natural environment are resilient to the impacts and challenges of climate change.

In 2017/18, four priority actions were identified by the Project Steering Group (PSG), addressing heat mapping, canopy cover, water sensitive urban design, and a review of street tree species. Each action was identified with outcomes and milestones to be achieved. Three Action Working Groups were established to collaborate on the actions, noting that one working group covered two actions, with progress to be reported to the Resilient East PSG on a quarterly basis. The Resilient East PSG developed a number of priority actions to be undertaken in 2018/19, in order to continue the implementation of the Resilient East Climate Adaptation Plan. These actions have been endorsed by the ERA CEO's and include progression of the heat mapping and canopy cover work completed to date.

The work undertaken during 2017-18 focused on the following four actions:

- Heat Mapping
- Developing a Mission and Strategy for Canopy and Green Cover
- Street Tree Species Review
- Developing a Mission and Strategy for Water Sensitive Urban Design (WSUD)

Each Action is undertaken as a collaborative task, through an Action Working Group with defined outcomes and milestones.

### Heat Mapping

The aim of the Heat Mapping Project is to provide a sound scientific foundation for decision making about informing Council planting programs and projects. Heat mapping, together with visual imagery and canopy assessments will assist Councils when engaging on development issues (eg the Planning Design Code) with State Government agencies.

The costs of the heat mapping exercise have been shared across the eight participating Resilient East Councils as well as the City of Salisbury who also participated in the project. This collaboration has helped to reduce the costs for each Council.

The heat mapping flyovers were carried out in March 2018, under the ideal conditions of a clear hot day above 35 degrees, followed by a clear warm night where the re-release of accumulated heat could be photographed with thermal sensing equipment. The full set of images will be available for each individual Council area and users will be able to zoom in to an individual street or property within a 2-metre resolution.

The Preliminary Report of the Eastern and Northern Region Heat Mapping Project has been received by the Resilient East Steering Group and the next phase will cover the provision of data to Councils, preparation of case studies and a final report due by the end of 2018.

A strategic approach to future heat mapping is being explored with the State Government for the efficient collection of heat maps and vegetation (tree canopy) images on a five-year cycle, which would be aligned with the State of the Environment reporting. This approach is designed to reduce duplication of effort across the Councils and to share costs with other agencies and organisations that seek to access the same data.

### Mission and Strategy for Canopy and Green Cover

The Mission and Strategy for Canopy and Green Cover has been developed as a region wide commitment to support the existing planting programs of and management of street trees whilst working towards clear goals aligned with the Government's 2045 canopy and green cover targets.

The report discussing the Mission and Strategy for Canopy and Green Cover has been provided to ERA Councils.

### Street Tree Species Review

The purpose of the Street Tree Species Review is to provide a resource for Resilient East Councils to select plant species and associations (e.g. ground covers) that can cope with a changing climate. The outcome will be a species list and informative guidelines on the suitability of species in a local environment, considering climate change, localised soil moisture conditions, and suitability given constraints on roots and power lines. The Street Tree Species Review brings together the best knowledge from across the Councils, the Botanic Gardens, SA Power Networks and other external sources. The final document will include a separate section for associations (shrubs and understory species) with guidance for optimising amenity and biodiversity outcomes.

The List has been drafted and a workshop was held to rate the climate and resilience of species and sub species against different criteria. In undertaking this work, the Action Working Group has engaged with SA Power Networks and is planning further engagement with other organisations including the Department of Planning, Transport and Infrastructure, the LGA and SA Water.

By enabling Councils to select street tree and shrub species that will be suitable for their conditions in a changing climate, the Street Tree Species List will assist the Councils towards their canopy and green cover goals.

### Mission and Strategy for Water Sensitive Urban Design (WSUD)

The Mission and Strategy for Water Sensitive Urban Design is being developed as a regional approach to support Councils in the implementation of WSUD principles in projects which are being undertaken by ERA Councils.

WSUD principles, when integrated with stormwater and other infrastructure and open space projects can deliver multiple benefits to improve the quality of stormwater runoff and to improve water detention and infiltration, increasing soil moisture which in turn supports healthier tree canopy and green cover. Maximising WSUD outcomes in infrastructure is therefore considered an important contribution to climate adaptation for supporting cooler more liveable places.

The Action Working Group charged with developing the Mission and Strategy for Water Sensitive Urban Design has met twice and collected a range of data and information. The Working Group includes a representative from Water Sensitive SA who is providing knowledge and guidance. It is intended that the Mission Statement and Strategy includes actions to promote the successes, case studies and the benefits of WSUD outcomes.

When completed a draft of the Mission and Strategy for Water Sensitive Urban Design will be presented to the Resilient East Steering Group and ERA CEOs.



## Resource Sharing

This is a standing agenda item at CEO meetings, where progress on numerous collaborative initiatives between ERA Councils is shared. Some of these include integration of the Walkerville and Campbelltown depots; investigation of shared IT functions between Campbelltown and Walkerville, and Unley and Adelaide; shared inspectorial services between Unley and Walkerville; and Prospect's investigation of depot options with Adelaide, Campbelltown and Port Adelaide Enfield (PAE).

As staff secondments are also a standing agenda item for CEO meetings, an ERA Secondment Practice Paper was endorsed at the September 2017 meeting. The paper adds some structure and outlines due process to ensure that no Council is disadvantaged.

No staff secondments occurred between the ERA Councils between July and December 2018.

## Solar Lighting

The ERA CEOs received a presentation from representatives from Green Frog Systems including background on the company and what services are offered.

Green Frog Systems are an Adelaide based manufacturer and have been in business for approximately 7 years. They are the largest company in Australia of their kind and offer the most advanced solar lighting in the world.

They are currently working with a number of Councils around Australia (approximately 150). A number of Councils are looking at solar lighting for parking areas and reserves. The challenges that have been identified by Councils are mostly around crime, community safety, leisure and culture. Public open spaces are generally seen as unsafe now if they are not well lit.

Some of the benefits of solar are enhancing public safety, reducing crime, reducing carbon foot-print and solar is also very cost effective.

The technology in Australia is world leading and with matched funding from the Federal Government in 2018 this will ensure a \$1.5m commitment to further innovation in solar lighting in Australia. The LED lights used by Green Frog Systems are significantly brighter and require less power.

In terms of ongoing costs, the batteries require replacement every 5 to 7 years and cost approximately \$500 – that is the only ongoing cost. The lights have a 30+ year life.

Green Tree Frog are currently looking to integrate cameras, facial recognition, being able to turn them off and on from the office and patenting the weather predicting analysis. Solar lighting will be the same if not more reliable than mains power and a lot cheaper. Green Tree Frog are also working with CSIRO and the Bureau of Meteorology in terms of the weather feature.

The ERA CEOs discussed a possible future joint procurement process that could be undertaken as a regional opportunity. ERA Councils will need to collate information for their respective areas. Ideally ERA could initiate a procurement process using Green Frog Systems as a preferred supplier. This would require an open tender process in the first instance through ERA.

## Subsidiary Updates

The ERA Mayors and CEOs agreed that they would like to receive regular (twice per year) presentations from the General Managers and/or Chairpersons of each subsidiary updating ERA on their activities and also as a forum to discuss any current issues. ERA Water is scheduled to provide an update to the ERA Mayors and CEOs Group in the first half of 2019.

### Eastern Health Authority Update

The Chief Executive Officer, Michael Livori, provided an overview to the ERA Mayors and CEOs on EHA's structure and what they are currently working on.

Protection for health is a key function of EHA as detailed in the 'Regional Public Health and Wellbeing Plan'. EHA provides a range of public health functions to ensure member Council meet their legislative responsibilities. The three main function areas are food safety, public health and immunisation. The Food Act 2001 is the predominant legislation EHA works under with a legislative and advice driven philosophy.

The current state of food safety in Australia includes 4.1 million cases of foodborne gastroenteritis each year. Australia has one of the highest rates of salmonella in developed countries. EHA has dealt with 80 cases of notified salmonella food poisoning involving 11 food businesses. Sources of contamination are commonly egg related and it is often difficult to identify the source.

There is now a national 'Australia's Foodborne Illness Reduction Strategy 2018-2021' and state-wide regulatory standardisation and reform. EHA is locally providing communication, education, thorough routine inspections and audits, training and applying the enforcement policy where required.

In terms of public health, there is a lot of monitoring and inspections occurring through EHA in high risk areas. EHA investigates on a range of disease outbreaks, hazardous waste complaints and clandestine drug laboratories.

EHA delivers immunisation services to public clinics, worksite visits and school programs. An online appointment booking system was developed in 2018 and there has been an 18% increase in clients in 2017/18. School programs coverage rates are approximately 5% higher than the state average and EHA is negotiating an agreement with the Department of Health for funding.

Hoarding and squalor is classified by the World Health Organisation as a 'Medical Disorder'. There are extremely complex issues involved and the SA Health Foot in the Door Guidelines are assisting with an interagency approach. EHA works with the Housing Garage and the Department of Human Services when there are issues with relocating members of the community. The overall issue resides with EHA.

Funding contributions are determined by the EHA Charter formula and is estimated on the proportion of EHA's overall activities. 70% of funding comes from Councils and 30% comes from other sources. EHA has the most FTE EHO's per resident and provides the highest number of public clinic vaccinations.

EHA workforce challenges include the environmental health complexities, recruitment and continuity of appropriately qualified staff. Benefits of the EHA model include the single focus on public health protection, critical mass of numbers and ability to build and maintain organisational capacity with excellent levels of proficiency from specialised staff with appropriate backup.



In relation to the current Aged Care Enquiry and NDIS facilities and EHA's role, it is more closely aligned with the disability sector. EHA doesn't have a role currently if the facility is accredited and Commonwealth funded and if they are non-accredited, it sits with the Supported Residential Facilities (SRF). EHA only has a role in terms of food safety and illness. In the future the National Disability Scheme funding won't go to the facility anymore, it will go directly to the client. Councils may have a role in the SRF's in the future that are exempt from the Minister if the funding situation is changed. The DHS were due to provide some information to EHA on the direction they will be going by the end of 2018.

The Mayors and CEOs discussed the value proposition of EHA and that the services provided by EHA are not understood by Member Councils. It was agreed that the graphs and statistics provided in the presentation should be treated as the baseline and data should be revisited every 2-3 years as a benchmarking exercise.

Mike meets with a representative from each Member Council at the moment to keep them updated on what EHA is working on. The ERA Mayors and CEOs would like to see forecasts undertaken to determine what services will be delivered in the future, what will be the focus areas in 10 years' time. Some of the EHA functions are fixed by regulatory requirements that are placed on Councils and whilst EHA is evolving to be the best at what they do in Australia, it is worth exploring from an administrative perspective, what EHA's roles and responsibilities could be in the future.

With Council Elections this year, the CEOs discussed EHA appointments for new Council Members. A report was drafted by Prospect Council providing the strategy position and recommending that an Officer and a Council Member be appointed.

### **Waste Forum**

Craig Reucassel was engaged as a Keynote Speaker to provide a session for Prospect Council staff on 12 March 2019 regarding waste with a focus on operations and what they can do better in terms of recycling, Mr Reucassel was also engaged to provide a forum on 12 March to Elected Members and Senior Staff including a Q and A session. Prospect also invited the ERA Councils to attend the session, specifically Elected Members and Senior Staff.

### Action List – ERA CEOs Group

	What
1	<b>China Sword</b> Provide an update to the Mayors and CEOs on the letter to Minister's Knoll and Speirs and possible business model.
2	<b>Economic Development</b> Receive quarterly updates from Manager
3	<b>EHA Benchmarking and Indicators</b> Unley looking into indicators that are being used interstate and will participate in future surveys
4	<b>Regional Planning Boards</b> CEOs to follow up as to the progress of the project and report back to the Mayors and CEOs.
5	<b>Resilient East</b> Receive quarterly updates from Coordinator
6	<b>Strategic Plan Action List</b> Review within 12 months of the LG Elections
7	<b>Watching Brief</b> <ul style="list-style-type: none"> <li>Emergency Management – Continue to keep in contact with the LGA regarding the regional Emergency Management Plan development.</li> <li>PDI Act</li> </ul>

### Action List – ERA Mayors & CEOs Group

	What
1	<b>Subsidiary Updates (Six monthly)</b> Two at a time. Next being ERA Water due at the March meeting.
2	<b>State Election Results</b> Follow up on invitation to Minister Knoll to attend a future meeting to discuss the ERA Strategic Plan.

## DECISION REPORT

**REPORT TITLE:** AUTHORISATIONS TO BE MADE AND REVOKED –  
INSTRUMENT OF GENERAL APPROVAL AND  
DELEGATION TO COUNCIL FROM THE MINISTER  
FOR TRANSPORT

**ITEM NUMBER:** 1452

**DATE OF MEETING:** 29 APRIL 2019

**AUTHOR:** DALLIS VON WALD

**JOB TITLE:** PRINCIPAL GOVERNANCE OFFICER

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### 1. **EXECUTIVE SUMMARY**

Unlike the majority of delegations which are made to positions, the *Instrument of General Approval and Delegation to Council from the Minister for Transport* dated 22 August 2013 (the Minister's Instrument) requires that authorisations or sub-delegations be granted to officers (defined as Council employees). In some instances, the authorisations can only be made to person with the requisite skills, knowledge or experience to exercise the powers or functions.

The appointment of Mr Claude Malak, General Manager City Development, requires the authorisations made in accordance with the Minister's Instrument to be updated.

In addition, the resignation of Mr Satyen Gandhi, Transportation and Traffic Lead requires that the authorisations previously granted to him under the Minister's Instrument be revoked. No change to other authorisations under the Minister's Instruments is proposed.

### 2. **RECOMMENDATION**

That:

1. The report be received.
2. Authorisations granted to Satyen Gandhi, Transportation and Traffic Lead under clauses A, B, C, D, and F of the *Instrument of General Approval and Delegation to Council* dated 22 August 2013 from the Minister for Transport and Infrastructure, be revoked, effective from 1 May 2019.
3. In accordance with the *Instrument of General Approval and Delegation to Council* dated 22 August 2013 from the Minister for Transport and Infrastructure (the Minister's Instrument) the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Minister's Instrument:
  - Claude Malak, General Manager City Development

4. In accordance with the *Instrument of General Approval and Delegation to Council* dated 22 August 2013 from the Minister for Transport and Infrastructure (the Minister's Instrument) the Council authorises the following persons pursuant to Clause A.7 of the Minister's Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Minister's Instrument:
    - Claude Malak, General Manager City Development
  5. In accordance with Clause E.2 of the *Instrument of General Approval and Delegation to Council* dated 22 August 2013 from the Minister for Transport and Infrastructure (the Minister's Instrument) the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:
    - Claude Malak, General Manager City Development
- 

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

- a) *Community Plan: Goal 4 – Civic Leadership*  
Objective 4.1: We have strong leadership and governance.

### 4. **BACKGROUND**

Following a change to officers a variation to the authorisations under the *Instrument of General Approval and Delegation to Council from the Minister for Transport* dated 22 August 2013 (the Minister's Instrument) is provided for Council endorsement.

*Attachment 2*

The Minister's Instrument grants council a general approval for the installation, maintenance, alteration, operation or removal of traffic control devices in relation to:

*Clause A: Traffic Control Devices*

*In relation to Clause A.7 of the Minister's Instrument, a traffic impact statement must be prepared by a person, who in the Council's opinion is **an experienced traffic engineering practitioner**. The traffic impact statement must be endorsed by a **person authorised** by the Council.*

*Clause B: Speed Limits at Works on Roads*

*Clause C: Traffic Control Devices at Works on Roads*

*Clause D: Temporary Parking Controls*

*Clause E: Traffic Control Devices for Events*

The Minister's Instrument also delegates to Council the power conferred on the Minister pursuant to section 17 of the *Road Traffic Act 1961* to specifically approve the installation, maintenance, alteration, operation or removal of a traffic control device in the municipality or district of council by a road authority, subject to the conditions set out in clauses F.1 to F.5 of the Instrument.

It should be noted that Council cannot sub-delegate this delegation without the express approval of the Minister, however, Council may authorise officers to exercise the powers by instrument in writing and approved by the CEO on behalf of Council.

Further, the Minister's Instrument delegates to Council the power in sub-section 33(1) of the *Road Traffic Act 1961* to declare an event to be an event to which section 33 applies and make orders relating to road closures and exemptions from the duty to observe the Australian Road Rules specified in clause G.4 of the Instrument. This delegation to Council may only be sub-delegated to the person for the time being occupying the position of Chief Executive Officer of Council, and the delegation is subject to conditions set out in the Minister's Instrument and must be made by instrument in writing by Council resolution.

The Minister's Instrument provides that Council may make authorisations under the Instrument to officers, where officers are defined as council employees. This differs to the power under section 44(2)(d) of the *Local Government Act 1999*, which provides that Council may make a delegation to a "an employee of the council for the time being occupying a particular office or position". In accordance with the Minister's Instrument, authorisations are made by Council direct to officers (i.e. not via sub-delegation from the CEO) and the authorisations must be in writing and approved by the CEO on behalf of the Council. The current authorisations (incorporating the changes proposed in this report) are set out in Attachment 1.

*Attachment 1*

## **5. DISCUSSION**

Following staffing changes there is a need to update the authorisations made by Council under the Minister's Instrument. The recent resignation of Mr Satyen Gandhi, Transportation and Traffic Lead, requires the authorisations previously granted to him to be revoked. In addition, the appointment of Mr. Claude Malak to the position of General Manager City Development requires that he be authorised under the Minister's Instrument.

In relation to Mr Malak, based on his formal qualifications (Bachelor of Engineering (Civil)) and experience, it is proposed that Council grant authorisations under clause A.7 of the Minister's Instrument, as an experienced traffic engineering practitioner for the purpose of preparing a Traffic Impact Statement. Given the seniority of Mr Malak's position it is also proposed that he be authorised by Council under clause A.7 as a person who can endorse Traffic Impact Statements.

It is further proposed that Mr Malak be authorised under clause E.2 of the Minister's Instrument as a person with an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans.

The proposed authorisations are consistent with past practices of Council. If Council resolves as per the recommendation the required authorisation documents (Clause A Authorisations) will be prepared and signed by the CEO on behalf of the Council, in order to give effect to the Authorisations granted. A record of the authorisations will be kept within Council's Delegations Register.

For the information of Council, the following officers will continue to hold authorisations under the Minister's Instrument (in addition to the authorisations to be granted by the recommendations in this report):

- i) Clause A.7: experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement
  - Hayden Scharnberg, Transport and Traffic Technical Officer
  - Bill Zissopoulos, Parking and Traffic Advisor
- ii) Clause A.7: persons authorised to endorse Traffic Impact Statements
  - Peter Tsokas, Chief Executive Officer
  - Ben Willsmore, Manager City Design
  - Bill Zissopoulos, Parking and Traffic Advisor
- iii) Clause E.2: an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans
  - Mark Clarke, Manager, Operational Services
  - Aaron Wood, Manager Strategic Assets
  - Bill Zissopoulos, Parking and Traffic Advisor
  - Hayden Scharnberg, Transport and Traffic Technical Officer
  - Michelle Proctor, Transportation and Traffic Officer

The authorisations granted by Council in accordance with the Minister's Instrument must be exercised subject to the conditions set out in the Minister's Instrument. As with powers or functions delegated under the *Local Government Act 1999*, even though Council may authorise officers to exercise powers, functions and duties delegated to it under the Minister's Instrument, this does not prevent the Council from acting in the same matters at any time should the need arise.

## **6. ANALYSIS OF OPTIONS**

### Option 1 –

1. Revoke authorisations previously granted to Mr Satyen Gandhi, Transportation and Traffic Lead on the basis of his recent resignation and adopt the authorisations proposed for Mr Claude Malak, General Manager City Development.

This approach allows for recent changes to officers to be reflected within the authorisations made under the Minister's Instrument, which then enables efficient and effective delivery of council services and operations through facilitating decision-making processes and enabling nominated routine matters to be resolved without the need for submission to Council.

The proposed authorisations are consistent with those that have historically been approved by Council, so do not change the decision-making authority levels that have previously existed.

## Option 2 –

### 1. Review the proposed authorisations and where applicable, determine alternative authorisations to be made.

This approach allows Council to make changes to the authorisations under the Minister's Instrument proposed in this report. A reduction to proposed authorisations may result in an increased level of matters that must be referred to Council for decision, which could have implications for service standards or service delivery.

## **7. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **8. REPORT CONSULTATION**

The Chief Executive Officer (CEO), together with the EMT, has reviewed these documents.

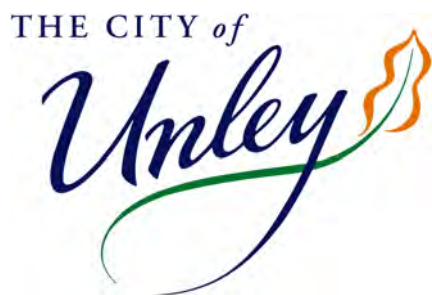
## **9. ATTACHMENTS**

- Attachment 1 – Authorisations under the Instrument of General Approval and Delegation to Council
- Attachment 2 – Instrument of General Approval and Delegation to Council from the Minister for Transport, dated 22 August 2013

## **10. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Tami Norman	Executive Manager Office of the CEO
Peter Tsokas	Chief Executive Officer





*Authorisations under the Road Traffic Act 1961  
in accordance with the  
Instrument of General Approval and Delegation to Council  
from the Minister for Transport, dated 22 August 2013*

***Dated: 29 April 2019***

<b>Authorisations under the <i>Road Traffic Act</i> in accordance with the Instrument dated 22 August 2013 from the Minister for Transport and Infrastructure</b>			
<b>Provision</b>	<b>Item Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
Clause A.7- Endorse Traffic Impact Statement	In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the Minister's Instrument') the Council authorises the following persons pursuant to Clause A.7 of the Minister's Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:	Peter Tsokas, Chief Executive Officer;  Claude Malak, General Manager City Development;  Ben Willsmore, Manager City Design;  Bill Zissopoulos, Parking & Traffic Advisor;	
Clause A.7- Preparation Traffic Impact Statement	In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:	Claude Malak, General Manager City Development;  Bill Zissopoulos, Parking & Traffic Advisor;  Hayden Scharnberg, Transport & Traffic Technical Officer;	
Clause E.2- Expertise in the preparation of Traffic Management Plans	In accordance with Clause E.2 of the Minister's Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:	Claude Malak, General Manager City Development;  Mark Clarke, Manager Operational Services;  Aaron Wood, Manager Strategic Assets;  Bill Zissopoulos, Parking & Traffic Advisor;  Hayden Scharnberg, Transport & Traffic Technical Officer;  Michelle Proctor, Transportation & Traffic Officer;	

**INSTRUMENT OF GENERAL APPROVAL AND DELEGATION TO COUNCIL  
USE OF TRAFFIC CONTROL DEVICES, ROAD CLOSURE AND GRANTING OF  
EXEMPTIONS FOR EVENTS**

***ROAD TRAFFIC ACT 1961 (SECTIONS 17, 20 & 33)***

**MINISTER FOR TRANSPORT AND INFRASTRUCTURE**

**REVOCATION OF PREVIOUS INSTRUMENT**

I, **Tom Koutsantonis, Minister for Transport and Infrastructure** in the State of South Australia, in accordance with the powers conferred on the Minister by the *Road Traffic Act 1961*, **REVOKE** the previous Instrument issued by the Minister entitled "Notice to Council to use Traffic Control Devices and to close roads and grant exemptions for events" dated 27 April 2009.

**INSTRUMENT OF GENERAL APPROVAL**

**GENERAL APPROVAL FOR THE INSTALLATION, MAINTENANCE, ALTERATION, OPERATION OR REMOVAL OF TRAFFIC CONTROL DEVICES**

I, **Tom Koutsantonis, Minister for Transport and Infrastructure** in the State of South Australia, pursuant to section 12 of the *Road Traffic Act 1961* ("the Act"), hereby grant the following **GENERAL APPROVALS** to Council:

**A. Traffic Control Devices**

For the purpose of sections 17(1) and (2) of the Act, I grant Council **GENERAL APPROVAL** to install, maintain, alter, operate, or remove, or cause to be installed, maintained altered, operated, or removed any traffic control device on, above or near a road which is under its care, control and management subject to the following conditions EXCEPT those traffic control devices specified in Clause A.8 or those dealt with in other clauses of this instrument:

**A.1 Authorisation of other Officers**

Council may authorise any Officer to exercise the powers conferred on it pursuant to Clause A of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by any Officer in accordance with Clause A must be done so "for, and on behalf of the Council". Records must be kept of any Authorisations made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.

**A.2 Conformity with the *Road Traffic Act***

All traffic control devices used pursuant to Clause A must conform to the requirements of the Act and any Rules and Regulations made under the Act.

#### A.3 Conformity with the Australian Standards and the Code

All traffic control devices must conform to the requirements of and be installed, maintained, altered, operated or removed in accordance with the applicable Australian Standards, and the provisions contained in the Code and the applicable Australian Standards, as amended from time to time.

The Code refers to and invokes the applicable Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.

#### A.4 Notification to adjoining Councils

Council must notify an adjoining Council before installing, altering or removing a traffic control device on a road that runs into or intersects with, or is otherwise likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of another Council.

Where a Council uses a traffic control device to effect section 32 of the Act, that is, closing a road for traffic management purposes, and the road runs into the area or along the boundary of another Council, each affected Council must concur with the road closure or part road closure.

#### A.5 Notification to the Commissioner of Highways

Council must notify the Commissioner of Highways before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of the Commissioner of Highways.

#### A.6 Consultation on traffic signals

If Council wishes the Commissioner of Highways to maintain Council's:

- (a) traffic signals at intersections;
- (b) emergency services traffic signals;
- (c) mid-block traffic signals (pedestrian actuated crossings);
- (d) signals at Koala crossings; or
- (e) signals at Wombat crossings with flashing lights,

then Council must consult with the Commissioner of Highways when proposing to install the said signals for the purpose of standardising the equipment and establishing a uniform maintenance program.

#### A.7 Traffic Impact Statement

Before any traffic control device is installed, altered or removed, a Traffic Impact Statement must be prepared by a person, who in the Council's opinion is an experienced traffic engineering practitioner.

The Traffic Impact Statement must be endorsed by a person authorised by Council.

The Traffic Impact Statement summarises the investigations undertaken to justify the installation, alteration or removal of traffic control devices and must address road safety issues and the traffic management effects for all road users, including cyclists and pedestrians. It need not be a lengthy document. The Code provides further guidance on the preparation of Traffic Impact Statements.

A Traffic Impact Statement is not required for the installation, alteration or removal of traffic control devices on road-related areas that do not constitute a public place.

#### A.8 Traffic control devices requiring separate approval

General approval does not apply to those traffic control devices:

- (a) specifically listed in the Code requiring separate approval; or
- (b) not contained in or referred to in the Australian Standards or the Code; or
- (c) not complying with clause A.3.

Council must obtain separate approval to install, maintain, alter, operate or remove, or cause to be installed, altered, operated or removed, any traffic control device specified in this clause.

Council must address applications for approval under this clause to the Commissioner of Highways who will consider the application as the Minister's delegate. The application must include a Traffic Impact Statement, any plans, and relevant supporting documentation.

#### B. Speed Limits at Works on Roads

For the purpose of section 20(2) of the Act, I grant Council **GENERAL APPROVAL** to place signs on a road for the purpose of indicating the maximum speed to be observed by drivers while driving on, by or towards

- a work area; or
- a work site

where workers are engaged, or works are in progress at the direction of Council, subject to the following conditions:

##### B.1 Authorisation of other Officers

Council may authorise any Officer to exercise the powers conferred on it pursuant to Clause B of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that Officer in accordance with Clause B must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.



### B.3 Conformity with the *Road Traffic Act*

The maximum speed to be indicated by signs must be in accordance with section 20 of the Act.

### B.4 Conformity with the SA Standards

All traffic control devices must conform to the requirements of and be installed in accordance with the provisions contained in the SA Standards.

### B.5 Persons who may act on behalf of Council

For the purposes of this clause, the following people may act on behalf of Council:

- (a) an employee of Council; or
- (b) an employee of a contractor or sub-contractor engaged to carry out works on a road on behalf of Council.

### B.6 Training and Accreditation

At all times when a worker is present at a work area or work site at least one worker must:

- have gained accreditation in the DPTI Workzone Traffic Management Training Program; and
- carry a card or certificate certifying accreditation in this course when engaged at a work area or work site; and
- have undertaken re-training in the DPTI Workzone Traffic Management Training Program within the last 3 years.

### B.7 Record Keeping

Any person acting on behalf of Council pursuant to Clause B must comply with the SA Standards that outline the procedures and guidelines for record keeping required for the overall safety and smooth operation of a traffic guidance scheme.

## C. Traffic Control Devices at Works on Roads

For the purposes of sub-section 17(3) of the Act, I grant Council **GENERAL APPROVAL** to install, display, alter, operate, or remove, any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under this Act or any other Act. This approval is subject to the following conditions:

### C.1 Authorisation of other Officers

Council may authorise any Officers to exercise the powers conferred on it pursuant to Clause C of this Instrument. Any Authorisations to any officer must be by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that Officer in accordance with Clause C must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to

this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.

#### C.2 Conformity with the Road Traffic Act

All traffic control devices must conform to the requirements of, and be installed, displayed, altered, operated or removed in accordance with the Act and any Rules and Regulations made under the Act.

#### C.3 Conformity with the Code, and SA Standards

All traffic control devices must conform to the requirements of and be installed, displayed, altered, operated or removed in accordance with the provisions contained in the Code, the SA Standards and the applicable Australian Standards.

#### C.4 Persons who may act on behalf of Council

For the purposes of this clause, the following people may act on behalf of Council:

- (a) an employee of Council; or
- (b) an employee of a contractor or sub-contractor engaged to carry out works on a road on behalf of Council.

#### C.5 Training and Accreditation

At all times when a worker is present in an area where persons are engaged in work or an area affected by works in progress at least one worker must:

- have gained accreditation in the DPTI Workzone Traffic Management Training Program; and
- carry a card or certificate certifying accreditation in this course when engaged at a work area or work site; and
- have undertaken re-training in the DPTI Workzone Traffic Management Training Program within the last 3 years.

#### C.6 Record Keeping

Any person acting on behalf of Council pursuant to Clause C must comply with the SA Standards that outline the procedures and guidelines for record keeping required for the overall safety and smooth operation of a traffic guidance scheme.

### D. Temporary Parking Controls

For the purpose of sub-section 17(3) of the Act, I grant Council **GENERAL APPROVAL** to install, display, alter, operate, or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road which is under its care, control and management, subject to the following conditions:

#### D.1 Authorisation of other Officers

Council may authorise any Officers to exercise the powers conferred on it pursuant to Clause D of this Instrument. Any Authorisations to any Officer must be made by instrument in writing and approve by the Chief Executive Officer on behalf of Council. All actions carried out by that Officer in accordance with Clause D must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause. Council may attach any conditions to such Sub-Authorisations that it considers appropriate.

#### D.2 Conformity with the Act

All temporary parking controls must conform with the requirements of, and be installed, displayed, altered, operated or removed in accordance with the Act and any Rules and Regulations made under the Act.

#### D.3 Conformity with Australian Standards and the Code

All temporary parking controls must conform to the requirements and be installed, displayed, altered, operated or removed in accordance with the provisions contained in any applicable Australian Standards and the Code.

The Code refers to and invokes the Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.

#### D.4 Information on Signs

A temporary parking control used in accordance with Clause D must display the words "TEMPORARY PARKING CONTROL" in a prominent position.

#### D.5 Limitation of Temporary Parking Controls

A temporary parking control used in accordance with Clause D cannot have effect for a period exceeding 35 days.

#### D.6 Records of Temporary Parking Controls

Council must keep records of any use of temporary parking controls.

### E. TRAFFIC CONTROL DEVICES FOR EVENTS

For the purposes of section 17 of the Act, I grant Council **GENERAL APPROVAL** to install, maintain, alter, operate or removed, or cause to be installed, maintained altered, operated, or removed, a traffic control device for the purpose of an event other than those specified in Clause A.8 of this Instrument, on, above or near a road which is under its care, control and management subject to the following conditions:

#### E.1. Conformity with the Road Traffic Act

All traffic control devices used pursuant to Clause E of this Instrument must conform to the requirements of the Act, and any Rules and Regulations made under the Act.



#### E.2. Conformity with Plan

All traffic control devices must be installed in accordance with a Traffic Management Plan prepared by a person who in the opinion of the Council has an appropriate level of knowledge and expertise in the preparation of traffic management plans.

Council need not comply with Clause A.7 of this Instrument where using a traffic control device for the purpose of an event.

#### E.3. Notification to adjoining Councils

Council must notify an adjoining Council before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic (including its flow, speed and composition) on a road that is under the care, control and management of another Council.

#### E.4 Notification to the Commissioner of Highways

Council must notify the Commissioner of Highways before installing, altering or removing a traffic control device on a road that runs into or intersects with, or otherwise is likely to affect traffic on a road (including its flow, speed and composition) that is under the care, control and management of the Commissioner of Highways.

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### INSTRUMENT OF DELEGATION

I, **Tom Koutsantonis, Minister for Transport and Infrastructure** in the State of South Australia, pursuant to section 11 of the *Road Traffic Act 1961* ("the Act") hereby **DELEGATE** the powers as detailed in the following clauses –

#### F. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY

I **DELEGATE** to **Council** the power conferred on the Minister pursuant to section 17 of the Act to **SPECIFICALLY APPROVE** the installation, maintenance, alteration, operation or removal of a traffic control device in the municipality or district of Council by a road authority on, above or near a road under the care, control and management of the said road authority subject to the following conditions:-

#### F.1 Sub-Delegation and Authorisation to other Officers

This delegation cannot be sub-delegated without my express approval. Council may, however, authorise any officers to exercise the powers conferred on Council pursuant to Clause F of this Instrument.

Any Authorisations to any Officer should be made by instrument in writing and approved by the Chief Executive Officer on behalf of Council. All actions carried out by that officer in accordance with Clause F must be done so "for, and on behalf of the Council". Records must be kept of any authorisation made pursuant to this clause.

#### F.2 Conformity with the Road Traffic Act

All traffic control devices used pursuant to Clause F of this Instrument must conform to the requirements of the Act, and any Rules and Regulations made under the Act.

#### F.3 Conformity with the Australian Standards and the Code

All traffic control devices must conform to the requirements of and be installed, maintained, altered, operated or removed in accordance with the provisions contained in the applicable Australian Standards and the Code.

The Code refers to and invokes the Australian Standards. The Code must be read together with, but takes precedence over, all applicable Australian Standards.

#### F.4 Power of approval subject to same Conditions in Clause A

The power of Council to grant approvals under Clause F is subject to the same conditions that apply to Council under Clause A where Council itself is the road authority.

#### F.5 Record Keeping

Council must keep accurate records of any approval granted to another road authority pursuant to Cause F of this Instrument.

### G. CLOSE ROADS AND GRANT EXEMPTIONS FOR EVENTS

I **DELEGATE** to Council my power in sub-section 33(1) of the Act to declare an event to be an event to which section 33 applies and make orders directing:

- (a) that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Council, should be closed for the purposes of the event) be closed to traffic for a specified period; and
- (b) that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the Australian Road Rules specified in Clause G.4 subject to the conditions in Clause G.5

#### G.1 Sub-Delegation to other Officers

Council may sub-delegate the power delegated to Council pursuant to Clause G of this Instrument subject to the following conditions:

1. Council may only sub-delegate the power to the person for the time being occupying the position of Chief Executive Officer of Council; and
2. Any such sub-delegation must be made by instrument in writing by Council resolution; and
3. The sub-delegate cannot direct the closure of a road or and grant an exemption for an event on a road that runs into or intersects with, or is otherwise likely to affect traffic (including its flow, speed and composition) on a road that is under the care, control and management of another Council or the Commissioner for Highways; and
4. Council's sub-delegate is subject to all conditions that are imposed on Council under Clause G, in relation to the closure of a road or the grant of an exemption for an event; and
5. Council may impose any other conditions deemed necessary on its sub-delegate in relation to the closure of a road or the grant of an exemption for an event; and
6. Council cannot authorise any other person to exercise the powers conferred on Council, pursuant to G of this Instrument.

#### G.2 Roads and Road-Related Areas to which Delegation Applies

Council may only exercise the powers of the Minister in sub-section 33(1) of the Act with respect to a road under its care, control and management.

#### G.3 Conformity with the Road Traffic Act

Council when exercising the powers of the Minister in sub-section 33(1) of the Act must comply with the requirements of section 33 of the Act.

#### G.4 Exemption from Australian Road Rules

Council can only grant exemptions from the following Australian Road Rules and subject to the conditions listed in Clause G.5:

1. Rule 221: Using hazard warning lights;
2. Rule 230: Crossing a road — general;
3. Rule 231: Crossing a road at pedestrian lights;
4. Rule 232: Crossing a road at traffic lights;
5. Rule 234: Crossing a road on or near a crossing for pedestrians;
6. Rule 237: Getting on or into a moving vehicle;
7. Rule 238: Pedestrians travelling along a road (except in or on a wheeled recreational device or toy);
8. Rule 250: Riding on a footpath or shared path;

9. Rule 264: Wearing of seat belts by drivers;
10. Rule 265: Wearing of seat belts by passengers 16 years old or older;
11. Rule 266: Wearing of seat belts by passengers under 16 years old;
12. Rule 268: How persons must travel in or on a motor vehicle;
13. Rule 269: Opening doors and getting out of a vehicle etc;
14. Rule 298: Driving with a person in a trailer.

#### G.5 Conditions on Exemptions from Australian Road Rules

Council may only grant exemption from the following Australian Road Rules provided any such exemption contains the following minimum conditions:

1. Rule 237: Getting on or into a moving vehicle – provided the speed of the vehicle does not exceed 5 km/h;
2. Rule 264: Wearing of seat belts by drivers – provided the speed of the vehicle does not exceed 25 km/h;
3. Rule 265: Wearing of seat belts by passengers 16 years old or older – provided the speed of the vehicle does not exceed 25 km/h;
4. Rule 266: Wearing of seat belts by passengers under 16 years old – provided the speed of the vehicle does not exceed 25 km/h;
5. Rule 268: How persons must travel in or on a motor vehicle – provided the speed of the vehicle does not exceed 25 km/h;
6. Rule 269: Opening doors and getting out of a vehicle etc – provided the speed of the vehicle does not exceed 5 km/h;
7. Rule 298: Driving with a person in a trailer – provided the speed of the vehicle does not exceed 25 km/h.

