

# COUNCIL AGENDA

## Council Meeting

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

***Monday 14 December 2015 at  
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 this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country.

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

## **PRAYER AND SERVICE ACKNOWLEDGEMENT**

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

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

Lest We Forget.

## **WELCOME**

## **ORDER OF BUSINESS**

### **ITEM NO**

### **PAGE NO**

#### **APOLOGIES**

#### **CONFLICT OF INTEREST**

328      **MINUTES**

1

Minutes of the Council meeting held on Monday 23  
November 2015

**Minutes issued separately**

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

Nil

#### **PETITION**

Nil

**ITEM NO****PAGE NO****PRESENTATION**

Nil

**DEPUTATIONS**

Nil

**REPORTS OF COMMITTEES**

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

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	Minutes of Meeting held Wednesday 2 December 2015	
	<b>Minutes Attached</b>	
330	<b>Infrastructure and Sustainability Committee</b>	3 – 4
	Minutes of Meeting held Tuesday 8 December 2016	
	<b>Minutes Attached</b>	

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

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**GENERAL MANAGER ECONOMIC DEVELOPMENT AND PLANNING – Mr David Litchfield**

335	Traffic Management and Speed Restrictions for the Royal Show	27 – 31
336	Rugby / Porter Street Bike Concept Street Design	32 – 44

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

Nil reports

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

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**CHIEF EXECUTIVE OFFICER (Peter Tsokas)**

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**QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

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345	Questions on Notice from Councillor Hughes re Opportunities to Expand our Community Volunteers' Program	70 – 71
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**QUESTIONS WITHOUT NOTICE****347 CORRESPONDENCE**

- Centennial Park Cemetery Authority
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- Deputy Premier – Minister for Planning
- Annesley Junior School
- Steven Griffiths MP

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- Councillor Palmer
- Councillor Hudson
- Councillor Hughes
- Councillor Rabbitt

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

351      Councillor Boisvert re Closure of Foot Track to      78  
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**MOTIONS WITHOUT NOTICE****CONFIDENTIAL ITEMS**

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356 – Unley Central

## SUGGESTED ITEMS FOR NEXT AGENDA

Q2 Finance Report (1 October to 30 December 2015)	Review of progress against budget for Q2
Quarterly Corporate Report	To present quarterly figures on Council services
Policies Review	To present amendments to Graffiti, Construction of Crossing Places, Disposal of non-community land and economic development
Unley Oval Proposed Grandstand Upgrades	Results of consultation

## NEXT MEETING

Monday, 25 January 2016 – 7.00pm.



## **CONFIRMATION OF MINUTES**

**TITLE:** CONFIRMATION OF MINUTES FOR COUNCIL  
MEETING HELD ON 23 NOVEMBER 2015

**ITEM NUMBER:** 328

**DATE OF MEETING:** 14 DECEMBER 2015

**ATTACHMENTS:** NIL

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## **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. The minutes of the Council Meeting held on Monday 23 November 2015, as printed and circulated, be taken as read and signed as a correct record.
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## REPORT OF COMMITTEE

**TITLE:** MINUTES OF UNLEY BUSINESS AND  
ECONOMIC DEVELOPMENT COMMITTEE  
(UBED) – 2 DECEMBER 2015

**ITEM NUMBER:** 329

**DATE OF MEETING:** 14 DECEMBER 2015

**ATTACHMENTS:** 1. UBED MINUTES – 2 DECEMBER 2015

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### 1. **EXECUTIVE SUMMARY**

#### **Review of Separate Rates**

Following a recommendation from the October Unley Business & Economic Development Committee (UBED) meeting to Council, it was resolved to seek a further report on the feasibility of introducing a cap to the separate rate, and the proposed methodology to be undertaken for reviewing the Trader Association model.

The report outlined the detail regarding the issues raised in the motion and includes modelling of the effects of rate capping at different levels.

After much discussion on this Item, the Committee endorsed the motion as recommended.

### 2. **RECOMMENDATION**

MOVED:

SECONDED:

That:

1. The minutes of the Unley Business and Economic Development Committee meeting held on Wednesday 2 December 2015, be received.
2. The recommendations listed under:

Item 19

Review of Separate Rates

Item 20

Unley Business and Economic Development Committee Meeting Dates 2016

Inclusive, be adopted.

**UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE**

**Minutes of Meeting**

**Held Wednesday, 2 December 2015 commencing at 6.30pm  
Council Chambers  
181 Unley Road Unley**

**MEMBERS PRESENT:**

Councillor John Koumi – Presiding Member  
Councillor Anthony Lapidge  
Councillor Don Palmer  
Councillor Luke Smolucha (arr. at 6.42pm)  
Doug Strain  
Orren Pruncken  
Alison Snel  
Jodie Gaffney  
Craig Phillips  
Susan Straschko  
Leonie Clyne

**OFFICERS PRESENT:**

Mr David Litchfield, General Manager Economic Development & Planning  
Mr Peter Kennedy, Manager Business and Economic Development  
Ms Kelley Jaensch, Executive Assistant to GM Economic Development & Planning

**ACKNOWLEDGMENT:**

**The Presiding Member opened the meeting by welcoming Members and allowing each of the Members to individually acknowledge the Aboriginal Acknowledgement.**

**APOLOGIES:**

Mayor Lachlan Clyne – ex Officio

**OBSERVERS**

Nil.

## **CONFIRMATION OF MINUTES:**

MOVED: Doug Strain

SECONDED: Councillor Lapidge

That the minutes of the meeting of the Unley Business and Economic Development Committee held on Wednesday, 7 October 2015 as printed and circulated, be taken as read and signed as a correct record.

**CARRIED**

## **DEPUTATIONS**

Nil.

## **PRESENTATION:**

Peter Kennedy gave a brief update on the NBN and Goodwood PLEC Projects.

## **ITEM 19**

### **REVIEW OF SEPARATE RATES**

## **SUSPENSION OF MEETING PROCEDURES**

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

This was agreed with a two thirds majority.

The standing orders were suspended at 6.53pm.

## **FURTHER EXTENSION TO MEETING PROCEDURES**

A further extension to the standing orders for 10 minutes was supported with a two thirds majority.

Standing orders were suspended at 7.13pm.

## **FURTHER EXTENSION TO MEETING PROCEDURES**

A further extension to the standing orders for 5 minutes was supported with a two thirds majority.

Standing orders were suspended at 7.23pm.

Standing orders were reinstated at 7.28pm.

**Item 19**  
**Review of Separate Rates - Continued**

MOVED: Susan Straschko  
SECONDED: Councillor Palmer

The Committee recommends to Council that:

1. The Unley Business & Economic Development Committee engage and consult with Main Street Trader Associations to discuss and investigate the possible capping for the application of separate rates, and provide recommendations to Council as to any changes that may be prudent so they can be assessed at the proposed March 2016 UBED meeting.
2. An independent consultant be engaged to undertake a review of the role and operation of the Trader Associations, in conjunction with the Associations, to ensure they are still the most appropriate method for promotion of the precincts, and are supported by the businesses of those precincts. The review is to include face to face interviews with a broad cross section of those who pay the separate rate.

**CARRIED UNANIMOUSLY**

James Morris left the meeting at 7.25pm during the discussion on the Item above.