#### G.6 Notification to Commissioner of Highways

Council must notify the Commissioner of Highways of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.

#### G.7 Notification to Emergency Services and Public Transport Services Division

Council must notify the SA Metropolitan Fire Service, SA Country Fire Service, SA State Emergency Service, the SA Ambulance Service and the Public Transport Services Division of the Department of Planning, Transport and Infrastructure ("DPTI") as appropriate, of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.

#### G.8 Notification to Traffic Management Centre, Metropolitan Region

Where an event requires intervention by DPTI to ensure the safe and efficient conduct and movement of traffic, Council must ensure that it or the event organiser contacts the Traffic Management Centre, Metropolitan Region (ph: 1800 018 313) no less than 15 minutes prior to the commencement of the event and immediately upon completion of the need for such intervention.

#### G.9 Notification to Commissioner of Police



Council must notify the Commissioner of Police of any declaration under sub-section 33(1) at least two weeks prior to the date of the event.

#### G.10 Agreement of Commissioner of Police

If Council proposes to make an order under sub-section 33(1) that involves any motor vehicular traffic, Council must first obtain the agreement of the Commissioner of Police before making an order that exempts a person from any of the following Australian Road Rules: 230, 231, 232, 234 and 238.

#### G.11 Use of Advance Warning Signs

Where the event will significantly and/or adversely affect a road which is under the care, control and management of the Commissioner of Highways, Council must ensure that the event organisers place advance warning notification signs on the affected roads. The signs must clearly indicate to the public the times and dates of the temporary road closure.

#### G.12 Effect on Roadside Furniture

Where an event affects any roadside furniture owned or maintained by the Commissioner of Highways or road markings, Council must ensure that it or the event organiser reinstates such furniture or markings to its original condition.

### H. DEFINITION OF TERMS

For the purposes of this Instrument, unless a contrary intention appears:  
Words defined in section 5 of the Act have the same meaning as in the instrument.

A reference to a road includes a reference to a road-related area unless it is otherwise expressly stated.

**Council** means a council constituted under the *Local Government Act 1999*;

**Code** means the Code of Technical Requirements, as amended from time to time (formerly known as the Code of Technical Requirements for the Legal Use of Traffic Control Devices);

**Event** means event as defined in section 33 of the *Road Traffic Act 1961* namely an organised sporting, recreational, political, artistic cultural or other activity, and includes a street party;

**Officer** means Council employee


**SA Standards** means the Department of Planning, Transport and Infrastructure's SA Standard for Workzone Traffic Management;

**Work area** means work area as defined in section 20(1) of the Act, namely a portion of road on which workers are, or may be, engaged;

**Work site** means a portion of road affected by works in progress, together with any additional portion of road used to regulate traffic in relation to those works or for any associated purpose.

**I. FUTURE VARIATIONS TO THIS INSTRUMENT**

This Instrument may be revoked or varied by a subsequent Instrument in writing.



.....  
Hon. Tom Koutsantonis MP

**MINISTER FOR TRANSPORT AND INFRASTRUCTURE**

Dated this 22 day of AUGUST 2013

## DECISION REPORT

**REPORT TITLE:** DELEGATIONS UPDATE – APRIL 2019  
**ITEM NUMBER:** 1453  
**DATE OF MEETING:** 29 APRIL 2019  
**AUTHOR:** DALLIS VON WALD  
**JOB TITLE:** PRINCIPAL GOVERNANCE OFFICER

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### 1. **EXECUTIVE SUMMARY**

There have been several recent changes to legislative instruments which impact upon Council delegations to the Chief Executive Officer. This report advises of these legislative changes, and the required endorsement of updated delegations for the Chief Executive Officer to continue the unimpeded management of Council operations.

This report also includes the addition of the General Manager City Development, Claude Malak as a suitable person to be appointed by the Chief Executive Officer to act in the office of Chief Executive Officer during periods of leave or absence.

### 2. **RECOMMENDATION**

That:

1. The report be received.

#### **Revocations**

- 2.

### 1. **RECOMMENDATION**

That:

1. The report be received.

#### **Revocations**

2. Council hereby revokes its previous delegations to the Chief Executive Officer, as set out in Attachment 1 to this Report (Item 1453, Council Meeting 29/04/2019) effective from 29 April 2019, of the functions and powers under the following:
  - 2.1 Section 26 of the *Dog and Cat Management Act 1995*;
  - 2.2 Sections 9(2), 9(12), 13(1), and 13(4) of the *Expiation of Offences Act 1996*;



- 2.3 Sections 23(1), 23(2), 23(3), 23(5), s23(5)(d), 25(1), 33(3)(a)(i), 33(b), and 71, of the *Housing Improvement Act 1940*;
- 2.4 Sections 225(3); s235(1); 136D.2; and clauses 13(4), 14, 16(4)-(6), 21(1)-(2), 22(2)-(4) Schedule 1A, of the *Local Government Act 1999*; and
- 2.5 Section 48(3) of the *Local Nuisance and Litter Control Act 2016*; due to deletion of these sections/clauses.

### **Adoptions**

- 3. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachments 2-10 to this report (Item 1453, Council Meeting, 29/04/2019) (each of which is individually identified as indicated below) are hereby delegated from 1 May 2019 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation:
  - 3.1 *Development Regulations 2008* (Attachment 2)
  - 3.2 *Supported Residential Facilities Act 1992* and *Supported Residential Facilities Regulations 2009* (Attachment 3)
  - 3.3 *Water Industry Act 2012* and *Water Industry Regulations 2012* (Attachment 4)
  - 3.4 *Liquor Licensing Act 1997* (Attachment 5)
  - 3.5 *South Australian Public Health Act 2011* (Attachment 6)
  - 3.6 *Local Government Act 1999* (Attachment 7)
  - 3.7 *Heavy Vehicle National Law (South Australia) Act 2013* (Attachment 8)
  - 3.8 *Electricity Act 1996* and *Electricity (Principles of Vegetation Clearance) Regulations 2010* (Attachment 9)
  - 3.9 *Gas Act 1997* (Attachment 10)

### **Appointments**

- 4. The following persons be endorsed as suitable persons to be appointed by the Chief Executive Officer to act in the office of Chief Executive Officer during periods of leave or absence:
  - General Manager City Development, Claude Malak

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

### **4. Civic Leadership**

#### **4.3 Our business systems are effective and transparent.**

#### **4. BACKGROUND**

Section 44 of the *Local Government Act 1999* (the Act) provides that Council may delegate a power or function vested or conferred upon it by the *Local Government Act 1999* or another Act. Such powers and functions may be further delegated by the person occupying the office of Chief Executive Officer in accordance with Sections 44(4)(b) and 101 of the Act.

Councils have certain duties which they must perform, and certain powers which they may exercise, pursuant to the Act, as well as a range of other Acts. In most cases the relevant Acts assign those functions and powers directly on the Council as a body.

Delegations are the way in which Council enables other people/bodies (usually Council Officers) to undertake these duties or exercise these powers on its behalf. Delegations enhance decision-making processes and allow nominated routine matters to be resolved efficiently and effectively without the need for submission to Council. However, in order to do this, Council must take formal steps to delegate to such people and bodies, the authority to make decisions, or undertake activities on its behalf. It is usual for Council to make delegations to the Chief Executive Officer who will then make sub-delegations to the appropriate Council Officers.

Norman Waterhouse Lawyers provides a quarterly service to the Local Government Association of SA (LGA) whereby they monitor legislative amendments and distribute changes required to delegations via "Delegations Templates". In some instances, the changes identified are editorial in nature only; other changes reflect legislative amendments that have occurred since the previous templates review which require new or changed delegations to be made.

Council uses the software developed by RelianSys which operates as a database for managing the delegations. The updates to the LGA templates feed directly into that database with notifications provided each time there is a change to legislative instruments that affects delegations.

A delegation made pursuant to Section 44 of the *Local Government Act 1999* is revocable at will and does not prevent the Council from acting in a matter.

#### **5. DISCUSSION**

A number of updates were recently received through the RelianSys system for deletions of sections for some Acts, and additions and amendments for others. These are summarised below and set out in the Attachments to this report.

##### **Deletions**

###### *Dog and Cat Management Act 1995*

Section 26 has been deleted.

###### *Expiation of Offences Act 1996*

Sections 9(2), 9(12), 13(1), and 13(4) have been deleted.

*Housing Improvement Act 1940*

Sections 23(1), 23(2), 23(3), 23(5), s23(5)(d), 25(1), 33(3)(a)(i), 33(b), and 71, have been deleted.

*Local Government Act 1999*

Sections 225(3); s235(1); 136D.2; and clauses 13(4), 14, 16(4)-(6), 21(1)-(2), 22(2)-(4) Schedule 1A, have been deleted.

*Local Nuisance and Litter Control Act 2016*

Section 48(3) has been deleted.

*Attachment 1*

**Amendments**

*Development Regulations 2008*

The Regulations have been amended to include the additions set out in Attachment 2.

*Attachment 2*

*Supported Residential Facilities Act 1992 and Supported Residential Facilities Regulations 2009*

The Act and Regulations have been amended to include the changes set out in Attachment 3.

*Attachment 3*

*Water Industry Act 2012 and Water Industry Regulations 2012*

The Act and Regulations have been amended to include the changes and additions set out in Attachment 4.

*Attachment 4*

*Liquor Licensing Act 1997*

The Act has been amended to include the changes set out in Attachment 5.

*Attachment 5*

*South Australian Public Health Act 2011*

The Act has been amended to include the additions set out in Attachment 6.

*Attachment 6*

*Local Government Act 1999*

The Act has been amended to include the changes set out in Attachment 7.

*Attachment 7*

*Heavy Vehicle National Law (South Australia) Act 2013*

The Act has been amended to include the changes and additions set out in Attachment 8.

*Attachment 8*

*Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010*

The Act and Regulations have been amended to include the additions set out in Attachment 9.

*Attachment 9*

*Gas Act 1997*

The Act has been amended to include the additions set out in Attachment 10.

*Attachment 10*

## **Appointments**

From time to time it is necessary for a person to be appointed to act in the office of the Chief Executive Officer (CEO). Section 102 of the *Local Government Act 1999* allows the CEO to appoint a suitable person to act after consultation with the Council.

At the November 2018 Council meeting, Council endorsed the current members of the Executive Management Team as suitable persons to act in the office of CEO, with the exception of the General Manager City Development, as that position was vacant at the time.

Following the appointment of Mr Claude Malak to the position of General Manager City Development it is prudent to include him in the list of suitable persons.

## **6. ANALYSIS OF OPTIONS**

### **Option 1 – Adopt the Delegations and Appointments as set out in the Recommendation section of this report.**

This approach allows for the efficient and effective delivery of council services and operations through facilitating decision-making processes and enabling nominated routine matters to be resolved without the need for submission to Council.

The proposed Delegations are consistent with those that have historically been approved by Council, so do not change the decision-making authority levels that have previously existed.

Option 2 – Review the proposed delegations and where applicable, re-determine the distribution of legislative power.

This approach allows Council to make changes to the delegations proposed in this report. A reduction to proposed delegations may result in an increased level of matters that must be reported to Council for decision, which could have implications for service standards or service delivery.

## **7. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **8. POLICY IMPLICATIONS**

### **8.1 Legislative/Risk Management**

- There are no policy implications or requirements associated with this recommendation.

The following risk has been identified:

- (i) improper use of delegated powers due to out-dated delegation documentation or inappropriate sub-delegations.

## **9. REPORT CONSULTATION**

The Chief Executive Officer (CEO), together with the EMT, has reviewed these documents.

## **10. ATTACHMENTS**

- Attachment 1 – Deleted Delegations
- Attachment 1 – Deleted Delegations
- Attachment 2 – Development Act 1993
- Attachment 3 – Supported Residential Facilities Act 1992
- Attachment 4 – Water Industry Act 2012
- Attachment 5 – Liquor Licensing Act 1997
- Attachment 6 – South Australian Public Health Act 2013
- Attachment 7 – Local Government Act 1999
- Attachment 8 – Heavy Vehicle National Law (SA) Act 2013
- Attachment 9 – Electricity Act 1996
- Attachment 10 – Gas Act 1997

## **11. REPORT AUTHORISERS**

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



## REVOCATIONS

<b>Dog and Cat Management Act 1995- DELETED Provisions</b>				
#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
76417	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs  1.1.12 charge a fee (which may be differential) with the approval of the Minister -	Chief Executive Officer
76418	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs  1.1.12.1 for the registration of dogs or businesses under Part 5 of the Act; and	Chief Executive Officer
76419	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs  1.1.12.2 for the late payment of registration fees; and	Chief Executive Officer
76420	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs  1.1.12.3 for meeting any other requirement imposed on the Council under this Act.	Chief Executive Officer
76421	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs  1.1.13 provide for a percentage rebate of the fee that would otherwise be charged for the registration of a dog -	Chief Executive Officer
76422	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs  1.1.13.1 if the dog is de-sexed;	Chief Executive Officer
76423	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs  1.1.13.2 if the dog has been implanted with a microchip for the purposes of identification so long as the information contained in the microchip is up to date;	Chief Executive Officer
76424	Dog and Cat Management Act 1995	s 26	1. Council Responsibility for Management of Dogs 1.1.13.3 if the dog has passed a specified training program accredited by the Board, and, if more than one rebate applies in respect of a particular dog, the rebates are to be aggregated and deducted from the registration fee that would otherwise be charged.	Chief Executive Officer

## REVOCATIONS

Expiation of Offences Act 1996- DELETED Provisions				
#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
50667	Expiation of Offences Act 1996	s13(1)	<p>7. Enforcement Procedures</p> <p>7.1 The power pursuant to Section 13(1) of the Act to enforce an expiation notice against an alleged offender by sending to the Fines Enforcement and Recovery Officer:</p> <p>7.1.1 a certificate that contains the particulars determined by the Fines Enforcement and Recovery Officer relating to:</p> <p>7.1.1.1 the alleged offender; and</p> <p>7.1.1.2 the offence or offences that remain unexpiated; and</p> <p>7.1.1.3 the amount due under the notice; and</p> <p>7.1.1.4 compliance by the Council as the authority with the requirements of the Act and any other Act;</p> <p>7.1.2 the prescribed fee.</p>	Chief Executive Officer
50673	Expiation of Offences Act 1996	s9(2)	<p>3A. Arrangements as to Manner and Time of Payment</p> <p>3A.1 The power pursuant to Section 9(2) of the Act to agree with the Fines Enforcement and Recovery Officer the manner in which the Fines Enforcement Recovery Officer must give the Council notice of any arrangement entered into under Section 9 of the Act.</p>	Chief Executive Officer
50674	Expiation of Offences Act 1996	s9(12)	<p>3A. Arrangements as to Manner and Time of Payment</p> <p>3A.2 The power pursuant to Section 9(12) of the Act, if an arrangement terminates under Section (9), (10) or (11) of the Act, to agree with the Fines Enforcement and Recovery Officer the manner in which the Fines Enforcement and Recovery Officer must give the Council notice of the termination and the amount then outstanding (taking into account, where the arrangement required the performance of community service, the number of hours of community service so performed).</p>	Chief Executive Officer

**Expiation of Offences Act 1996- DELETED Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
50675	Expiation of Offences Act 1996	s13(4)	<p>7. Enforcement Determinations</p> <p>7.2 The power pursuant to Section 13(4) of the Act to apply to the Fines Enforcement and Recovery Officer under and in accordance with Section 13 of the Act within 30 days of notice of an enforcement determination being given, sent or published in accordance with Section 13 of the Act for the enforcement determination to be revoked.</p>	Chief Executive Officer

## REVOCATIONS

**Housing Improvement Act 1940- DELETED Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
50201	Housing Improvement Act 1940	s23(1)	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.1 The power pursuant to Section 23(1) of the Housing Improvement Act 1940 ("the Act"):</p> <p>1.1.1 to make due inquiries and obtain such reports as the Delegate deems necessary to be satisfied that any house is undesirable for human habitation or is unfit for human habitation;</p> <p>1.1.2 to declare that the house –</p> <p>1.1.2.1 is undesirable for human habitation; or</p> <p>1.1.2.2 is unfit for human habitation.</p>	Chief Executive Officer

<b>Housing Improvement Act 1940- DELETED Provisions</b>				
<b>#</b>	<b>Delegation Source</b>	<b>Section</b>	<b>Item Delegated / Authorisation</b>	<b>Delegate / Authorised Officer</b>
50202	Housing Improvement Act 1940	s23(2)	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.2 The duty pursuant to Section 23(2) of the Act where any house has been declared undesirable or unfit for human habitation –</p> <p>1.2.1 to serve on the owner of the house a declaration together with a written statement setting out particulars of the deficiencies and directing the owner, within a specified time (being not less than one month after the service of the declaration) –</p> <p>1.2.1.1 to carry out such work in respect of the house (including, if so directed, partial demolition) as is directed in the notice; or</p> <p>1.2.1.2 if the Delegate is of the opinion that it is impracticable to make the house desirable or fit for human habitation, to demolish the house; and</p> <p>1.2.2 to serve a copy of the declaration, statement and direction on any occupier of the house and on every registered mortgagee of the land on which the house is situated; and</p>	Chief Executive Officer
50203	Housing Improvement Act 1940	s23(2)	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.3 The power pursuant to Section 23(2) of the Act where any house has been declared undesirable or unfit for human habitation –</p> <p>1.3.1 if the direction is to demolish, to serve on the occupier (if any) a written notice requiring the occupier to vacate the house within a specified period being not less than one month after service; and</p> <p>1.3.2 where the direction requires any work to be carried out in respect of the house, to serve on any occupier (if any) a written notice to vacate the house within a specified period being not less than one month after service, unless the house is, to the satisfaction of the Delegate, made to comply with the directions given by the Delegate before the expiration of the specified period.</p>	Chief Executive Officer
50204	Housing Improvement Act 1940	s23(3)	<p>1. Power to Declare Houses Unfit for Habitation</p> <p>1.4 The power pursuant to Section 23(3) of the Act to certify in writing that the house that has been declared undesirable for human habitation or unfit for human habitation complies with the direction given by the Delegate and in the time specified in the direction under Section 23(2)(c) or (d).</p>	Chief Executive Officer

<b>Housing Improvement Act 1940- DELETED Provisions</b>				
#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
50205	Housing Improvement Act 1940	s23(5)	1. Power to Declare Houses Unfit for Habitation 1.5 The power pursuant to Section 23(5) of the Act where an owner fails to comply with any direction under Section 23 within the time specified in the direction - 1.5.1 to do anything that is necessary to make the house comply with the direction or demolish the house; 1.5.2 to recover any expenses incurred from the owner of the house; 1.5.3 to sell or dispose of any material taken from the house;	Chief Executive Officer
50206	Housing Improvement Act 1940	s23(5)(d)	1. Power to Declare Houses Unfit for Habitation 1.6 The duty pursuant to Section 23(5)(d) of the Act to apply the proceeds of any sale for or towards the expenses incurred by the Council and pay any surplus (if any) in discharge of the mortgage or encumbrance of any registered mortgagee of the land in accordance with their respective priorities and to pay any remaining balance to the owner.	Chief Executive Officer
50207	Housing Improvement Act 1940	s25(1)	2. Power of Housing Authority 2.1 The power pursuant to Section 25(1) of the Act to consult with the Housing Authority and the duty pursuant to Section 25(1) of the Act, if required by the Housing Authority by notice in writing, within the time specified in the notice, to make a declaration pursuant to Section 23 of the Act with respect to the house in the form required by the Housing Authority and to give any direction or notice or otherwise exercise any power under Section 23 in the manner required by the Housing Authority.	Chief Executive Officer
50208	Housing Improvement Act 1940	s33(3)(a)(i)	3. Power to Declare Clearance Area 3.1 The power pursuant to Section 33(3)(a)(i) of the Act to consult with the Housing Authority where the Housing Authority is intending to submit a recommendation to the Governor under Section 33 of the Act; and	Chief Executive Officer
50209	Housing Improvement Act 1940	s33(b)	3. Power to Declare Clearance Area 3.2 The power pursuant to Section 33(b) to make any objections to the Housing Authority, in relation to such recommendation.	Chief Executive Officer

**Housing Improvement Act 1940- DELETED Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
50210	Housing Improvement Act 1940	s71	<p>4. Dispossession of occupiers failing to vacate premises when required to do so</p> <p>4.1 The power pursuant to Section 71 of the Act, where any person, after he has been required under the Act by the Council to vacate a house or building, and the person refuses or neglects to vacate the same, to apply and to authorise a person to apply upon a complaint to be laid by him, in the form set out in Schedule 1 to the Act or to the like effect, to any justice, for the justice to issue a summons in the form set out in Schedule 2 to the Act or to the like effect calling upon the occupier of such house or building to appear at a time and place to be therein specified before a court of Summary Jurisdiction consisting of a special magistrate, sitting without any other justice or justices, which court may hear and determine the matter of the complaint in a summary way in the absence of the occupier or otherwise.</p>	Chief Executive Officer

## REVOCATIONS

**Local Government Act 1999- DELETED Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
51338	Local Government Act 1999	s225(3)	<p>113. Cancellation of Authorisation or Permit</p> <p>113.3 The power pursuant to Section 225(3) of the Act to determine if a shorter period of notice should apply under Section 225(2)(a) of the Act, to protect the health or safety of the public, or otherwise to protect the public interest.</p>	Chief Executive Officer
51346	Local Government Act 1999	s235(1)	<p>118. Deposit of Rubbish etc</p> <p>118.1 The power pursuant to Section 235(1) of the Act to authorise or permit the following:</p> <p>118.1.1 the deposit of rubbish on a public road or public place; or</p> <p>118.1.2 the deposit of goods, materials, earth, stone, gravel, or any other substance on a public road or public place.</p>	Chief Executive Officer
51414	Local Government Act 1999	136D.2	<p>136D. Deliberately left blank</p> <p>136D.2 Deliberately left blank</p>	Chief Executive Officer



Local Government Act 1999- DELETED Provisions				
#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
51432	Local Government Act 1999	c13(4) Schedule 1A	149. Preparation of Stormwater Management Plans by Councils 149.1 The duty pursuant to Clause 13(4) of Schedule 1A of the Act to ensure that a stormwater management plan prepared by the Council or group of councils: 149.1.1 complies with the guidelines issued by the Authority; and 149.1.2 is prepared in consultation with the relevant regional NRM board or boards; and 149.1.3 is prepared in accordance with any other procedures or requirements prescribed by the regulations.	Chief Executive Officer
51433	Local Government Act 1999	c14 Schedule 1A	150. Authority May Require Preparation of Stormwater Management Plan 150.1 The duty pursuant to Clause 14 of Schedule 1A of the Act if the Authority, of its own motion or at the request of a regional NRM board, so requires by notice in the Gazette, to prepare a stormwater management plan	Chief Executive Officer
51434	Local Government Act 1999	c16(4) Schedule 1A	151. Authority May Issue Order 151.1 The duty pursuant to Clause 16(4) of Schedule 1A of the Act to comply with an order served by the Authority on the Council under Clause 16(1) of Schedule 1A of the Act.	Chief Executive Officer
51435	Local Government Act 1999	c16(5) Schedule 14	151. Authority May Issue Order 151.2 The power pursuant to Clause 16(5) of Schedule 1A of the Act to make submissions to the Authority in relation to the matter.	Chief Executive Officer
51436	Local Government Act 1999	c16(6) Schedule 1A	151. Authority May Issue Order 151.3 The power pursuant to Clause 16(6) of Schedule 1A of the Act, if costs and expenses are to be recovered from the Council as a debt, to enter into an agreement for the debt to be repaid over a period of time, subject to the payment by the Council of interest on the debt (at a rate agreed by the Authority and the Delegate).	Chief Executive Officer

**Local Government Act 1999- DELETED Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
51437	Local Government Act 1999	c21(1) Schedule 1A	<p>152. Special Powers in Relation to Land</p> <p>152.1 The power, pursuant to Clause 21(1) of Schedule 1A of the Act and in accordance with Clause 21(2) of Schedule 1A of the Act, for the purpose of taking action consistent with the provisions of an approved stormwater management plan or required by an order under Clause 16 of Schedule 1A of the Act, to:</p> <p>152.1.1 enter and occupy any land; and</p> <p>152.1.2 construct, maintain or remove any infrastructure; and</p> <p>152.1.3 excavate any land; and</p> <p>152.1.4 inspect, examine or survey any land and for that purpose:</p> <p>(a) fix posts, stakes or other markers on the land; and</p> <p>(b) dig trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and</p> <p>(c) remove samples for analysis; and</p> <p>152.1.5 alter water table levels, stop or reduce the flow of water in a watercourse, divert water flowing in a watercourse to another watercourse or to a lake or control the flow of water in any other manner; and</p> <p>152.1.6 hold water in a watercourse or lake or by any other means; and</p> <p>152.1.7 divert water to an underground aquifer, dispose of water to a lake, underground aquifer or the sea, or deal with water in any other manner; and</p> <p>152.1.8 deepen, widen or change the course of a watercourse, deepen or widen a lake or take action to remove any obstruction to the flow of water; and</p> <p>152.1.9 undertake any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); and</p> <p>152.1.10 undertake any testing, monitoring or evaluation; and</p> <p>152.1.11 undertake any other activity of a prescribed kind.</p>	Chief Executive Officer

Local Government Act 1999- DELETED Provisions				
#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
51438	Local Government Act 1999	c21(2) Schedule 1A	<p>152. Special Powers in Relation to Land</p> <p>152.2 The duty pursuant to clause 21(2) of Schedule 1A of the Act not to exercise a power under sub-clause 21(1)(b), (c), (h) or (i) of Schedule 1A of the Act to private land with the intention that any infrastructure will be permanent unless:</p> <p>152.2.1 it is intended that the owner of the private land will undertake the care, control or management of any relevant infrastructure and the Delegate or the Authority (as the case may be) is acting with the agreement of the owner; and</p> <p>152.2.2 the Council or the Authority (as the case may be) has first acquired an easement or other appropriate interest over the relevant land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws</p>	Chief Executive Officer
51439	Local Government Act 1999	c22(2) Schedule 1A	<p>153. Entry and Occupation of Land Other Than Council Land</p> <p>153.1 The duty pursuant to Clause 22(2) of Schedule 1A of the Act and in accordance with Clauses 22(1) and 22(3) of Schedule 1A of the Act to give reasonable notice of an intention to enter, or to enter and occupy land in accordance with Clause 21 to the occupier of the land.</p>	Chief Executive Officer
51440	Local Government Act 1999	c22(3) Schedule 1A	<p>153. Entry and Occupation of Land Other Than Council Land</p> <p>153.2 The duty pursuant to clause 22(3) of Schedule 1A of the Act to ensure that the period of the notice required by Clause 22(1) of Schedule 1A of the Act is at least 2 business days except:</p> <p>153.2.1 where the occupier has given his or her consent; or</p> <p>153.2.2 in an emergency in which case the Delegate must give such notice (if any) as the Delegate considers is reasonable in the circumstances.</p>	Chief Executive Officer

<b>Local Government Act 1999- DELETED Provisions</b>				
#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
51441	Local Government Act 1999	c22(4) Schedule 1A	153. Entry and Occupation of Land Other Than Council Land 153.3 The duty pursuant to Clause 22(4) of Schedule 1A of the Act, if the Delegate enters or occupies land to which Clause 22 applies, to: 153.3.1 cause as little harm and inconvenience as practicable; and 153.3.2 not occupy the land for any longer than is reasonably necessary; and 153.3.3 leave the land as nearly as possible in the condition in which the Delegate found the land; and 153.3.4 cooperate as far as practicable with any owner or occupier of the land.	Chief Executive Officer

## REVOCATIONS

<b>Local Nuisance and Litter Control Act 2016- DELETED Provisions</b>				
#	Delegation Source	Section	Item Delegated / Authorisation	Delegate / Authorised Officer
135054	Local Nuisance and Litter Control Act 2016	s48(3)	15. Recovery of Administrative and Technical Costs Associated with Contraventions 15.3.2 waive payment of such an amount or reduce the amount payable.	Chief Executive Officer

## Development Act 1993 and Development Regulations 2008

## NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231315	Development Regulations 2008	r17(3)	60. Non-Complying Development 60.1.2 resolve to proceed with an assessment of the application.		Chief Executive Officer
231316	Development Regulations 2008	r15(7b)	58.4A The power pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier: 58.4A.2 if the private certifier, at the time of forwarding a copy of an application under Regulation 15(7a) of the Regulations, requests advice on the matters set out in subparagraphs (i) and (ii), and if such advice is relevant: 58.4A.2.1 advice about any site contamination that is believed to exist at the site where the development would be undertaken; and 58.4A.2.2 advice about the likely need for approval to alter a public road under section 221 of the Local Government Act 1999 in order to establish a new access point. 58.4A.2.3 advice about whether the relevant development plan specifies any requirements relating to finished floor levels (expressed by reference to AHD or ARI) in relation to the site where the development would be undertaken.		Chief Executive Officer
231317	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.1 provide the certification in the form set out in Schedule 12A; and		Chief Executive Officer



#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231318	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2 to the extent that may be relevant and appropriate:		Chief Executive Officer
231319	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2.3 ensure that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993.		Chief Executive Officer
231320	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2.2 assign a classification to the building under the Regulations; and		Chief Executive Officer
231321	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or		Chief Executive Officer

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231322	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1.2 constitute a breach of any other law; or		Chief Executive Officer
231323	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2 for copying under Regulation 101(4)(b) if to do so would:		Chief Executive Officer
231324	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or		Chief Executive Officer
231325	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.2 involve an infringement of copyright in matter contained in a document; or		Chief Executive Officer
231326	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.3 constitute a breach of any other law.		Chief Executive Officer
232721	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2.1 issue a schedule of essential safety provisions under Division 4 of Part 12 of the Act; and		Chief Executive Officer

## Supported Residential Facilities Act 1992 and Regulations 2009

## CHANGED Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
50896	Supported Residential Facilities Act 1992	s24(10)	2. Application for a Licence 2.4 Where an application for a licence is refused, the duty pursuant to Section 24(10) of the Act notify the applicant in writing of the refusal, the reasons for the refusal, and any <del>appeal rights</del> <u>rights of review</u> that the applicant has under the Act.		Chief Executive Officer
50902	Supported Residential Facilities Act 1992	s27(4)	3. Renewal of Licence 3.2 The duty pursuant to Section 27(4) of the Act by notice in writing served on the applicant, to give a decision on an application for the renewal of a licence before the date of expiry of the licence and where the Delegate decides to refuse an application for renewal of a licence, the duty to state in the notice of refusal the reasons for the refusal and the <del>appeal rights</del> <u>rights of review</u> that the applicant may have under the Act.		Chief Executive Officer
50912	Supported Residential Facilities Act 1992	s32(3)	7. <del>Appeals</del> <u>Review of Decision or Order</u> 7.1 The power pursuant to Section 32 <del>(5)</del> (3) of the Act, <del>where if the an Delegate application for review is satisfied in that respect of an applicant application for renewal of a licence has instituted or intends to institute an appeal, to order that the licence remain in force until the determination of the appeal; and to impose such conditions as the Delegate thinks fit</del> <u>review</u> .		Chief Executive Officer

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
50913	Supported Residential Facilities Act 1992	s32(4)	<p>7. <u>Appeals</u><u>Review of Decision or Order</u></p> <p><del>7.2.1</del> The power pursuant to Section 32(<del>7</del><u>3</u>(4)) of the Act, <del>if an application for review is in respect of an application for renewal of a licence, to order that the licence remain in force until the determination of the review;</del></p> <p>7.2.1 make an order under Section 32(3) of the Act <del>if subject to persons such contravenes, conditions as determined by the Delegate and specified in the order; and</del></p> <p>7.2.2 vary or <del>fail</del><u>revoke to an empty order with,</u> <del>made by condition the imposed Council</del> under Section 32(<del>5</del><u>3</u>) of the Act <del>to by revoke any further order to which the condition relates.</del></p>		Chief Executive Officer

# Water Industry Act 2012 and Regulations as at 1 March 2013

NEW Provisions					
#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231851	Water Industry Act 2012	s49(7)	19. Encroachments 19.6 The power pursuant to Section 49(7) of the Act to authorise a person to take action on the Council's behalf under Section 49 of the Act.		Chief Executive Officer
231852	Water Industry Act 2012	s45(3)	16. Power to carry out work on land 16.2 The power pursuant to Section 45(3) of the Act, subject to Section 45 of the Act, if the Council seeks to enter public land under Section 45 of the Act, to: 16.2.1 give the authority responsible for the management of public land not less than 12 hours notice of the Council's intention to carry out work on the land; and 16.2.2 secure the authority's agreement to the carrying out of the work;		Chief Executive Officer
231853	Water Industry Act 2012	s45(3)(b)	16. Power to carry out work on land 16.3 The power pursuant to Section 45(3)(b) of the Act, if an authorised entity seeks to enter public land under Section 45 of the Act and the Council is responsible for the management of the public land, to agree to the carrying out of the work.		Chief Executive Officer
231854	Water Industry Act 2012	s45(5)	16. Power to carry out work on land 16.4 The power pursuant to Section 45(5) of the Act to include in an agreement under Section 45(3) of the Act conditions the delegate considers appropriate in the public interest.		Chief Executive Officer



**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231855	Water Industry Act 2012	s45(7)	16. Power to carry out work on land 16.5 The power pursuant to Section 45(7) of the Act and subject to Section 45(8) of the Act if a dispute arises between the Council and the authority responsible for managing public land or an authorised entity and the Council about whether work should be permitted under Section 45 of the Act on the land or about the conditions on which work should be permitted on public land, to refer the dispute to the Minister.		Chief Executive Officer
231856	Water Industry Act 2012	s45(9)	16. Power to carry out work on land 16.6 The power pursuant to Section 45(9) of the Act, if a dispute is referred to the Minister under Section 45 of the Act, to make representations to the Minister on the questions at issue in the dispute.		Chief Executive Officer
231857	Water Industry Act 2012	s45(11)	16. Power to carry out work on land 16.7 The power pursuant to Section 45(11) of the Act and subject to Section 45(3) of the Act, if the Council seeks to enter land other than public land for the first time, to give prior written notice to the occupier of the land stating the reason and the date and time of the proposed entry.		Chief Executive Officer
231858	Water Industry Act 2012	s45(12)	16. Power to carry out work on land 16.8 The power pursuant to Section 45(12) of the Act and subject to Section 45(13) of the Act, to give notice to the occupier of land in other circumstances prescribed by the regulations.		Chief Executive Officer
231859	Water Industry Act 2012	s45(14)	16. Power to carry out work on land 16.9 The power pursuant to Section 45(14) of the Act to use reasonable force to enter any land under Section 45 of the Act.		