**ITEM 20**  
**UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE MEETING**  
**DATES 2016**

MOVED: Leonie Clyne  
SECONDED: Alison Snel

The Committee recommends to Council that:

That:

1. The report be received.
2. The Unley Business Economic Development Committee meet quarterly on the first Wednesday of the month at 6.30pm at the Council Chambers, 181 Unley Road Unley, with appropriate adjustments to accommodate other meetings, in accordance with the meeting schedule outlined below:

Wednesday,	2 March 2016
Wednesday,	1 June 2016
Wednesday,	7 September 2016
Wednesday,	7 December 2016

**CARRIED UNANIMOUSLY**

**CLOSE OF MEETING:**

The Acting Presiding Member closed the meeting at 7.47pm.

.....  
**PRESIDING MEMBER**  
.....

## REPORT OF COMMITTEE

**TITLE:** MINUTES OF INFRASTRUCTURE AND SUSTAINABILITY COMMITTEE (I&SC) MEETING – 8 DECEMBER 2015

**ITEM NUMBER:** 330

**DATE OF MEETING:** 14 DECEMBER 2015

**ATTACHMENTS:** 1. I&SC MINUTES – 8 DECEMBER 2015

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### 1. **EXECUTIVE SUMMARY**

#### **City of Unley Walking and Cycling Plan 2015 – 2020 – Draft for Consultation**

This community engagement will seek feedback from the wider community, key interest groups and relevant state government agencies. It is critical for the success of the plan to have community participation at this early stage to achieve the desired walking and cycling outcomes in Unley.

The Committee endorsed the recommendation subject to some minor amendments that were suggested by the Committee.

#### **The Living City – Open Space Strategy**

The purpose of this report is to seek Committee endorsement of the draft Living City – Open Space Strategy and where to from here.

The Committee felt it would be beneficial to have 4/5 year KPI's and targets across a number of criteria.

### 2. **RECOMMENDATION**

MOVED:

SECONDED:

That:

1. The minutes of the Infrastructure and Sustainability Committee meeting held on Tuesday 8 December 2015, be received.
2. The recommendations listed under:

#### **Item 11**

**City of Unley Walking and Cycling Plan 2015 – 2020 – Draft for Consultation**

#### **Item 12**

**The Living City – Open Space Strategy**

Item 13

Infrastructure and Sustainability Committee Meeting Dates 2016

Inclusive, be adopted.

**INFRASTRUCTURE AND SUSTAINABILITY COMMITTEE**

**MINUTES**

**Meeting held  
Tuesday 8 December 2015 at 6.30pm  
Civic Centre  
181 Unley Road Unley**

**PRESENT**

Councillor Michael Hewitson – Presiding Member  
Councillor Peter Hughes  
Councillor Rob Sangster  
Councillor Bob Schnell  
Mr Rod Hook  
Mr Peter Croft  
Mr Gavin Brennan (arr. at 6.32pm)

**ACKNOWLEDGEMENT**

The Presiding Member opened the meeting by welcoming Members.

**OFFICERS PRESENT**

Mr J Devine, General Manager Assets & Environment  
Mr S Gandhi, Manager Transportation & Traffic  
Mr K Davis, Manager Urban Design  
Ms K Jaensch, Executive Assistant Economic Development & Planning

**APOLOGIES**

Mayor Lachlan Clyne – ex Officio

**OBSERVERS**

Nil



## **CONFIRMATION OF MINUTES**

MOVED: Councillor Sangster

SECONDED: Councillor Hughes

That the Minutes of the Infrastructure and Sustainability Committee held on Tuesday 3 November 2015 as printed and circulated be taken as read and signed as a correct record.

**CARRIED**

## **CONFLICT OF INTEREST**

Nil

## **DEPUTATIONS**

Nil

## **PRESENTATIONS**

Nil

## **\*\*ITEM 11**

### **CITY OF UNLEY WALKING AND CYCLING PLAN 2015-2020 – DRAFT FOR CONSULTATION**

## **SUSPENSION OF MEETING PROCEDURES**

The Presiding Member advised Members that he thought the Committee would benefit from a suspension of meeting procedures on the above Item for a period of up to 30 minutes, to enable open discussion on this Item.

This was agreed with a two thirds majority.

Meeting procedures were suspended at 6.45pm.

Meeting procedures resumed at 7.15pm.

MOVED: Councillor Schnell

SECONDED: Councillor Hughes

The Committee recommends to Council that:

1. The report be received.
2. The Draft City of Unley Walking and Cycling Plan (WCP) 2015-2020 as amended be supported for community engagement.
3. A report outlining the outcomes of the community engagement be provided to Council in early 2016.

**CARRIED UNANIMOUSLY**

**ITEM 12**  
**THE LIVING CITY – OPEN SPACE STRATEGY**

**SUSPENSION OF MEETING PROCEDURES**

The Presiding Member advised Members that he thought the Committee would benefit from a suspension of meeting procedures on the above Item for a period of up to 30 minutes, to enable open discussion on this Item.

This was agreed with a two thirds majority.

Meeting procedures were suspended at 7.30pm.

Meeting procedures resumed at 7.54pm.

MOVED: Councillor Hughes

SECONDED: Rod Hook

The Committee recommends to Council that:

1. The report be received.
2. The Living City – Open Space Strategy (Attachment 1 to Item 12/15) be endorsed and the community be informed that the new strategy has been adopted.

**CARRIED UNANIMOUSLY**

**ITEM 13**  
**INFRASTRUCTURE AND SUSTAINABILITY COMMITTEE MEETING DATES 2016**

MOVED: Rod Hook

SECONDED: Gavin Brennan

The Committee recommends to Council that:

1. The report be received.
2. The Infrastructure and Sustainability Committee meet bimonthly on a Tuesday at 6.30pm at the Council Chambers, 181 Unley Road Unley, with appropriate adjustments to accommodate other meetings, in accordance with the meeting schedule outlined below:

Tuesday,	9 February 2016
Tuesday,	12 April 2016
Tuesday,	7 June 2016
Tuesday,	9 August 2016
Tuesday,	11 October 2016
Tuesday,	29 November 2016

**CARRIED**

## **CLOSURE**

The Presiding Member closed the meeting at 8pm.

.....  
**PRESIDING MEMBER**

.....

## DECISION REPORT

**REPORT TITLE:** ANIMAL MANAGEMENT PLAN 2016 - 2020  
**ITEM NUMBER:** 331  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** CELINE LUYA  
**JOB TITLE:** MANAGER COMMUNITY SERVICES

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### 1. **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's endorsement of the 2016-2020 Animal Management Plan.

The City of Unley is legislatively required in the *Dog and Cat Management Act 1995* to have an Animal Management Plan in place relating to the management of dogs and cats within its area. The current Animal Management Plan expires in April 2016. The Regulatory Services team has developed a new Plan for 2016 – 2020.

Once endorsed by Council, the Plan must be submitted to the Dog and Cat Management Board of South Australia for approval.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. The Animal Management Plan 2016-2020 is endorsed for submission to the Dog and Cat Management Board of South Australia for approval.
-

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

The General Inspector/Animal Management service contributes to delivery of Council's strategic objectives by enhancing community wellbeing and promoting community safety. Specifically Animal Management aligns to the delivery of Goal 2.4 Healthy and active community within Council's Community Plan.

Legislatively, the Animal Management Plan is a requirement of Section 26A of the *Dog and Cat Management Act 1995* which requires every council in South Australia to prepare a plan relating to the management of dogs and cats within its area.

## **2. DISCUSSION**

### **Background**

The current Animal Management Plan expires in April 2016. The Regulatory Services team has developed a new Plan for 2016 – 2020. The *Dog and Cat Management Act 1995* is currently under review and Council's legislative requirements may change as a result of this review. The Dog and Cat Management Board has advised councils to continue with the process of developing new plans and to alter the plans at the completion of the review if required.

### **The Plan**

The City of Unley Animal Management Plan 2016 -2020 (Attachment 1 to Item 331/15) outlines Council's vision for animal management as being:

- A City that encourages a culture of responsible pet ownership.

The aim of the Plan is that the City of Unley will work with the community to provide a harmonious environment for people and pets through leadership and education in animal management, and that all animals will be treated with respect and in a humane manner.

*Attachment 1*

Part One of the Plan outlines:

- The purpose
- The methodology
- The requirements of the *Dog and Cat Management Act 1995*
- The big picture – trends and directions
- The local picture – a snapshot of animal management in the City of Unley
- An outline of how the Plan fits with the Community Plan and other lead strategies.

Part Two of the Plan outlines the priority areas, key performance indicators and actions that will be undertaken in each of the areas. Each Key Issue Area has one or more objectives and an action plan that details the new initiatives Council will

undertake over the four years. The key performance indicators will be used to monitor Council's progress in achieving our animal management goals and objectives. The areas include:

- Dog registration
- Micro-chipping and de-sexing of dogs
- Dogs wandering
- Nuisance barking
- Community education
- Pet friendly communities and lifestyles
- Cat management

Part Three of the Plan considers other animals:

- Poultry
- European wasps
- Bees
- Other

Part Three is a new section to our Animal Management Plan, which goes beyond the legislative requirements with the aim of having a holistic, proactive approach to animal management.

## **The Process**

The Regulatory Services Team worked in partnership with an Adelaide-based company, *Balancing Act – Pet Friendly Planning*, to develop the draft City of Unley Animal Management Plan 2016 – 2020. The process for developing the draft Plan was as follows:

- Review of existing plan
- Research and review of trends
- Workshop with internal stakeholders
- Draft plan development
- Review of plan by internal stakeholders

The next phase was the consultation phase. The community was consulted in the following ways in September to October 2015:

- Elected Members were provided with a copy of the Plan, inviting their feedback by email, phone or meeting
- The Community and Culture Committee was provided with an overview of the development of the draft Animal Management Plan 2016 – 2020 at its September 2015, seeking feedback
- The Plan was uploaded to Your Say Unley for online consultation
- A session was held in the Unley Library foyer area inviting the community for comments and feedback
- Hard copy questionnaires were available at contact points such as Customer Service, Community Centres and Libraries

- All the opportunities to provide feedback were advertised on social media, in the *Eastern Courier Messenger*, and on posters around the local area

There were 11 written responses from the community as well as 20 people who engaged with staff at the session in the Library foyer. There were no major issues identified with the Plan, with the majority of the feedback being very positive. The main points raised were about the need for education about dogs in public places and suggestions regarding fencing for dogs. Following the consultation, the Plan has been finalised for Council's consideration. Once endorsed, the Plan will be submitted to the Dog and Cat Management Board of South Australia for approval.

### **3. ANALYSIS OF OPTIONS**

Option 1 – The Animal Management Plan 2016-2020 (Attachment 1 to Item 331/15 be endorsed for submission to the Dog and Cat Management Board of South Australia for approval.

This option provides for Council's endorsement of the Plan and its submission to the Dog and Cat Management Board of South Australia.

*The benefits of this option:*

- City of Unley will not be in breach of the *Dog and Cat Management Act 1995*
- A clear Action Plan will be in place for the Regulatory Services Team for the next four years
- A holistic, proactive approach to animal management

Option 2 – Endorse the Animal Management Plan 2016-2020 (Attachment 1 to Item 331/15 with amendments.

Council may wish to amend and/or include additions to the Animal Management Plan 2016-2020.

Consideration should be given to the context of the Plan and the legislative requirements of the *Dog and Cat Management Act 1995*.

### **4. RECOMMENDED OPTION**

Option 1 is the recommended option.

### **5. POLICY IMPLICATIONS**

#### **5.1 *Financial/budget***

There are no direct additional costs to implementing the actions in the Plan.

## **5.2 Legislative/Risk Management**

The Animal Management Plan is a requirement of Section 26A of the *Dog and Cat Management Act 1995*. The Plan will be submitted to the Dog and Cat Management Board of South Australia for approval once endorsed by Council.

The *Dog and Cat Management Act 1995* is currently under review and Council's legislative requirements may change as a result of this review. The Dog and Cat Management Board has advised councils to continue with the process of developing new plans and to alter the plans at the completion of the review if required.

## **5.3 Staffing/Work Plans**

The Regulatory Services Team has been involved in the development of this Plan and all the actions are a part of their work plans with no additional resources required.

## **5.4 Environmental/Social/Economic**

The actions in this Plan will aim to encourage responsible dog and cat ownership, reduce public and environmental nuisance caused by dogs and cats and to promote the effective management of dogs, cats and other animals.

## **6. REPORT CONSULTATION**

<b>Position</b>	<b>Department</b>
Team Leader Regulatory Services	Community Services
Senior Environmental Health Officer	Community Services

## **7. ATTACHMENTS**

Attachment 1: Animal Management Plan 2016-2020

## **8. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Megan Berghuis	General Manager Community
Celine Luya	Manager Community Services



## **DECISION REPORT**

**REPORT TITLE:** ENVIRONMENTAL HEALTH – FOOD SAFETY AUDITS  
**ITEM NUMBER:** 332  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** CELINE LUYA  
**JOB TITLE:** MANAGER COMMUNITY SERVICES

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### **1. EXECUTIVE SUMMARY**

The purpose of this report is to seek endorsement by Council to trial a regulatory food safety audit service of high risk businesses on a fee for service basis.

Council's Environmental Health team is responsible for promoting public health and for conducting safety inspection services. The City of Unley has an opportunity to authorise its Environmental Health Officers to conduct regulatory food safety audits of high risk businesses as per the Food Safety Standards (3.3.1 Food Safety Programs for Food Service to Vulnerable Persons).

The current Environmental Health team includes two Officers that are already accredited to undertake food safety audits. Benefits include improved food safety outcomes, meeting an existing community need and an additional income opportunity (potentially \$8,400 per annum) for the City of Unley.

### **2. RECOMMENDATION**

That:

1. The report be received.
  2. A regulatory food safety audit service of high risk businesses on a fee for service basis be introduced on an 18 month trial basis and a report be brought back to Council following the outcome of the trial.
  3. The schedule of Food Safety Audit Fees referred to in Attachment 1 of Item 332/15 for the 2015-16 financial year be approved to take effect from December 2015 and the Fees and Charges Register be updated accordingly.
-

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

The Environmental Health service contributes to the delivery of Council's strategic objectives by protecting the community from public health risks and actively facilitating and promoting community safety. Specifically, Environmental Health provision aligns to the delivery of Goal 2.4: Healthy and Active Community within Council's Strategic Plan.

Legislatively, the provision of Environmental Health is a requirement under:

- *Environment Protection Act 1993*
- *South Australian Public Health Act 2011*
- *Food Act 2001*

Additionally, Council's Living Well Regional Public Health Plan for the Cities of Unley and Mitcham outlines Council's role as a primary health care provider including our responsibilities and functions for Environmental Health.

## **2. DISCUSSION**

### **Background**

Council's Environmental Health team is currently responsible for promoting public health, and provides the following safety inspection services for:

- Food premises (restaurants, cafés, manufacturing plants)
- Skin penetration premises (tattoo parlours, body piercing/modification)
- Hair dressing and beauty therapy premises (hair salon, barber, day spa)
- Public bathing pools and spas
- High risk manufactured water systems (cooling towers, warm water systems)
- Supported Residential Facilities (SRFs) and lodging houses
- Properties where insanitary conditions have been identified
- Investigations of pollutant complaints (noise and air pollution, storm water contamination)

There are additional services Council may elect to offer including the provision of Food Safety Programs (FSP). These programs are mandated for food businesses that serve vulnerable populations (hospitals, aged care, childcare and delivered meals organisations) under the Food Safety Standards (Standard 3.3.1). Businesses are required to be audited annually.