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231860	Water Industry Act 2012	s45(16)	16. Power to carry out work on land 16.10 The power pursuant to Section 45(16) of the Act, at the reasonable request of an owner or occupier of land used for any purpose under Section 45 of the Act, to separate the land being used for the other part or parts of the land by a fence of reasonable construction and design (with such gates as may be necessary for the convenient use of any land) and, in the case of a dispute as to the fence to be constructed under Section 45 of the Act, to refer the matter to the Magistrates Court for resolution.		Chief Executive Officer
231861	Water Industry Act 2012	s45(17)	16. Power to carry out work on land 16.11 The power pursuant to Section 45(17) of the Act to make good any damage caused by the exercise of powers under Section 45 of the Act as soon as practicable (including so as to reinstate any road or other place) or pay reasonable compensation for the damage.		Chief Executive Officer
231862	Water Industry Act 2012	s48(6)	18. Requirement to connect to infrastructure Section 48 applies to a water industry entity involved (or proposing to be involved) in the sale and supply of sewerage services for the removal of sewage (and the infrastructure to be used for the purposes of those services will be referred to as prescribed infrastructure under this section). 18.2 The power pursuant to Section 48(6) of the Act, if the Minister approves a scheme, to by notice that complies with any requirements prescribed by the regulations and served on any owner of land adjacent to land where the designated part of the prescribed infrastructure is situated, require the owner to connect drains, equipment or works to the prescribed infrastructure in order to provide for the discharge of sewage into the infrastructure.		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231863	Water Industry Act 2012	s48(9)	<p>18. Requirement to connect to infrastructure</p> <p>Section 48 applies to a water industry entity involved (or proposing to be involved) in the sale and supply of sewerage services for the removal of sewage (and the infrastructure to be used for the purposes of those services will be referred to as prescribed infrastructure under this section).</p> <p>18.3 The power pursuant to Section 48(9) of the Act, if the requirements of a notice under Section 48 of the Act are not complied with, to take any action required by the notice.</p>		Chief Executive Officer
231864	Water Industry Act 2012	s48(10)	<p>18. Requirement to connect to infrastructure</p> <p>Section 48 applies to a water industry entity involved (or proposing to be involved) in the sale and supply of sewerage services for the removal of sewage (and the infrastructure to be used for the purposes of those services will be referred to as prescribed infrastructure under this section).</p> <p>18.4 The power pursuant to Section 48(10) of the Act, to authorise a person to take action on behalf of the Council under Section 45(9) of the Act.</p>		Chief Executive Officer
231865	Water Industry Act 2012	s48(12)	<p>18. Requirement to connect to infrastructure</p> <p>Section 48 applies to a water industry entity involved (or proposing to be involved) in the sale and supply of sewerage services for the removal of sewage (and the infrastructure to be used for the purposes of those services will be referred to as prescribed infrastructure under this section).</p> <p>18.5 The power pursuant to Section 48(12) of the Act to recover the reasonable costs and expenses incurred by the Council in taking action under Section 45(9) or (10) as a debt from the person who failed to comply with the requirements of the notice.</p>		Chief Executive Officer

## NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231866	Water Industry Act 2012	s48(13)	<p>18. Requirement to connect to infrastructure</p> <p>Section 48 applies to a water industry entity involved (or proposing to be involved) in the sale and supply of sewerage services for the removal of sewage (and the infrastructure to be used for the purposes of those services will be referred to as prescribed infrastructure under this section).</p> <p>18.6 The power pursuant to Section 48(13) of the Act to, from time to time, with the approval of the Minister, vary a scheme under Section 48 of the Act.</p>		Chief Executive Officer
231867	Water Industry Act 2012	s50(3)	<p>20. Protection of infrastructure and equipment</p> <p>20.2 The power pursuant to Section 50(3) of the Act, if any entry under Section 50(2)(a) is refused or obstructed, to obtain a warrant under Part 10 of the Act to enter the land.</p>		Chief Executive Officer
231868	Water Industry Act 2012	s50(4)	<p>20. Protection of infrastructure and equipment</p> <p>20.3 The power pursuant to Section 50(4) of the Act to authorise a person to take action on the Council's behalf under Section 50 of the Act.</p>		Chief Executive Officer
231869	Water Industry Act 2012	s50(7)	<p>20. Protection of infrastructure and equipment</p> <p>20.4 The power pursuant to Section 50(7) of the Act, if the Council suffers loss as a result of a contravention of Section 50 of the Act, to recover compensation for the loss from a person guilty of the contravention:</p> <p>20.4.1 on application to a court convicting the person of an offence against Section 50 of the Act; or</p> <p>20.4.2 by action in a court of competent jurisdiction.</p>		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231870	Water Industry Act 2012	s52(2)	22. Duty to give notice before paving a road etc. 22.2 The power pursuant to Section 52(2) of the Act, to within 14 days after receiving a notice, advise the person who gave the notice of any new water/sewerage infrastructure proposed in the relevant road and of any interference that is expected to be caused to the existing water/sewerage infrastructure.		Chief Executive Officer
231871	Water Industry Act 2012	s52(3), 52(3)(b)	22. Duty to give notice before paving a road etc 22.3 The power pursuant to Section 52(3) of the Act, if any work referred to Section 52(1) would involve any alteration to any water/sewerage infrastructure that is owned or operated by a water industry entity, to subject to Section 52(5) of the Act, pay to the entity: 22.3.1 unless Section 52(3)(b) applies - half of the actual cost of the alteration or any damage caused by the work; 22.3.2 in prescribed circumstances - an amount determined under the regulations.		Chief Executive Officer
231872	Water Industry Act 2012	s52(6)	22. Duty to give notice before paving a road etc 22.4 The power pursuant to Section 52(6) of the Act, to under an agreement between the Council and a person otherwise required to give notice under Section 52 of the Act, waive the requirement to give such notice in relation to specified classes of work.		Chief Executive Officer
231873	Water Industry Act 2012	s56(4)	26. Discharge of unauthorised material into sewerage infrastructure 26.2 The power pursuant to Section 56(4) of the Act, to grant an authorisation to a person to discharge any solid, liquid or gaseous material, or any other item or thing, prescribed by the regulations.		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231874	Water Industry Act 2012	s56(5)	26. Discharge of unauthorised material into sewerage infrastructure 26.3 The power pursuant to Section 56(5) of the Act, to grant an authorisation to a person to cause, permit or allow any rainwater, stormwater or surface water to flow into, or to otherwise enter, any sewerage infrastructure.		Chief Executive Officer
231875	Water Industry Act 2012	s56(7)	26. Discharge of unauthorised material into sewerage infrastructure 26.4 The power pursuant to Section 56(7) of the Act, to attach such conditions to an authorisation under Section 56 of the Act as the delegate thinks fit and vary or revoke the authorisation at any time.		Chief Executive Officer
231876	Water Industry Act 2012	s56(9)	26. Discharge of unauthorised material into sewerage infrastructure 26.5 The power pursuant to Section 56(9) of the Act, to recover the reasonable costs and expenses incurred by the Council in addressing any damage or loss caused as a result of, or in remedying circumstances caused by, a contravention of Section 56 as a debt from the person in contravention of Section 56 of the Act.		Chief Executive Officer



**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231877	Water Industry Act 2012	s57(1)	<p>27. Work to be carried out by owner at requirement of water industry entity with respect to sewerage infrastructure</p> <p>27.2 The power pursuant to Section 57(1) of the Act, to, by notice referred to in Section 57(1) of the Act require the person on whom it is served to:</p> <p>27.2.1 install or construct in such locations as are specified in the notice;</p> <p>27.2.2 connect to the infrastructure;</p> <p>27.2.3 alter or replace;</p> <p>27.2.4 maintain, repair or cleanse;</p> <p>27.2.5 remove, block or disconnect,</p> <p>such drains, equipment or works as are specified in the notice in the manner specified in the notice or take other action specified in the notice.</p>		Chief Executive Officer
231878	Water Industry Act 2012	s57(3)	<p>27. Work to be carried out by owner at requirement of water industry entity with respect to sewerage infrastructure</p> <p>27.3 The power pursuant to Section 57(3) of the Act, to vary or revoke a notice referred to in Section 57(1) of the Act by a subsequent notice in writing served on the owner or occupier of the land.</p>		Chief Executive Officer
231879	Water Industry Act 2012	s57(5)	<p>27. Work to be carried out by owner at requirement of water industry entity with respect to sewerage infrastructure</p> <p>27.4 The power pursuant to Section 57(5) of the Act, if the requirements of a notice under Section 57 of the Act are not complied with, to take any action required by the notice.</p>		Chief Executive Officer
231880	Water Industry Act 2012	s57(6)	<p>27. Work to be carried out by owner at requirement of water industry entity with respect to sewerage infrastructure</p> <p>27.5 The power pursuant to Section 57(6) of the Act, to authorise a person to take action under Section 52(5) of the Act on the Council's behalf.</p>		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
231881	Water Industry Act 2012	s57(8)	27. Work to be carried out by owner at requirement of water industry entity with respect to sewerage infrastructure 27.6 The power pursuant to Section 57(8) of the Act, to recover the reasonable costs and expenses incurred by the Council in taking action under Section 57(6) or (7) as a debt from the person who failed to comply with the requirements of the notice.		Chief Executive Officer
231882	Water Industry Act 2012	s58(2)	28. Power to disconnect drains to restrict services 28.2 The power pursuant to Section 58(2) of the Act, before reopening or reconnecting a drain closed off or disconnected under Section 58 of the Act, to require the owner or occupier of the relevant land to pay the prescribed fee.		Chief Executive Officer

## Water Industry Act 2012 and Regulations as at 1 March 2013

CHANGED Provisions					
#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
51604	Water Industry Act 2012	s80(2)(h)	34. Enforcement notices The power pursuant to Section 80(2)(h) of the Act to, within 14 days, apply for a review of the notice <del>or institute an appeal against the notice</del> under the provisions of the Act <u>and the South Australian Civil and Administrative Tribunal Act 2013.</u>		Chief Executive Officer
51608	Water Industry Act 2012	s85(1)	38. Appeals 38.1 The power pursuant to Section 85(1) of the Act and in accordance with Section 85(2) of the Act <del>to</del> make <del>appeal</del> <u>an application</u> to the <del>District Court</del> <u>Tribunal</u> : 38.1.1 in relation to a decision as confirmed, amended or substituted by the Commission or the Technical Regulator; 38.1.2 in relation to an enforcement notice issued under Part 8 Division 4 of the Act.		Chief Executive Officer

## Liquor Licensing Act 1997

### NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
229440	Liquor Licensing Act 1997	s131(1ab)	6. Control of consumption etc of liquor in public places 6.1 The power pursuant to Section 131(1ab) of the Act and subject to Section 131 of the Act, to, by notice in the Gazette, prohibit the consumption or possession or both of liquor in the public place or public places within the area of the Council specified in the notice during the period (not exceeding 48 hours) specified in the notice.		Chief Executive Officer
229441	Liquor Licensing Act 1997	s131(1ad)	6. Control of consumption etc of liquor in public places 6.2 The power pursuant to Section 131(1ad) of the Act to, within 7 days after publishing a notice under Section 131(1ab) of the Act, give a copy of the notice to the Commissioner of Police.		Chief Executive Officer
229442	Liquor Licensing Act 1997	s131(1c)	6. Control of consumption etc of liquor in public places 6.3 The power pursuant to Section 131(1c) of the Act to vary or revoke a notice under Section 131(1ab) of the Act by further notice in the Gazette.		Chief Executive Officer

## South Australian Public Health Act 18 June 2013

### NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
229532	South Australian Public Health (Fees) Regulations 2018	Clause 2(1), Schedule 1	35. Refund and Recovery of Fees 35.1 The power pursuant to Clause 2(1) of Schedule 1 of the South Australian Public Health (Fees) Regulations 2018 (the Fees Regulations), to, where the Council is the relevant authority within the meaning of the respective regulations specified in Schedule 1 of the Fees Regulations, refund, reduce or remit payment of a fee payable under those regulations if the delegate considers that appropriate in the circumstances.		Chief Executive Officer
229533	South Australian Public Health (Fees) Regulations 2018	Clause 2(2), Schedule 1	35. Refund and Recovery of Fees 35.2 The power pursuant to Clause 2(2) of the Fees Regulations to recover a fee payable to the Council by action in a Court of competent jurisdiction as a debt due to the Council.		Chief Executive Officer

## Local Government Act 1999

CHANGED Provisions					
#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
51381	Local Government Act 1999	s256(1) and (2)	131. Rights of Review 131.1__The duty pursuant to Section 256(1) and (2) of the Act to ensure that an order made under Part 2 of Chapter 12 includes a statement setting out the rights of the person to <del>appeal</del> <u>seek against</u> review of the order under the Act, and to include the information specified by the Regulations to the Act.		Chief Executive Officer
51284	Local Government Act 1999	s202(1)	94. Alienation of Community Land by Lease or Licence 94.1 The power pursuant to Section 202(1) and (5) of the Act and subject to Section 202(7) of the Act to grant a lease or licence over community land (including community land that is, or forms part of, a park or reserve), <u>and to make provision in a lease or licence</u> for: 94.1.1 the erection or removal of buildings and other structures for the purpose of activities conducted under the lease or licence; 94.1.2 the exclusion, removal or regulation of persons, vehicles or animals from or on the land, and the imposition of admission or other charges (subject to the fixing or varying of the charge by Council, pursuant to Section 44(3)(j) of the Act); 94.1.3 any other matter relevant to the use or maintenance of the land.		Chief Executive Officer



## Instrument of Delegation Under the Heavy Vehicle National Law (South Australia) Act 2013

## NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
243631	Heavy Vehicle National Law (South Australia) Act 2013	S156A(2)	1. Deciding Request for Consent Generally 1.4A The power pursuant to Section 156A(2) of the Act, if the delegate considers that the consent would be given if the mass of the vehicle under the application for the authority was less than applied for, to give the consent subject to a road condition that the vehicle not exceed the mass.		Chief Executive Officer

## CHANGED Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
51796	Heavy Vehicle National Law (South Australia) Act 2013	S156A(1)	1. Deciding Request for Consent Generally 1.4 The power pursuant to Section <del>156(3)</del> 156A(1) of the Act <u>if the Regulator asks the Council, being the road manager for a road, for the Council's consent to the grant of a mass or dimension authority,</u> to decide not to give the consent only if the delegate is satisfied: 1.4.1 the mass or dimension authority will, or is likely to: 1.4.1.1 cause damage to road infrastructure; or 1.4.1.2 impose adverse effects on the community arising from noise, emissions or traffic congestion or from other matters stated in approved guidelines; or 1.4.1.3 pose significant risks to public safety arising from heavy vehicle use that is incompatible with road infrastructure or traffic conditions; and 1.4.2 it is not possible to grant the authority subject to road conditions or travel conditions that will avoid, or significantly minimise: 1.4.2.1 the damage or likely damage; or 1.4.2.2 the adverse effects or likely adverse effects; or 1.4.2.3 the significant risks or likely significant risks.		Chief Executive Officer

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
51797	Heavy Vehicle National Law (South Australia) Act 2013	s156A(3)	1. Deciding Request for Consent Generally 1.5 The power pursuant to Section <del>156(4)</del> 156A(3) of the Act, in deciding whether or not to give the consent, to have regard to: 1.5.1 for a mass or dimension exemption - the approved guidelines for granting mass or dimension exemptions; or 1.5.2 for a class 2 heavy vehicle authorisation - the approved guidelines for granting class 2 heavy vehicle authorisations.		Chief Executive Officer
51798	Heavy Vehicle National Law (South Australia) Act 2013	s156A(4)	1. Deciding Request for Consent Generally 1.6 The power pursuant to Section <del>156(6)</del> 156A(4) of the Act, if the delegate decides not to give consent to the grant of the authority, to give the Regulator a written statement that explains the delegate's decision and complies with Section 172 of the Act.		Chief Executive Officer

# Instrument of Delegation Under the Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010

NEW Provisions					
#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
243983	Electricity Act 1996	S47(3)(b)	1. Power to Carry Out Work on Public Land 1.1 The power pursuant to Section 47(3)(b) of the Electricity Act 1996 (the Act), to agree with an electricity entity to the entity carrying out work on public land that the Council is responsible for the management of.		Chief Executive Officer
243984	Electricity Act 1996	S47(4)	1. Power to Carry Out Work on Public Land 1.2 The power pursuant to Section 47(4) of the Act, to include in an agreement under Section 47 of the Act such conditions the delegate considers appropriate in the public interest.		Chief Executive Officer
243985	Electricity Act 1996	S47(7)	1. Power to Carry Out Work on Public Land 1.3 The power pursuant to Section 47(7) of the Act, if a dispute arises between an electricity entity and the Council about whether work should be permitted under Section 47 of the Act on the land or about the conditions on which work should be permitted on public land, to refer the dispute to the Minister.		Chief Executive Officer
243986	Electricity Act 1996	S47(9)	1. Power to Carry Out Work on Public Land 1.4 The power pursuant to Section 47(9) of the Act, if a dispute is referred to the Minister under Section 47 of the Act: 1.4.1 to make representations to the Minister on the questions at issue in the dispute; and 1.4.2 to make a reasonable attempt to agree to settlement of the dispute on agreed terms.		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
243987	Electricity Act 1996	S55(3)	2. Duties in Relation to Vegetation Clearance 2.1 The power pursuant to Section 55(3) of the Act, where vegetation is planted or nurtured near a public powerline contrary to the principles of vegetation clearance, and the Council has the duty under Part 5 of the Act, to keep vegetation clear of the powerline, to remove the vegetation and recover the cost of so doing as a debt from the person by whom the vegetation was planted or nurtured.		Chief Executive Officer
243988	Electricity Act 1996	S55A(1)	3. Vegetation Clearance Schemes 3.1 The power pursuant to Section 55A(1) of the Act and subject to Sections 55A(3), (4) and (6) of the Act to agree a vegetation clearance scheme with an electricity entity governing the way in which vegetation is to be kept clear of public powerlines on land (other than private land) within both the Council's area and a prescribed area.		Chief Executive Officer

## NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
243989	Electricity Act 1996	S55A(2)	<p>3. Vegetation Clearance Schemes</p> <p>3.2 The power pursuant to Section 55A(2) of the Act, to agree a vegetation clearance scheme in accordance with Section 55A(1) of the Act that does one or more of the following:</p> <p>3.2.1 require the electricity entity to inspect and clear vegetation more frequently than is required under the principles of vegetation clearance or otherwise govern the way in which the entity will carry out its duty to clear vegetation;</p> <p>3.2.2 contain a delegation by the electricity entity of a function or power under Part 5 of the Act in relation to powerlines designed to convey electricity at 11 kV or less;</p> <p>3.2.3 require that the electricity entity be indemnified for any liability arising from an act or omission of the council under the delegation;</p> <p>3.2.4 confer on the Council the duty to keep vegetation of all kinds clear of specified public powerlines that are designed to convey electricity at 11 kV or less;</p> <p>3.2.5 exempt the Council from the principles of vegetation clearance relating to the planting or nurturing of vegetation near overhead public powerlines;</p> <p>3.2.6 impose obligations on the electricity entity or the Council with respect to clearance work or reducing the need for clearance work;</p> <p>3.2.7 make provision for other related matters.</p>		Chief Executive Officer
243990	Electricity Act 1996	S55A(4)(b)	<p>3. Vegetation Clearance Schemes</p> <p>3.3 The power pursuant to Section 55A(4)(b) of the Act, to modify a vegetation clearance scheme by written agreement.</p>		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
243991	Electricity Act 1996	S55B(2)	4. Vegetation Clearance Scheme Dispute 4.1 The power pursuant to Section 55B(2) of the Act and subject to Sections 55B(3) and (4) of the Act, by written notice to the Technical Regulator, ask the Technical Regulator to determine a vegetation clearance scheme dispute under Division 2, Part 5 of the Act.		Chief Executive Officer
243992	Electricity Act 1996	S55C(2)(c)	4. Vegetation Clearance Scheme Dispute 4.2 The power pursuant to Section 55C(2)(c) of the Act, to make an application to the Technical Regulator to not determine a vegetation clearance scheme on the basis that there are good reasons why the dispute should not be determined.		Chief Executive Officer
243993	Electricity Act 1996	S55D	5. Determinations 5.1 The power pursuant to Section 55D of the Act, to consent to the Technical Regulator, in determining a scheme or modification of a scheme, conferring on the Council the duty to keep vegetation clear of public powerlines.		Chief Executive Officer
243994	Electricity Act 1996	S56(1)	6. Role of Councils in Relation to Vegetation Clearance Not Within Prescribed Areas 6.1 The power pursuant to Section 56(1) of the Act, to make an arrangement with an electricity entity conferring on the Council a specified role in relation to vegetation clearance around public powerlines that are not within a prescribed area.		Chief Executive Officer



**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
243995	Electricity Act 1996	S56(2)	<p>6. Role of Councils in Relation to Vegetation Clearance Not Within Prescribed Areas</p> <p>6.2 The power pursuant to Section 56(2) of the Act to include in an arrangement:</p> <p>6.2.1 a delegation by the electricity entity of a function or power under Part 5 of the Act; and</p> <p>6.2.2 a requirement that the electricity entity be indemnified for any liability arising from an act or omission of the Council under a delegation; and</p> <p>6.2.3 provision for the termination of the arrangement by the electricity entity or the Council; and</p> <p>6.2.4 provision for the variation of the arrangement by the electricity entity and the Council.</p>		Chief Executive Officer
243996	Electricity Act 1996	S58A	<p>7. Program for Undergrounding of Powerlines</p> <p>7.1 The power pursuant to Section 58A of the Act, in relation to undergrounding work included in a program, to agree to contribute to the cost of the work in the Council's area on the basis determined by the Minister.</p>		Chief Executive Officer
243997	Electricity Act 1996	S58A(5)	<p>7. Program for Undergrounding of Powerlines</p> <p>7.2 The power pursuant to Section 58A(5) of the Act, to make submissions to the Minister in relation to a program, in preparing a program, the Minister must consult with, and seek proposals and submissions from, councils, electricity entities, bodies (other than councils) responsible for the care, control or management of roads and other persons as the Minister considers appropriate.</p>		Chief Executive Officer
243998	Electricity Act 1996	S58A(8)	<p>7. Program for Undergrounding of Powerlines</p> <p>7.3 The power pursuant to Section 58A(8) of the Act, to make submissions to the Minister in relation to varying a program.</p>		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
243999	Electricity (Principles of Vegetation Clearance) Regulations 2010	R4(4)	8. Duty of Electricity Entity or Council 8.1 The power pursuant to Regulation 4(4) of the Electricity (Principles of Vegetation Clearance) Regulations 2010 (the Regulations) to seek approval from the Technical Regulator to keep vegetation clear of the powerlines in accordance with the principles in Regulation 4(2)(b)(ii) of the Regulations.		Chief Executive Officer
244000	Electricity (Principles of Vegetation Clearance) Regulations 2010	R7(3)	9. Technical Regulator May Grant Exemption from Principles of Vegetation Clearance 9.1 The power pursuant to Regulation 7(3) of the Regulations to make submissions to the Technical Regulator in relation to an application under Regulation 7 of the Regulations.		Chief Executive Officer
244001	Electricity (Principles of Vegetation Clearance) Regulations 2010	R8(2)	10. Vegetation Clearance Scheme Outside Prescribed Areas Agreed Between Council and Electricity Entity 10.1 The power pursuant to Regulation 8(2) of the Regulations and subject to Regulations 8(3), (4), (5) and (6) of the Regulations, to agree a vegetation clearance scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the area of the Council or part of that area.		Chief Executive Officer
244002	Electricity (Principles of Vegetation Clearance) Regulations 2010	R8(5)(b)	10. Vegetation Clearance Scheme Outside Prescribed Areas Agreed Between Council and Electricity Entity 10.2 The power pursuant to Regulation 8(5)(b) of the Regulations, to vary or revoke a scheme by written agreement between the parties.		Chief Executive Officer
244003	Electricity (Principles of Vegetation Clearance) Regulations 2010	R10(5)	11. Objections Relating to Vegetation Clearance 11.1 The power pursuant to Regulation 10(5) of the Regulations, to reach an agreement with an objector as to how the objection might be resolved.		Chief Executive Officer
244004	Electricity (Principles of Vegetation Clearance) Regulations 2010	R10(6)(b)	11. Objections Relating to Vegetation Clearance 11.2 The power pursuant to Regulation 10(6)(b) of the Regulations, to enter into an agreement under Regulation 9 of the Regulations with the objector that relates to the subject matter of the objection.		Chief Executive Officer

**NEW Provisions**

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
244005	Electricity (Principles of Vegetation Clearance) Regulations 2010	R10(8)	<p>11. Objections Relating to Vegetation Clearance</p> <p>11.3 The power pursuant to Regulation 10(8) of the Regulations to, when giving notice of an intention to enter private land to carry out work under Part 5 of the Act, include in or with the notice a statement of the rights of the owner or occupier to lodge an objection under Regulation 10 of the Regulations.</p>		Chief Executive Officer

## Instrument of Delegation Under the Gas Act 1997

### NEW Provisions

#	Delegation Source	Section	Item Delegated / Authorisation	Conditions and Limitations	Delegate / Authorised Officer
244006	Gas Act 1997	S47(3)(b)	1. Power to Carry Out Work on Public Land 1.1 The power pursuant to Section 47(3)(b) of the Gas Act 1997 (the Act) to agree with a gas entity to the entity carrying out work on public land that the Council is responsible for the management of.		Chief Executive Officer
244007	Gas Act 1997	S47(4)	1. Power to Carry Out Work on Public Land 1.2 The power pursuant to Section 47(4) of the Act to include in an agreement under Section 47 of the Act such conditions the delegate considers appropriate in the public interest.		Chief Executive Officer
244008	Gas Act 1997	S47(7)	1. Power to Carry Out Work on Public Land 1.3 The power pursuant to Section 47(7) of the Act, if a dispute arises between a gas entity and the Council about whether work should be permitted under Section 47 of the Act on the land or about the condition on which work should be permitted on public land, to refer the dispute to the Minister.		Chief Executive Officer
244009	Gas Act 1997	S47(9)	1. Power to Carry Out Work on Public Land 1.4 The power pursuant to Section 47(9) of the Act, if a dispute is referred to the Minister under Section 47 of the Act: 1.4.1 to make representations to the Minister on the questions at issue in the dispute; and 1.4.2 to make a reasonable attempt to agree to settlement of the dispute on agreed terms.		Chief Executive Officer

## INFORMATION REPORT

<b>REPORT TITLE:</b>	FINANCE PERFORMANCE REPORT FOR THE PERIOD ENDED 31 MARCH 2019
<b>ITEM NUMBER:</b>	1454
<b>DATE OF MEETING:</b>	29 APRIL 2019
<b>AUTHOR:</b>	TRACY ROMANO
<b>ATTACHMENTS:</b>	ACTING MANAGER FINANCE & PROCUREMENT

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### 1. **EXECUTIVE SUMMARY**

This report highlights the year to date financial position for 2018-19 as at 31 March 2019.

Council's overall year to date result is favourable to budget by \$5.1M. Favourable variances relate to timing and include the following:

- Actual Operating Income exceeding the forecast budget by \$430K;
- Actual Operating Expenditure being less than the forecast budget by \$1.4M;
- Net Expenditure for Operating Projects being less than budget by \$174K; and
- The net Expenditure for Capital Projects is \$3.1M less than expected. The main contributor being the Goodwood Oval Grandstand project and King William Road Streetscape project.

A positive cash flow of \$2.6M has been realised year to date. The borrowing liability has reduced for the quarter, primarily due to principal repayments of debentures totalling \$619K.

### 2. **RECOMMENDATION**

That:

1. The report be received.
- 

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

#### **Civic Leadership**

Goal 4: Council will listen to the community and make transparent decisions for the long-term benefit of the City.

4.1 We have strong leadership and governance

4.2 Council provides best value services to the community

#### 4. DISCUSSION

The purpose of this report is to provide Council with the actual financial performance compared to budget for the period ending 31 March 2019.

##### **Funding Result Compared to Budget**

	Actual YTD	Budget YTD	YTD Variance Fav/(Unfav)	YTD Variance	Full Year Revised Budget
	\$'000	\$'000	\$'000	%	\$'000
Operating income	47,043	46,613	430	0.9%	48,061
Operating expenditure	31,549	32,899	1,351	4.1%	44,474
Funding surplus before Projects	15,494	13,713	1,781		3,588
Net expenditure - Operating projects	729	903	174	19.3%	1,336
Operating Surplus after Projects	14,766	12,811	1,955		2,251
Net expenditure - Capital projects	5,515	8,613	3,098	36.0%	15,910
Net Lending / (Borrowing) for Financial Year	15,161	10,108	5,053		(5,779)

Operating Income and Expenditure are \$1.8M favourable to budget at the end of March 2019. Further information is available in Attachment 1.

There are no budget concerns for operating or capital projects at this time.

##### **Statement of Financial Position**

	March 2019 \$'000	June 2018 \$'000	Movement \$'000
Assets	532,027	524,217	7,810
Liabilities - Borrowings	(1,900)	(5,187)	3,287
Other Liabilities	(9,285)	(12,668)	3,383
<b>Net Assets (Liabilities)</b>	<b>520,842</b>	<b>506,362</b>	<b>14,480</b>

The movement in the Statement of Financial Position represents:

- An increase in Assets of \$7.8M due to the recognition of rates income in accounts receivable.
- An overall reduction in Borrowings as a result of the Third Quarter rates payments received.
- The decrease in Other Liabilities, relates to the payment of creditors that were outstanding at the end of December.



## Cash Flow

31-Mar-2019 \$'000	
Net Flows from Operating	8,712
Net Flows from Investing	(5,505)
Net Flows from Financing Activities	(619)
<b>Net Change in Cash Position</b>	<b>2,588</b>

A positive cash flow of \$2.6M has been realised year to date. Net flows from operating of \$8.7M have been realised due to rates receipts exceeding expenditure for the period. As noted above, this inflow has facilitated \$619K in principal repayments to debentures.

## Operating Results

Attachment 1

How well are we managing our Operating Income compared to Budget?	On Track
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## Operating Projects

Attachment 2

How well are we managing our Operating Expenditure compared to Budget?	On Track
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## Capital Projects

Attachment 3

How well are we managing our Operating Projects?	On Track
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## Overall Funding Statement

Attachment 4

Overall, how well are we managing our Capital Works?	On Track
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*The figures in this report have been rounded and consequently individual sub-totals, whilst being correct, may differ slightly from the sum of the rounded amounts.*

## 5. ATTACHMENTS

- Attachment 1 – Operating Results (Excluding Projects)
- Attachment 2 – Operating Projects
- Attachment 3 – Capital Projects
- Attachment 4 – Overall Funding Statement
- Attachment 5 – Uniform Presentation of Finances

## 6. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
Nicola Tinning	General Manager Business Support & Improvement
Peter Tsokas	Chief Executive Officer

## How well are we managing our Operating Income compared to Budget?

### On Track

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	YTD Variance %	Full Year Revised Budget \$'000
<b>Operating income</b>					
Rates	41,301	41,202	98	0.2%	41,216
Statutory income	1,189	1,175	13	1.1%	1,509
User charges	1,487	1,422	65	4.6%	1,722
Grants, subsidies and contributions	2,175	2,098	77	3.7%	2,588
Other income	892	715	176	24.7%	1,027
<b>Total Operating Income</b>	<b>47,043</b>	<b>46,613</b>	<b>430</b>	<b>0.9%</b>	<b>48,061</b>

### Year to Date Result

Income is favourable by \$430K or 0.9% compared to budget year to date. Key contributing factors are as follows:

*Rates* \$98K favourable to budget due to NRM Levy collected being higher than budget. This will be adjusted as part of BR 3.

*Grants, subsidies and contributions* \$77K favourable to budget primarily due to Growth Round Payment for CHSP, R2R and Local Roads grants.

Other income \$176K favourable to budget mainly due to;

- \$49K attributed to Shared Service arrangement with City of Walkerville
- \$93K Brownhill Keswick Creek expense reimbursement
- \$10K Economic Development other contributions

The current larger reported variances relate to timing, there is no foreseeable concerns regarding the Annual Budget at this time.

Budget timing has been considered as part of Budget Review 3.

## How well are we managing our Operating Expenditure compared to Budget?

### On Track

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	YTD Variance %	Full Year Revised Budget \$'000
<b>Operating expenditure</b>					
Total Employment costs	13,908	13,556	(352)	-2.6%	18,345
Materials, contracts and other expenses	11,574	13,044	1,470	11.3%	17,715
Depreciation and amortisation	5,910	5,910	()	0.0%	7,880
Finance costs	157	390	233	59.7%	534
<b>Total Operating Expenditure</b>	<b>31,549</b>	<b>32,899</b>	<b>1,351</b>	<b>4.1%</b>	<b>44,474</b>

### Year to Date Result

A favourable expenditure variance of \$1.4M, 3.5% compared to budget. This variance relates to the timing of internal process adjustments to align employment costs to budget which includes annual and long service leave.

*Materials, contracts and other expenses* are \$1.5M favourable. These variances relate primarily to the timing of when invoices are received and processed compared to budget. Larger variances include:

- Waste Contract \$350K
- Software Fees and licenses \$240K
- Maintenance contract costs \$170K
- Contract Maintenance and Purchase Services \$95k
- Urban Policy Planning Projects \$75K
- General Insurance \$70K
- Council Contributions – Community Events Sponsorship Program \$55K
- Community Grants \$43K
- Grant Agreements \$30k
- Customer Experience Program \$30k

### Forecast

Budget timing has been considered as part of Budget Review 3.

The current reported variances relate to timing, there is no foreseeable concerns regarding the Annual Budget at this time.

# OPERATING PROJECTS

## Attachment 2

### How well are we managing our Operating Projects?

#### On track

City of Unley Operating Projects as at March 2019				
	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	Annual Budget \$'000
<b>Income</b>				
201919 - Unley Gourmet Gala	53	-	53	-
202232 - Events - Double Shot Coffee Fiesta	28	30	(2)	30
202559 - Events - Ignite Unley	-	-	-	-
202678 - Street Lighting Infrastructure Alternative Lighting Solution	3	-	3	-
202708 - Kirinari Lease	-	36	(36)	48
202717 - Community Volunteer Training	-	-	-	-
205013 - Unley Legends Project	8	8	-	8
<b>Income Total</b>	<b>92</b>	<b>74</b>	<b>18</b>	<b>86</b>
<b>Expenditure</b>				
201919 - Unley Gourmet Gala	243	200	(43)	200
201999 - Unley Central Project	-	40	40	40
202232 - Events - Double Shot Coffee Fiesta	71	75	4	75
202233 - Healthy Community Program	5	11	6	20
202234 - Tour Down Under	74	73	(1)	73
202242 - Local Government Elections 2014 (Include Induction)	187	146	(42)	194
202367 - Second Generation Street Tree Implementation (Year 1)	-	15	15	75
202559 - Events - Ignite Unley	22	25	3	25
202561 - Events - Zest Fest (Every Generation Festival)	4	5	1	5
202564 - Events - Event Attraction	-	5	5	10
202618 - Events - Fringe in Unley	10	10	-	10
202619 - Royal Adelaide Show Traffic Mgmt	22	21	(1)	21
202620 - Street Tree Watering Well Program	-	-	-	50
202622 - Unley City Wide Greening	-	25	25	50
202642 - Events - Promotion & Staffing	3	4	-	5
202657 - 2017-18 Trader Event Sponsorship	22	45	23	45
202658 - Active Aging	6	14	8	20
202661 - Reactive Footway Maintenance - Increased Level of Service	77	93	15	150
202663 - Parking Initiatives	12	7	(5)	108
202665 - Business Concierge	4	-	(4)	22
202666 - Review of services using a Target Operating Model	5	23	18	30
202677 - Water Sensitive Urban Design (WSUD) Initiatives	22	30	8	40
202679 - Event Storage	4	4	()	5
202704 - Planning System Reform Policy Update & Transition	-	15	15	20
202705 - All Connections to Unley Art Prize	1	23	22	30
202706 - LATM 3 Clarence Park	10	30	20	40
202707 - City Wide Street Tree Risk Audit	-	19	19	25
202715 - Resilient East 2018-19 Projects	3	-	(3)	10
202716 - Event Support	-	8	8	11
202717 - Community Volunteer Training	5	5	()	5
205013 - Unley Legends Project	8	8	-	8
<b>Expenditure Total</b>	<b>820</b>	<b>976</b>	<b>156</b>	<b>1,422</b>
<b>Net Operating Projects Expenditure</b>	<b>729</b>	<b>903</b>	<b>174</b>	<b>1,336</b>

#### Income

- Operating project income is \$18K favourable to budget due to the earlier than budgeted receipt of sponsorship funding for Unley Gourmet Gala \$53K and the unfavourable variance of \$36K with the completion of the Kinnari Lease rent-free period.

### Expenditure

Operating project expenditure is \$156K favourable.

Key projects contributing to timing variances include:

- \$25K Unley City Wide Greening contract awarded, delivery is underway.
- \$23K Last invoice for the Trader Event Sponsorship.
- \$22K All Connections to Unley Art Prize will be completed by end of June.
- \$20K LATM 3 Clarence Park, concept development and data collection will be spent by June.
- \$19K City Wide Street Tree Risk Audit works will commence shortly.
- \$18K Review of Services using a Target Operating Model project complete.
- \$15K Planning System Reform Policy awaiting release of new draft Code components and transition review.

### Forecast

Budget timing has been considered as part of Budget Review 3. The current reported variances relate to timing there is no foreseeable concerns regarding the Annual Budget at this time.

### How well are we managing our Capital Works?

On track

#### City of Unley Capital Works Summary as at March 2019

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	Annual Budget \$'000
<b>Income Total</b>	<b>1,848</b>	<b>2,453</b>	<b>(605)</b>	<b>4,976</b>
<b>Expenditure</b>				
NEW - New Capital	3,159	5,454	2,295	11,850
REPLACE - Replacement Capital	3,560	4,968	1,407	8,178
PROJDEL - Project Delivery	644	644	-	859
<b>Expenditure Total</b>	<b>7,363</b>	<b>11,066</b>	<b>3,702</b>	<b>20,887</b>
<b>Net Capital Projects Expenditure</b>	<b>5,515</b>	<b>8,613</b>	<b>3,098</b>	<b>15,910</b>

### Capital Income

The majority of the \$605K unfavourable variance relates to:

- Goodwood Oval Facilities \$1.1M. This unfavourable variance relates to the recognition of income for capital projects under the revised accounting standard AASB120. Whilst the grant for the works was received in 2017/18, this income can only be recognised against the project as building works are carried out.
- King William Road \$400k favourable. Construction contract to be awarded at the end of April, with costs incurred in final 2 months. Remaining budget to be carried forward to fund the construction works planned for 19/20.

### New Capital Expenditure

New capital expenditure is \$2.3M favourable to budget:

- Goodwood Oval Facilities \$1.1M, refer income comment above.
- King William Road \$811K, refer income comment above.
- LED Street Lighting \$720K, likely carry forward.
- Leah Street Road project \$257K, likely carry forward.
- LATM Implementation \$158K, possible carry forward with construction scheduled for late May/June.
- Brownhill Keswick Creek Council \$825K, adjustment in BR3.

### Asset Replacement Expenditure

Replacement Capital Expenditure is \$1.4M favourable to budget as a result of timing variances across the program, including:

- Drains & Stormwater \$410K, Footways \$291K and Roads \$134K. Projects are on track with delivery planned throughout the year.
- IT Asset Replacement Program Unified Communications project \$232K favourable variance relates to the timing of deliver, which is expected to be completed by the end of financial year.

### Forecast

Budget timing has been considered as part of Budget Review 3.



# OVERALL FUNDING STATEMENT

Attachment 4

The City of Unley

## Overall Funding Statement

for the year to date ended March 2019

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	YTD Variance %	Full Year Revised Budget \$'000
<b>Operating income</b>					
Rates	41,301	41,202	98	0.2%	41,216
Statutory income	1,189	1,175	13	1.1%	1,509
User charges	1,487	1,422	65	4.6%	1,722
Grants, subsidies and contributions	2,175	2,098	77	3.7%	2,588
Other income	892	715	176	24.7%	1,027
<b>Total Operating Income</b>	<b>47,043</b>	<b>46,613</b>	<b>430</b>	<b>0.9%</b>	<b>48,061</b>
<b>Operating expenditure</b>					
Total Employment costs	13,908	13,556	(352)	-2.6%	18,345
Materials, contracts and other expenses	11,574	13,044	1,470	11.3%	17,715
Depreciation and amortisation	5,910	5,910	()	0.0%	7,880
Finance costs	157	390	233	59.7%	534
<b>Total Operating Expenditure</b>	<b>31,549</b>	<b>32,899</b>	<b>1,351</b>	<b>4.1%</b>	<b>44,474</b>
<b>Funding surplus/(deficit) before Projects</b>	<b>15,494</b>	<b>13,713</b>	<b>1,781</b>		<b>3,588</b>
<b>Project Summary</b>					
<b>Operating projects</b>					
Income	92	74	18	24.8%	86
Expenditure	820	976	156	16.0%	1,422
<b>Net expenditure - Operating projects</b>	<b>729</b>	<b>903</b>	<b>174</b>		<b>1,336</b>
<b>Capital projects</b>					
Income	1,848	2,453	(605)	-24.7%	4,976
Expenditure	7,363	11,066	3,702	33.5%	20,887
<b>Net expenditure - Capital projects</b>	<b>5,515</b>	<b>8,613</b>	<b>3,098</b>		<b>15,910</b>
<b>Total Operating projects and capital works program (net)</b>	<b>6,244</b>	<b>9,515</b>	<b>3,272</b>	<b>34.4%</b>	<b>17,247</b>
Depreciation and amortisation	5,910	5,910	()	0.0%	7,880
<b>Net Lending / (Borrowing) for Financial Year</b>	<b>15,161</b>	<b>10,108</b>	<b>5,053</b>	<b>50.0%</b>	<b>(5,779)</b>
<b>Operating Surplus after Projects</b>	<b>14,766</b>	<b>12,811</b>	<b>1,955</b>		<b>2,251</b>

The figures in this paper have been rounded and consequently individual sub-totals, whilst being correct, may differ slightly from the sum of the rounded amounts.