To support this, SA Health has developed a Food Safety Auditor System which outlines the role of enforcement agencies and the approval of Food Safety Auditors. SA Health also provides the training for Environmental Health Officers to become accredited food safety auditors.

The Minister of Health has agreed that SA Health will audit:

- Public hospitals
- Not-for-profit delivered meals organisations (e.g. Meals on Wheels)
- Remote businesses (unincorporated lands)

SA Health has approved Local Government auditors to audit:

- Private hospitals
- Aged care facilities
- Child care centres

Local Government remains the enforcement agency under the *Food Act 2001* for businesses in their local area. Council support is vital to ensure our local businesses meet the food audit requirements.

### **FSP Opportunities within the City of Unley**

The City of Unley currently has 16 aged care facilities, 9 child care centres and 1 private hospital as mandated food premises requiring an annual audit.

Until recently, the City of Unley has not had an accredited auditor within its Environmental Health team. As such, audits in the City of Unley are currently undertaken by authorised external auditors. The Environmental Health team now has two accredited and experienced Environmental Health Officers, opening up the the opportunity to provide this program on a fee for service basis.

As part of food inspections, many of these auditable businesses have indicated that they would prefer Council to conduct their audits rather than a third party provider. The Eastern Health Authority has also indicated difficulties with keeping up with the audits in the region due to a shortage of accredited Auditors.

While it is not mandatory that Council offers an auditing service, it is mandatory for high risk food business to be audited annually. A food safety program ensures food safety through the identification and control of hazards in the production, manufacturing and handling of food.

As mentioned above, SA Health is responsible for auditing all public hospitals and not-for-profit delivered meals organisations within the State. The remaining businesses captured by the standard are required to be audited by Local Government auditors. Local Government auditors are required to be registered on the SA Health website. It is the responsibility of the business to engage an auditor each year. Local Government has the responsibility to ensure businesses are audited each year, which is monitored as part of routine inspections.

## **Benefits to Council of providing an FSP service**

The benefits for Council directly offering an auditing service include improved safety outcomes and improved service for businesses within the Council area. The Environmental Health Officers will develop a stronger knowledge base and relationship with the high risk facilities and ensure that any concerns are resolved quickly and efficiently. This is beneficial for possible future investigations and issues (e.g. food poisoning cases). Additionally, it provides increased professional development opportunities for Environmental Health Officers which, in turn, encourages the retention of skilled staff.

Once audit fees referred to in Attachment 1 of Item 332/15 have been approved by Council, we will be in a position to offer auditing services. There has already been interest from relevant City of Unley businesses. In the first instance, the service will be undertaken within existing resources.

*Attachment 1*

## **Other considerations**

No additional resources will be required for the 18 month trial. During the 18 month trial, the Environmental Health team will promote their availability to relevant businesses and then only take on as many audits as possible within existing resources. This will give a true indication of demand, resourcing requirements and potential income. An average audit takes approximately five hours at a cost to business of approximately \$700 per audit. It is estimated that the team will be able to complete at least 12 Audits in a 12 month period, resulting in additional income of \$8,400 per annum.

### **3. ANALYSIS OF OPTIONS**

Option 1 – A regulatory food safety audit service of high risk businesses on a fee for service basis be introduced on an 18 month trial basis and a report be brought back to Council following the outcome of the trial. The schedule of Food Safety Audit Fees referred to in Attachment 1 of Item 332/15 for the 2015-16 financial year be approved to take effect from December 2015 and the Fees and Charges Register be updated accordingly.

4. A regulatory food safety audit service of high risk businesses on a fee for service basis be introduced on a 18 month trial basis.

*The benefits of this option:*

- Improved food safety outcomes
- Increasing income opportunities from current legislative functions
- Meets the existing service demands in the community.
- Aligns to the offering provided by several other South Australian councils.

- Continuing professional development for EHO's with subsidised low cost training

*Disadvantages may include:*

- Possible impact to current resourcing levels. However, this will be controlled within the 18 month trial period to ensure that the number of audits being undertaken does not impact on resources.

Option 2 – A regulatory food safety audit service of high risk businesses on a fee for service basis is not introduced.

Council determines not to endorse the introduction of regulatory food safety audits of high risk businesses.

*The benefits of this option:*

- No additional work for the Environmental Health team

*Disadvantages may include:*

- Loss of income opportunities
- Lost opportunity to build stronger relationships with local high risk businesses and improve knowledge management.
- Premises at risk of late audits due to shortage of auditors in the region.
- Less streamlining of the audit and inspection processes.
- Limiting the opportunity to Increase the skill level of the EHO's at the City of Unley

#### **4. RECOMMENDED OPTION**

Option 1 is the recommended option.

#### **5. POLICY IMPLICATIONS**

##### **5.1 *Financial/budget***

There is no direct additional cost to implementing the recommendation. Unlike existing inspection fees, auditing fees are not prescribed in the Food Act and Food Regulations. Pursuant to Section 188 of the *Local Government Act 1999*, a council may impose fees for the services supplied to a person on their request.

The Local Government Association has developed audit fee guidelines for councils to utilise to provide some consistency between councils. According to these guidelines, fees charged are expected to be a reasonable estimate of the direct cost to Council in providing an auditing service, and achieving cost recovery where possible. Now that the Environmental Health team is fully staffed and up to date with routine work, they are able to do this additional

auditing work without additional resources and therefore this will result in extra income. Fees are paid direct to Council for the audit service provided. Fees may be charged at an hourly rate with audits usually taking 4-5 hours.

The following fees/rates are outlined in the LGA Food Safety Audit Fee Guidelines:

- Onsite Audits - \$154 per hour (\$140.00 + GST)
- Desktop Audits - \$77.00 per hour (\$70.00 + GST) at Auditor's office or \$154.00 per hour (140.00 + GST) performed onsite at the business
- Re-Audits- \$154.00 per hour (\$140.00 + GST)
- Travel - \$77.00 per hour (\$70 + GST)
- Community & Charitable Organisations - 50% of normal rate

The above fees are considered a reasonable charge for the provision of auditing services and, as such, have formed the basis of the proposed fee schedule referred to in Attachment 1 to Item 332/15. The estimated annual income that will be budgeted will be \$8,400.

## **5.2 Legislative/Risk Management**

The Local Government Association Mutual Liability Scheme covers all Environmental Health Officers employed by Council as an approved Auditor for professional liability and Council is covered for public liability.

## **5.3 Staffing/Work Plans**

The Environmental Health Team is now fully staffed and is up to date with routine inspection work. Two of the Officers are accredited to undertake food audits. The food audits would be incorporated into work plans with no extra resources required.

## **5.4 Environmental/Social/Economic**

Implementation of a food auditing service will result in improved safety outcomes and improved service for businesses within the Council area.