# Uniform Presentation of Finances

## Attachment 5

### Uniform Presentation of Finances for the period ended March 2019

\$ '000	2019
Income	47,135
less Expenses	(32,369)
<b>Operating Surplus / (Deficit)</b>	<b>14,766</b>
<b>Net Outlays on Existing Assets</b>	
Capital Expenditure on Renewal and Replacement of Existing Assets	4,027
add back Depreciation, Amortisation and Impairment	(5,910)
add back Proceeds from Sale of Replaced Assets	(403)
<b>Subtotal</b>	<b>(2,286)</b>
<b>Net Outlays on New and Upgraded Assets</b>	
Capital Expenditure on New and Upgraded Assets (including Investment Property & Real Estate Developments)	3,336
add back Amounts Received Specifically for New and Upgraded Assets	(1,446)
add back Proceeds from Sale of Surplus Assets (including Investment Property & and Real Estate Developments)	-
<b>Subtotal</b>	<b>1,891</b>
<b>Net Lending / (Borrowing) for the Period</b>	<b>15,161</b>
<b>Net Financial Liabilities at Beginning of Year</b>	<b>(12,565)</b>
Decrease / (increase) in Other	-
<b>Net Financial Liabilities at End of Period</b>	<b>2,596</b>

## DECISION REPORT

**REPORT TITLE:** THIRD QUARTER BUDGET REVIEW 2018-19  
**ITEM NUMBER:** 1455  
**DATE OF MEETING:** 29 APRIL 2019  
**AUTHOR:** TRACY ROMANO  
**JOB TITLE:** ACTING MANAGER FINANCE & PROCUREMENT

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### 1. **EXECUTIVE SUMMARY**

Section 9(1) of the *Local Government (Financial Management) Regulations 2011* requires Council to formally consider its Budget at least three times during the financial year.

This report presents the Third Quarter Budget Review for the 2018-19 financial year for Council's consideration.

The proposed budget changes will:

- Increase the budgeted Operating Surplus from \$2.33M to \$2.76M ; and
- Reduce the Net Borrowings result from the year from \$5.69M to \$4.56M.

The suite of proposed Budgeted Financial Statements is presented as Attachment 1.

### 2. **RECOMMENDATION**

That:

1. The Third Quarter Budget Review 2018-19 report, including Attachments 1-4, be received.
  2. The budget variations totalling \$1.14M (Attachments 3-4, Item 1455, Council Meeting 19/4/19), identified in the Third Quarter 2018-19 Budget Review be approved.
  3. The proposed budgeted Uniform Presentation of Finances reflecting a change in the budgeted Operating Surplus to \$2.76M, and a decrease in Net Borrowings to \$4.56M as set out in Attachment 1 to this Report (Item 1455, Council Meeting, 29/4/19) be adopted.
-

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

- 3.1. Local Government Act 1999, Section 123.
- 3.2. Local Government (Financial Management) Regulations 2011, Regulation 7 and 9.

#### **Civic Leadership**

Goal 4: Council will listen to the community and make transparent decisions for the long-term benefit of the City.

- 4.1 We have strong leadership and governance.

### **4. DISCUSSION**

The Regulations require Council to formally consider its budget three times per year. This statutory requirement recognises the likelihood that events will occur that require, or offer opportunities for, changes to the budget during the year.

At the Council meeting held on the 25 February 2019, Council adopted the Second Quarter Budget Review 2018-2019 with an updated Budget Operating Surplus before Capital Revenue of \$2.33M and an estimated Net Borrowings of \$5.69M. Council's Original Annual Business Plan and Budget was adopted on 25 June 2018.

#### **Third Quarter Budget Review**

##### Operating Budget Variations

The current 2018-19 Adopted Budget reflects a Net Operating Funding Surplus before Capital Revenue of \$2.33M. The proposed adjustments, listed below, will result in an increase in the Operating Surplus to \$2.76M.

	<b>\$'000</b>
Current Adopted Budget Net Operating Surplus before Capital Revenue	2,333
Net Impact of Third Quarter Budget Review Variations	426
Third Quarter Budget Review Operating Surplus	2,760

##### Operating Budget Requests

#### **Net Increase in Operating Income of \$42K**

- An increase of \$75K in expiation revenue due to the employment of an additional parking officer in October 2018.
- A decrease of \$33K in income for Aged Care Visitors Scheme due to grant funding being ceased, this is part offset by a reduction in expenditure.

*Attachment 2*

**Net Decrease in Operating Expenditure including Operating Projects of \$383K.**

- Decrease of budgeted finance costs of \$249K due to the delay in major projects.
- Decrease of \$100K in water as budgeted portable water funding not required.
- DPA Review project concluded resulting in a decrease in expenditure of \$100K.
- Decrease in Aged Care Visitors Scheme expenditure of \$22K due to funding being ceased.
- Overall decrease of \$11K and \$4K has been achieved by the use of in-house staff over budgeted contractors in Signs and Car Park Maintenance.
- Increase of \$17K in consultancy costs for Civic Centre upgrade investigations as per Council Resolution (Item 1239).
- Increase of \$30K in Development & Compliance covering the employment of a compliance officer, will be partially offset by hoarding fees.
- An increase of \$55K in Parking Control employee costs due to the employment of an additional parking officer in October 2018.

*Attachment 2*

**Capital Budget Variations**

The current 2018-19 adopted budget reflects a Net Outlay on Assets of \$7.67M. The proposed adjustments, detailed below, will decrease the Net Outlay on Assets to \$7.02M.

	<b>\$'000</b>
Current Budget Net Outlay on Existing Assets	(360)
Net Impact of Third Quarter Budget review Variations Savings identified in the procurement of a vehicle	65
Third Quarter Budget Net Outlay on Assets	(295)

The adjustments to the current Capital Project Budget on *New & Upgraded Assets* is summarised as:

	<b>\$'000</b>
Current Budget Net Outlay on New & Upgraded Assets	(7,670)
Net Impact of Third Quarter Budget review Variations Decrease in Expenditure, project concluded	650
Third Quarter Budget Net Outlay on Assets	(7,020)

*Attachment 3*

### Zero Balance Budget Variations

During the third quarter there have been further changes proposed to the Adopted Budget that relate to movements in income and expenditure categories that have a nil impact of the overall budget.

In relation to zero balance budget variations, the proposed adjustments relate to:

- NRM Levy collection received greater than expected \$53K.
- Contributions to fund Find Your Everything received from Traders Association \$14K.
- Youth Development employee transfer from Economic Development \$3K.
- Grant funding, Other Income and User Charges adjusted to meet funding in Social Support, Flexible Respite, CHSP Transport, Domestic and Home Modifications \$60K.

The proposed changes that have a zero impact of the 2018-19 Budget are provided as Attachment 4.

*Attachment 4*

### **Budget Review Presentation**

In accordance with Regulations, the Uniform Presentation of Finances showing the movements in the current and proposed budgets is shown as Attachment 1.

*Attachment 1*

### Movements in Budgeted Borrowings

The Current 2018-19 Budget shows forecast borrowings at 30 June 2019 of \$5.19M. As a result of the proposed Third Quarter Budget Review changes, forecast borrowings have been revised upwards to \$6.81M.

<b>Borrowings</b>	<b>Opening Balance</b>	<b>New Borrowings</b>	<b>Repayments</b>	<b>Closing Balance</b>
CAD (Short Term Drawdown)	2,950		(2,929)	21
Current Fixed Term Borrowings	669	-	-	669
Non-Current Fixed Term Borrowings	1,568	5,225	(669)	6,124
<b>Total</b>	<b>5,187</b>	<b>5,225</b>	<b>(3,598)</b>	<b>6,814</b>



## **5. ANALYSIS OF OPTIONS**

### **Option 1 –**

1. The Third Quarter Budget Review 2018-19 report, including Attachments 1-4, be received.
2. The budget variations totalling \$1.14M (Attachments 3-4, Item 1455, Council Meeting 19/4/19), identified in the Third Quarter 2018-19 Budget Review be approved.
3. The proposed budgeted Uniform Presentation of Finances reflecting a change in the budgeted Operating Surplus to \$2.76M, and a decrease in Net Borrowings to \$4.56M as set out in Attachment 1 to this Report (Item 1455, Council Meeting, 29/4/19) be adopted.

There are no further options proposed.

## **6. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **7. POLICY IMPLICATIONS**

These proposed adjustments will increase Council's Operating Surplus for the 2018-19 year by \$426K.

## **8. REPORT CONSULTATION**

All budget requests have been made through the relevant Business Unit Managers and approved by the relevant General Manager of the Division.

## **9. ATTACHMENTS**

- Attachment 1 – Proposed Budgeted suite Presentation of Finances for the Year Ended 30 June 2019
- Attachment 2 – Proposed Budget Requests – Operating
- Attachment 3 – Proposed Budget Requests – Capital
- Attachment 4 – Proposed Zero Budget Changes

## **10. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Nicola Tinning	General Manager Business Support and Improvement
Peter Tsokas	Chief Executive Officer

Proposed Budgeted Uniform Presentation of Finances  
For the year ended 30 June 2019

\$ '000	Current Budget 2019	Zero Budget Changes	Additional Requests Increase/ (Decrease)	3rd Quarter Budget Review
Income	48,140	127	42	48,309
less Expenses	(45,807)	(127)	384	(45,550)
<b>Operating Surplus / (Deficit)</b>	<b>2,333</b>	<b>-</b>	<b>426</b>	<b>2,760</b>
<i>less Net Outlays on Existing Assets</i>				
Capital Expenditure on Renewal and Replacement of Existing Assets	(8,800)		65	(8,735)
less Depreciation, Amortisation and Impairment	7,880		-	7,880
less Amounts Received Specifically for Replacement of Existing Assets	169		-	169
less Proceeds from Sale of Replaced Assets	391		-	391
<b>Subtotal</b>	<b>(360)</b>	<b>-</b>	<b>65</b>	<b>(295)</b>
<i>less Net Outlays on New and Upgraded Assets</i>				
Capital Expenditure on New and Upgraded Assets	(12,087)		650	(11,437)
less Amounts Received Specifically for New and Upgraded Assets	4,417		-	4,417
less Proceeds from Sale of Surplus Assets	-		-	-
<b>Subtotal</b>	<b>(7,670)</b>	<b>-</b>	<b>650</b>	<b>(7,020)</b>
<b>Net Lending / (Borrowing) for Financial Year</b>	<b>(5,697)</b>	<b>-</b>	<b>1,141</b>	<b>(4,556)</b>
<b>Net Financial Liabilities at Beginning of Year</b>	(12,843)			(12,843)
Decrease / (increase) in Other	(78)			(78)
<b>Net Financial Liabilities at End of Year</b>	<b>(18,618)</b>	<b>-</b>	<b>1,141</b>	<b>(17,477)</b>

The figures in this report have been rounded and consequently individual sub-totals, whilst being correct, may differ slightly from the sum of the rounded amounts.

## Proposed Budgeted Statement of Comprehensive Income

For the year ended 30 June 2019

\$ '000	3rd Quarter Budget Review
<b>Income</b>	
Rates	41,269
Statutory charges	1,584
User charges	1,711
Grants, subsidies and contributions	2,617
Investment income	12
Reimbursements	350
Other income	688
Operating Projects	138
Net gain - joint ventures & associates	78
<b>Total Income</b>	<b>48,446</b>
<b>Expenses</b>	
Employee Costs	17,756
Materials, contracts & other expenses	18,296
Depreciation, amortisation & impairment	7,880
Finance costs	285
Net loss - joint ventures & associates	-
Operating Projects	1,469
<b>Total Expenses</b>	<b>45,687</b>
<b>Operating Surplus / (Deficit)</b>	<b>2,760</b>
Asset disposal & fair value adjustments	(16)
Amounts received specifically for new, upgraded assets or replacement assets	4,585
<b>NET SURPLUS / (DEFICIT)</b>	<b>7,329</b>
<b>Other Comprehensive Income</b>	
Share of other comprehensive income - joint ventures and associates	-
<b>Total Other Comprehensive Income</b>	<b>-</b>
<b>Total Comprehensive Income</b>	<b>7,329</b>

# Proposed Budgeted Statement of Financial Position

## For the year ended 30 June 2019

	3rd Quarter Budget Review
<b>\$ '000</b>	
<b>ASSETS</b>	
<b>Current Assets</b>	
Cash and cash equivalents	100
Trade & other receivables	1,884
Other financial assets	12
<b>Total Current Assets</b>	<b>1,996</b>
<b>Non Current Assets</b>	
Financial Assets	9
Equity accounted investments in Council businesses	15,649
Infrastructure, Property, Plant & Equipment	515,519
<b>Total Non-current Assets</b>	<b>531,177</b>
<b>TOTAL ASSETS</b>	<b>533,173</b>
<b>LIABILITIES</b>	
<b>Current Liabilities</b>	
Trade & Other Payables	9,607
Future Commitment in regards to Grant Funding	
Borrowings - Short Term Draw Down	21
Borrowings Fixed Term	669
Provisions	2,379
<b>Total Current Liabilities</b>	<b>12,676</b>
<b>Non-current Liabilities</b>	
Borrowings	6,124
Provisions	448
Other Non-current Liabilities	234
<b>Total Non-current Liabilities</b>	<b>6,806</b>
<b>TOTAL LIABILITIES</b>	<b>19,482</b>
<b>Net Assets</b>	<b>513,691</b>
<b>EQUITY</b>	
Accumulated Surplus	152,488
Asset Revaluation Reserves	361,203
Other Reserves	-
<b>TOTAL EQUITY</b>	<b>513,691</b>
<b>NET FINANCIAL LIABILITIES</b>	<b>17,477</b>

## Proposed Budgeted Statement of Cash Flows

For the year ended 30 June 2019

\$ '000	3rd Quarter Budget Review
<b>Cash Flows from Operating Activities</b>	
<u>Receipts</u>	
Operating Receipts	48,356
Investment Receipts	12
<u>Payments</u>	
Operating payments to suppliers & employees	(37,522)
Finance Payments	(285)
<b>Net Cash provided by (or used in) Operating Activities</b>	<b>10,562</b>
<b>Cash Flows from Investing Activities</b>	
<u>Receipts</u>	
Amounts specifically for new or upgraded assets	4,585
Amounts received specifically for Replacement of Existing Assets	
Proceeds from Sale of Surplus Assets	-
Sale of replaced assets	391
Repayments of loans by community groups	-
<u>Payments</u>	
Expenditure on renewal/replacement of assets	(8,735)
Expenditure on new/upgraded assets	(11,437)
Loans made to Community Groups	-
<b>Net Cash provided by (or used in) Investing Activities</b>	<b>(15,195)</b>
<b>Cash Flows from Financing Activities</b>	
<u>Receipts</u>	
Proceeds from borrowings	5,225
<u>Payments</u>	
Repayments of borrowings	(669)
<b>Net Cash provided by (or used in) Financing Activities</b>	<b>4,556</b>
<b>Net Increase/ (Decrease) in cash held</b>	<b>(78)</b>
plus: <b>Cash &amp; cash equivalents at beginning of period</b>	<b>157</b>
<b>Cash &amp; cash equivalents at end of period</b>	<b>79</b>

Proposed Budgeted Statement of Changes in Equity  
For the year ended 30 June 2019

\$ '000	Accumulated Surplus	Asset Revaluation Reserve	Total Equity
<b>2019</b>			
<b>Balance at end of previous reporting period</b>	<b>145,159</b>	<b>361,203</b>	<b>506,362</b>
<b>a. Net Surplus / (Deficit) for Year</b>	<b>7,329</b>	<b>-</b>	<b>7,329</b>
<b>b. Other Comprehensive Income</b>			
- Gain (Loss) on revaluation of I, PP&E	-	-	-
- Share of OCI - Equity Accounted Council Businesses	-	-	-
<b>Other Comprehensive Income</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Comprehensive Income</b>	<b>7,329</b>	<b>-</b>	<b>7,329</b>
<b>Balance at end of period</b>	<b>152,488</b>	<b>361,203</b>	<b>513,691</b>



Proposed Budgeted Financial Indicators  
For the year ended 30 June 2019

\$ '000	3rd Quarter Budget Review	Current Budget 2019
<b>Operating Surplus Ratio</b>	<b>5.7%</b>	<b>4.8%</b>
<b>Net Financial Liabilities Ratio</b>	<b>36%</b>	<b>27%</b>
<b>Asset Sustainability Ratio - Current Year based on Asset Management Plan Required Expenditure</b>	<b>106%</b>	<b>107%</b>

**Operating Income**

<b>Cost Centre/ Project</b>	<b>Description</b>	<b>Uniform Presentation Category</b>	<b>Amount \$</b>	<b>Comment</b>
1420	Parking Control	Statutory Income	75,000	Increase expiation revenue due to the employment of an additional parking officer in October 2018.
1523	Aged Care Visitors Scheme	Grants, Subsidies & Contributions	(32,838)	Decrease in income as funding has ceased, offset in part by a reduction in expenditure.
<b>Total Requests to Operating Income Increase</b>			<b>42,162</b>	

**Operating Expenditure**

<b>Cost Centre/ Project</b>	<b>Description</b>	<b>Uniform Presentation Category</b>	<b>Amount \$</b>	<b>Comment</b>
1181	Corporate Activities	Financial Expenses	(249,000)	Due to the delay in major projects being delivered the budgeted amount of finance costs can be reduced.
201016	Property - Water	Contracts, Materials & Other	(100,000)	Funding allocated to cover portable water is not required.
201936 and 202212	DPA Review	Contracts, Materials & Other	(100,000)	Project concluded savings recognised.
1523	Aged Care Visitors Scheme	Employee Costs, Contract, Materials & Other	(21,650)	Expenditure reduction due to the funding ending, refer income reduction above.
201003	Signs Maintenance	Contracts, Materials & Other	(10,900)	Maintenance planned to be undertaken by contractor has been undertaken in house.
201008	Car Park Maintenance	Contracts, Materials & Other	(4,000)	Work on car park has been completed by in house staff.
1370	Consultants	Contracts, Materials & Other	17,393	Consultant cost for Civic Centre upgrade investigations as per Council Resolution (Item 1239).
1490	Development & Compliance	Employee Costs	30,000	Covering employment of compliance officer.
1420	Parking Control	Employee Costs	54,750	Increase salary to cover employment costs of additional parking officer in October 2018. Refer increased income above.
<b>Total Requests to Operating Expenditure Decrease</b>			<b>(383,406)</b>	
<b>Total Operating Deficit</b>			<b>(425,568)</b>	

**Capital Expenditure - Existing Assets**

<b>Cost Centre/ Project</b>	<b>Description</b>	<b>Uniform Presentation Category</b>	<b>Amount \$</b>	<b>Comments</b>
201096	Plant & Equipment	Contracts, Materials & Other	(65,000)	Savings in the procurement of the community bus.
<b>Total Requests to Capital Project Renewal and Replacement Expenditure Decrease</b>			<b>(65,000)</b>	

**Capital Expenditure - New or Upgraded Assets**

<b>Cost Centre/ Project</b>	<b>Description</b>	<b>Uniform Presentation Category</b>	<b>Amount \$</b>	<b>Comments</b>
202090	Brownhill Keswick Creek	Contracts, Materials & Other	(689,000)	Brownhill Keswick Creek project contribution less than expected.
202669	Unley Oval Grandstand Upgrade	Contracts, Materials & Other	38,984	Final Invoice Received and Project complete.
<b>Total Requests to Capital Project New and Upgraded Expenditure Decrease</b>			<b>(650,016)</b>	

## Zero Budget Requests

Cost Centre/ Project	Description	Uniform Presentation Category	Amount \$	Comment
1181	General - NRM Levy Paid	Rates Income	(53,080)	NRM Levy budget adjusted to reflect NRM levy collected.
1181	General - NRM Levy Paid	Contracts, Materials & Other	53,080	Offset to corresponding activities.
1199	Economic Development	Income Other	(14,174)	Contributions for Find your Everything (FYE) received from Traders Associations.
1199	Economic Development	Contracts, Materials & Other	14,174	Offset to corresponding activities.
1199	Economic Development	Employee Costs	(2,730)	Transfer from Economic Development to Youth Development.
1560	Youth & Children	Employee Costs	2,730	Offset to corresponding activities.
1520	Social Support	Grants, Subsidies & Contributions	(8,521)	Increase in funding received.
1520	Social Support	Employee Costs, Contracts, Materials & Other	8,521	Offset to corresponding activities.
1521	Flexible Respite	Grants, Subsidies & Contributions, Income Other	(675)	Increase in actual funding received.
1521	Flexible Respite	Contracts, Materials & Other	675	Offset to corresponding activities.
1535	CHSP Transport	Grants, Subsidies & Contributions	(38,138)	Additional grant funding received.
1535	CHSP Transport	Contracts, Materials & Other	38,138	Offset to corresponding activities.
1550	Domestic	Grants, Subsidies & Contributions, Income Other, User Charges	(13,387)	Adjusted to meet actual funding - Direct from funding agreement
1550	Domestic	Total Employment Costs, Contracts, Materials & Other	13,387	Offset to corresponding activities.
1555	Home Modifications	Grants, Subsidies & Contributions, Income Other	1,047	Adjusted to meet actual funding- Direct from funding agreement.
1555	Home Modifications	Contracts, Materials & Other	(1,047)	Offset to corresponding activities.
<b>Zero Budget</b>			<b>0</b>	

**Zero Operating Projects Budget Requests**

<b>Cost Centre/ Project</b>	<b>Description</b>	<b>Uniform Presentation Category</b>	<b>Amount \$</b>	<b>Comment</b>
201919	Events Operating Projects	Other Income	(52,395)	Unbudgeted Sponsorship income with matching increase to contract costs.
201919	Events Operating Projects	Materials, Contracts & Other	52,395	Contract cost.
<b>Zero Operating Budget</b>			<b>0</b>	

## DECISION REPORT

**REPORT TITLE:** 2019-20 DRAFT ANNUAL BUSINESS PLAN AND BUDGET FOR CONSULTATION

**ITEM NUMBER:** 1456

**DATE OF MEETING:** 29 APRIL 2019

**AUTHOR:** TRACY ROMANO

**JOB TITLE:** ACTING MANAGER FINANCE & PROCUREMENT

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### 1. **EXECUTIVE SUMMARY**

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

This report and attachments provide information regarding the 2019-20 Draft Annual Business Plan in relation to the:

- Services provided by Council to the community;
- Proposed projects to be undertaken;
- Resources required by the City of Unley to deliver the services and projects; and
- Funding required (proposed rates increase and estimated borrowings).

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

Based on the following:

- Proposed net Operating Projects of \$1.000M.
- Proposed net Capital Replacement of \$4.161M.
- Proposed net New Capital of \$17.191M.

Council is considering a rate increase of 2.1% and new borrowings in the order of \$11.099M to deliver all proposed projects and maintain current service levels.

In summary, the Draft Annual Business Plan and Budget for 2019-20, presented to the Council to be endorsed for consultation, will meet the legislative requirements and the financial targets adopted as part of the Long-Term Financial Plan.

The Community may also make submissions via Council's website (through Your Say Unley) or written submissions to PO Box 1, Unley 5061. All submissions will be accepted up until the close of business on 29 May 2019.

The proposed level of consultation exceeds legislative requirements and Council's own Consultation Policy.

The 2019-20 Annual Business Plan and declaration of rates will be presented to Council for adoption at its June 2019 meeting.

## 2. **RECOMMENDATION**

That:

1. The report be received.
  2. The proposed list of net Operating Projects of \$1.000M (Attachment 2, Item 1456, Council Meeting, 29/4/19) be endorsed for community consultation.
  3. The proposed list of net New Capital of \$17.191M (Attachment 3, Item 1456, Council Meeting, 29/4/19)) be endorsed for community consultation.
  4. The proposed list of net Capital Replacement of \$4.161M (Attachment 4, Item 1456, Council Meeting, 29/4/19) be endorsed for community consultation.
  5. The 2018-19 Draft Annual Business Plan and Budget (Attachment 5, Item 1456, Council Meeting, 29/4/19) be endorsed for the purpose of community consultation, to be conducted between 1 May and 29 May 2019.
  6. The Chief Executive Officer be authorised to make any necessary minor edits required for consistency or clarity to the 2019-20 Draft Annual Business Plan and Budget, if required.
  7. The community consultation process comprising advertising, online consultations via Your Say Unley, Council website and social media content and public meetings/community information sessions be endorsed.
- 

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

- 1.1 *Local Government Act 1999*, Section 123
- 1.2 *Local Government (Financial Management) Regulations 2011* Regulation 7 and 9

### **Civic Leadership**

Goal 4: Council will listen to the community and make transparent decisions for the long-term benefit of the City

We have strong leadership and governance.

## 4. **DISCUSSION**

### **Legislative Compliance**

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

*Attachment 1*

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

Section 123(4) of the Act prescribes the minimum level of consultation that a council must undertake in conjunction with the Draft Annual Business Plan. It requires:



- the publication of a notice in a newspaper circulating within the area of the Council,
- inviting interested parties to attend a public meeting, or a meeting of Council where members of the public may ask questions,
- inviting interested parties to make a written submission outlining any concerns they have, or comments that they wish to make, about what is being proposed.

## **Community Consultation**

Community consultation of the Draft Annual Business Plan will occur between 1 May and 29 May 2019.

The proposed methodology for engagement is listed below and enables Council to meet its requirements under the Act, with community response options listed within the Draft Annual Business Plan and Budget:

- Advertising in the Eastern Courier Messenger;
- Online consultation via Your Say Unley;
- Notification on Council's website with appropriate links to the Draft Annual Business Plan and Your Say Unley;
- Advertising in the Unley Life Column; and
- Development of a video for social media website.

Further, there will be four (4) public meetings/community information sessions to provide the community an opportunity to be involved. Timing is proposed as follows:

Location	Date	Time
Fullarton Park Community Centre	27 May	10 - 11.30am
Unley Civic Centre (Council Chamber)	27 May	5.30 – 6.30pm
Goodwood Library	28 May	10 - 11.30am
Clarence Park Community Centre	28 May	6 – 7.30pm

The 2019-20 Draft Annual Business Plan meets all legislative requirements of the Act.

## **Proposed Projects**

The Council has another opportunity to review the presented projects and their impact on funding requirements before the Draft Annual Business Plan is finalised for consultation.

Based on the following:

- Proposed net Operating Projects of \$1.000M.
- Proposed net Capital Replacement of \$4.161M.
- Proposed net New Capital of \$17.191M.

Council will require an estimated rates increase of 2.1% and the level of new borrowings in the order of \$11.099M to deliver all proposed projects and maintain current service levels.

Should Council wish to reduce the estimated rates increase below 2.1%, it is recommended that the proposed Operating Projects be reduced, and if Council wishes to reduce the level of estimated new borrowings required, it is recommended that the proposed New Capital projects be decreased.

## **Operating Projects**

Council has identified proposed Operating Projects that amount to \$1.000M net. Key Projects for 2019-20 include:

- Activities in the order of \$428K, that showcase the City of Unley including:
  - King William, Goodwood, Fullarton and Unley Road Trader events.
  - Annual community events program including the Unley Gourmet Gala and Tour Downunder and related activities.
  - Active Ageing program and initiatives.
- Continuation of ongoing environmental initiatives and programs including
  - accelerated tree planting program \$160K,
  - second generation street tree implementation \$75K,
  - greening of verges \$75K
  - street-tree water well installation of \$40K,
  - city-wide street tree risk audit and works \$25K, and
  - living with trees program \$25K.

Further review of these proposals will occur between now and June 2019 and will include consideration of the community consultation feedback, before the Budget is finalised for adoption.

A copy of the proposed Operating Projects is provided as Attachment 2.

*Attachment 2*

### New Capital

The proposed New Capital Projects total \$17.19M (net) and include:

- Continuation of the multi-year King William Road Redevelopment project, \$12.55M
- Unley Oval Stage 2 Grandstand upgrade, \$1.2M (Council's contribution)
- Goodwood Oval Grandstand, \$950K (Council's contribution to a multi-year project)
- Brown Hill Keswick Creek project, \$848K (Council's contribution to a multi-year project)
- Wilberforce Walk, \$800K (Council's contribution)
- Implementation of the high priority recommendations from the Local Area Traffic Management study for Clarence Park and Millswood, \$215K
- Living Shared Streets, \$70K
- Pocket parks, \$70K

A copy of the proposed New Capital Projects is provided as Attachment 3.

*Attachment 3*

### Capital Renewal Program

The proposed Capital Replacement Program of \$4.161M (net) has been based on current asset information and asset management plans. Items include:

- \$186K for drains and storm water
- \$877K for the Property Program, and
- \$493K for reserves, recreation and open space projects

A funding reallocation of \$2.85m has been directed to the King William Road Redevelopment project for the asset renewal aspects of the project.

A copy of the Capital Replacement Program is provided as Attachment 4.

### The 2019-20 Draft Annual Business Plan (Plan)

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

Financial Indicator	Council Adopted Target	2019-20 Draft Budget
Operating Surplus Ratio	The higher of 5% of Total Operating Revenue or Fixed Principal Repayments	5.0%
Net Financial Liabilities Ratio	<= 80% of Total General Rates Revenue	70%
Asset Sustainability Ratio	>= 100% average over the 10-year period	52%

The Plan contains the following information:

- project priorities
- a summary of the services provided by Council
- information regarding Council's Long Term Financial Plan
- funding requirements
- consideration of the rating structure and impact.

The Plan has been prepared to include the following items:

- a general rates increase for existing ratepayers of 2.1%
- proposed new Operating Projects of \$1.000M
- proposed net Capital Renewal of \$4.161M
- proposed net New Capital of \$17.191M

Taking into account principal repayments and movements in short term borrowings, it is anticipated that total borrowings will increase by \$11.099M from the opening 1 July 2019 balance of \$7.94M to \$18.80M at 30 June 2020.

### Operating Budget

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

- Enterprise Agreements currently in place for most staff which provide for wages and salary increases in line with CPI.
- CPI increases on relevant goods and services.
- the requirement for Asset management (replacement) expenditure to be maintained at a sufficient level to ensure long term maintenance of Council infrastructure, property and IT assets at required standards based on detailed condition assessments of each asset class.
- increased maintenance requirements as a result of an increase level of service for footpaths in accordance with Council's decision.

- commitments to major projects and partnership initiatives over more than one year, including Goodwood Oval, Unley Oval, King William Road and Brown Hill Keswick Creek.
- increase depreciation as a result of new assets and the revaluation of some existing asset classes.

In response to the cost imposts on Council and to minimise the burden on ratepayers, Council has continued its work and review of service sustainability.

Council recognises the increasing challenges in delivering services at a local level while ratepayers are increasingly reluctant to see their property rates increase.

Savings identified YTD as part of the 2019-20 Budget Preparation include:

- Power costs due the installation of LED street lights \$106K;
- Consultant costs \$100k across the organisation;
- Water savings \$110k relates to reduction in portable water costs, previously used when GAP water was not available.

### Separate Rates

Council proposes to continue to raise a separate rate for the purposes of promoting the businesses and traders along major shopping strips. Council collects the separate rate and passes the funds collected onto the individual Trader Associations for marketing and promotion purposes.

For the 2019-20 Budget, the amounts indicated in the table below will form part of the proposed Budget. These have been developed based on feedback from the four Associations and their members.

<b>Main Street Trader Associations</b>	<b>Separate Rate raised 2018-19</b>	<b>Separate Rate requested 2019-20</b>	<b>% Increase (Decrease)</b>
Unley Road	\$110,000	\$113,395	3.09%
King William Road	\$144,500	\$144,400	2.01%
Goodwood Road	\$54,500	\$57,225	5.00%
Fullarton Road	\$13,250	\$13,000	-1.89%

In 2016-17, Council adopted a recommendation from the Unley Business and Economic Development Committee to cap the amount that any separate ratepayer pays at \$2,000. It is proposed that this is retained for 2019-20.

#### Natural Resource Management Levy

The City of Unley falls within the Central Group of the Adelaide and Mount Lofty Ranges Natural Resource Management (NRM) Board. Council is required, under the Natural Resources Management Act, to contribute towards the funding of the NRM Board and operates as a revenue collector for the Board by imposing a levy against properties.

Council has recently been advised by the NRM Board that the indicative amount to be paid to the NRM Board in 2019-20 is \$1.391M compared to \$1.338M in 2018-19. This represents an increase of 4.0%.

Council does not retain this revenue or determine how the revenue is spent.

#### In Summary

A copy of the Draft Annual Business Plan is provided as Attachment 5.

*Attachment 5*

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

## **5. ANALYSIS OF OPTIONS**

### Option 1 –

1. The report be received.
2. The proposed list of net Operating Projects of \$1.000M (Attachment 2, Item 1456, Council Meeting, 29/4/19) be endorsed for community consultation.

3. The proposed list of net New Capital of \$17.191M (Attachment 3, Item 1456, Council Meeting, 29/4/19)) be endorsed for community consultation.
4. The proposed list of net Capital Replacement of \$4.161M (Attachment 4, Item 1456, Council Meeting, 29/4/19) be endorsed for community consultation.
5. The 2018-19 Draft Annual Business Plan and Budget (Attachment 5, Item 1456, Council Meeting, 29/4/19) be endorsed for the purpose of community consultation, to be conducted between 1 May and 29 May 2019.
6. The Chief Executive Officer be authorised to make any necessary minor edits required for consistency or clarity to the 2019-20 Draft Annual Business Plan and Budget, if required.
7. The community consultation process comprising advertising, online consultations via Your Say Unley, Council website and social media content and public meetings/community information sessions be endorsed.

The Draft Annual Business Plan must be endorsed for consultation. The proposed consultation meets legislative requirements and Council's own Community Engagement and Consultation Policy. Consultation will occur between 1 May and 29 May 2019.

Council will need to raise rates income by 2.1% and require new borrowings of approximately \$11.099M to continue service provision at current levels and deliver all projects.

This option also meets the legislative requirements and the financial targets adopted as part of the Long-Term Financial Plan.

Council will further consider the Annual Business Plan in early June prior to adoption.

Option 2 – Council can amend the proposed projects for consultation and conduct community consultation and still meet the minimum requirements of the legislation

Should Council wish to amend (add or remove) any of the projects presented for community consultation, consideration should be given to the impact on the proposed rates increase of 2.1%.

This option still meets the legislative requirements and the financial targets adopted as part of the Long Term Financial Plan.

## **6. RECOMMENDED OPTION**

Option 1 is the recommended option.

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## **7. POLICY IMPLICATIONS**

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

- Community Plan 2033.
- 4 Year Delivery Plan 2017-2021.
- Long Term Financial Plan including Council's Infrastructure and Asset Management Plans.

In addition, the Annual Business Plan and Budget, and the Council's Long Term Financial Plan considers the cost of implementation of strategies and plans reviewed and endorsed by Council.

## **8. REPORT CONSULTATION**

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

Two Elected Member workshops have been held as part of the Annual Business Plan development process. A further workshop is proposed, following community consultation, to be held in early June 2019.

## **9. ATTACHMENTS**

- Attachment 1 – Provisions of the Local Government Act
- Attachment 2 – Proposed Operating Projects
- Attachment 3 – Proposed New Capital Projects
- Attachment 4 – Proposed Capital Renewal Program
- Attachment 5 – 2019-20 Draft Annual Business Plan for Community Consultation

## **10. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Nicola Tinning	General Manager Business Support & Improvement
Peter Tsokas	Chief Executive Officer



## Part 2—Annual business plans and budgets

### 123—Annual business plans and budgets

- (1) A council must have, for each financial year—
  - (a) an annual business plan; and
  - (b) a budget.
- (2) Each annual business plan of a council must—
  - (a) include a summary of the council's long-term objectives (as set out in its strategic management plans); and
  - (b) include an outline of—
    - (i) the council's objectives for the financial year; and
    - (ii) the activities that the council intends to undertake to achieve those objectives; and
    - (iii) the measures (financial and non-financial) that the council intends to use to assess the performance of the council against its objectives over the financial year; and
  - (c) assess the financial requirements of the council for the financial year and, taking those requirements into account, set out a summary of its proposed operating expenditure, capital expenditure and sources of revenue; and
  - (d) set out the rates structure and policies for the financial year; and
  - (e) assess the impact of the rates structure and policies on the community based on modelling that has been undertaken or obtained by the council; and
  - (f) take into account the council's long-term financial plan and relevant issues relating to the management and development of infrastructure and major assets by the council; and
  - (g) address or include any other matter prescribed by the regulations.
- (3) Before a council adopts an annual business plan, the council must—
  - (a) prepare a draft annual business plan; and
  - (b) follow the relevant steps set out in its public consultation policy, taking into account the requirements of subsection (4).
- (4) For the purposes of subsection (3)(b), a public consultation policy must at least provide for the following:
  - (a) the publication in a newspaper circulating within the area of the council and on a website determined by the chief executive officer of a notice informing the public of the preparation of the draft annual business plan and inviting interested persons—
    - (i) to attend—
      - (A) a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice; or
      - (B) a meeting of the council to be held on a date stated in the notice at which members of the public may ask questions, and make submissions, in relation to the matter for a period of at least 1 hour, (on the basis that the council determines which kind of meeting is to be held under this subparagraph); or

- (ii) to make written submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and
  - (b) the council to make arrangements for a meeting contemplated by paragraph (a)(i) and the consideration by the council of any submissions made at that meeting or in response to the invitation under paragraph (a)(ii).
- (5) The council must ensure that copies of the draft annual business plan are available at the meeting under subsection (4)(a)(i), and for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council and on the website at least 21 days before the date of that meeting.
- (5a) The council must ensure that provision is made for—
- (a) a facility for asking and answering questions; and
  - (b) the receipt of submissions,
- on its website during the public consultation period.
- (6) A council may then, after considering—
- (a) any submission made to the council during the public consultation period; and
  - (b) any new or revised information in the possession of the council that is relevant to the material contained in the draft annual business plan; and
  - (c) such other materials or information as the council thinks fit,
- adopt its annual business plan (with or without amendment).
- (7) Each budget of a council must—
- (a) be considered in conjunction with the council's annual business plan (and must be consistent with that plan, as adopted); and
  - (b) be adopted by the council after the council has adopted its annual business plan.
- (8) An annual business plan and a budget must be adopted by a council after 31 May for the ensuing financial year and, except in a case involving extraordinary administrative difficulty, before 31 August for the financial year.
- (9) A council must, after adopting an annual business plan and a budget—
- (a) ensure—
    - (i) that a summary of the annual business plan is prepared so as to assist in promoting public awareness of the nature of its services and its rating and financial management policies, taking into account its objectives and activities for the ensuing financial year; and
    - (ii) that a copy of the summary of the annual business plan accompanies the first rates notice sent to ratepayers after the declaration of its rates for the financial year; and
  - (b) ensure—
    - (i) that copies of the annual business plan and the budget (as adopted) are available for inspection (without charge) or purchase (on payment of a fee fixed by the council); and
    - (ii) that copies of the summary of the annual business plan are available for inspection and to take (without charge),

at the principal office of the council; and
  - (c) ensure that electronic copies of the annual business plan and the budget (as adopted) are published on a website determined by the chief executive officer.