## **6. REPORT CONSULTATION**

<b>Position</b>	<b>Department</b>
Manager Governance and Risk	Governance and Risk
Team Leader Regulatory Services	Community Services
Senior Environmental Health Officer	Community Services

**7.     ATTACHMENTS**

Attachment 1: proposed City of Unley Food Safety Audit Fee Schedule

**8.     REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Megan Berghuis	General Manager Community
Mike Carey	Manager Finance

## Proposed City of Unley Food Safety Audit Fee Schedule up 30/6/2016

SERVICE	DESCRIPTION	COST \$ PER HOUR	GST \$ PER HOUR
On-site Audits (including re-audits)	<p>Incorporates direct costs associated with professional and administrative staff including labour, reporting time and travel time, and indirect costs such as vehicle costs, apportioned costs of supervisory staff and other corporate overheads such as IT systems. With annual CPI indexation it is an estimate of the direct cost to Council.</p> <p>Follow up audits may be required to ensure compliance with non-conformances identified during the initial audit and therefore the same onsite audit rate is recommended. This incorporates Auditor time, travel time and subsequent reporting requirements.</p>	\$140.00	\$14.00
Desk top Audits	<p>Food Safety Programs will require a desktop audit and may take between 3-4 hours. Desktop audits are generally only required as part of the first audit, unless significant changes are made to the program. This is usually performed in the Auditor's office and therefore a reduced hourly rate is recommended. If a business specifically requests a desktop audit to be conducted onsite, costs incurred will be similar to an onsite audit and therefore a higher rate is recommended.</p>	<p>\$70.00 at Auditor's office</p> <p>or</p> <p>\$140.00 on-site</p>	<p>\$7.00</p> <p>\$14.00</p>
Travel	If long distance travel is required (more than 50km away from Council offices) a travel fee may be charged. This fee may apply if audits are conducted outside the Council area.	\$70.00	\$7.00
Community & Charitable Organisations - 50% of normal rate	It is recommended that a reduced rate be applied to groups that are GST exempt where formal notification has been provided by the ATO. A business will be required to provide evidence of GST exemption to Council.		

\* Desktop audit will only generally be required as part of the first audit and therefore desktop audit fees will only normally be charged as part of the initial food safety program audit. Amendments to the business's food safety program will be reviewed as part of subsequent audits and will therefore be included as part of the onsite audit cost. However, where significant changes to the food safety program have occurred or there is a change in Auditor, desktop audit fees may be re-applied.

### **Additional Costs**

**Re-Audit:** \$154.00 per hour# (GST inclusive) will be charged for re-audits conducted in order to determine compliance with non conformances observed in the initial audit. Re-audits will be conducted according to procedures outlined in the Department of Health 'Guidelines for Auditors of Mandatory Food Safety Programs'. A minimum of one hour will be charged to take into account the time involved to perform the follow up audit and subsequent reporting requirements.

**Travel:** \$77.00 per hour# (GST inclusive) will be applied for Auditors travelling long distances (more than 50km from Council offices).

# Hourly rates (chargeable hours) will be calculated on 15 minute increments rounded down to the nearest quarter hour.



## DECISION REPORT

**REPORT TITLE:** ACTIVE AGEING STRATEGY  
**ITEM NUMBER:** 333  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** MEGAN BERGHUIS  
**JOB TITLE:** GENERAL MANAGER, COMMUNITY

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### 1. **EXECUTIVE SUMMARY**

The Active Ageing Strategy has been developed in partnership with the University of South Australia. This Strategy positions the City of Unley as an Age Friendly City by supporting and encouraging *Positive and Active Ageing*, where the City is accessible to everyone, promotes health and wellbeing, provides opportunities for connection and inclusion including a high sense of belonging, meaning and contribution.

Council was presented with the draft Active Ageing Strategy in June 2015, and provided in principle endorsement of the Strategy in order to proceed to community engagement. This second round of consultation has now been undertaken with feedback taken into consideration to amend and finalise the Strategy.

The new Active Ageing Strategy for the City of Unley is now presented to Council for endorsement.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. The Active Ageing Strategy as per Attachment 1 to Item 333/15 be endorsed.
-

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

The development and implementation of an Age Friendly Strategy is a specific action within Council's 4 Year Plan and directly aligns to the strategic outcomes of our Community Plan 2033 to support the objectives of the *Living: Our Path to a Vibrant City* theme.

This new Active Ageing Strategy (Attachment 1 to Item 333/15) replaces the existing Ageing Strategy that expired in 2014 and has been developed to align with the World Health Organisation's (WHO) Active Ageing Policy Framework.

*Attachment 1*

The Active Ageing Strategy is a lead strategy for Council and, as such, informs and links to a number of other key Council strategies and plans including (but not limited to):

- *Living Active*, Sport and Recreation Plan
- *Living Young*, Youth Development Plan
- *Living Well* – The Regional Health Plan for the Cities of Unley and Mitcham
- Community Centres Direction Paper
- Library Services Review Action Plan
- Unley Swim Centre Service Review Action Plan
- Disability Action Plan

## **2. DISCUSSION**

### **Background**

In 2011/12, the City of Unley was actively involved in the *Thinker in Residence* program featuring Dr Alexandre Kalache. This residency focused on the *Longevity Revolution*, specifically considering the impacts, trends and opportunities related to increasingly ageing populations. Currently over 2,000 Australians turn 65 each week and, over the next 40 years, the number of people in Australia aged 65-84 is estimated to double and those aged over 85 will quadruple. Additionally, there is a transformational shift in the way people wish to grow older – we are reinventing “ageing” and what it means to grow older. This will no doubt impact on the City of Unley as our policies, services, infrastructure and open space will need to adjust to meet these changing community needs.

In 2012 the City of Unley signed the Dublin Declaration of Age Friendly Cities and was formally recognised as a member of the World Health Organisation's Global Network of Age Friendly Cities and Communities. This network is aimed at developing urban centres around the world which are better places to live for the ageing population. There are currently 287 cities and communities that have partnered with WHO to become age friendly, with 13 Australian cities now participating in this network. The City of Unley continues to be South Australia's only council to receive this membership.

In 2013, we commenced a formal partnership with the University of South Australia to develop our Active Ageing Strategy. The project began with a comprehensive research and literature review to distil best practice in the development of age friendly initiatives, outline challenges and suggest opportunities for the City of Unley to become age friendly.

Following this review, Council undertook an extensive community engagement program in August and September 2014. The purpose of this engagement was to identify community aspirations, strengths, weaknesses, needs and current and future issues related to ageing in the City of Unley.

A total of 224 people participated in this engagement initiative. Overall, participants were very positive about growing older in the City of Unley, noting relationships and support of neighbours; services and support provided by Council and other local providers; and opportunities to participate in civic and social events, activities and engagements as key strengths. Footpath quality (access and mobility); road safety; city planning and development; and volunteer support models were noted as areas for improvement.

The feedback received from the first round of engagement formed the foundation of the development of the draft Active Ageing Strategy, which was subsequently presented to Council at the meeting of 22 June 2015. At this meeting, Council provided in principle endorsement of the Strategy in order to proceed to a second round of community consultation.

## **Outcomes of Community Engagement Stage 2**

The second stage of community engagement was undertaken in July to September 2015 to obtain feedback on Council's new draft Active Ageing Strategy. This engagement included consultation of both the City of Unley community and Council staff, along with targeted engagement of our Community Support services customers, service providers and government agencies.

A total of 103 people participated in the second stage engagement initiative and provided valuable feedback and insight. Overall, there was a high level of support for Council's vision and proposed approach and initiatives included in the draft Strategy. Council was congratulated for both leadership and vision to address this important social issue. Additionally, there was a high level of desire for the partnership model expressed by many of the participants, with both internal and external respondents keen to be involved and collaborate on the delivery of this vision.

Other key areas of strength that were noted included our inclusivity and intergenerational approach, presentation of an innovative, comprehensive and relevant plan, support for catering to the needs of increasingly ageing population as well as the relevance of the indicative action plan.

The key areas for improvement suggested in finalising the Strategy included the preference for additional qualitative targets and financial information to deliver the initiatives within the plan, greater clarity on resourcing requirements and a further

push for improving the safety of footpaths and walkways to enable access and mobility.

A Summary Report is provided (Attachment 2 of Item 333/15) for easy reference of the feedback provided.

*Attachment 2*

## **Active Ageing Strategy Finalisation**

The Strategy is centred on the celebration of ageing and aims to guide Council's approach in all of its activities to become an Age Friendly City and to ensure that we meet the changing needs of our community throughout their lives.

The Strategy provides a strong vision, aims and guiding principles, along with an overview of nine Key Focus Areas. An indicative Action Plan has also been developed that outlines specific initiatives which will enable us to achieve our objectives, along with key performance indicators to measure the success of our Active Ageing endeavours.

The goal of developing an Age Friendly City is a responsibility we share with our community: we will collaborate with government agencies, industry providers, service clubs and community groups. As such, Council's role is broad and ranges from information and referral, advocacy, partner or direct provider.

The feedback of this stage two engagement initiative has now been considered in order to amend and finalise the Active Ageing Strategy.

Key changes to the Strategy included:

- Merging of the Guiding Principles from nine to six, removing duplication.
- Inclusion of additional information to more transparently convey Council's intended facilitation approach, development of targets, as well as sources of funding the delivery of the Strategy.
- Adjustments to specific actions within the plan, including the inclusion of new actions to reflect initiatives that are planned to be undertaken over the coming years.
- Formatting changes to improve readability and reference of both the Strategy and the Indicative Action Plan.

## **Alliance Model Progress**

A key action within the Active Ageing Strategy includes the establishment of the City of Unley Active Ageing Alliance. This group will consist of local residents who are passionate and interested in informing our Active Ageing approach. The Alliance will become a critical part of the delivery of the Strategy by assisting us to further identify and priorities actions.

Following the Strategy endorsement, promotion will commence to encourage community participation and representation in the Active Ageing Alliance. Guidelines will be established to clarify the Alliance's intended purpose and operation. This

group will be supported by the Manager Community Services who will facilitate the discussion in the initial stage and provide relevant information and topics for consideration.

Additionally a number of service partnerships will be sought in the delivery of the Strategy. This process is already underway, with a number of meetings and discussions with likeminded organisations who are keen to collaborate on pilot initiatives and innovative services in order to deliver mutually beneficial outcomes within the City of Unley.

### 3. **ANALYSIS OF OPTIONS**

#### Option 1 – The Active Ageing Strategy as per Attachment 1 to Item 333/15 be endorsed.

This option will endorse the final version of the Active Ageing Strategy in consideration of the findings of the stage two community engagement initiative as outlined in Attachment 2 of Item 333/15.

The Administration will then proceed to establishing the Active Ageing Alliance and relevant service alliance partnership, along with implementation of the Strategy.

Participants involved in community engagement will be notified once the Active Ageing Strategy is endorsed, with the Community Engagement Summary Report being made available to the community for reference.

#### Option 2 – Endorse the Active Ageing Strategy as contained in Attachment 1 to Item 333/15 with amendments.

Council may wish to amend and/or include additions to the Active Ageing Strategy.

Consideration should be given to the context of the Plan, the role of local government in the provision of relevant services and programs, along with potential financial and resource impacts and constraints.

### 4. **RECOMMENDED OPTION**

Option 1 is the recommended option.

### 5. **POLICY IMPLICATIONS**

#### ***5.1 Financial/budget***

The draft Strategy has been developed in partnership with the University of South Australia and is co-funded by both parties, with Council's contribution provided for within the existing general operating budget and resourcing.

The Strategy implementation is ongoing over the next ten years and many of the initiatives will require further funding by Council. These activities will be proposed and considered as part of the annual budget and business planning process. Currently, under the 2015/16 Adopted Long Term Financial Plan (LTFP) the forward estimates show nominal amounts of \$15k for 2016/17 and \$10k for 2017/18 for Age Friendly Strategies.

It should however be noted that many of the actions will be integrated within Council's existing programs.

It is likely that further expenditure will be required over future years to effectively deliver the Strategy, in particular with regard to Council's asset replacement programs including footways and buildings.

In 2015/16, \$15,000 has been allocated within the operating projects budget to enable commencement of pilot initiatives included within the Strategy.

## **5.2 Stakeholder Engagement**

As outlined above, extensive community consultation has been undertaken to inform the development and finalisation of the Active Ageing Strategy.

## **6. REPORT CONSULTATION**

<b>Position</b>	<b>Department</b>
Manager Community Services	Community Services
Manager Community Development	Community Development
Manager Finance & IT	Finance and IT
Chief Executive Officer	Office of the CEO

## **7. ATTACHMENTS**

1. Active Ageing Strategy
2. Community Engagement Summary Report: Active Ageing Strategy Stage Two

**COMMUNITY**  
*Engagement*  
**SUMMARY  
REPORT**

# ACTIVE AGEING STRATEGY

Community  
Engagement  
Stage 2

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Megan Berghuis

General Manager Community

October 2015

# Contents

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## INTRODUCTION

The purpose of this report is to provide details of the second stage of community engagement undertaken in July – September 2015 to obtain feedback on Council's new draft Active Ageing Strategy. This report aims to provide a summary of the engagement findings and comments by the City of Unley community.

## 1. BACKGROUND

### PROJECT BACKGROUND

The City of Unley is proud to be recognised by the World Health Organisation as an Age Friendly City and Community. We are actively working to enhance our commitment to this to ensure our City is accessible to everyone, promotes health and wellbeing and provides opportunities for connection, inclusion and contribution.

To support this commitment, a draft **Active Ageing Strategy** has been developed in partnership with the University of SA. This Strategy aims to guide Council's approach in all of its activities to become an Age Friendly City and to ensure that we meet the changing needs of our community throughout their lives and is centred on the celebration of ageing.

The draft Strategy provides a strong vision, aims and guiding principles, along with an overview of nine Key Focus Areas. An indicative Action Plan has also been developed that outlines specific initiatives which will enable us to achieve our objectives, along with key performance indicators to measure the success of our Active Ageing endeavours.

A key action within the draft Active Ageing Strategy includes the establishment of the City of Unley Active Ageing Alliance. This group will become a critical part of the finalisation and subsequent delivery of the Strategy by assisting us to further identify and prioritise actions

The goal of developing an Age Friendly City is a responsibility we share with our community: we will collaborate with government agencies, industry providers, service clubs and community groups. As such, Council's role is broad and ranges from information and refer individuals to advocacy and finally to partner or direct provider.

The draft Strategy was developed based on the feedback we received from our community last year and was presented to Council in June 2015 for in principle endorsement, in order to then proceed to a second round of community engagement.

### COMMUNITY ENGAGEMENT PLAN

The draft Active Ageing Strategy has been informed by an extensive community engagement program undertaken in 2 stages. A total of 327 people have now been engaged and provided feedback into the development of Council's Active Ageing Strategy.

Stage 1 engagement was undertaken late August - September 2014 to identify the aspirations, strengths, weaknesses, needs as well as current and future issues related to ageing in the City of Unley. The engagement process also aimed to test research findings and establish priorities for the City of Unley community. This community feedback has shaped the development of the draft Strategy, which was created in partnership with UniSA, and given in principle endorsement by Council, subject to further community consultation in June 2015.

The second stage of engagement was undertaken in July – September 2015 to test the draft Strategy. This engagement included consultation of both Council staff and the City of Unley community along with targeted engagement of users of our Community Support services, the Community Centres and the Unley Museum, service providers and government agencies.