- (10) The regulations may prescribe requirements with respect to the preparation, form and contents of—
- (a) an annual business plan (including a draft for the purposes of public consultation), and the summary required under subsection (9); and
  - (b) a budget.
- (11) However, in any event, the summary of the annual business plan must include an assessment of the extent to which the council's objectives for the previous financial year have been attained (taking into account the provisions of the annual business plan for that financial year).
- (12) Subject to complying with a preceding subsection, any relevant document under this section will be in a form determined by the council.
- (13) A council must, as required by the regulations, and may at any time, reconsider its annual business plan or its budget during the course of a financial year and, if necessary or appropriate, make any revisions.
- (14) A rate cannot be challenged on a ground based on non-compliance with this section, or on a ground based on the contents of a document prepared or adopted by a council for the purposes of this section.

## 2019-20 Proposed Operating Projects

Title	Net Expenditure	Community Living Outcome	Economic Prosperity Outcome	Environmental Stewardship Outcome	Civic Leadership Outcome
Trader Events Sponsorship	\$ 40,000		X		
Unley Gourmet Gala & Tour Down Under	\$ 273,000	X			
Community Events Program	\$ 110,000	X			
Active Ageing	\$ 20,000	X			
Royal Show Traffic Management Support	\$ 22,000	X			
All Connections to Unley Art Prize	\$ 5,000	X			
Planning Compliance Officer	\$ 67,000	X			
Unley Civic Precinct - Short Term Actions	\$ 30,000	X			
Clarence Park Community Centre Inc.	\$ 10,000	X			
Rosefield Community Shed	\$ 10,000	X			
Goodwood Community Centre - Staff Training	\$ 3,000	X			
City Wide Greening/Verges	\$ 50,000			X	
City Wide Greening/Verges - Expansion	\$ 25,000			X	
2 <sup>nd</sup> Generation street tree renewal	\$ 75,000			X	
Accelerated Tree Planting Program (Tree Canopy)	\$ 160,000			X	
Living with Trees Program	\$ 25,000			X	
Street Tree Water Wells	\$ 40,000			X	
Resilient East (Climate Ready Projects)	\$ 10,000	X		X	
City Wide Street Tree Risk Audit and works	\$ 25,000	X		X	
<b>Proposed Operating Projects</b>	<b>\$ 1,000,000</b>				

## 2019-20 Proposed New Capital Projects

Title	Net Expenditure	Community Living Outcome	Economic Prosperity Outcome	Environmental Stewardship Outcome	Civic Leadership Outcome
King William Road + component from Capital Renewal Program	\$ 12,550,000	X	X	X	
Digital Services Program (technology for communication, systems and engagement)	\$ 55,000				X
Brown Hill Keswick Creek	\$ 848,000			X	
Alternative Green Energy - Solar, location to be approved	\$ 30,000	X		X	
Living (Shared) Streets	\$ 70,000			X	
Pocket Parks	\$ 70,000			X	
LATM Implementation	\$ 215,000	X			
Goodwood Oval Grandstand - Council contribution to project	\$ 950,000	X			
Walking Cycling Plan (Windsor/ Wattle pedestrian crossing)	\$ 30,000	X		X	
Wilberforce Walk - Council contribution to project	\$ 800,000	X			
Unley Civic Precinct - Short Term Actions	\$ 70,000	X			
Swimming Shade Structure	\$ 20,000	X			
Drinking Fountains - reserves	\$ 20,000	X			
Millswood Croquet Club concept	\$ 20,000	X			
Unley Oval Grandstand upgrade Stage 2	\$ 1,200,000	X			
Estimated Project Management Costs	\$ 243,000				X
<b>Capital Projects</b>	<b>\$ 17,191,000</b>				

## 2019-20 Proposed Capital Renewal Program

<b>Asset Category</b>	<b>Expenditure \$</b>	<b>Income \$</b>
Bridges	\$50,000	
Bus Shelters	\$68,000	
Car Parks	\$45,000	
Drains and Stormwater	\$186,000	
Footways	-	
IT Equipment	\$560,000	
Kerb and Water table	\$50,000	
Plant and Equipment	\$887,000	
Property including: <ul style="list-style-type: none"> <li>• Buildings</li> <li>• Public Toilets</li> <li>• Swimming Facility</li> <li>• Office Furniture and Equipment</li> </ul>	\$877,000	
Reserves / Recreation and Open Space	\$493,000	
Roads	\$154,000	
Signs	\$16,000	
Street lighting	\$25,000	
Streetscape	\$100,000	
Traffic Facilities	\$28,000	
Project Delivery Costs including Corporate Overhead	\$622,000	
<b>Total</b>	<b>\$4,161,000</b>	
<b>Net Capital Renewal Program</b>		<b>\$4,161,000</b>

**Draft 2019-20 Annual Business Plan Community Consultation  
Overview**



# **DRAFT 2019-20** **ANNUAL BUSINESS PLAN** COMMUNITY CONSULTATION OVERVIEW



## How can I be Involved?

Copies of the Annual Business Plan are available for download from the website:

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

### Submissions

Make a submission by:

Visiting *Your Say Unley* at: [yoursay.unley.sa.gov.au](http://yoursay.unley.sa.gov.au)

Writing a submission and sending it to: 2019-20 Budget Consultation  
City of Unley  
PO Box 1  
Unley SA 5061

Emailing a submission to: [pobox1@unley.sa.gov.au](mailto:pobox1@unley.sa.gov.au)

To be received by no later than 6pm Wednesday 29 May 2019

### Public Meetings

Four public meetings/community information sessions will be held during the consultation period at the following locations, dates and times:

Location	Date	Time
Fullarton Park Community Centre	27 May	10 - 11.30am
Unley Civic Centre (Council Chamber)	27 May	5.30 – 6.30pm
Goodwood Library	28 May	10 - 11.30am
Clarence Park Community Centre	28 May	6 – 7.30pm

Consultation closes 6pm, Wednesday 29 May 2019.

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## Background

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

Before a council adopts its Annual Business Plan it must prepare a draft Annual Business Plan and undertake a public consultation process. The consultation for this plan will be undertaken between 1 May and 29 May 2019 with public meetings held on the 27 May and 28 May at various locations across the city.

All feedback collected during this period will be distributed and discussed by the Elected Members at the budget workshop and taken into account in finalising the 2019-20 Annual Business Plan and Budget.

## How Council measures its performance

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

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

## Strategies behind the Annual Business Plan

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

- Annual objectives for the year in the context of Council's long-term objectives
- Overview of the activities and services provided by Council
- Key financial information relating to revenue and expenditure
- Proposed new initiatives and projects
- Rating context and impact of rates for 2019-20, and
- Council's Financial Planning Framework including Long-Term Financial Plan and Asset Management Plans.



## Executive Summary

The Annual Business Plan for 2019-20 has been prepared in accordance with the priorities of Unley's Community Plan and 4 Year Delivery Plan, while ensuring the financial targets adopted by Council are met.

Key financial information for 2019-20 is summarised below.

General Rate Increase	2.1%
Rates Growth (new rateable properties and improvements)	0.5%

<b>Budget Summary</b>	<b>\$'000</b>
General Rates Income	42,366
All Other Operating Income	6,929
<b>Total Operating Income</b>	<b>49,296</b>
Operating Expenses	45,819
New Operating Project Initiatives (Net)	1,000
<b>Operating Surplus (excluding Centennial Park)</b>	<b>2,476</b>
Net Capital Renewal Program Expenditure	4,161
Net New Capital Expenditure	17,191
<b>Total Net Capital Expenditure</b>	<b>21,352</b>
<b>Estimated New Borrowings</b>	<b>11,099</b>
<b>Repayment of Borrowings (Principal)</b>	<b>236</b>

Council will raise sufficient income to cover its operating expenses and undertake repayment of its debt.

### Key Financial Targets

<b>Indicator</b>	<b>Adopted Target</b>	<b>2019-20 Budget</b>
Operating Surplus Ratio (excluding Centennial Park)	> 5.0%	5.0%
Net Financial Liabilities Ratio	= < 80%	70%
Asset Sustainability Ratio	= > 100%	52%

### Impact on ratepayers

It is proposed that the overall amount existing ratepayers will pay in general rates will increase on average by 2.1%. For a residential property of average value, this equates to an increase in general rates of approximately \$50 for the 2019-20 year. Rate increases may vary from the average where there has been new development, capital improvements or other significant change to the value of the property.

## Significant Influences for the 2019-20 Budget

A number of significant projects and external environmental changes have influenced the preparation of the Council's 2019-20 Annual Business Plan and Budget. These include:

- Commitments to long-term major projects including King William Road, Unley Oval, Goodwood Oval, Wilberforce Walk and Brown Hill Keswick Creek.

## Other Influences for the 2019-20 Budget

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

- Local Government Price Index increases on relevant goods and services, which in recent years has tracked close to CPI
- Provision for Enterprise Bargaining Agreements for most staff, which determine conditions of employment and provide for annual salary and wages increases.
- Maintaining asset management (renewal) expenditure at a sufficient level to ensure long-term maintenance of Council infrastructure, property and IT assets
- Additional maintenance costs due to increased capital works, and the construction of new assets over recent years, which have risen above forecast CPI
- Natural Resource Management levy increase 4.0%
- Office of the Valuer General Revaluation Initiative.

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

Savings identified as part of 2019-20 Budget Preparation include:

- Reduction in power costs due to the installation of LED Street lights of \$106K
- Consultant costs (across the organisation) \$100K
- Water supply \$110K.

The total proposed capital spend on new assets for 2019-20 is \$17.19M. The projected operating surplus will support partial funding of these works, with the remaining \$11.09M to come from new borrowings.

## Services provided to the Community

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

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

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

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

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

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

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



## Annual Objectives and Key Projects

Our Vision:

### **A Community of Possibilities**

We live in an era of constant change. This means the ways in which we support our community must also keep changing to meet new demands.

The City of Unley looks to the future and considers possibilities, whilst maintaining and sustaining all that we hold dear and relevant from the past.

We are a community of growth and possibilities.

We are innovative leaders who challenge ourselves to make positive changes for our community.

### **Community Living**

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

#### **Objectives**

1. Our Community is active, healthy and feels safe
2. Our Community participates in community activities, learning opportunities and volunteering
3. Our City meets the needs of all generations
4. Our Community is proud to be part of our City
5. Our City is connected and accessible.

#### **Key Projects 2019-20**

- Construction of King William Road streetscape
- Continuation of the installation of Alternative Green Energy - Solar
- Implementation of the Local Area Traffic Management (LATM) 3 study for Clarence Park and Millswood
- Goodwood Oval grandstand upgrade
- Walking Cycling Plan continuation – Windsor/Wattle pedestrian crossing
- Wilberforce Walk, upgrading section of Brown Hill Keswick Creek
- Unley Oval Grandstand Upgrade – Stage 2
- Place activation and community development through staging of major events including Unley Gourmet Gala, Tour Down Under, Public Arts and a diverse Community Events Program
- Continuation of Council's Active Ageing programs.

## **Economic Prosperity**

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

### **Objectives**

1. Unley is recognised as an easy place to do business
2. Thriving main streets and other business activities operate across our City.

### **Key Projects 2019-20**

- King William Road Redevelopment year 1 of 2-year project
- Trader event sponsorships.

## **Environmental Stewardship**

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

### **Objectives**

3. Unley's urban forest is maintained and improved
4. Excellence in waste management is achieved through avoidance, re-use and diversion
5. The energy efficiency of the City is increased and our carbon footprint reduced
6. Efficient, effective and sustainable water management is ensured
7. The City's resilience to climate change is increased.

### **Key Projects 2019-20**

- Council's contribution to the Brown Hill Keswick Creek regional project works and establishment of a subsidiary
- Implementation of Council's Cycling and Walking Plan
- Continuation of ongoing environmental initiatives and programs including second generation street tree implementation, greening of verges, water sensitive urban design initiatives, investigation of alternative lighting solutions for street lighting, alternative green energy options and implementation and water well installation.

## Civic Leadership

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

### Objectives

1. We have strong leadership and governance
2. Council provides best value services to the community
3. Our business systems are effective and transparent.

### Key Projects 2019-20

- Implementation of Digital Services Program to enhance and modernise existing online functionality and add new delivery and self-help functions

### Project Priorities proposed for the Year

Council's proposed project priorities for 2019-20 stem from the themes outlined in Council's Community and 4 Year Delivery Plan.

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

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

## Operating Projects

These types of projects are either one-off, short term projects or a request to change the level of service. The request to change the level of service will also impact future budgets.

These projects are to be funded by Council's rates income and therefore affect the level of rates increase being considered. This Budget proposes to fund a net amount of \$1.00M of operating projects.

Key items for 2019-20 include:

- Continuation of ongoing environmental initiatives and programs including:
  - accelerated tree planting program \$160K
  - second generation street tree implementation \$75K
  - greening of verges \$75K
  - street tree water well installation of \$40K
  - city-wide street tree risk audit and works \$25K
  - living with trees program \$25K
- Activities in the order of \$428K, that showcase the City of Unley including:
  - Unley Gourmet Gala
  - Tour Down Under
  - King William, Goodwood, Fullarton and Unley Road events
  - annual community events program and related activities.

The proposed projects are detailed in Appendix 1.

## Capital Projects

The City of Unley is responsible for a large number of assets with a current depreciable value of approximately \$516M including land. It is important that Council engage in practices that optimise the assets “useful lives” for the benefit of the whole community.

Like many other councils, the City of Unley is faced with increasing demand to provide services in an environment of ageing assets, increased liability and continual constraints on funding.

New capital projects will largely be funded by borrowings. The proposed new capital projects total \$17.19M net and include:

- King William Road Redevelopment \$12.55M, a multiyear project
- Unley Oval Stage 2 Grandstand upgrade \$1.2M (Council’s contribution)
- Goodwood Oval Grandstand \$950K (Council’s contribution to a multi-year project)
- Council’s Brown Hill Keswick Creek project contribution of \$848K
- Wilberforce Walk \$800K
- Implementation of the high priority recommendations of the Local Area Traffic Management study for Clarence Park and Millswood \$215K
- Living shared streets \$70K
- Pocket parks \$70K.

The proposed Capital Renewal Program of \$4.161M net has been based on current asset information and asset management plans. Items include:

- \$186K for drains and storm water
- \$877K for the Property Program, and
- \$493K for reserves, recreation and open space projects.

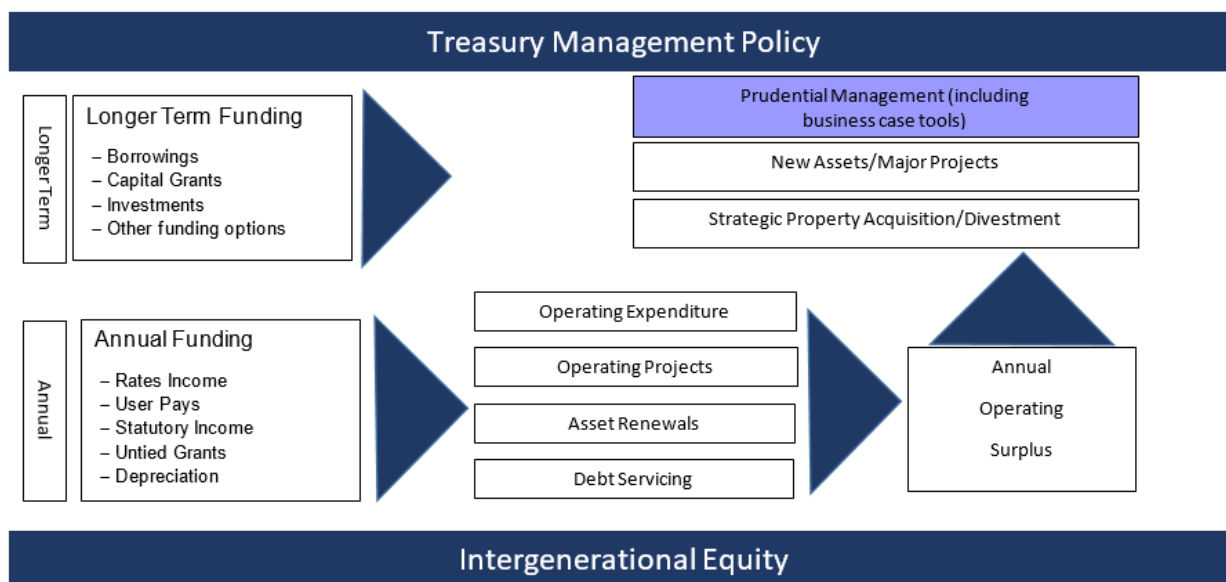
A funding reallocation of \$2.85M has been directed to the King William Road Redevelopment project for the asset renewal aspects of the project.

Details of the proposed Capital Works Program are provided in Appendices 2 and 3.

## Financial Policy Context

### Financial Planning Framework

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



### Long Term Financial Plan (LTFP)

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

The key components of the LTFP are:

- Assessment of Council's current financial position and achieving longer-term financial sustainability
- Ensuring Financial Targets are met
- Consideration of Council's appropriate role and responsibilities
- Ensuring alignment with the Community Plan and 4 Year Delivery Plan and maintenance of high priority strategies
- Ensuring all proposed strategies are costed before adoption
- Ensuring alignment with agreed service provision and delivery standards
- Ensuring alignment with Asset Management Plans and Maintenance Standards
- Ensuring alignment with internal support strategies
- Ensuring alignment with Funding and Treasury principles as well as intergenerational equity (rating stability, Treasury Policy, fees and charges, external funding and investments).

## Target Financial Indicators

Under the requirements of Regulation 5(c) of the *Local Government (Financial Management) Regulations 2011*, there is a requirement for Council's LTFP as well as the Annual Financial Statements and Budget to include:

- An Operating Surplus ratio
- A Net Financial Liabilities ratio, and
- An Asset Sustainability ratio.

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

Council has adopted three key financial targets relating to these required ratios to guide the direction of the LTFP and Annual Business Plan and Budget. These targets were adopted by Council at its February 2017 meeting following a recommendation from the Audit & Governance Committee on 15 February 2017.

Financial Indicator	Adopted Target
Operating Surplus Ratio (excluding Centennial Park)	Greater of 5% or 100% of principal repayments
Net Financial Liabilities Ratio	<80% of Total General Rate Revenue
Asset Sustainability Ratio (rolling 10-year average)	>=100%

Debt Ratio Borrowing ≤ 80% of General Rate Revenue.

The Net Financial Liabilities Ratio of less than 80% is the key target indicator for Council to assess its capacity to borrow in the medium to long term.

The Net Financial Liabilities Ratio is calculated by expressing net financial liabilities at the end of the year as a percentage of General Rate Revenue for the year.

Taking into account principal repayments and movements in short term borrowings, it is anticipated that total borrowings will increase by \$10.86M from the opening estimated 1 July 2019 balance of \$7.94M to \$18.80M at 30 June 2020. This reflects a Net Financial Liabilities Ratio of 51%.

This Draft Annual Business Plan satisfies all Financial Indicator Targets.



## **Infrastructure and Asset Management Plans**

The City of Unley is responsible for the management, operation and maintenance of a diverse asset portfolio that provides services and facilities for City users. Infrastructure and Asset Management Plans have been developed for all infrastructure assets to ensure Council continues to provide effective and comprehensive management of its assets.

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

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

The asset system will collect real time data coupled with ongoing regular condition audits, to allow more accurate predictive modelling in regard to treatments and life expectancy of each asset class. Over the next few years the management of assets will balance the target levels of service for each specific asset with the long-term costs.

The Infrastructure and Asset Management Plans provide the basis for the Capital Renewal Program included in Council's LTFP and is refined as part of the Annual Business Plan and Budget process. In 2019-20 the Capital Renewal Program has a projected net expenditure of \$4.161M.

The King William Road Redevelopment has been allocated \$2.85M from the Proposed Capital Renewal Program.

## Funding the Business Plan

Excluding borrowings for New Capital, over 85% of Council's funding is generated from rates with the balance largely relating to fees and charges set by Council or statutory fees.

### Rates Context

In setting the rates for 2019-20 Council proposes to continue with its current method of rating, which is three differential rates with a minimum rate, applied against the capital value of properties. Council considers this to be a fair and equitable method of rating for the City of Unley.

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

The Office of the Valuer General is undertaking a state-wide Revaluation Initiative to improve data quality and consider the relativity between, property classifications, market groups and transparency in inner Metropolitan Adelaide. A revaluation program of this magnitude has not occurred for over 20 years, and several factors over time have influenced the accuracy and relativity of the Valuation Roll. The City Unley has been selected to undergo the revaluation process for the 2019-20 rating period.

It is proposed that the overall amount existing ratepayers will pay in general rates will increase in the order of 2.1% with a further estimated increase of 0.5% from growth. Growth represents new development, capital improvements to existing properties and changes to value as a result of land divisions and will be confirmed by the Valuer General as part of completing the revaluation of the Council area.

Refer to Appendix 4 for details on Rates Assistance Available.

### Rate Statistics

Council has over 18,900 assessments with just over 16,970 being residential, over 890 assessments within non-residential Category 2 (including commercial shops, industrial, and vacant) and nearly 870 non-residential Category 3 (commercial offices and commercial – other). There are 177 non-rateable assessments.

### Rates Modelling

The preliminary valuation for the Council area has been completed by Valuer General and reflects an increase of 4.27% in valuation for **existing properties**.

Analysis indicates that:

- residential properties, representing over 86% of the overall rateable valuation, had an average valuation increase of 4.18%
- non-residential properties, including commercial and vacant land, had an average valuation increase of 4.8%.

The draft Budget has been formulated based on retaining differential rates for residential and non-residential property at the appropriate rate in the dollar to provide an overall increase in rates of 2.1% excluding growth.

## Valuation Method

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

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

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

## Minimum Rate

In accordance with S158 of the Act, Council has decided that there will be a minimum rate on every rateable property. Council, in adopting a minimum rate, considers it appropriate that all rateable properties make a contribution to the cost of administering the Council's activities and creating and maintaining the physical infrastructure that supports each property.

Assessments on the minimum rate total 2,586 with residential comprising over 2,502 of these assessments. Council proposes to raise the minimum rate by at least 2.1%.

## Differential Rates

In accordance with S153 of the Act, Council will declare three differential General Rates according to the land use category. The land use categories are as follows:

Group 1	Non-residential Category 2	Non-residential Category 3
Residential	Commercial Shop Industry Light Industry Other Primary Production Vacant Land Other	Commercial Office Commercial Other

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

It is estimated that the:

- Residential Differential General Rate will raise net rate revenue in the order of \$35M in 2019-20.
- Non-Residential Differential General Rates will raise net rate revenue in the order of \$5.7M in 2019-20.

## Separate Rate for Main Street Trader Associations

Council proposes to continue to raise a separate rate for the promotion of businesses and traders along major shopping strips (excluding Glen Osmond Road). Council collects the separate rate and contracts with the Trader Associations for the provision of marketing and promotion activities.

For the 2019-20 Budget, the separate rates listed in the table below will form part of the proposed Budget. These have been requested from the four trader associations and subsequently resolved by Council at the March 2019 Council meeting.

### 2019-20 Separate Rate for Trader Associations

Main Street Trader Associations	Separate Rate raised 2018-19	Separate Rate raised 2019-20	% Increase (Decrease)
Unley Road	\$110,000	\$113,395	3.09%
King William Road	\$144,500	\$147,400	2.01%
Goodwood Road	\$54,500	\$57,225	5.00%
Fullarton Road	\$13,250	\$13,000	-1.89%

In 2016-17, Council also adopted a recommendation from the Unley Business and Economic Development Committee to cap the amount any separate ratepayer pays at \$2000. It is proposed that this is retained for 2019-20.

#### Unley Road

Currently approximately 450 ratepayers with a land use of Commercial Shop, Commercial Office and Commercial Other pay the separate rate.

#### King William Road

Currently approximately 130 ratepayers with a land use of Commercial Shop with addresses along King William Road between Greenhill Road and Commercial Road pay the separate rate.

#### Goodwood Road

Currently just under 100 ratepayers with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along Goodwood Road between Leader Street / Parsons Street to the north and Mitchell Street / Arundel Avenue to the south pay the separate rate.

#### Fullarton Road

Currently just over 50 ratepayers with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along Fullarton Road between Cross Road and Fisher Street pay the separate rate.

Fullarton Road Traders pay a fixed amount of \$250.

## **Natural Resource Management Levy**

The City of Unley falls within the Central Group of the Adelaide and Mount Lofty Ranges Natural Resource Management (NRM) Board. Council is required, under the *Natural Resources Management Act 2004*, to assist with funding the NRM by imposing a levy against properties.

The NRM Board has advised Council that the amount to be paid in 2019-20 is \$1.391M compared to \$1.338M in 2018-19. This represents an increase of 4.0%.

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

## **Fees and Charges Context**

Section 188 of the *Local Government Act 1999* provides the legal context:

- fees and charges are determined by resolution of Council either as a direct resolution, via by-law or via delegation
- a Council is unable to fix or vary fees or charges prescribed under other Acts
- in respect of fees for the use of facilities, services or works requests a Council need not fix fees or charges by reference to the cost of the Council
- Council is required to keep the list of fees and charges on public display and provide updates where fees and charges are varied during the year.

Council reviews its fees and charges each year, in conjunction with the development of the annual budget. As in previous years, a comprehensive review has been undertaken to ensure that the fees proposed:

- reflect (or move progressively toward) the cost of the services given
- are comparable with market rates, where appropriate
- take into account benefit derived by users of community facilities
- are consistent with Council directions articulated through existing policy or plans
- are consistent with Council's LTFP assumptions.

Generally, this has resulted in proposed fee increases that are in line with CPI or the Local Government Price Index, insofar as this is practicable.

## Consultation

The 2019-20 Draft Annual Business Plan is presented in the context of strategic directions for the City that are currently being considered by Council. The Plan reflects Council's continuing focus on ensuring that the physical infrastructure of the City is fit for use and maintained in a cost-effective fashion.

Council aims to deliver a well-managed, sustainable environment for current and future generations of residents and ratepayers.

Community consultation of the Draft Annual Business Plan will occur between 1 May and 29 May 2019.

The proposed methodology for engagement is listed below and enables Council to meet its requirements under the Act, with community response options listed within the Draft Annual Business Plan and Budget:

- Advertising in the Eastern Courier Messenger
- Online consultation via Your Say Unley
- Notification on Council's website with appropriate links to the Draft Annual Business Plan and Your Say Unley
- Advertising in the Unley Life Column
- Development of a video for social media website.

The process provides the opportunity for stakeholders to give feedback on the levels of service and the activities to be undertaken by Council before the final budget is adopted in June 2019.

We encourage participation in the consultation.

## Appendix 1 – 2019-20 Proposed Operating Projects

Title	Net Expenditure	Community Living Outcome	Economic Prosperity Outcome	Environmental Stewardship Outcome	Civic Leadership Outcome
Trader Events Sponsorship	\$ 40,000		X		
Unley Gourmet Gala & Tour Down Under	\$ 273,000	X			
Community Events Program	\$ 110,000	X			
Active Ageing	\$ 20,000	X			
Royal Show Traffic Management Support	\$ 22,000	X			
All Connections to Unley Art Prize	\$ 5,000	X			
Planning Compliance Officer	\$ 67,000	X			
Unley Civic Precinct - Short Term Actions	\$ 30,000	X			
Clarence Park Community Centre Inc.	\$ 10,000	X			
Rosefield Community Shed	\$ 10,000	X			
Goodwood Community Centre - Staff Training	\$ 3,000	X			
City Wide Greening/Verges	\$ 50,000			X	
City Wide Greening/Verges - Expansion	\$ 25,000			X	
2 <sup>nd</sup> Generation street tree renewal	\$ 75,000			X	
Accelerated Tree Planting Program (Tree Canopy)	\$ 160,000			X	
Living with Trees Program	\$ 25,000			X	
Street Tree Water Wells	\$ 40,000			X	
Resilient East (Climate Ready Projects)	\$ 10,000	X		X	
City Wide Street Tree Risk Audit and works	\$ 25,000	X		X	
<b>Proposed Operating Projects</b>	<b>\$ 1,000,000</b>				

Further details of these projects provided in the following pages:



Title	Net Expenditure \$
<b>4 Year Plan Elected Member Priorities</b>	
<p><b>2019-20 Trader Event Sponsorship</b> The provision of financial support to Trader Associations in order to stage events based on the following:</p> <ul style="list-style-type: none"> <li>• Unley Road Traders Association \$10,000 Evening Under the Stars (Feb 20)</li> <li>• King William Road Traders Association \$10,000 Christmas on King William Road.</li> <li>• Fullarton Road Traders Association \$10,000 Fullarton Road Traders Market</li> <li>• Goodwood Road Business Association: \$10,000 SALA on Goodwood Road (August 2019)</li> </ul>	\$40,000
<p><b>Unley Gourmet Gala and Tour Down Under</b> Staging of the 20th Year of Council's Unley Gourmet Gala and the Tour Down Under events in 2019-20 building on previous years' success. The hosting of a TDU Stage is dependent on a stage being granted by SA Tourism Commission.</p>	\$273,000
<p><b>2019-20 Community Events Program</b> The delivery of the City of Unley community events program; including events such as Ignite Unley Outdoor Cinema Program (Summer 19/20); Fringe in Unley (Mar 20); Zest Fest (Oct 2019).</p>	\$110,000
<p><b>Active Ageing</b> Delivery of initiatives relating to Council's Age Friendly Strategy endorsed in December 2015 and informed by research undertaken in 2016-17. As well as the continuation of existing initiatives, the proposed 2019-20 program includes:</p> <ul style="list-style-type: none"> <li>Age Friendly Business Recognition Program</li> <li>Forget Me Not Program</li> <li>Active Ageing Alliance</li> <li>Active Ageing Health and Wellbeing Workshop Series</li> </ul>	\$20,000
<p><b>Royal Show Traffic Management Support</b> Renewal of a three-year funding agreement that Council has negotiated with Royal Agricultural and Horticulture Society as a contribution towards traffic management costs during the "Show" period.</p>	\$22,000
<p><b>All Connections Unley Art Prize</b> The All Connections Unley Art Prize is an initiative included in Council's Public Arts Strategy. The Community and Culture Committee in August 2016 indicated a desire to further explore sustainable future opportunities for an Unley Art Prize. The Art Prize is offered biennially, with a lighter "off year" program focused on arts opportunities for young people to be delivered in 2019-20 at a cost of \$5,000.</p>	\$5,000
<p><b>Planning Compliance Office</b> Appointment of a Planning Compliance Officer (2-year contract at 0.8 FTE) to provide an additional service to proactively monitor, manage and enforce planning matters including breaches of planning consents, of the PDI Act and nuisance and litter concerns related to development.</p>	\$67,000

Title	Net Expenditure \$
<p><b>Unley Civic Precinct Plan - Short Term Actions</b>  The Unley Civic Precinct Working Group was established to assist the Council in developing a precinct plan for the Unley Civic Precinct (the area bounded by Oxford Terrace, Rugby Street, Edmund Avenue and Unley Road).  During 2019/20 work will be undertaken to examine options for alternative use/configuration of the cottages, including a building survey of the existing cottages and development of concept design options for the reuse of the six council owned cottages along Edmund Avenue.</p>	\$30,000
<p><b>Clarence Park Community Centre Inc.</b>  Financial contribution to Clarence Park Community Centre Inc. to support the appointment of a coordinator for the popular T.O.Y.S Community Shed program which has been operating since 1985.  Clarence Park Community Shed is one of two Community Sheds in the City of Unley and supports many vulnerable people in the community through a volunteer-management.</p>	\$10,000
<p><b>Rosefield Community Shed</b>  Financial contribution to support the operation of the Rosefield Community Shed who have recently relocated from Fullarton to the Adelaide Showgrounds. Rosefield Community Shed is supported entirely by volunteers welcoming both male and female participants.</p>	\$10,000
<p><b>Goodwood Community Centre - Staff Training</b>  Financial Support to Goodwood Community Services to provide additional staff training and resourcing for children's programs, to assist in the increase and frequency of existing activities and offering of sensory and ability focused programs.</p>	\$3,000
<p><b>City Wide Greening / Verges</b>  Implementation of identified streetscape opportunities within the City that can value add or improve the greening of the streetscape for both amenity and environmental benefits.</p>	\$50,000
<p><b>City Wide Greening / Verges - Expansion</b>  To accommodate a new round of applications and convert the outstanding 45 pre-approved applications from 2018/19.</p>	\$25,000
<p><b>Second Generation Street Tree Implementation (Year 5 of ongoing program)</b>  This initiative forms part of Council's endorsed Environmental Sustainability Strategy and Tree Strategy to increase the level of street tree replacement to a more sustainable level. The project covers the removal and replacement of existing street trees to ensure the City maintains its tree canopy cover.</p>	\$75,000
<p><b>Accelerated Tree Planting Program (Tree Canopy)</b>  Council has endorsed a mission statement to increase green cover 20% by 2045. The objectives of this project are to review and revise the existing Tree Strategy plans to deliver up to 250 new trees on Council land in addition to the street tree replacement program and other capital projects such as King William Road.</p>	\$160,000
<p><b>Living with Trees Program</b>  The objectives of this project are to increase community awareness and understanding of the benefits of trees in urban areas.  Council will provide community information and advise on "Living with Trees" and support residents with the maintenance costs of significant and/or regulated trees on private land.  Incentives such as tree giveaways for planting on private land will help keep the City of Unley leafy for future generations.</p>	\$25,000

Title	Net Expenditure \$
<b>Street Tree Water Well Program</b> This initiative is part of a program forming part of the Environmental Sustainability Strategy to install tree water wells in appropriate streets to assist in providing water to street trees. Tree wells are installed in verges aligned to the Second Generation Tree Program and other verges where Council is planting trees. The initiative does not include the planting of trees.	\$40,000
<b>Resilient East (Climate Ready Projects)</b> A key priority under the Resilient East Project is the delivery of the Eastern Regional Climate Change Adaptation Plan. The Plan is aimed at ensuring the 'Eastern Region remains a vibrant, desirable and productive place to live, work and visit and that our businesses, communities and environments can respond positively to the challenges and opportunities presented by a changing climate'.	\$10,000
<b>City Wide Street Tree Risk Audit</b> This project is to undertake a comprehensive Tree Assessment Audit to align with the Tree Strategy review which is due for renewal in 2019-2020. This audit will assist in identifying opportunities for increased planting locations across the City and implement the strategy for the next 4 years.	\$25,000
<b>Net Operating Projects</b>	<b>\$1,000,000</b>

## Appendix 2 – 2018-19 Proposed New Capital

Title	Net Expenditure	Community Living Outcome	Economic Prosperity Outcome	Environmental Stewardship Outcome	Civic Leadership Outcome
King William Road + component from Capital Renewal Program	\$ 12,550,000	X	X	X	
Digital Services Program (technology for communication, systems and engagement)	\$ 55,000				X
Brown Hill Keswick Creek	\$ 848,000			X	
Alternative Green Energy - Solar, location to be approved	\$ 30,000	X		X	
Living (Shared) Streets	\$ 70,000			X	
Pocket Parks	\$ 70,000			X	
LATM Implementation	\$ 215,000	X			
Goodwood Oval Grandstand - Council contribution to project	\$ 950,000	X			
Walking Cycling Plan (Windsor/ Wattle pedestrian crossing)	\$ 30,000	X		X	
Wilberforce Walk - Council contribution to project	\$ 800,000	X			
Unley Civic Precinct - Short Term Actions	\$ 70,000	X			
Swimming Shade Structure	\$ 20,000	X			
Drinking Fountains - reserves	\$ 20,000	X			
Millswood Croquet Club concept	\$ 20,000	X			
Unley Oval Grandstand upgrade Stage 2	\$ 1,200,000	X			
Estimated Project Management Costs	\$ 243,000				X
<b>Capital Projects</b>	<b>\$ 17,191,000</b>				

Further details of these projects provided in the following pages:

Title	Net Expenditure \$
<b>4 Year Delivery Plan Elected Members Priorities</b>	
<b>King William Road Redevelopment</b>  This multi year project will see the redevelopment of King William Road, to realise the vision of a flexible and adaptive road reserve environment within a contested main street. The design vision and intent is described in detail in the Curated Street Upgrade (King William Road Project Report HASSELL 2014).	\$12,550,000
<b>Digital Services Program</b>  Key objectives for the second year of this multi year strategy will be to further increase self-service options for customers, enable multi-channel customer engagement and improve customer access to data. Key projects include; <ul style="list-style-type: none"> <li>• My Unley - Online Services Stage 2</li> <li>• Council Website Refresh</li> <li>• Smart City Data Platform</li> <li>• Investigate options for Online Community Facilities hire</li> </ul>	\$55,000
<b>Brown Hill Keswick Creek (BHKC)</b>  The City of Unley together with the Cities of Burnside, Mitcham, West Torrens and the Corporation of the City of Adelaide have collaborated to develop a catchment based approach to mitigating flood risk and use of stormwater where feasible in the Brown Hill and Keswick Creek catchment.	\$848,000
<b>Alternative Green Energy – Green Infrastructure Implementation</b>  For the past four years, Council have been installing renewable energy infrastructure at Council owned properties as both an environmental initiative and a cost saving measure. Projects have included the Unley Swimming Pool, Fullarton Community Centre, Clarence Park Institute Hall and soon to be installed at the Unley Library.  In 2019/20 the project will continue to roll out installation of renewable energy on Council owned buildings with a key focus on the Unley Depot and Goodwood Community Centre.  It is expected that an installation of renewable energy at either of these locations will reduce electricity costs in the order of \$30,000 p.a.	\$30,000
<b>Living (Shared) Streets</b>  The ‘Living Streets Pilot Program’ aims to work with local residents to create safer, greener shared streets. The enhancements should add to the quality of life for residents across the City of Unley and the program supports the Councils commitment to be a leading age friendly city.	\$70,000
<b>Pocket Parks</b>  This project will fund the construction of one revitalised ‘Pocket Park’, identified from the consultation and co-design process undertaken by Council staff in 2018/19. The project budget will cover costs associated with relevant design, certification / approvals and construction costs. The majority of the funds will be associated with enhancements related to the road closures.	\$70,000
<b>Local Area Traffic Management Implementation (LATM)</b>  To continue the implementation of the LATM The Objectives of the project are to implement the High priority outcomes from LATM 3 (Clarence Park/Millswood) study.	\$215,000

Title	Net Expenditure \$
<p><b>Goodwood Oval Grandstand</b></p> <p>This project is for the upgrade of the Goodwood Oval grandstand, the State Government agreed to contribute \$2.5 million to the construction of a new facility. Council will contribute \$950k in 2019-20.</p>	\$950,000
<p><b>Walking &amp; Cycling Plan (Windsor/Wattle pedestrian crossing)</b></p> <p>To continue the implementation of Council's WCP initiatives. This project seeks to continue the implementation of improvements identified in this plan.</p>	\$30,000
<p><b>Wilberforce Walk</b></p> <p>The Brown Hill Keswick Creek Stormwater Management Plan ("BHKC SMP") requires the upgrade of the section of the Brown Hill Creek which is located between Anzac Highway and Forestville Reserve.</p> <p>Council has applied for grant funding for this project from the State Government. If successful Council will be required to match the grant on a dollar for dollar basis.</p>	\$800,000
<p><b>Unley Civic Precinct - Short Term Actions</b></p> <p>The Unley Civic Precinct Working Group was established to assist the Council in developing a precinct plan for the Unley Civic Precinct (the area bounded by Oxford Terrace, Rugby Street, Edmund Avenue and Unley Road).</p> <p>Key projects for 2019/20 include:</p> <ul style="list-style-type: none"> <li>• Survey of the irrigation within the Village Green Precinct</li> <li>• Provision of new event power to service the open grassed area</li> <li>• Replacement of existing Rugby Street fence, new planting bed with edging and new</li> <li>• Wayfinding Signage at key decision points around the perimeter of the Precinct</li> <li>• Paving/landscaping around and adjacent to the Civic building and visitor carpark</li> </ul>	\$70,000
<p><b>Swimming Shade Structure</b></p> <p>Purchase and installation of a weather proof shade structure, equipped with water cooling station to be placed at the northern (shallow) end of the main 50m pool at the swimming centre.</p>	\$20,000
<p><b>Drinking Fountains - Reserves</b></p> <p>This initiative supports community and Elected Member requests to construct and/or repair drinking fountains throughout the City of Unley providing community value and supporting the environment.</p> <p>Locations identified include Goodwood Primary School, Souter Park, Black Forest/Forestville tram stop, LeHunt reserve and Everard Park playground.</p>	\$20,000
<p><b>Millswood Croquet Club Concept</b></p> <p>Stage 1 of a proposed three stage approach covers the concept design and stakeholder/community engagement.</p> <p>Concept design works will assist Council to seek additional funding from third party agencies.</p>	\$20,000
<p><b>Unley Oval Grandstand Upgrade - Stage 2</b></p> <p>Advancement of Community Hub</p>	\$1,200,000
<p><b>Capitalised Project Delivery Costs including Overheads</b></p> <p>These are internal project management costs to deliver the projects listed</p>	\$243,000
<b>New Capital</b>	<b>\$17,191,000</b>

## Appendix 3 - 2019-20 Proposed Capital Renewal Program

<b>Asset Category</b>	<b>Expenditure \$</b>	<b>Income \$</b>
Bridges	\$50,000	
Bus Shelters	\$68,000	
Car Parks	\$45,000	
Drains and Stormwater	\$186,000	
Footways	-	
IT Equipment	\$560,000	
Kerb and Water table	\$50,000	
Plant and Equipment	\$887,000	
Property including: <ul style="list-style-type: none"> <li>• Buildings</li> <li>• Public Toilets</li> <li>• Swimming Facility</li> <li>• Office Furniture and Equipment</li> </ul>	\$877,000	
Reserves / Recreation and Open Space	\$493,000	
Roads	\$154,000	
Signs	\$16,000	
Street lighting	\$25,000	
Streetscape	\$100,000	
Traffic Facilities	\$28,000	
Project Delivery Costs including Corporate Overhead	\$622,000	
<b>Total</b>	<b>\$4,161,000</b>	
<b>Net Capital Renewal Program</b>		<b>\$4,161,000</b>



<b>BRIDGES</b>		
<b>Location</b>	<b>Comment</b>	
Bridge/Footbridge	Renewal works required to repair defects on existing structures following the condition audit.	
<b>Total</b>		<b>\$50,000</b>

<b>BUS SHELTERS</b>		
<b>Compliance &amp; Seating</b>		
Progressively replace non-compliant bus shelters –		
Bus stop 7 Leah St, Forestville (west side)		
Bus stop 7 Goodwood Rd, Clarence Park (west side)		
Bus stop 8 King William Rd, Hyde Park (west side)		
Program to replace plastic tactile indicators with concrete insert tactile.		
Program to replace old seating with age friendly seating at bus stops.		
<b>Total</b>		<b>\$68,000</b>

<b>CARPARKS</b>		
<b>Site</b>	<b>Comment</b>	
Bar Zaar Car Park	Replacement of paver surface in the parking bays.WSUD and additional Canopy cover consideration.	
<b>Total</b>		<b>\$45,000</b>

<b>DRAINS AND STORMWATER</b>		
Fullarton Stormwater Catchment Study - Smart Tanks research grant		
Stormwater Upgrade Designs for 20/21FY - Priorities determined from Flood Modelling (18/19)		
SEP Replacement Program - various locations		
Asset Inspections - CCTV		
<b>Total</b>		<b>\$186,000</b>

<b>IT EQUIPMENT</b>	
Computer hardware (including server room upgrade), software, telephone system and Infringements and other ICT Equipment	
<b>Total</b>	<b>\$560,000</b>

<b>KERB AND WATER TABLE</b>	
Dunks Lane – Spoon Drain	
<b>Total</b>	<b>\$50,000</b>

<b>PLANT &amp; EQUIPMENT</b>			
	<b>Gross \$</b>	<b>Income \$</b>	<b>Net \$</b>
Small Plant			25,000
Light Fleet	302,000	140,000	162,000
Major Plant	950,000	250,000	700,000
<b>Total</b>			<b>\$887,000</b>

**Plant items include:**

Fork Lift	Tonne Space Cab Ute x2	Dual Cab Ute x4
Compact Truck Loader	3 Tonne Truck x2	Ride on mower
Skid Steer	Change-over of 9 light fleet vehicles	Front End Loader

<b>PROPERTY</b>		
<b>Property Classification</b>	<b>Facilities</b>	<b>Cost \$</b>
Civic Community	Mechanical Services Upgrade – Town Hall and Library Mechanical Services Upgrade – Goodwood Library Part carpet replacement – Unley Library L1 FPCC (Reiki area) – carpet replacement Window replacements – Library/Town Hall L 1 Access Control System upgrade Swim Centre – Main pool bulkhead tile refurbishment Swim Centre – Replacement of dive block tops	\$356,000

<b>PROPERTY</b>		
<b>Property Classification</b>	<b>Facilities</b>	<b>Cost \$</b>
	Swim Centre – Replacement of manual pool vacuum Lighting upgrade – Goodwood Library (LED) CPCC - Timber parquetry floor part replacement Civic Centre – replacement of tiles, staff toilets	
Civic Operations	Public Toilets – Replacement of auto timers and electric strike locks to standardise across all sites for all main entrance security doors	\$5,000
Civic Operations : other	Compaction survey and Regrade landfill site	\$21,000
Lease Community	Minor works – various sites identified from 2017/18 condition assessment Goodwood/Millswood precinct – various minor works Unley Bowls Club – salt damp remediation Mech plant upgrade – 39 Oxford Tce gym area	\$125,000
Lease Commercial	Wet area upgrades - 73 King William Road	\$25,000
Multi Category works	Paint Program Asbestos removal program year 3 of 4, (sites will be identified on a priority basis from information contained in the Asbestos Registers for each of our properties) Air conditioning – package units' upgrade program Key/lock register upgrade	\$305,000
Office Equipment		\$40,000
<b>Total</b>		<b>\$877,000</b>

Property includes the categories of Buildings, Office Furniture and Equipment, Public Toilets and Swimming Facility.

<b>RESERVES / RECREATION AND OPEN SPACES</b>	
<b>Location</b>	<b>Description</b>
Forestville Reserve - New Paths	New Paths
Dora Gild - Drinking Fountain & New Path	Drinking Fountain and New Paths
Morrie Harrell	Shade Sail and New Path
Page Park	Drinking Fountain & dog bowl, New Fencing adjacent Tennis Courts
Fullarton Park	Lighting Upgrade
Heywood Park	New Paths, Play equipment & Smart Cities Devices
Various Reserves	LED Lighting upgrades
Irrigation Systems Renewal	As per Irrigation Systems Audit recommendation
Various	Bin surrounds, fencing, sets, signage, paths, lighting, soft fall and other minor items
Various	Street furniture replacement and renewal
<b>Total</b>	<b>\$493,000</b>

<b>ROADS</b>			
<b>Street</b>	<b>From</b>	<b>To</b>	<b>Suburb</b>
Dunks Lane	Young St	Young St	Parkside
Road Pavement Testing – Collector Roads			
Crack sealing	Various – Maintenance patching to localised defects		
<b>Total</b>			<b>\$154,000</b>

<b>SIGNS</b>	
Replacement and renewal of signage across the City.	
<b>Total</b>	<b>\$16,000</b>

<b>STREET LIGHTING</b>	
Replacement and renewal of lights across the City, as and when identified in conjunction with the LED capital works program.	
<b>Total</b>	<b>\$25,000</b>

<b>STREETSCAPE</b>	
Replacement and renewal of streetscape across the City	
Key locations include:	
Gray St - Black Forest	
Parker Terrace – Clarence Park	
Charra St – Hyde Park	
Allen Grove - Unley	
<b>Total</b>	<b>\$100,000</b>

<b>TRAFFIC FACILITIES</b>	
Replacement and renewal of traffic management infrastructure.	
<b>Total</b>	<b>\$28,000</b>

<b>PROJECT MANAGEMENT &amp; DELIVERY COSTS (INCLUDING CORPORATE OVERHEAD)</b>	
Project Delivery	
<b>Total</b>	<b>\$622,000</b>

## Appendix 4 – Rates Assistance Available

### *Rebate of Rates – Under Sections 159-165 of the Local Government Act 1999*

A rebate of rates in respect of any rateable land in the Council area will be available only when the applicant satisfies the requirements under the Act.

### **Discretionary Rebate of Rates – Under Section 166 of the Local Government Act 1999**

In February 2017, Council endorsed a revised Rate Rebate Policy with a key principle that all ratepayers should contribute an amount towards basic service provision. As such the Policy proposes a maximum discretionary rebate of 75%.

The Rate Rebate Policy determines that Discretionary Rate Rebates are granted for the term of the Council to allow for a regular review of Discretionary Rate Rebates. The new council term commenced in November 2018, as such all current Discretionary Rate Rebates will need to reapply and be assessed on their merits by the new council.

Applications for discretionary rebates for the 2019-20 rating year will need to be received by 1 May 2019 to be considered in accordance with the statutory provisions of Section 166 of *the Local Government Act 1999*. Further information should be obtained from Council's Rate Rebate Policy.

### **State Government Pensioner and Seniors Concessions**

The State Government previously funded concessions on Council rates but abolished such concessions with effect from 30 June 2015.

From 1 July 2015, the State Government has elected to replace these concessions with a single "cost-of-living payment" provided directly to those entitled. This payment may be used for any purpose, including offsetting Council rates.

To check eligibility, contact the Department for Communities and Social Inclusion (DCSI) Concessions Hotline 1800 307 758 or at [www.sa.gov.au/](http://www.sa.gov.au/)

### **Alternative Payment Arrangements**

Any ratepayer who may, or is likely to, experience difficulty with meeting the standard rate payment arrangements should contact the Council to discuss options for alternative payment arrangements. Such enquiries are treated confidentially and are assessed on a case-by-case scenario.

### **Postponement of Rates in Cases of Hardship**

In accordance with Section 182 of the Act, a postponement of rates may be granted if Council is satisfied that the payment of these rates would cause hardship. Council may, on application and subject to the ratepayer substantiating the hardship, consider granting a postponement of payment of rates in respect of an assessment on the condition that the ratepayer agrees to pay interest in the amount affected by the postponement at the cash advance debenture rate calculated monthly and if the ratepayer satisfies the following criteria:

- The property is the principal residence of the ratepayer and is the only property owned by the ratepayer, and
- The property has been owned by the ratepayer and has been their principal residence for more than five years, and

- The ratepayer is able to produce one of the following identification cards
  - Pensioner Concession Card – Centrelink
  - Pensioner Concession Card – Veterans Affairs
  - TPI Card – Veterans Affairs, or
- Can demonstrate to Council they are a self-funded retiree with a household income of less than \$30 000 per year.

All applications for postponement of rates will be assessed on a case-by-case basis and are not contingent on the level of increase in rates payable. All such enquiries and submissions will be treated confidentially.

### **Postponement of Rates for Seniors**

In accordance with Section 182A of the Act, a person may apply to Council for a postponement of the payment of the prescribed proportion of rates for the current or future financial year. Council may, on application and subject to the ratepayer meeting the criteria, postpone payment of a proportion of rates in respect of an assessment on the condition that the ratepayer agrees to pay interest on the amount affected by the postponement at the cash advance debenture rate calculated monthly and if the ratepayer satisfies the following criteria:

The person is a prescribed ratepayer, or is the spouse or domestic partner of a prescribed ratepayer, and

- The ratepayer or their spouse hold a State Seniors Card, and
  - The property is owned and is the principal place of residence of the State Seniors Card holder and/or spouse (that is, the property is lived in most of the time), and
  - If the ratepayer has a registered mortgage on the property prior to 25 January 2007, or has over 50% equity in the property, and
  - That no person other than the Seniors Card holder and/or his/her spouse has an interest as an owner in the property.
- If a person has applied for the benefit of a postponement of rates under section 182A and an entitlement to a postponement ceases to exist, the owner of the land must, within 6 months from the day in which the entitlement ceased, inform the council in writing of that fact (unless the liability to the relevant rates has been discharged). Failure to do so could lead to a maximum penalty of \$5 000.
- Where an amount is not paid in accordance with the general rate notice but is capable of being the subject of a postponement (e.g. in excess of the prescribed amount \$500) under section 182A of the Act it will be taken to be subject to postponement under that section.
- Prescribed interest is applied to the amount of rates postponed, which is charged and compounded monthly on the total amount postponed, until the debt is paid.

All applications for seniors' postponement of rates will be assessed on a case-by- case basis. All such enquiries and submissions will be treated confidentially.



## Appendix 5 - Proposed Operating Budget by Program (excludes operating projects)

Budget Program	Program Description	Draft 2019-20		
		Operating Income \$000s	Operating Expenditure \$000s	Net Expenditure / (Revenue) \$000s
Active Ageing	Coordination, administration and support for community based services and projects aimed at facilitating independence and promoting social inclusion	1,447	1,619	172
Animal Management	Promote community safety through education, awareness and compliance with the legislation relating the Dog and Cat Management Act and Local Government Act	139	225	86
Arts & Cultural Development	Provision of Art and Cultural Development programs to support a vibrant and active community	0	142	142
Business Support & Improvement	Provides general management, executive support and leadership to the services provided by Business Support & Improvement Division and supports Elected Members	0	494	494
Business Systems & Solutions	Manages and maintains Council's Information Communication Technology infrastructure, applications and supporting systems to provide high levels of secure service that supports business operations and performance	0	2,118	2,118
City Development Management	Provides general management, executive support and leadership to the services provided by City	0	481	481
City Services Management	Provide general management, executive support and leadership on the services and programs provided by City Services and to Elected Members	0	534	534
Community Bus Program	A community transport service within the City of Unley provided by fully trained and accredited volunteer drivers, aimed at improving mobility plus connection to more City Services	11	155	144
Community Centres	Management and provision of a thriving network of Community Centres that promote social inclusion, belonging and connection	388	879	491
Community Development & Wellbeing Management	Provide management, support and leadership of the projects, programs and services provided by the Community Development & Wellbeing Team.	0	248	248
Community Events	Efficient and effective coordination of Council-run community and cultural events and activities, as well as the successful facilitation and attraction of external events into the City of Unley to encourage place activation, cultural celebration & vibrancy	0	198	198
Community Grants	Funding for community organisations, groups and individuals to implement programs and initiatives that promote community connectivity, belonging, participation and cultural diversity	0	126	126
Corporate Activities	The accumulation of corporate costs including leave on-costs, treasury management, levy and taxes and insurances	1,814	3,609	1,795
Culture & Business Capability	This service supports the continuous improvement of overall business capability focused on the provision of 'best value' services to customers. Critical to improved business capability and customer experience is having the best organisational culture possible	0	40	40
Customer Experience	Coordinate and manage the City of Unley brand through customer service, provision of frontline customer service plus resolve customer enquiries and build goodwill within the City of Unley community	1	750	750
Development Services	Planning and building control within the City in accordance with the Development Act and Regulations and other legislative requirements	383	1,908	1,524
Economic Development	Manage the implementation, monitoring and evaluation of economic development activities and strategic initiatives within the City of Unley	340	570	230
Environmental Initiatives	Drive improved environmental sustainability through policies, strategies, programs and projects.	0	130	130
Finance & Procurement	Delivers accounting, financial, procurement and treasury management services required to support Council's operations, including statutory and financial reporting obligations	40,726	1,404	(39,322)

Budget Program	Program Description	Draft 2019-20		
		Operating Income \$000s	Operating Expenditure \$000s	Net Expenditure / (Revenue) \$000s
Governance & Risk	Undertakes administration of legislative and corporate governance requirements, and maintains robust controls through risk management and internal audit oversight	3	998	996
Human Resources	Provides support in recruitment, change management, employee relations, injury management, Occupational Health Safety and Welfare	0	1,118	1,118
Library Services	Provision of Library services, programs and facilities to encourage literacy, lifelong learning and social inclusion and connection	367	2,069	1,702
Marketing & Communications	Coordinate and manage the City of Unley reputation and brand in digital and printed communications and media relations	13	489	476
Office of the CEO	Organise and manage the good governance of the City of Unley, including support for Elected Members and Civic Functions	313	1,316	1,003
Operational Services	Provides maintenance services to Council's infrastructure, property, open space, street and park trees, plant and equipment assets	892	12,389	11,496
Parking Enforcement	Promote community safety through education, awareness and compliance with the legislation relating to the Road Traffic Act and Local Government Act and Council By Laws	1,056	654	(401)
Property Services	Provides sustainable strategic management of Council's building and property asset portfolio	519	3,106	2,587
Public & Environmental Health	Promote community health and safety through education, awareness and compliance with the legislation relating to the Environment and Protection Act and the Local Government Act	38	441	403
Recreation & Sport Planning	Supporting a healthy and active community through the provision of structured and unstructured recreation, sport and leisure programs and facilities	0	107	107
Strategic Asset Management	Provides sustainable strategic management of Council's asset portfolio	0	650	650
Strategic Projects	Facilitating delivery of major strategic initiatives from 4 Year Delivery Plan and Community Plan	0	161	161
Transportation & Traffic	Coordination, administration and support to provide an effective, safe and equitable management of transport spaces for all modes, ratepayers and visitors to improve local accessibility and safety	14	691	677
Unley Museum	Provision of the Unley Museum to showcase the cultural heritage and history of the area through the provision of collection, exhibitions and programs	5	142	137
Unley Swimming Centre	Provision of a premier outdoor swimming facility, encouraging community health, wellbeing and water safety	797	1,096	299
Urban Design	Development and management of high quality public realm and open space. Coordination, administration and support to provide an effective, safe and equitable management of movement spaces for all modes, ratepayers and visitors to improve local accessibility and safety	0	280	280
Urban Policy Planning	Investigate and prepare Council planning strategy, policy and Development Plan Amendments and review State Government strategic, policy and operations directions	0	137	137
Volunteer Development	Coordination, administration and support for community based volunteer services and projects.	0	113	113
Waste Management	Collection and disposal of general waste, kerbside recycling, green waste and the hard rubbish collection service	31	4,126	4,095
Youth Development	Engage and empower young people in the community by identifying, developing and providing activities, programs and events	0	104	104
<b>Total</b>		<b>49,296</b>	<b>45,819</b>	<b>(3,476)</b>

## DECISION REPORT

**REPORT TITLE:** VOLUNTEER MANAGEMENT POLICY  
**ITEM NUMBER:** 1457  
**DATE OF MEETING:** 29 APRIL 2019  
**AUTHOR:** BEC MILNER  
**JOB TITLE:** VOLUNTEER COORDINATOR

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### 1. **EXECUTIVE SUMMARY**

The purpose of this report is to seek endorsement of a revised Volunteer Management Policy.

The City of Unley currently has 267 active volunteers who make a valuable contribution in the community. The management and support of Council's volunteers is guided by a Volunteer Management Policy.

The previous Volunteer Management Policy was adopted in February 2007. Since this time, there has been procedural and legislative change, requiring an update of Council's policy.

The revised Volunteer Management Policy guides decision making in relation to managing volunteers and provides volunteers an understanding of their rights and responsibilities.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. The Volunteer Management Policy, as set out in Attachment 1 to this Report (Item 1457, Council Meeting, 29/04/2019) be adopted.
- 

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

Community Plan and 4 Year Delivery Plan 2017 – 2021

#### **Community Living**

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

### 4. **DISCUSSION**

The City of Unley values the significant contribution that volunteers provide to Council and the community and is committed to optimising the management of volunteer programs. Volunteers develop and strengthen the bond between Council and the community, and contribute to creating a vibrant, healthy and positive place to live.

In 2018, volunteers for the City of Unley provided more than 20,000 hours of volunteering, valued at approximately \$835,000 (based on the Australia Bureau of Statistics May 2017 to May 2018 figures, indicating that the value of volunteering is \$41.72 per hour).

Council currently supports 267 active individual volunteers across 75 positions, as broken down below:

Area of Council	Number of volunteer positions	Number of volunteers
Active Ageing (inc CHSP Programs and Community Transport)	12	52
Community Centres	29	59
Library	19	94
Museum	8	24
Events	4	11
Community Bus	2	31
Justice of the Peace	1	14
<b>TOTAL</b>	<b>75</b>	<b>285*</b>

*\*Information provided above is indicative only as some volunteers are assigned to more than one volunteer position.*

Over time, procedural changes have improved the delivery of the Volunteer Management Program, including implementing a targeted recruitment approach, streamlining induction processes and paperwork and the implementation of a new online volunteer management system. Additionally, changes to the *Work Health and Safety Act (SA) 2012* have occurred, including amending definitions to now classify volunteers as 'workers'.

Both the procedural changes and *Work Health and Safety Act (SA) 2012* changes have been included on the attached revised policy.

*Attachment 1*

The revised Volunteer Management Policy guides decision making in relation to managing volunteers; outlines overarching priorities as Council's approach to volunteering; provides volunteers an understanding of their rights and responsibilities; and ensures volunteers are managed in a fair and consistent manner.

## 5. **ANALYSIS OF OPTIONS**

### Option 1 –

1. The report be received.
2. The Volunteer Management Policy, as set out in Attachment 1 to this Report (Item 1457, Council Meeting, 29/04/2019) be adopted.

This updated policy reflects changes that have been made to process and to legislation.

This is the recommended option.

Option 2 – The Volunteer Management Policy is adopted with amendments.

This option will enable the adoption of the revised Policy with any amendments Council choose to make. Consideration should be given to the financial and operational implications of any changes along with the potential community impact should amendments be made.

Option 3 – Council does not adopt the revised policy.

This option will leave Council with an outdated policy and would be unsatisfactory from a governance perspective.

**6. RECOMMENDED OPTION**

Option 1 is the recommended option.

**7. POLICY IMPLICATIONS**

There are no significant implications to other policies in adopting the revised Volunteer Management Policy.

**7.1 *Financial/Budget***

- There are no financial implications with Option 1. Council's Volunteer Program is funded via Council's Operating Budget.

**7.2 *Legislative/Risk Management***

- In adopting the revised Volunteer Management Policy, Council reduces its risk by ensuring the policy is in line with current Work Health and Safety legislation.

**7.3 *Stakeholder Engagement***

- Consultation on the revised policy was undertaken with Volunteer Program Coordinators. It is not anticipated that volunteers will be impacted by changes made.

**7.4 *Environmental/Social/Economic***

- There is no impact for existing volunteers in adopting the revised policy as it is in line with current practice.

**8. REPORT CONSULTATION**

Consultation on this report has been undertaken with the following staff:

- Team Leader Community Support and Wellbeing
- Team Leader Community and Cultural Development
- Volunteer Program Coordinators

**9. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Mandy Smith	Manager Community Development & Wellbeing
Megan Berghuis	General Manager City Services



## VOLUNTEER MANAGEMENT POLICY

<b>Policy Type:</b>	Administrative Policy
<b>Responsible Department:</b>	Community Development and Wellbeing
<b>Responsible Officer:</b>	Manager Community Development and Wellbeing
<b>Related Policies and Procedures</b>	<ul style="list-style-type: none"> <li>• Code of Conduct for Council Volunteers</li> <li>• Safe Environment Policy</li> <li>• Fair Treatment and Equal Employment Opportunity Policy</li> </ul>
<b>Community Plan Link</b>	Community Plan 2033 – “Living: Our Path to a Thriving City” Goal 2.5: Collaborative and engaged community
<b>Date Adopted</b>	
<b>Last review date</b>	26 February 2007; C48/07
<b>Next review date</b>	
<b>Reference/Version Number</b>	
<b>ECM Doc set I.D.</b>	

### 1. PREAMBLE

The City of Unley recognises and values the significant contribution that volunteers provide to Council and the community, and is committed to optimising the management of volunteer programs.

The Volunteer Management Policy guides decision making in relation to managing volunteers, and provides volunteers an understanding of their rights and responsibilities.

### 2. SCOPE

The policy applies to all volunteers and activities, programs and services where volunteers are involved.

### 3. POLICY PURPOSE/OBJECTIVES

The purpose of this policy is to provide a best practice framework for the management of volunteers. Volunteers undertake activities that are of benefit to Council, the local community and the individual and support the City of Unley’s vision.

## 4. DEFINITIONS

*Activity* – Refers to a specific task or set of tasks that are undertaken as part of a volunteer position.

*Cause testing* – Refers to the criteria and basis on which a reasonable belief exists that demands action to require a volunteer to undertake a drug and alcohol test.

*Children* – Refers to individuals aged under 18 years.

*Code of Conduct* – Refers to the City of Unley Code of Conduct for Volunteers.

*Council* – Refers to the City of Unley.

*Department of Human Services screening* – Refers to a background screening check undertaken by the State Government Department of Human Services.

*Incident-related testing* – Refers to drug and alcohol testing that may occur where there is an incident involving injury or damage.

*Mandatory Training* – Compulsory training specific to each volunteer position to be completed prior to undertaking the volunteer position.

*Position* – Refers to the role that a volunteer is recruited to and undertakes.

*Position description* – Outlines the responsibilities and requirements of the position.

*Program Coordinator* – Council employee who has responsibility for overseeing volunteer/s assigned to a Council program, activity or service.

*Reimbursement* – Repayment of a pre-approved expense.

*Volunteer* – An individual who provides services of their own free will, without coercion and for no financial reward, that complement but do not replace the services provided by staff. This does not include persons undertaking work placement or work experience with Council. Individuals must have undertaken a Council and program specific induction; have appropriate clearances in place; have agreed to undertake activities as per a signed volunteer position description; and are actively contributing to their assigned volunteer program/s.

*Volunteer Coordinator* – Council employee responsible for the effective management and administration of the volunteer management program.

## 5. ROLES AND RESPONSIBILITIES

The Manager Community Development and Wellbeing, Team Leader Community and Cultural Development, Volunteer Coordinator and Program Coordinators are responsible for the implementation and administration of this policy.

## 6. POLICY STATEMENT

### 6.1 Volunteering in the City of Unley is of mutual benefit

Volunteers develop and strengthen the bond between Council and the community, and contribute to creating a vibrant, healthy and positive place to live.

There are positive outcomes achieved for both Council and volunteers.

Benefits to the City of Unley include:



- Providing the organisation with a broader resource base from which to deliver positive community outcomes;
- Enhancing community participation through volunteering;
- Enriching the lives of City of Unley residents and improving their quality of life.

Benefits to volunteers include:

- Providing opportunity to connect with others, resulting in greater social inclusion, fun and fulfillment;
- Opportunities to learn new skills and/or providing a stepping stone to employment;
- A sense of purpose that enhances health, wellbeing and quality of life;

## **6.2 Effective volunteer management, training, development and support is provided.**

The City of Unley aims to:

- value and promote volunteer involvement in the organisation;
- ensure processes are in place to support volunteers to undertake their position effectively and in line with organisational requirements;
- ensure quality training, development and support is available to volunteers.

Volunteers will be treated fairly and respectfully, with support and direction from their Program Coordinator.

Volunteers have a right to raise any grievances and for these to be handled and resolved in an appropriate, fair and sensitive manner.

## **6.3 Volunteers are recognised and celebrated.**

The City of Unley provides a recognition program that celebrates its volunteers, including National Volunteer Week, Christmas celebrations, Years of Service certificates and other opportunities throughout the year.

## **6.4 Volunteers have rights and responsibilities.**

Volunteer responsibilities are defined in Council's Volunteer Agreement and Volunteer Handbook, provided at induction. Additionally, volunteer position-specific activities are outlined in the volunteer position description and in program-specific inductions.

Volunteers are recruited and selected through a targeted recruitment approach, whereby available volunteer positions are advertised, suitable individuals are selected, provided with training to undertake their volunteer activities, and inducted into their volunteer program.

Volunteers have a responsibility to perform their activities to the best of their abilities, ensuring they read and adhere to the City of Unley Code of Conduct for Volunteers, Volunteer Handbook, Volunteer Agreement, and relevant Council policies.

Volunteers may be public officers for the purposes of the *Independent Commissioner Against Corruption Act 2012 (SA)* (the ICAC Act). Upon induction, volunteers are provided

information regarding ICAC and the Code of Conduct for Volunteers. Conduct which breaches this Code may be misconduct under the ICAC Act.

All volunteers have a right to expect a safe environment when undertaking their activities. It is the Council's responsibility to ensure this, as per the *Work Health and Safety Act (SA) 2012*. Volunteers shall not undertake, or be expected to undertake, an activity which may be of a hazardous nature.

Volunteers are considered 'workers' under the *Work Health and Safety Act (SA) 2012* and the *Equal Opportunity (SA) Act 1984*. Personal Injury and Public Liability Insurance cover is provided for volunteers who are undertaking the activities as outlined in their Volunteer Position Description.

Volunteers must present for volunteering in a fit state to ensure their safety and the safety of others. The City of Unley has a non-invasive drug and alcohol-testing program in place, and volunteers may be subject to incident or cause testing as required.

## **7. POLICY DELEGATIONS**

Nil applicable.

## **8. LEGISLATION**

- *Children's Protection Act 1993*
- *Disability Discrimination Act 1992 (Commonwealth)*
- *Equal Opportunity Act 1984 (SA)*
- *Volunteers Protection Act 2001*
- *Work Health and Safety Act (SA) 2012*
- *Independent Commissioner Against Corruption Act 2012 (SA)*

## **9. AVAILABILITY OF POLICY**

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

The Civic Centre,

181 Unley Road, Unley SA 5061.

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

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

## **10. DOCUMENT HISTORY**

Date	Ref/Version No.	Comment

## DECISION REPORT

**REPORT TITLE:** REDUCTION OF THE USE OF PLASTIC BOTTLED DRINKS DISPENSED AT COUNCIL VENUES

**ITEM NUMBER:** 1458

**DATE OF MEETING:** 29 APRIL 2019

**AUTHOR:** DALLIS VON WALD

**JOB TITLE:** PRINCIPAL GOVERNANCE OFFICER

**ATTACHMENTS:** NIL

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### 1. **EXECUTIVE SUMMARY**

At its meeting of 10 September 2018, Council requested that the Administration research options to reduce the use of plastic bottled drinks dispensed at Council venues (Item 1291/2018). This report is the response to that request for review.

An assessment of the volume of plastic bottled drinks dispensed at Council venues has identified that there is not a significant volume of bottles dispensed. In most instances, where bottled drinks are dispensed it is either to make them available for sale, or to provide access to drinking water in particular circumstances.

The report identifies initiatives that have been recently introduced to minimise use of bottled water, and also discusses options for alternative measures for the provision of filtered water infrastructure across Council's venues, which may lead to a further reduction in the dispensation of bottled water.

### 2. **RECOMMENDATION**

That:

1. The report be received.
- 

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

2. Environmental Stewardship
- 2.2 Excellence in waste management is achieved through avoidance, re-use and diversion.

### 4. **BACKGROUND**

At the Council meeting of 10 September 2018, Council resolved:

1. *Council Administration research options to reduce the use of plastic bottled drinks dispensed at Council venues.*
2. *A report be presented to Council in 2019.*

Resolution No 1291/2018

Ever mindful of the impact that the production and inappropriate disposal of plastics has upon the environment, Council would like to understand the use of plastic bottles across the business, with the view to making reductions in plastic bottle dispensation if warranted through the introduction of suitable alternatives.

Whilst South Australia has the second highest recycling rate in Australia at 15.4% (behind Victoria at 17.9%) and South Australians recycled 30,000 tonnes of polymers during 2016-17 (an average of 22kg per person)<sup>1</sup> it is important to ensure Council continues to monitor its contribution to the use (and appropriate disposal) of plastic bottles.

## 5. **DISCUSSION**

To review the overall consumption of plastic bottled drinks, Council officers from across the organisation were requested to provide information regarding the dispensation of bottled drinks, including which venues supply bottled drinks and the reason for doing so.

From the review, there appears to be minimal use of plastic drink bottles across the business. The venues that responded in the affirmative as dispensing plastic bottle drinks, specifically PET, advised the following:

Business Area	Use
Events	10 x 24 packs per year, generally purchased at Woolworths or through contractors, for use for staff/performers/volunteers on event sites.
Fullarton Park	Cask water purchased for School Holiday Program, generally only 4-5 casks per year. Bottled water is not purchased.
Office of the Chief Executive Officer*	Refreshments for Council/Committee/CAP meetings; CEO to provide to guests at meetings; Australia Day/Citizenship Ceremonies; All Staff End of Year Session; working groups; other events. Purchases of plastic bottled drinks, from May to the last order of December 2018, were: <ul style="list-style-type: none"> <li>• 1,272 x 500ml bottles of water</li> <li>• 264 x 300ml bottles of juice</li> </ul>
Civic Centre Reception	One Neverfail Springwater cooler is leased to provide access to water at the Civic Centre Reception area. 12 x 11 litre bottles purchased per month. Small bottled water (for individual consumption) is not purchased.

<sup>1</sup> Commonwealth Department of Environment and Energy 2018, *2016–17 Australian Plastics Recycling Survey – National Report*

Business Area	Use
Depot	Two Neverfail Springwater coolers are leased to provide access to water at the Depot. Six x 11 litre bottles purchased per month. Small bottled water (for individual consumption) is not purchased.
Pool	Bottled drinks are purchased at the Pool and then made available for purchase to users of the facility from the Kiosk. From Saturday 16 September 2018 to 26 February, the Pool sold : <ul style="list-style-type: none"> <li>• 407 x 750ml bottles of water</li> <li>• 504 x 500ml bottles of water</li> <li>• 140 x 500ml bottles of ice tea</li> <li>• 102 x 200ml bottles of Pop-Top juice</li> <li>• 361 x 600ml bottles of Gatorade</li> <li>• 388 x 600ml bottles of soft drink</li> </ul> This represents 22 weeks of a 36 week season.

\* Quantities ordered by OCEO are inflated due to the timing of orders required for Australia Day/Citizenship Ceremony. Since December 2018 no bottled water has been ordered.

Due to the nature of the Pool, and the provision of water for sale to patrons, it may be difficult to remove purchasable plastic bottled drinks from the venue. There is currently a filtered tap available for use by patrons to refill water bottles, which could be more actively promoted.

Likewise, with events it is important to provide volunteers with hygienic individual drinks for hydration. Volunteers are now all provided with a reusable/re-fillable water bottles and are advised of options for refilling bottles. This will continue to reduce any reliance on plastic bottled water.

Community Services has been investigating alternatives to plastic bottled drinks, which have included the purchase of aluminium canned water from a Victorian company, and other canned beverages to replace the plastic options. No conclusions as to the benefits of alternatives have yet been reached.

In relation to OCEO use of bottled water, there remain instances where the provision of bottled water is the most appropriate option, however, staff will focus on provision of access to water in the most appropriate manner, with a view to minimising the use of bottled water.