This additional feedback will be used to inform the finalisation of the Active Ageing Strategy, to be presented to Council for endorsement in late 2015.

## 2. CONSULTATION METHODOLOGY

This community engagement initiative commenced on Wednesday 1 July and concluded on Friday 18 September 2015.

The engagement included the following key target groups, with feedback collected using a number of approaches:

### **Internal engagement:**

- Information Sessions/Focus Groups with senior leaders and interested staff across the organisation (9 in total) to cultivate understanding and generate buy in at all levels (70 participants)
- Online survey (1 participant)
- Email responses (3 participants)
- 1:1 Face to face interviews and discussions (2 participants)
- Elected Member and Community and Culture Committee input

### **External engagement:**

- A comprehensive online forum and supporting hard copy feedback form (21 participants)
- Face to face interviews (1 participant)
- Letter/email responses (5 participants)

All questions were targeted to determine the effectiveness, relevance, support and achievability of the proposed Active Ageing Strategy.

This engagement opportunity was extensively promoted including via:

- A press release sent to all media partners
- Articles in the local messenger newspaper
- Online via our website, Your Say Unley, and our social media channels
- Display information in all our community service points including the customer centre, community centres, libraries and the Unley Swim Centre.
- Signage in key community locations and parks
- Via our Library, Community Centre and Community Service newsletters
- Mail out to our HACC customers and their carers, council's volunteers, Carer's SA database
- Formal invitations to participate to service providers, trader associations, sports clubs and community groups
- Internal email invitations and information to all staff.

## 3. FINDINGS & RESULTS

A total of 103 people participated in this initiative. Of these, 27 people were external/community respondees, with the remaining 76 respondees being internal from within the organisation.

Additionally, input into the draft Active Ageing Strategy was provided by the Community and Culture Committee at the meeting of 13 May 2015, followed by Elected Member discussion with Dr Alexandre Kalache at the Council meeting on 22 June 2015.

Of the external respondees, 88% of people who participated in the online forum and/or provided written responses live within the City of Unley. Additionally 3 responses were provided by service providers, being the Heart Foundation, Southern Cross Care and Office for the Ageing, with the remaining 3 responses not specifying their suburb of residence.

This report provides a summary for easy reference and a quick snapshot of the feedback provided. A supplementary report on the feedback provided is available which outlines the raw data received from both the internal and external consultation.

## KEY INSIGHTS: EXTERNAL ENGAGEMENT

Of the feedback provided from external participants (27), 25 were noted as favourable/positive/ supportive responses to the Strategy, many congratulating Council for our leadership and action to acknowledge and support people as they age. Two participants however, were more sceptical about Council's intention to proceed and viewed the Strategy unfavourably/neutrally.

The following feedback was provided from external participants in response to the survey questions:

### 1. Please share your overall feedback on the draft Strategy.

A total of 15 people responded to this question.

- Comprehensive/excellent/relevant/impressive Strategy (11 comments)
- Commending the City of Unley for their leadership (6 comments)
- Minor suggestions/corrections (3 comments)
- Inclusivity/intergenerational approach (3 comments)
- Too wordy/broad (2 comments)
- Too ambitious (2 comments)
- Great example of community engagement (2 comments)

The remainder of the comments were one off and included the need to educate others, concerns regarding the impact of Commonwealth reforms on older people, increased emphasis on the focus areas of housing, development and community information, encouraging the opportunities to partner and seeking clarity on the next steps.

### 2. What excites you most about what is proposed in the draft Strategy?

A total of 13 people responded to this question.

- Positive and intergenerational/community approach (4 comments)
- Making walkways and crossings safer (3 comments)

The remainder of the comments were one off and included Council's comprehensive approach, our recognition of the contribution of older people, dementia training for staff, links between the built environment and health, ageing as a celebration and the recognition and addressing the needs and rights of older people.

### 3. What do you consider to be the priorities for Council in delivering the Strategy?

A total of 15 people responded to this question.

- Safer footpaths/walkways/crossings and access points (5 comments)
- Simplified and streamlined information/access to information including Council having an active ageing advisor (4 comments)
- Maintaining independence and keeping people in their own homes as long as possible (3 comments)
- Inclusion/integrating generations, cultures and communities (2 comments)
- Information about housing options and downsizing (2 comments)

The remainder of the comments were one off and included promotion of age friendly retail principles to local retailers and businesses, a focus on strategy via all Council publications and events and offering better health and wellbeing programs for older people.

.....

#### 4. Do you think there is anything missing/gaps in our proposed approach?

A total of 10 people responded to this question.

- There are no gaps/A well-constructed approach (3 comments)
- Achieve the vision and outcomes without increasing rates (2 comments)

The remainder of the comments were one off and included private gyms offering Strength for Life programs at seniors rates, increased support for dementia carers, power points for electric wheelchairs, social inclusion programs for those with limited mobility and 'hire a grandparent' programs with local kindergartens.

#### 5. Can you suggest any further ideas on the Strategy that should be considered?

A total of 13 people responded to this question. All comments received were one off and included the following:

- Encouraging the City of Unley to apply for Heart Foundation awards
- Opportunity to participate in OFTA age friendly retail engagement pilot
- Partnership opportunities
- Development of affordable housing for older people
- The need for an older person's advisor
- DIY verge gardens/vegie gardens – street beautification
- Having a register of local trade suppliers available for community information
- Community programs such as walking groups, book clubs, afternoon tea clubs
- Transport to community programs for those with limited mobility
- Involvement of volunteers in the implementation of specific actions/focus areas

#### 6. Would you like to be involved in the delivery of the Strategy?

A total of 11 people responded to this question.

Seven people responded "Yes" to this question with a number wishing to be involved in the delivery of specific focus areas/actions. Two respondents noted they already participate in active ageing support programs within the City of Unley.

## KEY INSIGHTS: INTERNAL ENGAGEMENT

Overall, the internal feedback received was positive and supportive of the Age Friendly approach. The focus groups in particular generated a high level of interest and positive interaction on the future challenges and opportunities for our City. A high level of enthusiasm and willingness to deliver the proposed Strategy was expressed by many who attended the forums.

The following key themes were noted from the input of internal stakeholders as part of the engagement activities:

- Questions/clarification/suggestions on specific initiatives outlined in the Action Plan (27 comments)
- Clearer responsibilities and resourcing needed (24 comments)
- Great vision/sound approach/aspirational plan (17 comments)
- Queries on changing service levels (9 comments)
- Support of community centred/person centred approach (6 comments)
- Interest in the need for future thinking on volunteering (5 comments)
- Targets/measures required (4 comments)
- Changes to guiding principles (4 comments)

- Financial/budget details required (4 comments)
- Concern re impact resulting from Commonwealth reform (4 comments)
- The importance of role modelling Age Friendliness within our own organisation (4 comments)
- Training required for staff (4 comments)

The remaining comments (3 comments and under) noted minor grammar/corrections, the need for prioritisation of actions, the approach should be inherent in all we do, support for a coordinated/Council wide approach, support for partnership models and questions regarding this opportunity being unique to the City of Unley.

Please note, in most cases the number of comments were provided by a single person.

## 4. CONCLUSION

In summary, a second stage of community engagement was undertaken in July - September 2015 to seek feedback on Council's draft Active Ageing Strategy. 103 people participated in the engagement initiative and provided valuable feedback and insight.

Overall, there was a high level of support for Council's vision and proposed approach and initiatives included in the draft Strategy. Council was congratulated for both leadership and vision to address an important social issue. Additionally there was a high level of partnership expressed by many of the participants, with both internal and external respondees keen to be involved and collaborate on the delivery of this vision. The other key areas of strength were noted as our inclusivity and intergenerational approach, presentation of an innovative, comprehensive and relevant plan, support for catering to the needs of increasingly ageing population as well as the relevance of the indicative action plan.