To provide access to filtered and cooled water in the Civic Centre reception area and Depot, Neverfail water coolers are leased. As these bottles are leased, they are continually refilled and recycled through Neverfail's business. The only expended element of this provision is the use of disposable plastic cups. One option to assist with reduction of the use of plastic cups with these water coolers is to exchange the cups used with more environmentally friendly options, for example paper cups. Based on publicly available information from the Neverfail website, paper cups are approximately \$0.02 per cup more expensive than plastic cups. The Administration will implement this change.

The Civic Centre Kitchen has a filtered water tap installed for hot water, and an additional Water Chiller/Bubbler/Carafe Filler for cool drinks. Staff are provided with a Keep Cup (a reusable coffee cup) when they commence at the City of Unley, and the majority of staff provide their own glass or drink bottle, which can be filled in the Kitchen.

The Civic Bar area also possesses a filtered tap for use. Since the passing of Council resolution 1291/2018, steps have been taken where possible to reduce the use of bottled water at Council meetings and workshops. The filtered tap in the Civic Bar is now being used to fill carafes or water jugs and glasses are now provided to Elected Members, in place of bottled water, during meetings/workshops. Staff and Elected Members are encouraged to utilise the water from this means.

#### Options to reduce the use of plastic bottled drinks (primarily water)

With regard to the provision of additional purified water infrastructure within Council's facilities, an office Water Chiller/Bubbler/Carafe Filler unit can be purchased for \$1,500, with the additional costs of installation and yearly filter replacement (\$200 per annum).

Alternatively, a Boiling/Chilled Filtered Water Tap could be installed at various kitchen areas to further reduce the reliance upon bottled drinks. Prices for these taps range from \$1,200-\$4,500 with the additional costs of installation and yearly filter replacement (\$200 per annum).

Any decision to install additional infrastructure would need to consider funding available within the budget, and any cost benefit of providing the infrastructure.

Whilst it does not relate to the dispensation of bottled drinks, for the information of Council, across the City, there currently are forty three (43) drink fountains, three (3) of which are located on footpaths, with the other forty (40) located in reserves or along shared paths. Five of these are Bubbler/Bottle Filler units for general use. These are located at:

- Soutar Park
- North Unley Play Park
- Fullarton Community Centre
- Orphanage Park
- Forrestville Reserve

## **6. CONCLUSION**

The above information indicates that the dispensation of plastic bottles across Council venues is not significant. The Pool purchases bottled drinks for the purpose of selling them to users of the facility.

There are a range of practices in place that provide access to filtered or drinking water (for customers, contractors, staff and Elected Members) using existing filtered water taps, refillable carafes/jugs and leased water coolers. This also assists with managing the number of bottled drinks dispensed. There are recycling bins provided across Council facilities, which assists with ensuring where bottled drinks are available, the bottles are disposed of appropriately.

There may be some scope over time to install water chiller/bubbler/carafe filler units and boiling/chilled filtered water taps at Council venues, to further reduce any reliance on, or use of, bottled water specifically. However, this needs to consider any cost savings or benefits that may be realised, and budget requirements for the infrastructure. Staff are actively managing options for provision of access to water and will continue to focus on sustainable options and minimising the purchase of bottled water into the future.

## **7. ANALYSIS OF OPTIONS**

### **Option 1 –**

#### **1. The report be received.**

Details provided within this report indicate that the dispensation of plastics bottled drinks across Council facilities is minimal, with continued efforts to reduce Council's consumption in the areas where it remains necessary to provide individual serves.

### **Option 2 –**

#### **1. The report be received.**

#### **2. Administration give consideration to the benefits of installing Water Chiller/Bubbler/Carafe Filler units and Boiling/Chilled Filtered Water Tap at Council venues, subject to capacity within existing budget, and action this as appropriate.**

There is the potential to reduce the dispensation of bottled drinks (specifically water) if filtered water infrastructure changes were implemented across Council facilities. This would also mirror the endeavours of Council to increase the number of bubblers/water bottle fillers across Unley's parks.

This option must be assessed in accordance with budgetary requirements, and if the actual usage warrants change to current practice. It is not currently considered an imperative based on the information set out within this report.

## **8. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **9. REPORT CONSULTATION**

Council officers across the business were requested to provide information regarding the use of plastic bottled drinks.

## **10. REPORT AUTHORISERS**

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

## **DECISION REPORT**

**REPORT TITLE:** COUNCIL ASSESSMENT PANEL -  
APPOINTMENT OF DEPUTY INDEPENDENT  
MEMBER

**ITEM NUMBER:** 1459

**DATE OF MEETING:** 29 APRIL 2019

**AUTHOR:** PAUL WEYMOUTH

**JOB TITLE:** MANAGER, DEVELOPMENT & REGULATORY  
SERVICES

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### **1. EXECUTIVE SUMMARY**

The purpose of this report is to enable Council to appoint a new Deputy Independent Member to the Council Assessment Panel (CAP) for the current term of CAP that concludes on 21 February 2021.

Two applications have been received from Mr Rufus Salaman and Mr Donato Donaldson. The CAP Selection Committee has recommended that Mr Rufus Salaman be appointed as Deputy Independent Member.

### **2. RECOMMENDATION**

That:

1. The report be received.
  2. That Council appoint \_\_\_\_\_ as the Deputy Independent Member of the Council Assessment Panel commencing 1 May 2019 and expiring on 28 February 2021.
- 

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

4. Civic Leadership.
  - 4.1 We have strong leadership and governance.
- 3.1 Section 83 of the *Planning, Development and Infrastructure Act (PDI) 2016* – Designated authority to determine the membership of Assessment Panels of no more than five members (one Elected Member and four Independent Members) and the appointment of Deputy Members



#### 4. **BACKGROUND**

At the Council meeting on 29 January 2019, Council endorsed the following appointments to the CAP for a term commencing on 1 March 2019 and expiring on 28 February 2021:

- Presiding Member;
- Three Independent Members;
- Elected Member; and
- Deputy Elected Member.

In addition, Council also resolved that:

*“An expression of interest process be undertaken to enable the appointment of a Deputy Independent Member to attend meetings in the absence of any of the Independent Members.”*

#### 5. **DISCUSSION**

The *PDI Act 2016* dictates that the membership of a CAP *cannot exceed* five members. The Act does however enable the appointment of deputy members to the Panel.

Council has appointed a Deputy Elected Member to the CAP; however, the Deputy Elected Member can only attend CAP meetings in circumstances where the existing Elected Member is an apology.

The appointment of a Deputy Independent Member will enable the Deputy Independent Member to attend CAP meetings in circumstances where one of the existing Independent Members is an apology. This appointment will ensure that Council maximises its chances of having five members participate in CAP meetings when existing members may have conflicts of interest or apologies. It also ensures that there is unlikely to be a situation where the CAP does not achieve a quorum (three members).

Expressions of interest were sought during March 2019 and two applications were received from Mr Rufus Salaman and Mr Donato Donaldson.

The CAP Selection Panel has reviewed the applications and subsequently recommended that Mr Rufus Salaman be appointed as Deputy Independent Member.

#### 6. **ANALYSIS OF OPTIONS**

Option 1 –

1. The report be received.
2. Council appoint Mr Rufus Salaman as the Deputy Independent Member of the Council Assessment Panel commencing on 1 May 2019 and expiring on 28 February 2021.

Mr Rufus Salaman is a City of Unley resident and former Elected Member of the City of Unley who has previously served on both the CAP and the former Development Assessment Panel (DAP). Mr Salaman has the necessary skills and experience to undertake the role and will satisfy the requirements to be an accredited professional.

Option 2 –

1. Council appoint Mr Donato Donaldson as the Deputy Independent Member of the Council Assessment Panel commencing on 1 May 2019 and expiring on 28 February 2021.

Mr Donato Donaldson is a City of Unley resident and is also a qualified planner. He currently holds the positions of Chair of the Alexandrina and Victor Harbor CAPs and is an independent member of the Marion CAP. Mr Donaldson has the necessary skills and experience to undertake the role and will satisfy the requirements to be an accredited professional.

Option 3 –

1. Council does not appoint a Deputy Independent Member.

This decision would result in possible reduced numbers of members at meetings or difficulties in achieving a quorum in the event there are apologies or conflicts of interest.

**7. RECOMMENDED OPTION**

Option 1 is the recommended option.

**8. POLICY IMPLICATIONS**

**8.1 Financial/Budget**

- There are no financial implications as there is an existing budget allocation for CAP.

**8.2 Legislative/Risk Management**

- This appointment is consistent with legislative requirements under the *PDI Act 2016*.

**8.3 Stakeholder Engagement**

- There is no requirement for stakeholder engagement.

**9. REPORT CONSULTATION**

- Governance

**10. ATTACHMENTS**

Nil

**11. REPORT AUTHORISERS**

<b>Name</b>	<b>Title</b>
Megan Berghuis	General Manager, City Services
Tami Norman	Executive Manager, Office of the CEO

## INFORMATION REPORT

**REPORT TITLE:** COUNCIL ACTION RECORDS  
**ITEM NUMBER:** 1460  
**DATE OF MEETING:** 29 APRIL 2019  
**AUTHOR:** LARA JONES  
**JOB TITLE:** EXECUTIVE ASSISTANT OFFICE OF THE CEO  
**ATTACHMENT:** 1. COUNCIL ACTION RECORDS

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### 1. **EXECUTIVE SUMMARY**

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

### 2. **RECOMMENDATION**

That:

1. The report be noted.
-

COUNCIL ACTION REPORTS - ACTIONS TO APRIL 2019					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
27/11/17	1021	<p><b>Priority Projects at Goodwood Oval and Millswood Sporting Complex</b></p> <p>1. The State Government offer of a grant of up to \$2.5m towards the construction of a new facility for the Goodwood Football and Cricket Clubs on Goodwood Oval be accepted, supported by financial contributions from the sporting clubs/SANFL of up to \$150,000 and a Council contribution of \$950,000 with the Chief Executive Officer authorised to enter into the necessary funding agreement with the State Government and any other agreement with funding contributors in order to deliver the project.</p> <p>2. The two-storey option proposed as the preferred option for the new facility on Goodwood Oval be endorsed, subject to discussions with the Office of Recreation and Sport and the sporting clubs, not proposing any major variations to the options.</p> <p>3. Community engagement on the proposed new facility on Goodwood Oval occur from January to March 2018, and a report be brought back to Council upon the completion of the engagement process.</p> <p>4. \$40,000 be allocated towards the sports lighting upgrade at the Millswood Tennis Complex, and discussions continue with external funding partners to achieve this project. Subject to confirmation of a funding contribution from Tennis SA:</p> <p>a. a development application for the project is to be submitted by the Administration; and</p> <p>b. at the appropriate time in 2018, a grant funding application is to be submitted to the Office for Recreation &amp; Sport for additional funds to enable delivery of this project.</p> <p>5. \$260,000 be allocated towards the development of a new club building and surrounds at the Millswood Croquet Club and discussions continue with possible external funding partners before a commitment to proceed with this project is made.</p>	GM City Development	<p><b>Goodwood Oval Grandstand</b> Refer to Item 1136.</p> <p><b>Tennis SA Lighting</b> - Tennis SA has advised that it is contributing \$55,000 towards the works and has applied for a State Government grant through the Office of Recreation &amp; Sport for lighting upgrades and court resurfacing. There is currently no allocation in the 2018/19 Budget for this work. - According to the Office for Recreation &amp; Sport, the outcome of the funding application will be advised in mid-2019. - No further action is required at this stage. However, in the event that Tennis SA is successful in receiving the grant funding, Council will allocate \$40,000 in its 2019/20 Budget which will be formalised through the Budget Review process.</p> <p><b>Croquet Club Building</b> - Work will be undertaken to progress this project once the Goodwood Oval grandstand project has been completed. - No further action is required at this stage.</p>	TBA
26/02/18	1102	<p><b>MOTION OF WHICH NOTICE HAS BEEN GIVEN</b></p> <p>1. The Administration commence investigations into the possible future uses of the hockey playing field and building at the Goodwood Oval complex in order to ensure that this site is used appropriately, at such a time that Forestville Hockey Club should vacate the site. To enable the proposed review of alternative uses of the Forestville hockey playing field and building to be completed, Council is to consider a budget bid of \$30K during its 2018/19 budget deliberations.</p> <p>2. The Administration liaise with the State Government to obtain further information on the redevelopment of the Women's Memorial Playing Fields, including timelines and possible funding contributions, and that further updates be provided to Council once this information is obtained.</p>	GM City Development	<p>Budget was not allocated in 2018/19 to enable the review of alternative uses of the Forestville Hockey playing fields and building.</p> <p>The Hockey Club has an ongoing lease at the Goodwood Oval Complex for a further three years. Following the advancement of the Goodwood Oval Grandstand Project, investigations will be undertaken into possible future uses of the hockey facilities.</p> <p>The Hockey Club have confirmed their seasonal use for 2019 and are not expected to vacate in the short / medium term.</p> <p>The Administration remains in contact with State Government and the Forestville Hockey Club regarding the redevelopment of the Women's Memorial Playing Fields.</p>	Ongoing
26/03/18	1116	<p><b>SHARED Street Opportunities</b></p> <p>1. The report be received.</p> <p>2. The criteria in Attachment 1 to Item 1116/18 (Council Meeting, 26/03/2018) be endorsed for use to assist with identification and prioritisation of streets that are suitable candidates for conversion to shared streets.</p> <p>3. Following the prioritisation of shared street opportunities, residents in prioritised streets be consulted. The results will then be used as a further criterion for determining which streets proceed to concept design and community engagement.</p> <p>4. Concept design and community engagement be undertaken in 2018/19 for one or more of the streets listed as 'priority' shared street conversion opportunities, with implementation to be considered as part of the 2019/20 budget process.</p>	GM City Development	<p>Consultation was undertaken regarding the pre-selected nine local streets in relation to the Shared Streets Program and closed on 1 March 2019. Taking into consideration the feedback received during the consultation, the Administration will now work with interested residents to develop design solutions for implementation of a Shared Street in 2019/20 (subject to Council's budget approval).</p> <p>A report will be prepared for Council consideration in July to summarise the engagement, shortlisting and co-design process, and to seek direction to proceed with the preferred concept design to construction.</p>	July 2019

**COUNCIL ACTION REPORTS - ACTIONS TO APRIL 2019**

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
26/03/18	1117	<b>POCKET PARKS</b> 1. The report be received. 2. Designs be prepared for up to two pocket parks in 2018/19 from the options contained within Attachment 1 "Potential Pocket Park Locations", (Item 1117/18, Council, 26/03/2018).	GM City Development	Consultation material has been prepared for strategic pocket park locations. Subject to community response to format, pocket park information will be issued in May. Following feedback from consultation, the Administration will then work with interested residents to develop design solutions for implementation of a pocket park in 2019/20 (subject to budget approval). A report will be prepared for Council consideration in August to summarise the engagement, shortlisting and co-design process, and seek direction to proceed with the preferred concept design to construction.	August 2019
23/04/18	1136	<b>GOODWOOD OVAL GRANDSTAND REDEVELOPMENT – RESULTS OF COMMUNITY CONSULTATION</b> 1. The report be received and the results of the community engagement be noted. 2. Council endorse the concept designs for the new two-storey grandstand facility at Goodwood Oval, incorporating the recommended amendments to be included as part of detailed design development and proceed to detail design development and tender. The recommended amendments, in response to community and stakeholder feedback include: 1. External Appearance and Streetscape Interface: a. Material and colour selection of the building, in particular the Curzon Avenue frontage will be selected appropriate to the local neighbourhood character. b. Detail design will include the development of landscape plans that address the streetscape interface and the external spaces associated with the new Grandstand Facility. c. Where practical, all existing trees will be retained in the detail design. 2. Footprint of the Grandstand: a. The final footprint of the grandstand structure is to remain, where practical, within the footprint of the existing building. 3. Leasing and License arrangements of the Facility. a. Council staff to develop new agreements with both clubs, to meet the requirements of the new facility, as well as to explore 4. Provision of external storage: a. The proposed storage facility on Fairfax Avenue not proceed. b. The detail design process further engage with the Goodwood Saints Football Club and the Goodwood Cricket Club to identify their storage needs, with a view to providing the required storage capacity within the Grandstand and/or adjacent ancillary buildings (including potential extension of an ancillary building). 5. Provision of public toilets: a. Public toilet provisions are to remain incorporated in the footprint of the ground floor of the new facility, with way finding signage incorporated across the park to direct public to the new facilities. 3. Residents be notified of Council's decision by letter, to the same catchment area as that of the community consultation, and a notice be placed at the existing grandstand as well as Council's web site. 4. Following the completion of detailed design development and in the event of no major variation to the project scope or total cost, the project proceed to tender for construction.	GM City Development	The Council Assessment Panel (CAP) met on 26 February 2019, and approved the development with additional restricted hours of operation.  A third party appeal was received and the project has been placed on hold, pending the resolution of the appeals process. Following the first preliminary meeting held 15 April 2019, the first conference date with the ERD Court has been set for 13 May 2019. The Council is open to negotiating with the appellants, without compromising the approved design requirements set by the Council and included within the State Government funding deed.  The Office for Recreation, Sport and Racing has been notified of the delay to the project and the likely impact to the project program and the requirements of the funding deed. Further clarification regarding a revised program with the Department will be sought once the mediation process is confirmed with the courts.  The Administration has sought additional funding through the Office for Recreation, Sport and Racing 'Community Recreation and Sport Program'.	Subject to ERD Court matter
23/04/18	1138	<b>USE OF LAND – 41 OXFORD TERRACE</b> 1. The report be received. 2. A Development Application be prepared for 41 Oxford Terrace to change the use to a car park, as shown in Attachment 1, and if approval is obtained, proceed with design and construction of a car park. 3. Funding for the works be identified during the 2018/19 budget quarterly review process.	Executive Manager OCEO	- As per the comments for Item 1256, 18 Trimmer Terrace has been leased to Montessori SA and as part of that arrangement, 41 Oxford Terrace is required as open space for the school. - Information Report submitted to Council 29 April 2019.	<b>Completed</b>

**COUNCIL ACTION REPORTS - ACTIONS TO APRIL 2019**

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
28/05/18	1174	<b>INCREASED USE OF SPORT AND RECREATION FACILITIES</b> 1. The report and attachments be received. 2. A master plan for Ridge Park be developed in 2018/19 to establish a long-term vision for the park, considering: a. Football and cricket to suit female and junior participation, integrated into the existing amenity of the park. b. Informal recreation opportunities, trees and vegetation, biodiversity and the management of Glen Osmond Creek. c. Further consultation with selected City of Unley clubs as potential users of future upgraded facilities, including Goodwood Saints Football Club, Goodwood Cricket Club and Glen Osmond scouts, as well as consideration of the Open Space Survey findings. 3. Continue to work with City of Unley based clubs, particularly those based at Goodwood Oval, to facilitate the increased use of Orphanage Park in order to reduce the overuse of Goodwood Oval and do not undertake any improvements to sports infrastructure at Orphanage Park until designs for Brownhill Keswick Creek in this park are finalised. 4. Review lease and licence documents to investigate opportunities to increase facility use after club hours. 5. Develop individual four year management plans for each surveyed park to integrate the findings of the Open Space Survey with asset renewal and maintenance programs. These plans will identify possible actions for consideration as part of the 2019/20 budget process. 6. Repeat the Open Space Survey in four years to enable an evaluation of Council's initiatives.	GM City Development	Budget was not allocated in 2018/19 to develop a masterplan for Ridge Park. Given the current level of endorsed projects, funding to progress this project will be included for consideration as part of the 2020/21 budget process.  The Administration will continue to liaise with all local sporting clubs to ensure the availability and condition of sports facilities to suit their needs.  A review of lease and licences will be incorporated in the planned review of the Community Land Management Plans in 2019/20.  The ongoing development of Management Plans for local parks across the City of Unley will be undertaken by the Administration in coordination with the annual asset renewal and maintenance programs. The Management Plans will provide strategic direction for future budget considerations.	Ongoing
23/07/18	1224	<b>MOTION ON NOTICE: GREER STREET, HYDE PARK / UNLEY PARK</b> 1. Staff prepares a report outlining possible options and associated costs to facilitate pedestrian and vehicle access and provide safety improvements for residents and visitors to Greer Street, Hyde Park/Unley Park.	GM City Development	Greer Street to be considered as part of the Shared Streets Program, and included in the consultation scope (refer Item 1116 Shared Streets above).	July 2019
27/08/18	1265	<b>LED STREET LIGHTING BULK REPLACEMENT</b> 2. The street lighting on key strategic routes/roads as depicted in Attachment 1 (Item 1265, Council Meeting 27/08/2018) be upgraded during 2018/19 to an appropriate level. 3. Subject to available funding within the endorsed \$1.5M budget, and in addition to the P-Category lighting changeover, the existing V-Category street lights (Council-owned only) along Council's collector roads be upgraded to an appropriate standard. 4. Communication of the LED Street Lighting Bulk Replacement be undertaken, using a range of communication strategies, including direct mail out, council publications, website and social media. 5. A new fee be created for inclusion in the Fees and Charges Schedule relating to the conduct of a review of, and/or modification to, luminaires at the request of a customer, with the value of the fee to be determined by Council once the contract negotiations with SA Power Networks have been finalised.	GM City Development	Currently finalising installation dates with SAPN for the bulk replacement. At this point it is anticipated to be early May with project still anticipated to be completed by end of financial year.  Ironbark Sustainability and Council are currently finalising a communications plan to inform residents of the upcoming LED rollout.  Continuing discussions with SAPN to introduce a pilot project for Smart Street Lighting along the CoU's bicycle routes.	June 2019
10/09/18	1291	<b>MOTION ON NOTICE:</b> 1. Council Administration research options to reduce the use of plastic bottled drinks dispensed at Council venues. 2. A report be presented to Council in 2019.	Executive Manager OCEO	Report going to 29 April 2019 Council meeting.	<b>Completed</b>

**COUNCIL ACTION REPORTS - ACTIONS TO APRIL 2019**

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
10/09/18	1292	<b>MOTION ON NOTICE – CHANGE TO COUNCIL RESOLUTION 1195/18: MILLSWOOD AREA – ON-STREET PARKING REVIEW</b> That Council Resolution 1195 of the Council meeting of 25 June 2018 be <b>varied</b> as follows ( <i>bold text to be inserted, strikethrough text to be deleted</i> ): 1. The report be received. 2. The implementation of Parking Controls (Stage 1) in Millswood and adjacent areas, as shown in Attachment 1 to this report (Item 1195/18, Council Meeting, 25/06/2018), <del>and modified to include the area bounded by Allenby Avenue, Meredyth Avenue and Graham Avenue, be endorsed.</del> 3. At the conclusion of six months following the implementation of Stage 1 Parking Controls in Millswood and adjacent areas, a review of parking practices in the area be undertaken to inform a decision regarding the need for implementation of further parking controls, that is, Stage 2. 4. The community originally consulted in relation to the implementation of Parking Controls in Millswood and adjacent areas be notified of the Council decision. 5. That residents in Meredyth Avenue and Graham Avenue be advised of the introduction of parking controls prior to implementation. <b>6. Further correspondence be provided to residents in Meredyth Avenue and Graham Avenue, to advise of Councils decision to not introduce parking controls in those streets as part of the Millswood Stage 1 implementation.</b>	GM City Development	The community was informed regarding change of Council decision. Parking signage was installed and has been implemented. A parking survey has been undertaken to ascertain the effectiveness of the controls. Community engagement is to be undertaken in late May to assess community acceptance of the changed conditions. Following the conclusion of the consultation, a report will be prepared for Council consideration regarding the need for further parking controls.	July 2019
24/09/18	1301	<b>UNDERGROUNDING OF POWER LINES</b> 2. A briefing be presented to the new Council, providing details of potential power line undergrounding projects that may be suitable for submission to the Power Line Environment Committee, to enable consideration of such projects for inclusion in the Long Term Financial Plan/future years budgets.	GM City Development	PLEC options are currently being considered.  Following agreement and consultation with the PLEC Committee, the Long Term Financial Plan will be amended to incorporate the PLEC project.	June 2019
10/12/18	1360	<b>MOTION ON NOTICE: MANAGEMENT OF WEEDS ON COUNCIL PROPERTY</b> 1. A report be prepared that identifies the use of glyphosate as a means of weed control in the City of Unley. 2. The report is to identify alternative methods of weed control and management.	GM City Development	A report will be prepared for the June 2019 Council meeting.	June 2019
29/01/19	1373	<b>AUDIT COMMITTEE ESTABLISHMENT AND INDEPENDENT MEMBER RECRUITMENT</b> 2. The Audit Committee Terms of Reference as set out in Attachment 1 to this report (Item 1373, Council Meeting 29/01/2019) be endorsed. 3. Councillors M Broniecki and K Anastassiadis be appointed to the Audit Committee for the period commencing from the date of this resolution and concluding 31 January 2021. 4. Councillors M Broniecki and J Boisvert in conjunction with the General Manager Business Support & Improvement and the Executive Manager Office of the CEO, form an Audit Committee Independent Member Selection Committee to shortlist and interview suitable persons as Independent Members for appointment to the Audit Committee commencing at the conclusion of current Independent Member appointments.	Executive Manager OCEO	Terms of Reference finalised for publication to the City of Unley website. Independent Member recruitment process to be finalised prior to conclusion of current appointments (May 2019)	May 2019
25/02/19	1399	<b>UNLEY OVAL REDEVELOPMENT STAGE 2: LIFECHANGER LETTER OF INTENT</b> 2. The Chief Executive Officer be endorsed to exchange a Letter of Intent with the LifeChanger Foundation, who are seeking to explore establishing their South Australian operations in the Unley Oval Complex, which commits to working collaboratively to seek alternative funding sources to undertake the Stage 2 redevelopment of Unley Oval. 3. Work commence on the development of detailed designs for Stage 2 of the Unley Oval redevelopment, to support discussions with possible sources of external funding for the project. 4. A review of the Community Land Management Plan (including community consultation) commence for Unley Oval.	Executive Manager OCEO & GM City Development	2. Completed  3. Concept Design scope of works has been agreed with Architects responsible for Unley Oval Stage 1. Works will be progressed to support discussions with possible sources of external funding for the project.  4. A review of the Community Land Management Plan for Unley Oval will be undertaken as part of a whole of city review of the CLMP, scheduled for 2019/20 by Council staff	Completed  Ongoing  Ongoing
25/03/19	1419	<b>PETITION RE TRAFFIC MANAGEMENT ON QUEEN STREET, UNLEY</b> The principal petitioner be advised that Council will undertake an investigation for the residents' request of potential parking management and traffic changes (one way streets) at Queen and Oak Streets.	GM City Development	Following the petition, investigations are underway as part of the Customer Request Management System. Consultation will be undertaken with residents of Queen and Oak Streets in late May, as endorsed by the Council as a result of the petition. Subject to consultation outcomes, a report may be prepared for further consideration by the Council.	July 2019



**COUNCIL ACTION REPORTS - ACTIONS TO APRIL 2019**

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
25/03/19	1424	<b>CANOPY IMPROVEMENT ACTION PLAN</b> 1. The report be received. 2. The Canopy Improvement Action Plan as set out in Attachment 1 to this report (Item 1424, Council Meeting 25/03/2019) be endorsed as the approach to revising the Tree Strategy in 2019 and improve canopy cover across the City of Unley. 3. The Year One Priorities contained in the Canopy Improvement Action Plan as set out in Attachment 1 to this report (Item 1424, Council Meeting 25/03/2019) be endorsed for the purpose of developing budget proposals that can be further considered by Council as part of setting the 2019/20 Council Budget and Business Plan. 4. The Administration write to relevant Ministers, the State Planning Commission and the Department of Planning, Transport and Infrastructure, highlighting Council's commitment to work together to improve canopy cover across the City and to advocate for changes to planning policy to meet the State Government's 30 Year Plan target for green cover, including the following: a. seeking more space around buildings to allow for larger plantings, including deep soil zones and medium/large trees; b. seeking provisions in the new Planning and Design Code for trees that at maturity will provide equivalent of minimum 15% canopy cover in new developments; c. greater protection of Significant and Regulated Trees, including removing excluded tree species and exemptions on proximity to dwellings so that removals must be applied for and assessed on a case by case basis; and d. restructuring of the fees or offsets associated with the removal of Significant/Regulated Trees to better reflect the true long term value of trees. 5. The 'Tree Precinct Plans' referred to in the Canopy Improvement Action Plan (set out in Attachment 1 to this report, Item 1424, Council Meeting 25/03/2019), be used as the basis of preparing a 'shovel ready project or projects' to leverage external funding sources with the intention of bringing forward the outcomes in the Plan.	GM City Development	Canopy Improvement Plan was endorsed by Council and Year One priorities considered as part of the 2019/20 budget and Business Plan process.  Subject to endorsement of the Budget, works associated with the Action Plan will be undertaken in 2019/20.	Ongoing
25/03/19	1425	<b>MAINSTREET ASSOCIATION MARKETING FUNDING REQUESTS</b> 1. The report be received. 2. A separate rate to raise \$113,395 for the purposes of marketing and promotion to be collected from the properties in the category of Commercial (Office), Commercial (Shop) and Commercial (Other) on Unley Road, be considered as part of the Draft Annual Business Plan 2019-20 for community consultation. 3. A separate rate to raise \$147,400 for the purposes of marketing and promotion to be collected from the properties in the category of Commercial (Shop) on King William Road between Greenhill Road and Commercial Road, be considered as part of the Draft Annual Business Plan 2019-20 for community consultation. 4. A separate rate to raise \$13,000 for the purposes of marketing and promotion to be collected from the properties in the category of Commercial (Office), Commercial (Shop) and Commercial (Other) with addresses along Fullarton Road (between Cross Road and Fisher Street), be considered as part of the Draft Annual Business Plan 2019-20 for community consultation. 5. A separate rate to raise \$57,225 for the purposes of marketing and promotion to be collected from the properties in the category of Commercial (Shop), Commercial (Office) and Commercial (Other) on Goodwood Road, between Leader Street/Parsons Street and Mitchell Street/Arundel Avenue, be considered as part of the Draft Annual Business Plan 2019-20 for community consultation.	GM City Development	The recommendations have been included in the Annual Business Plan and Budget 2019/20 for community consultation.	Completed

## INFORMATION REPORT

**REPORT TITLE:** COUNCIL ACTION REPORT – UPDATE FOR ITEM 1138  
**ITEM NUMBER:** 1461  
**DATE OF MEETING:** 29 APRIL 2019  
**AUTHOR:** TAMI NORMAN  
**JOB TITLE:** EXECUTIVE MANAGER OFFICE OF THE CEO  
**ATTACHMENTS:** NIL

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### 1. **EXECUTIVE SUMMARY**

Each Council Agenda includes a Council Action Report, which provides status updates on the actioning of Council Resolutions. Item 1138 was resolved by Council in April 2018, and as a consequence of the implementation of a separate Council Resolution (Item 1256/2018), cannot be implemented.

Section 12(3) of the *Local Government (Procedures at Meetings) 2013* provides that in circumstances where a motion revokes or amends a previous resolution there is a requirement for that motion to be brought by written notice of motion. With regard to the above two resolutions, whilst they are connected by virtue of the location of the properties referenced within each resolution, they do not directly revoke or amend each other.

From a legal perspective, the most recent resolution takes precedence and where implementation of a resolution means the earlier resolution cannot be implemented, it is simply the case that the decision lapses and no further action is required.

As a consequence of the lease agreement in place with Montessori SA, it is no longer possible for Council Resolution 1138/2018 to be implemented at this time. The resolution will now be marked as completed in the Council Action Report.

### 2. **RECOMMENDATION**

That:

1. The report be received.
- 

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

Civic Leadership: 4.1 – we have strong leadership and governance

#### **4. BACKGROUND**

##### **41 Oxford Terrace**

At the Council Meeting held on 23 April 2018 Council resolved:

##### **USE OF LAND – 41 OXFORD TERRACE**

1. *The report be received*
2. *A Development Application be prepared for 41 Oxford Terrace to change the use to a car park, as shown in Attachment 1, and if approval is obtained, proceed with design and construction of a car park.*
3. *Funding for the works be identified during the 2018/19 budget quarterly review process.*

*Resolution 1138/2018*

The above followed a resolution from Council at its Meeting held in May 2017:

*That:*

1. *Administration investigates options (including planning considerations) for ongoing use of the land, including as a car park area for City of Unley staff.*
2. *Administration prepares a concept plan and costing for low maintenance car park area that identifies the number of parks available and considers drainage, pavement type and lighting and accessibility.*
3. *Administration identify existing car parks that will likely be freed up as a result of relocating a number of staff parks to 41 Oxford Terrace (ie current onstreet parking or reallocation of spaces within the Civic precinct rear car park area.*
4. *Administration identifies funding sources.*

Historically, the site had been used as a play area for the adjoining school (located at 18 Trimmer Terrace) until approximately 2015. At that time, Council considered a number of options for the use of the site, and the above resolution provided some direction to Administration to explore alternative use of the site, specifically car parking.

##### **18 Trimmer Terrace**

Following the conclusion of the existing lease for the property at 18 Trimmer Terrace, which adjoins the property at 41 Oxford Terrace, direction was sought from Council regarding the future use of the site. At the Council Meeting held on 27 August 2018 Council resolved:

##### **18 TRIMMER TERRACE – LEASE OF PROPERTY PROCESS**

*That:*

1. *The report be received.*
2. *Staff conduct an Expressions of Interest process, seeking interest from prospective tenants for the lease of the property at 18 Trimmer Terrace, Unley on a commercial basis.*

*Resolution 1256/2018*

Expressions of Interest were subsequently called for and a lease was entered into with Montessori SA for 18 Trimmer Terrace. This lease includes the dedicated use of the property at 41 Oxford Terrace.

## **5. DISCUSSION**

Section 12(3) of the *Local Government (Procedures at Meetings) Regulations 2013* provides that:

*“a motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.”*

From a legal perspective, the decision relating to the issue of a lease for 18 Trimmer Terrace is separate to the decision to submit a Development Application for 41 Oxford Terrace, which means this provision is not activated.

In terms of priority of the two decisions, the most recent decision takes precedence, and where a more recent decision impacts the ability to implement an earlier decision it is simply the case that no further action is taken in relation to the earlier decision.

As a consequence of the lease agreement in place with Montessori SA, it is no longer possible for Council Resolution 1138/2018 to be implemented at this time. The resolution will now be marked as completed in the Council Action Report.

Council may choose, at a point in time in the future (once the current lease for the site ends), to revisit the use of the land at 41 Oxford Terrace, by calling for a report in relation to the use of the land or by an Elected Member placing a Motion on Notice on the Council Agenda.

## **6. ATTACHMENTS**

Nil

## **7. REPORT AUTHORISERS**

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

## MOTION OF WHICH NOTICE HAS BEEN GIVEN

**TITLE:** MOTION ON NOTICE: CITY OF UNLEY  
SESQUICENTENARY CELEBRATION

**ITEM NUMBER:** 1462

**DATE OF MEETING:** 29 JANUARY 2019

**ATTACHMENTS:** NIL

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Councillor Don Palmer has given notice of intention to move the following motion at the Council meeting to be held on 29 April 2019:

### **MOTION**

That

1. It be noted that the year 2021 will mark the 150th Anniversary, or sesquicentenary, of the formation of the *Corporate Town of Unley*, which occurred when 2,000 signatories to a petition from residents of the several towns of Unley, Parkside, Black Forest, Goodwood and Fullarton requested the Governor allow them to form their own municipality and thus sever from the District Council of Mitcham.
  2. The Sesquicentenary Celebration Working Group, comprising four (4) elected members be established to develop recommendations for consideration of Council as to the most appropriate way to acknowledge the sesquicentenary of the formation of the *Corporate Town of Unley*.
  3. The following four elected members be appointed to the Sesquicentenary Celebration Working Group:  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_
  4. A report from the Sesquicentenary Celebration Working Group be presented to Council for consideration at the July 2019 Council meeting.
- 

### **Background**

As noted in item 1 of the proposed motion the origins of the City of Unley dates back 150 years in 2021.

The Citizens of the Villages that encouraged separation from the then District Council of Mitcham, by their passion were the forerunners of the community that forms today's City of Unley. The people of the villages of Unley, Parkside, Goodwood, Black Forest and Fullarton were of a single voice in forming the forerunner for the municipality that exists today.

Our land, located just south of the City of Adelaide, was traversed by the Kaurna people for thousands of years and colonised in 1836. The centre of the City of Unley is on land gifted by Edmund Isaac Stephen Trimmer. His gift encompassed lands for municipal, recreational and religious purposes.

In the 150 years since the formation with 2,000 signatories of the Corporate Town of Unley and the third municipality in the state to be granted City status, our community has grown to around 39,000. A community of diverse culture. A community still today with a passion to be involved in their neighbourhood.

This is a significant anniversary. An anniversary well worth the celebrating.

How to celebrate is the question. The formation of this committee will be charged with considering options and making recommendations to council on how we might celebrate the occasion.

The committee should have the freedom to and be encouraged to consider all options and not limit their approach to a one-off event. They need not be limited to considering themselves to event strategies.

I envisage that the working group need only meet once or twice to provide Council with initiatives worth considering. Council can then decide what direction they may wish to take and to determine the approach to implementing and such decision.

### **Officer Comments**

For the information of members there are two publications that chronical the history of the City of Unley:

- *History of Unley: 1871 – 1971*: a comprehensive 500 page hard cover book published for the 100 year anniversary in 1971; and
- *When & Where in Unley – A Chronology 1906 – 2006*: a soft cover booklet (approximately 40 pages) published in 2006 to celebrate the centenary of Unley becoming a City in 1906.

These reflect the two significant milestones in the history of the City of Unley:

- 1871: when the Unley Communities' combined population reached 2,000, and authority was granted to secede from the District Council of Mitcham. and the Corporate Town of Unley was born.
- 1906: when the population reached 20,000 and Unley was entitled to become a City.

In 2006 the centenary of the formation of the 'City' was celebrated with a series of events, artwork and a special centenary logo.

A working group of staff has been established to consider a possible sesquicentenary program. This group is scheduled to meet in May 2019, however, depending on the outcome of this motion, may be superseded.

Council may wish to consider staff involvement in the working group to facilitate any actions arising from the work of the group, noting that any final decisions will need to be made by Council.

Any decisions in relation to celebratory activities will need to be incorporated within the 2020/21 Budget and Business Plan development process as these have not be considered in the 2019/20 documents.

From a procedural perspective, this working group would be captured by the Informal Gathering Policy.

## QUESTION OF WHICH NOTICE HAS BEEN GIVEN

<b>TITLE:</b>	QUESTION ON NOTICE: HIGH RISE COMPLIANCE
<b>ITEM NUMBER:</b>	1464
<b>DATE OF MEETING:</b>	29 APRIL 2019
<b>ATTACHMENTS:</b>	NIL

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The following Question on Notice has been received from Councillor D Palmer:

### Question

High Rise developments are becoming a fact of life in Unley's future. The local construction industry I suggest is not resourced and does not have the technical knowledge that this section of the Building Industry needs.

This means the project management will be carried out either by qualified builders from outside the State of South Australia, or by local builders without the necessary skills or experience.

This can lead to poor work practice and a need for a greater inspection regime by the regulators. We have seen this in the news over the last 12 months with concerns over fire safety and more recently with the installation of precast cladding panels.

I suspect the Local Government compliance industry too, may well be under resourced in supervision of high density construction. The number of officers across the industry qualified to inspect this work I suspect may be less than what may be required in the near future.

I suspect also that the fees we receive for any mandatory inspection regime will not go close to covering our costs. This I suggest on the basis that the majority of the development fees on such projects will go to SCAP.

1. What resourcing does Council have to conduct any legislated compliance inspection regime on high rise apartment buildings?
2. Is there an increased regime of mandatory inspections legislated for high rise apartment buildings? If so, what are they? Is installation of precast panels included?
3. Do we expect an increased workload for our building inspection team as a result of an increased regime and/or an increase in the number of high rise apartment developments?
4. How many of our officers have the appropriate qualifications to inspect construction higher than 3 storeys?
5. If the only officers are our senior people how will this affect management/supervision of the remainder of the team?
6. What cost recovery, if any do we receive for conducting mandatory inspections?
7. Does this cost recovery cover the costs of conducting these inspections?



## Answer

*The following answers have been provided by the General Manager City Services.*

1. What resourcing does Council have to conduct any legislated compliance inspection regime on high rise apartment buildings?

*There is currently no legislated compliance inspection regime for high rise apartment buildings with the exception of Aluminium Composite Panels (ACP). Council staff are aware that the SA Planning Commission, through the Building Committee are developing practice guidelines/directions regarding future building inspection requirements that apply to high rise apartment buildings.*

*Council has four accredited Australian Institute of Building Surveyors (AIBS) at various categories of accreditation ranging from Building Surveyor (1), Building Surveyor Limited (1) and Assistant Building Surveyors (2).*

### **Categories of AIBS accreditation levels :-**

***Building Surveyor*** is accredited to undertake building surveying functions for buildings of all classes and of unlimited size.

***Building Surveyor Limited*** is accredited to undertake building surveying functions for all classes of buildings not more than 2000m<sup>2</sup> in floor area and not more than 3 storeys in height

***Assistant Building Surveyor*** (formerly Building Surveying Technician) - is accredited to undertake building surveying functions for Class 1 and Class 10 buildings that are not more than 500m<sup>2</sup> in floor area and not more than 2 storeys in height.

*It is understood that under the new regime, building surveyors will only be able to undertake building inspections that align with their level of accreditation.*

2. Is there an increased regime of mandatory inspections legislated for high rise apartment buildings? If so, what are they? Is installation of precast panels included?

*As discussed above, there is currently no legislated compliance inspection regime for high rise apartment buildings except for ACP where mandatory notifications have been recently introduced that require Council officers to inspect and verify the product is fit for purpose.*

*Council staff are aware that the SA Planning Commission, through the Building Committee are developing practice guidelines/directions regarding future building inspection requirements that are likely to apply to high rise apartment buildings.*

3. Do we expect an increased workload for our building inspection team as a result of an increased regime and/or an increase in the number of high rise apartment developments?

*Council does anticipate that the types of prescribed mandatory inspections will increase and will result in additional workload however the details are yet to be determined.*

4. How many of our officers have the appropriate qualifications to inspect construction higher than 3 storeys?

*There is currently no legislative requirement that restricts Council officers with accreditation requirements at the lower levels from inspecting such buildings. Inspections carried out by officers with minimum accreditation levels must be supervised by a Building Surveyor.*

*Only the Team Leader Building and Environmental Health has unlimited and unrestricted building surveying accreditation to assess construction higher than three storeys. As discussed earlier, it is understood that under the new regime, building surveyors will be able to undertake building inspections to the level of buildings they are accredited to assess.*

5. If the only officers are our senior people how will this affect management/supervision of the remainder of the team?

*At this stage Council is unable to determine the impact on the team. This will depend on many factors including the number of these types of development within the Council and whether the Building Surveyor will have the ability to delegate/supervise under the new regime.*

6. What cost recovery, if any do we receive for conducting mandatory inspections?

*Council understands the fee structure is currently being reviewed by DPTI. At the present time building application fees typically do not cover costs associated with building inspections. Currently in many cases a private building certifier receives the building assessment fee and Council is required by legislation to undertake any mandatory inspection and associated compliance with no cost recovery. The only legislated inspection fee is for applications involving a swimming pool where Council undertake mandatory pool safety barrier inspections.*

7. Does this cost recovery cover the costs of conducting these inspections?

*As discussed, the fee structure is currently under review and this has yet to be determined.*

## QUESTION OF WHICH NOTICE HAS BEEN GIVEN

<b>TITLE:</b>	QUESTION ON NOTICE: RESIDENTIAL ON-STREET PARKING PERMITS FOR MULTI DWELLING BUILDINGS
<b>ITEM NUMBER:</b>	1465
<b>DATE OF MEETING:</b>	29 APRIL2019
<b>ATTACHMENTS:</b>	NIL

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The following Question on Notice has been received from Councillor D Palmer:

### Question

In May 2014 Council resolved to amend the Residential On-Street Parking Policy to (among other things) restrict access to permits for residents of “community or strata titled dwellings or other multi dwelling building if granted development approval on or after 1 November 2013”.

One of the intentions of this policy change was to encourage developers to provide enough parking within their development, while ensuring people living in older established houses in areas like Parkside with NO off-street parking aren't discriminated against. Given the likely increase in the number of high rise developments across the city, I seek an answer to the following questions:

1. Have developers and agents been appraised of the limited availability of on-street parking permits?
2. What means are used to communicate the limited availability of on-street parking permits to developers, for example is it included as a note or condition on the development approval or conveyed by some other means?
3. If a note or condition on a development approval is used to provide advice of limited availability of parking permits, does the State Commission Assessment Panel provide similar information on their approvals?

### Answer

*The following answers have been provided by the General Manager City Services*

1. Have developers and Agents been appraised of the limited availability of on street parking permits?

*When a relevant planning consent is issued, the following note is placed on the planning consent to advise developers, applicants, and new owners:*

*Residential Parking Permits will not be issued to residents of Community or Strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.*

2. What means are used to communicate the limited availability of on street parking permits to developers, for example is it included as a note or condition on the development approval or conveyed by some other means?

*Refer above.*

3. If a note or condition on a development approval is used to provide advice of limited availability of parking permits, does the State Commission Assessment Panel provide similar information on their approvals?

*The Council Policy position is advised to the State Commission Assessment Panel and generally a note has been added similar to that referenced in the response to Question 1, e.g.:*

*Pursuant to the City of Unley Residential On-Street Parking Policy, permits are not issued for occupants of new development (post 2013).*

## QUESTION OF WHICH NOTICE HAS BEEN GIVEN

<b>TITLE:</b>	QUESTION ON NOTICE: DUPLICATION OF WASTE MANAGEMENT COSTS BY RESIDENTS
<b>ITEM NUMBER:</b>	1466
<b>DATE OF MEETING:</b>	29 APRIL 2019
<b>ATTACHMENTS:</b>	NIL

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The following Question on Notice has been received from Councillor P Hughes and the answers are provided by the General Manager Business Support and Improvement:

### Question

1. What are the implications for providing a 'rates concession' for ratepayers who in certain multi-unit accommodation pay a General Service Levy to their corporate entity for waste removal and at the same time pay full Council rates that includes a component for waste removal? (It is mandatory for certain properties to have, and pay for their own, waste removal).
  2. What are the various cost elements of our waste removal charges?
  3. If a 'rates concession' were available what would the process be to apply?
  4. If a 'rates concession' were available what would Council's potential loss of income be?
  5. What options are available to Council to make up this loss?
  6. Is the Administration aware of such a concession being provided by any Council in SA?
  7. What Policy and/or Procedures would need to be created or amended to give effect to such a 'rates concession'?
  8. Is this question best addressed as a 'stand-alone' issue?
  9. Is the Administration aware of a Joint Committee Inquiry on 'The Valuation Policies and Charges on Retirement Villages' and if so, what bearing, if any, this could have on Council deliberations on this matter?
  10. Council received a letter on this matter in (October 2018) from a group of residents at Living Choice, 123 Fisher Street. They have been advised that the matter will be considered in the formulation of the 2019/20 Budget. How does the Administration envisage this consideration happening?
-

## Answer

1. **What are the implications for providing a 'rates concession' for ratepayers who in certain multi-unit accommodation pay a General Service Levy to their corporate entity for waste removal and at the same time pay full Council rates that includes a component for waste removal? (It is mandatory for certain properties to have, and pay for their own, waste removal).**

*S166 Local Government Act 1999 provides guidance in the use of discretionary rate rebates. Council can introduce a discretionary rate rebate for waste removal for ratepayers who live in certain multi-unit accommodation. Council would need to determine the eligibility criteria for the rate rebate so that applications can be assessed with fairness, reasonableness and equity. A rate rebate of this nature would fall under the following sections:*

### **S166 Subsection 1**

...

*(b) where the rebate is desirable for the purpose of assisting or supporting a business in its area;*

...

*(m) where the rebate is considered by the council to be appropriate to provide relief in order to avoid what would otherwise constitute*

...

*(ii) a liability that is unfair or unreasonable;*

### **S166 Subsection 2**

*(1) may be granted on such conditions as the council thinks fit.*

*Should a rate rebate of this nature be introduced, Council would also need to consider how it would accommodate the introduction, and on-going administration of the additional workload.*

*Multi-unit accommodation currently within the City fall under two types of ownership:*

- *for-profit businesses*
- *individuals*

*Council will need to determine a clear definition for multi-unit accommodation.*

### **For-profit businesses**

*There is no guarantee that the rates rebate would be passed onto residents. Council can assess an application based on a request that the rebate be passed on through strata fees, but it has no legal mechanism to enforce it. The only action available to Council, should it be made aware and can reasonably determine that the rate rebate is not being passed on, is to formally decide a rebate no longer applies for the next rating period. Refer S159 (10)*

*If a rate rebate is granted under S166 (1)(b), the rebate period cannot exceed 10 years. At the conclusion of the rebate period, a new application needs to be received and assessed.*

### **Individuals**

*When the assessment for a multi-unit accommodation is divided into separate titles, each unit (title assessment) needs to apply for the discretionary rebate (as an example, Living Choice has 142 individual assessments).*

*If the rate rebate is offered under S166 (!)(m)(ii), the rebate period cannot exceed 3 years. At the conclusion of the rebate period a new application needs to be received and assessed.*

## 2. What are the various cost elements of our waste removal charges?

*The annual cost elements for waste removal are provided in the table below.*

Category	Collections	Disposal	C & D total	Bin costs	Total
Household Waste	\$888,159	\$986,308			\$1,874,467
Hard Rubbish	\$143,896	\$45,891			\$189,787
Household Recycling	\$484,639	\$214,957			\$699,596
Household GO	\$430,423	\$211,429			\$641,852
30m3 GO Depot	\$79,482	\$113,540			\$193,022
30m3 GO Burnside*	\$33,362	\$48,334			\$81,696
<b>Sub - total</b>	<b>\$2,059,961</b>	<b>\$1,620,459</b>			<b>\$3,680,420</b>
Litter bins			\$59,439		\$59,439
Council Facilities			\$28,372		\$28,372
30m3 waste			\$30,623		\$30,623
Bitumen and Concrete			\$70,505		\$70,505
Bin supply 140L				\$45,165	\$45,165
Bin supply 240L				\$41,569	\$41,569
<b>Sub - total</b>			<b>\$188,939</b>	<b>\$86,734</b>	<b>\$275,673</b>
<b>Total</b>					<b>\$3,956,093</b>
<b>Total excluding Burnside</b>					<b>\$3,874,397</b>

*\* GO Burnside is the property Council owns in the Burnside area.*

## 3. If a 'rates concession' were available what would the process be to apply?

*Each eligible property title owner would need to apply for a discretionary rebate. The Senior Rates Coordinator would assess the application against the eligible criteria and make a recommendation to Council as to whether a discretionary rebate should be applied.*

*Each discretionary rebate application must be approved by Council.*

## 4. If a 'rates concession' were available what would Council's potential loss of income be?

*The potential loss of rates income is challenging to calculate. That There are a number of ways Council can elect to provide a rebate. It can be as simple as nominating a value to a more complex calculation based on a set of eligible criteria and level of service that would otherwise be offered. (as an example, would 142 units be provided 142 bins?)*

*A number of community housing organisations within the City can already apply for a 75% discretionary rates rebate and where an individual property has a value of less than \$328k, the minimum rate is already applied.*

*For a property such as Living Choice, if a nominated rates rebate of \$100 was applied this would result in a \$142k loss of income. Council has about 15 other similar types of properties as Living Choice of varying size.*

*Should a rate rebate of this nature be introduced, Council would also need to consider how it would accommodate the introduction, and on-going administration and cost of the additional workload.*

## 5. What options are available to Council to make up this loss?

*Council has a number of options to 'make up the loss' of rates income, they are:*

- (1) Redistribute the loss to other ratepayers*
- (2) Reduce the amount of funding for annual operating projects*
- (3) Increase the amount of other types of fees and charges*
- (4) Reduce the level of service of another service*

**6. Is the Administration aware of such a concession being provided by any Council in SA?**

*Currently, no other South Australia Councils offer a discount or rates rebate of this nature.*

**7. What Policy and/or Procedures would need to be created or amended to give effect to such a 'rates concession'?**

*Council would need to:*

- *amend its Discretionary Rebate Policy to incorporate this type of rebate*
- *determine a set of eligible criteria and the amount of the rebate to be applied*
- *develop two types of application form*
- *agree if an application period need apply for a particular rating period*

*The implementation and on-going administration will impact the resourcing of the Rates Team area. The size of the impact is unknown until the eligibility criteria is agreed.*

**8. Is this question best addressed as a 'stand-alone' issue?**

*The determination of whether Council wishes to implement a discretionary rate rebate as described in question one, can occur at any time during a rating period.*

*As the eligibility criteria could take considerable time to develop, it will be complex. The analysis required to determine its impact will also take some time. It is recommended that the request be considered as a 'stand-alone' issue.*

*At the next Budget Workshop for Council, Administration will seek whether Council wishes Administration to further investigate a discretionary rate rebate for the removal of waste from multi-unit accommodation.*

**9. Is the Administration aware of a Joint Committee Inquiry on 'The Valuation Policies and Charges on Retirement Villages' and if so, what bearing, if any, this could have on Council deliberations on this matter?**

*In January, Administration was advised that the inquiry is on hold. We have sent a request the Office of the Valuer General asking for an update and we are still waiting for a response.*

**10. Council received a letter on this matter in (October 2018) from a group of residents at Living Choice, 123 Fisher Street. They have been advised that the matter will be considered in the formulation of the 2019/20 Budget. How does the Administration envisage this consideration happening?**

*Council will meet 4 June 2019 to review the:*

- *feedback from community consultation,*
- *valuation change across the City to understand the impact of the 2.1% rate rise*
- *proposed rating structure for the collection of general rates income*
- *list of changes that have occurred since the last workshop in March*

*A review of the proposed rating structure will incorporate the consideration of whether Council wishes to investigate in detail a discretionary rate rebate for the removal of waste from multi-unit accommodation to be implemented during the 2019-20 rating period. Any estimated rate income loss will be redistributed to other residential ratepayers.*



## QUESTIONS WITHOUT NOTICE

<b>TITLE:</b>	QUESTIONS WITHOUT NOTICE: COUNCILLOR K ANASTASSIADIS – PRUNING OF TREES/ PLANTINGS ALONG THE BIKEWAY: WAYVILLE
<b>ITEM NUMBER:</b>	1467
<b>DATE OF MEETING:</b>	29 APRIL 2019
<b>ATTACHMENTS:</b>	NIL

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The following Question Without Notice was received from Councillor K Anastassiadis at the Council Meeting 25 March 2019 and an answer is provided:

### Question

Does the administration know if any Council or privately owned trees or plantings have been cut down by SA Water on the bikeway next to the tram way in Wayville? Have any permissions been obtained?

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### Answer

The land in question is under the care, control and management of the Department of Planning, Transport and infrastructure (DPTI). In this respect, the removal of vegetation located within this land does not require Council approval.

It is the Administration's understanding that SA Water needed to undertake urgent works to address a sewerage problem within the land in question. SA Water engaged a tree management contractor to remove approximately six (6) shrubs located adjacent to where the works needed to be carried out.

Whilst approval from the Council was not required, SA Water's contractor contacted Council staff out of courtesy and discussed the removal of the shrubs. Council staff inspected the site and confirmed that the vegetation is located on DPTI land and that Council approval is not required. Council staff advised SA Water's contractor that it would be prudent to replant the area post completion of the works. Council staff have been advised that re-planting of the area is proposed to be undertaken in cooler weather but this will not involve the Council.

## QUESTIONS WITHOUT NOTICE

<b>TITLE:</b>	QUESTIONS WITHOUT NOTICE: COUNCILLOR S DEWING – PREVENTING LANDLORDS FROM RAISING RENT ON KING WILLIAM ROAD FOLLOWING UPGRADE WORKS
<b>ITEM NUMBER:</b>	1468
<b>DATE OF MEETING:</b>	29 APRIL 2019
<b>ATTACHMENTS:</b>	NIL

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The following Question Without Notice was received from Councillor S Dewing at the Council Meeting 25 March 2019 and an answer is provided:

### Question

What options does Council have to prevent landlords of properties along King William Road from increasing rent charged following the completion of the proposed upgrade works, as occurred on Goodwood Road following the upgrade work undertaken by Council?

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### Answer

The Council is unable to prevent landlords of commercial properties which are located along King William Road from increasing rent charged following the completion of the proposed King William Road Upgrade Project or indeed anywhere within our City for that matter.

There are many factors which may influence the rent charged for commercial tenancies and these may include location, the quality/age of the building, services, surrounding tenants, size, etc. The Administration acknowledges that public realm upgrades may also have an influence on rent variations and can trigger an increase in property values and demand for tenancies which can then result in increased rental rates when leases are reviewed.

The reality of the matter is that the Council is unable to prevent this from occurring and as outlined in the *Retail & Commercial Leasing Guide* which has been produced by the Office of the Small Business Commissioner, the Council does not have the ability to influence what rent is charged

([https://www.sasbc.sa.gov.au/files/1038\\_retail\\_leasing\\_brochure\\_web\\_june\\_2018.pdf](https://www.sasbc.sa.gov.au/files/1038_retail_leasing_brochure_web_june_2018.pdf)):

The Guideline outlines the following in respect to the issue of rent:

#### ***Rent***

*The initial rent under a lease is commonly referred to as base rent. The Act does not regulate what the base rent should be. The base rent payable under a lease is negotiated between the lessor and lessee.*

*A lessee can consult other lessees in the same complex, lessees in neighbouring premises, land agents, commercial valuers, conveyancers or private lease negotiators to help determine what would be a fair rent for the premises. Neither the OSBC, nor any government agency can assist with this.*

### **Rent Review**

*Most leases will provide that the rent can be reviewed on a regular basis, usually every 12 months. The lease will also stipulate the method that is to be used for a rent review. Some common methods are –*

- *a set percentage increase;*
- *Consumer Price Index (CPI) - There are many measures of the CPI. The lease should detail which CPI measure is to be used;*
- *market review (see below);*
- *any other agreed formulae or method.*

*The types of review can vary over the life of the lease. However the lease cannot allow the lessor to choose between two methods and select the one that gives the greatest return – for example, the lease cannot state that the increase is to be CPI or 5% whichever is the greatest.*

### **Market Rent Review**

*There is no set time for when a market review of the rent can be undertaken. A market review is usually undertaken when exercising an option to renew.*

*However a market review does not have to be undertaken if the parties can agree on what the new rent should be. The Act provides that if rent is to be changed to reflect the current market rent, it must be done on the basis that the premises are unoccupied and the value of the lessee's goodwill and fixtures and fittings, is to be excluded in any assessment.*

*If the parties cannot agree on a new market rent, the Act provides that the rent will be determined by a valuation carried out by a person appointed by the parties. If the parties cannot agree on who this should be, they can apply to the Australian Property Institute which will appoint an independent valuer to undertake the assessment. The costs of this are to be shared equally between the parties.*

## QUESTIONS WITHOUT NOTICE

<b>TITLE:</b>	QUESTIONS WITHOUT NOTICE: COUNCILLOR S DEWING – RESIDENTIAL PARKING PERMITS
<b>ITEM NUMBER:</b>	1469
<b>DATE OF MEETING:</b>	29 APRIL 2019
<b>ATTACHMENTS:</b>	NIL

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The following Questions Without Notice were received from Councillor S Dewing at the Council Meeting 25 March 2019 and an answer is provided:

### Questions

1. How did Council develop the costs around the \$32 fee for residential parking and is this consistent with other councils and does it represent the administration costs in processing the permit?
  2. What is the reason that a resident must supply the registration paper for each vehicle in the family when applying for a permit?
- 

### Answers

1. How did Council develop the costs around the \$32 fee for residential parking and is this consistent with other councils and does it represent the administration costs in processing the permit?

*Approximately fifteen years ago Council imposed a \$5.00 permit fee per year for residential parking permits. Prior to that time, permits had been free of charge.*

*Around 2013-2014, Council decided to issue 2 year permits, and determined a fee of \$26.00 per 2 years. Since that time the permit fee has increased incrementally, and in line with CPI, to \$32.00 per 2 years.*

*The \$32.00 per 2 year permit is comparatively low against other Council fees:*

- *City of Adelaide - \$204.00 per year*
- *City of Holdfast - \$140 per year*
- *City of Norwood – between \$25.00 (first permit) and \$50.00 (second permit) per year*
- *City of Burnside – between \$0.00 (first permit) and \$50.00 (second permit) per year*

*A cost analysis of the administrative costs associated with permits hasn't been undertaken by Council at this time; however, anecdotal information would suggest that Council may only be recovering approximately 75% of the actual costs associated with administering the permits (FTE costs, printing, postage inclusive, etc)*

2. What is the reason that a resident must supply the registration paper for each vehicle in the family when applying for a permit?

*Section 5.2.3 of Councils Residential On-Street Parking Policy states that an applicant for a new parking permit must have an applicable registered vehicle(s) which is not a truck, trailer, caravan, boat or bus with proof of registration that the vehicle is garaged at that property.*

*In order for Councils administration to prove that a vehicle is registered at a property, officers require vehicle registration papers or a statutory declaration to the same effect.*

*The number of parking permits that an applicant is entitled to, upon application, is determined by the number of off-street parking spaces at a residence, in conjunction with the number of vehicle's garaged at a property.*

*Without this provision of proof, an applicant might be issued with the incorrect number of parking permits, thus disadvantaging other residents in the same street.*

*The requirement to provide vehicle registration papers, or a specific statutory declaration as to the number of vehicles garaged at a property, does not apply to the renewal of parking permits. The renewing resident simply needs to declare that the information held by Council remains current.*

## **CORRESPONDENCE**

**TITLE:** CORRESPONDENCE  
**ITEM NUMBER:** 1470  
**DATE OF MEETING:** 29 APRIL 2019  
**ATTACHMENTS:** 1. CORRESPONDENCE

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The correspondence from:

- Hon Stephan Knoll MP, Minister for Transport, Infrastructure & Local Government  
– noting correspondence under consideration by Minister.

be noted.

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Subject <i>Government Liaison - advice</i>		
Property/Street		
Application No.		
Doc. No.	<b>20 MAR 2019</b>	Class.
Property/Street <i>Lara Jones</i>		



**Government  
of South Australia**

Our Ref: 19MLG0058

**The Hon Stephan Knoll MP**  
Member for Schubert

Mr Peter Tsokas  
Chief Executive Officer  
The City of Unley  
PO Box 1  
UNLEY SA 5061

Dear Mr Tsokas

Thank you for your correspondence, dated 12 March 2019, to the Hon Stephan Knoll MP, Minister for Transport, Infrastructure and Local Government regarding support for disclosure of candidate political affiliations and financial contributions.

Your correspondence is currently under consideration and a response will be provided in due course.

Yours sincerely

Office Manager to the  
**Minister for Transport, Infrastructure and Local Government**  
**Minister for Planning**

*15 / 3 / 2019*

Minister for Transport, Infrastructure and Local Government  
Minister for Planning  
Roma Mitchell House Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 DX 171  
Tel 08 7109 8439 | Email [ministerknoll@sa.gov.au](mailto:ministerknoll@sa.gov.au)



## MAYOR'S REPORT

**REPORT TITLE:** MAYOR'S REPORT FOR MONTH OF APRIL  
**ITEM NUMBER:** 1471  
**DATE OF MEETING:** 29 APRIL 2019  
**ATTACHMENTS:** 1. REPORT INCLUDING FUNCTIONS ATTENDED

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### 1. RECOMMENDATION

That:

1. The report be received.
- 

### Some functions and meetings attended

Date	Function/Event Description	Type
26-Mar	LG Reform, Minister's Reference Group meeting	Representative
26-Mar	Naval and Military Club, networking event	Attendee
26-Mar	Governor's Multicultural Awards presentation event	Guest
28-Mar	ERA Mayor's Breakfast event	Representative
28-Mar	Walford Anglican School for Girls, Official Opening, The Ellen Benham Science Centre, Walford	Guest
30-Mar	Meeting with candidate for Adelaide re stage 2 Sturt Football Club, Scene at Sturt event	Host
1-Apr	Probus Club, club event	Speaker
1April	CPCA owners executive meeting	Attendee
2-Apr	Commonwealth Club of Adelaide, April Luncheon	Attendee
4-Apr	SA Football Commission Chairman's Match Day Function and football game	Guest
5-Apr	Concordia College musical The Addams Family	Guest
6-Apr	Sturt Football Club game	Attendee
7-Apr	Parkinson's SA Walkathon and Fun Day Event	Speaker
9-Apr	FOCUS meeting	Speaker
11-Apr	Minister Pisoni meeting	Host
12-Apr	LGA Ordinary General Meeting	Representative
12 April	Park furniture Victoria Square	Attendee
12/13-Apr	Elected Member Weekend Workshop	Attendee
14-Apr	Bangla New Year Celebration 2019	Mayor
17-Apr	ERA Mayors & CEOs Group meeting	Representative



	<b>Radio Interviews</b>	
17-Apr	5AA Radio with Matthew Pantelis – Clearways and Local Shops	Interview
17-Apr	ABC 891 with Jules Schiller – Clearways and Local Shops	Interview

**Legend for attendance type at Function/Event:**

Attendee – only, no duties; Guest – specifically invited as an event guest; Interview – on-air radio guest; Mayor – attended as the Mayor of City of Unley; Host – hosted a meeting as Mayor; Presenter – involved in presenting awards; Representative – attended as the Council representative; Speaker – attended and gave a speech as Mayor.

## DEPUTY MAYOR'S REPORT

**REPORT TITLE:** DEPUTY MAYOR'S REPORT FOR MONTH OF APRIL  
**ITEM NUMBER:** 1472  
**DATE OF MEETING:** 29 APRIL 2019  
**ATTACHMENTS:** 1. REPORT

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### 1. RECOMMENDATION

That:

1. The report be received.
- 

### Functions attended (up to the time of writing this report)

Date	Function/Event Description
21 <sup>st</sup> March	Attended the Opening of the French Film Festival as a guest of the Alliance Francaise d'Adelaide.
22 <sup>nd</sup> March	With most Elected Members attended the Fern Avenue Community Garden's thank you pizza event for Councillors and key staff who they engage with. Council own the garden and it is leased by the Garden Committee. There are over 40 plot holders and a waiting list. They have a proud history, have received National attention, and have a very busy educational and community service schedule.
25 <sup>th</sup> March	Attended 2 Listening Posts held by the endorsed Liberal Candidate for the Federal seat of Adelaide that were held in the Fullarton Ward. It is another opportunity to meet Ward residents, explain Council initiatives and lobby.
27 <sup>th</sup> March	Attended the Unley Road Traders' Networking Event.
31 <sup>st</sup> March	With 53,000 others I attended the AFLW Grand Final at Adelaide Oval. The fantastic growth of female participation in football will provide new challenges for Council's to assist with playing facilities.
2 <sup>nd</sup> April	Attended the Unley Business Breakfast. Another very relevant topic in Cyber Security.
11 <sup>th</sup> April	Attended the LGA Council Best Practice Showcase. The Keynote address was delivered by Craig Reucassel from The War on Waste and I then attended the Waste and Recycling Stream sessions. This topic should be one for a Briefing in the not too distant future.
12 <sup>th</sup> April	Attended Day 2 of the LGA Showcase that featured the Ordinary General Meeting at which 11 motions were adopted from Councils. Mayor Hewitson successfully moved Unley's motion 'Inclusion of Wine Bottles in the Container Deposit Legislation'. All motions presented had been scrutinised (and in some cases reworded or amended) by either the GAROC or SAROC Committees. This initiative enhanced the presentation of motions.
12 <sup>th</sup> 13 <sup>th</sup> Apr	Attended Council's Team Building Workshops

## REPORTS OF MEMBERS

**REPORT TITLE:** REPORTS OF MEMBERS  
**ITEM NUMBER:** 1473  
**DATE OF MEETING:** 29 APRIL 2019  
**ATTACHMENTS:** 1. REPORTS

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Council to note the attached reports from Members:

1. Councillor M Rabbitt
  2. Councillor M Broniecki
  3. Councillor J Dodd
  4. Councillor J Russo
  5. Councillor D Palmer
-

## REPORTS OF MEMBERS

**REPORT TITLE:** REPORT FROM COUNCILLOR M RABBITT

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### Functions attended –18 March to 28 April

Date	Function/Event Description
21 Mar	Opening Night of the Alliance Française French Film Festival
22 Mar	Fern Avenue Community Garden Pizza Evening
27 Mar	Unley Road Association Networking Event
28 Mar	Centennial Park Board Meeting
30 Mar	Shaun Osborn's Listening Post
30 Mar	Scene@Unley / Sturt v Adelaide
2 Apr	Unley Business Breakfast -
4 Apr	2019 Fish Tank Pitch Night – Representing the Mayor
5 Apr	Book Launch - 'Our Corner of the Somme', by Dr Romain Fathi
6 Apr	Sturt v Eagles
7 Apr	Parkinsons in the Park
9 Apr	Book Launch – 'The Present Box', by Michelle Jewels-Parsons
11 Apr	LGA 2019 Council Best Practice Showcase
12 Apr	Unley Breakfast Buddies

## REPORTS OF MEMBERS

**REPORT TITLE:** REPORT FROM COUNCILLOR M BRONIECKI

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**Functions attended** (up to the time of writing this report)

Date	Function/Event Description
29/3/2019	Ageing Well Forum

## REPORTS OF MEMBERS

**REPORT TITLE:** REPORT FROM COUNCILLOR J DODD

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### Functions attended (up to the time of writing this report)

Date	Function/Event Description
11 November 18	Remembrance Day Ceremony - Memorial Gardens
17 November 18	Christmas Craft Fair - Fullarton Community Centre
23 November 18	French Festival - Memorial Gardens
26 November 18	Unley Council meeting -
24 November 18	Etsy Made Local Markets
27 November 18	Unley Council Training Session
29 November 18	Scammel Reserve Community Christmas Party
30 November 18	Fullarton Community Centre Christmas Party
1 December 18	Unley Council Training Session
1 December 18	Living Choice Christmas Tree Lighting
3 December 18	Elected Member Briefing Session
4 December 18	Unley Road Traders Christmas Celebration
9 December 18	Fern Avenue Community garden AGM
10 December 18	Unley Council Meeting
17 December 18	Elected Member Briefing Session
14 January 19	Elected Member Briefing Session
15 January 19	Unley Council Training Session
17 January 19	Unley Gourmet Gala
18 January 19	Tour Down Under - Unley Council Delegate
21 January 19	Elected Member Briefing Session
26 January 19	Australia Day Citizenship Ceremony - Unley City Hall
29 January 19	Unley Council Meeting
31 January 19	Unley Museum Exhibition Launch
4 February 19	Elected Member Briefing Session
5 February 19	Unley Business Breakfast
25 February 19	Ovarian Cancer Morning Teal - Adelaide Health and Medical Science
4 March 19	Elected Member Briefing Session
12 March 19	Elected member Briefing Session
13 March 19	Meeting with FOCUS - Trees in Unley

15 March 19	Royal Agricultural Society Meeting and Tour - Adelaide Showgrounds
18 March 19	Unley Council - Budget Workshop
22 March 19	Fern Avenue Community Garden Pizza Night
25 March 19	Unley Council Meeting
27 March 19	Unley Road Traders Networking Night
29 March 19	Unley "Boys Breakfast" - Unley Park Sports Club
1 April 19	Elected Member Briefing
2 April 19	Elected Member Briefing
4 April 19	Fish Tank Pitch Night
8 April 19	Elected Member Briefing (Speaker) - Local Government Reform
10 April 19	Doing Business In Heels - Women's Networking Event
12 April 19	Elected Member Weekend Workshop
13 April 19	Elected Member Weekend Workshop

## REPORTS OF MEMBERS

**REPORT TITLE:** REPORT FROM COUNCILLOR J RUSSO

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**Functions attended** (23 March to 15 April 2019)

<b>Date</b>	<b>Function/Event Description</b>
21 Mar	Quarterly Ward Briefing with Cr Dewing
26 Mar	Meeting with Council Staff – Fish Tank Event
27 Mar	Unley Road Association Networking Event
28 Mar	Centennial Park Board Meeting
30 Mar	Scene at Sturt Event – Unley Oval
1 Apr	Elected Member Briefing
2 Apr	Unley Business Breakfast – Cyber Threats
2 Apr	Elected Member Briefing – Code of Practice
3 Apr	Unley City Council Doggie Doo Education Tent
4 Apr	Launch of Goodwill Unley
4 Apr	Unley City Council Fish Tank Pitch Night
8 Apr	Elected Member Briefing – Local Government Reform
10 Apr	Unley Ward – Meet and Greet Session
12 & 13 Apr	Elected Member Weekend Professional Development Workshop



## REPORTS OF MEMBERS

**REPORT TITLE:** REPORT FROM COUNCILLOR D PALMER

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**Functions attended** (from 16 March up to the time of writing this report)

Date	Function/Event Description
16 Mar	Liaison with Millswood Croquet Club on Clubroom design parameters
	Goodwood Cricket Club game
	Public Consultation (dog owners and tennis players) at Page Park
18 Mar	Budget Workshop
19 Mar	Harmony Day story time at Unley Library
	Harmony Day. Like Me Like You.
	CAP meeting
20 Mar	Harmony Day. School Congress
	Budget Workshop
23 Mar	Vishva Hindu Parishad of Australia Cricket Awards
25 Mar	Council Meeting
26 Mar	Neighbourhood Watch
27 Mar	Unley Road Traders Association networking function
29 Mar	Ageing Well Forum
30 Mar	Jayne Stinson Public Meeting on Kaufland
1 April	Funeral: Lee Anderson
	CAP recruitment meeting
2 April	Business Breakfast
	Council Briefing
3 April	Clarence Park Kindergarten Governing Council meeting
4 April	Goodwood Saints FC Senior Jumper Presentation
5 April	BNI Breakfast at Living Choice
	Goodwood Saints FC Junior Jumper Presentation
6 April	Goodwood Saints FC v Brighton Bombers
8 April	Council Briefing
11 April	LGA Council Best Practice Showcase
12 April	LGA OGM
	Team Building Workshop
13 April	Team Building Workshop & Elected Member Dinner
15 April	Special Council Meeting

In addition I had many meetings with rate payers with various concerns and met with some elected members, one on one.

## DECISION REPORT

**REPORT TITLE:** CONFIDENTIALITY MOTION FOR ITEM 1475 – KING WILLIAM ROAD REDEVELOPMENT – CONSTRUCTION CONTRACT AWARD

**ITEM NUMBER:** 1474

**DATE OF MEETING:** 29 APRIL 2019

**AUTHOR:** LARA JONES

**JOB TITLE:** EXECUTIVE ASSISTANT OFFICE OF THE CEO

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Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds set out below.

### 1. **RECOMMENDATION**

That:

1. Pursuant to Section 90(2) and (3)(b)(i) and (ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to information the disclosure of which:
  - 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
  - Would, on balance, be contrary to the public interest.
2. In weighing up the factors related to disclosure:
  - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
  - non-disclosure of this item at this time will enable proper consideration of information to determine the contract award for the King William Road Redevelopment project.

On that basis, the public's interest is best served by not disclosing Item 1475 – King William Road Redevelopment – Construction Contract Award and discussion at this point in time.

3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.
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**ITEM 1475**

**Confidential – removed from the public agenda – pages 253-338**

## DECISION REPORT

**REPORT TITLE:** CONFIDENTIALITY MOTION TO REMAIN IN  
CONFIDENCE ITEM 1475 – KING WILLIAM ROAD  
REDEVELOPMENT

**ITEM NUMBER:** 1476

**DATE OF MEETING:** 29 APRIL 2019

**AUTHOR:** LARA JONES

**JOB TITLE:** EXECUTIVE ASSISTANT OFFICE OF THE CEO

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### 1. **RECOMMENDATION**

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*:
  2. Pursuant to Section 91(7) of the *Local Government Act 1999* the following orders are made in relation to Item 1475 – King William Road Redevelopment – Construction Contract Award, considered at the Council Meeting on 29 April 2019:
    - Part 3 of the Council resolution will remain confidential and not available for public inspection until such time as the contract documentation has been executed; and
    - The Report and Attachments will remain confidential for a period of 12 months, concluding 1 May 2020, and not available for public inspection until the cessation of that period.
  3. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.
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