The key areas for improvement in finalising the Strategy included inclusion of targets and financial allocations to deliver the initiatives within the plan, further clarity on resourcing requirements and a further push for improving the safety of footpaths and walkways to enable access and mobility.

The feedback provided will now be considered to finalise the draft Active Ageing Strategy, which will be presented to Council for endorsement in late 2015.



## **DECISION REPORT**

<b>REPORT TITLE:</b>	COMMERCIAL FITNESS TRAINING ON COMMUNITY LAND POLICY REVIEW
<b>ITEM NUMBER:</b>	334
<b>DATE OF MEETING:</b>	14 DECEMBER 2015
<b>AUTHOR:</b>	JOHN WILKINSON
<b>JOB TITLE:</b>	SPORT & RECREATION PLANNER

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### **1. EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's endorsement of the amended Commercial Fitness Training on Community Land policy.

As part of the Policy review process, the Commercial Fitness Training on Community Land policy was identified as requiring to be reviewed. Overall the policy was sound with just minimal changes required.

Amendments included:

- The title of the policy, to provide clarity.
- Two additions to the policy, including prohibiting the use of public art and memorials for fitness training (section 3.3), and providing a clear outline of the aims of the permit terms and conditions (section 4.6).
- Aligning the policy structure to the current policy template.
- Minor formatting to improve readability.

### **2. RECOMMENDATION**

That:

1. The report be received.
  2. The amended Commercial Fitness Training on Community Land Policy (Attachment 2 to Item 334/15) be endorsed.
-

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

Goal 2.4; Healthy and active community.

Goal 5.3; Good governance and legislative framework.

Goal 5.4; An environment of continuous improvement and innovation.

## **2. DISCUSSION**

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

The Commercial Fitness Training on Community Land Policy has been reviewed by the Administration. Council initially adopted this policy in November 2011 (Item 293/11).

Since then, a small number of grievances against personal trainers have been received, primarily relating to trainers using sites that are not approved for personal training. The policy has supported the successful management of these circumstances.

The former version is shown at Attachment 1 to Item 334/15 and the updated version is shown at Attachment 2 to Item 334/15.

*Attachments 1 and 2*

The changes to the policy include the title to define the policy and changes to some of the text to improve readability (e.g. changes to the order of content and deletion of excess detail from the permit, as shown in Appendix A). Two additions have also been made to the revised policy, as follows:

- Prohibiting the use of public art for fitness training (section 3.3). This section has been added to clarify the use of these assets, as only street and park furniture were included as prohibited items in the previous policy.
- Providing a clear outline of the aim of the permit terms and conditions (section 4.6), to clarify their intent and purpose for the reader.

## **3. ANALYSIS OF OPTIONS**

Option 1 – The amended Commercial Fitness Training on Community Land Policy (Attachment 2 to Item 334/15) be endorsed.

The Commercial Fitness Training on Community Land Policy has been updated and needs to be endorsed by Council before it can take effect.

The policy has been in place for four years and has worked well, providing guidance for staff, personal trainers and the wider community, in order to effectively manage these activities.

Option 2 – The Commercial Fitness Training on Community Land Policy (Attachment 2 to Item 334/15) be endorsed with further amendments.

Council may wish to make other amendments to the policy; however consideration should be given to the research and consultation already undertaken, and the fact that the current policy is sound.

#### **4. RECOMMENDED OPTION**

Option 1 is the recommended option.

#### **5. POLICY IMPLICATIONS**

##### **5.1 *Financial/budget***

- There will be no financial/budget implications in implementing the changes to the policy.
- No changes to the permit fee structure for commercial fitness training on community land are recommended at this time. The permit fee structure for commercial fitness training on community land will be reviewed annually as part of the Council's annual budget and fees and charges process.

##### **5.2 *Legislative/Risk Management***

- The Commercial Fitness Training on Community Land Policy has been established and is maintained in accordance with Section 200 of the *Local Government Act 1999*, which outlines the requirements for the use of community land for business purposes.
- The review of the Commercial Fitness Training on Community Land Policy has taken into account the review of Council's by-laws, which was undertaken at the same time. Of particular relevance to the Policy are by-law no.1 – Permits and penalties and by-law no. 3 - Local Government land.

##### **5.3 *Environmental/Social/Economic***

- There are no environmental/social/economic policy implications associated with the amendments to the policy.



**6. REPORT CONSULTATION**

The review of this policy has been led by staff of the Community Development unit, in close consultation with Governance unit staff, and with input from the Regulatory Services and Open Space and Trades units.

**7. ATTACHMENTS**

1. Commercial Fitness Training Activities on Community Land policy (former version);
2. Commercial Fitness Training on Community Land policy (updated version).

**8. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Peter Tsokas	Chief Executive Officer
Megan Berghuis	General Manager Community

## Commercial Fitness Training Activities on Community Land

Policy Type:	Council Policy
Reference Number:	COU 121
Responsible Department:	Community
Responsible Officer:	General Manager Community
Legislation	Local Government Act 1999
Relevant Delegations:	Not applicable
Related Policies and Procedures	Not applicable
Community Goal	<p>1.1 Enhance community wellbeing, quality of life and social development through the provision of quality recreational and sporting opportunities.</p> <p>1.4 Enhance the health and wellbeing of the community through facilitating and regulating the provision of appropriate services and facilities.</p> <p>3.7 Ensure the long term management of all Council assets.</p>
Council Resolution:	28 November 2011, Item 82/11 CSP 8 Oct (139/12) C 22 Oct (564/12)
Date Adopted:	22 October 2012
Review Date:	2014

### 1. POLICY STATEMENT

The purpose of this policy is to provide a framework for managing and allocating the use of community land by commercial fitness groups.

Due to the low amount of open space available for recreation, community land in the City of Unley is in high demand for community and commercial use, and this use and demand is anticipated to increase substantially in the future. Additionally, the fitness training has experienced strong growth in recent years, and there is an increasing trend for fitness trainers to undertake these activities outdoors, using community land owned and/or managed by Council.

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

This policy does not apply to other commercial activities on community land. This policy also does not apply to fitness training activities that are not of a commercial nature, and fitness training activities that are not conducted on community land (with the exception of the Village Green which is not community land), however the policy provides guidelines for these activities to encourage 'best practice'.

## **2. PRINCIPLES**

The following principles apply to the management of commercial fitness training activities on community land, in accordance with this policy.

- 2.1 Commercial fitness training activities conducted on community land are to be managed in accordance with section 200 of the *Local Government Act 1999*, and Council's *Community Land Management Plans*.
- 2.2 Community land is primarily for community use and any commercial use of community land should not overly restrict community use.
- 2.3 Council will ensure permits for conducting of commercial fitness training on community land are granted through a fair and equitable process, in accordance with the procedures contained in this policy.

## **3. POLICY OBJECTIVES**

- 3.1 To establish a framework for the management of commercial fitness training activities using community land.
- 3.2 To ensure that community use of community land remains the priority use, and to define what locations, activities, and group sizes are appropriate for such activities.
- 3.3 To resolve any issue arising from the use of community land for commercial fitness training activities in an efficient and effective manner.
- 3.4 To ensure a consistent approach to the management of commercial fitness training activities on community land.
- 3.5 To ensure fitness trainers/leaders undertaking commercial activities on community land have the relevant qualifications and insurances, to reduce any risk to participants, other reserve users, and Council.

## **4. DEFINITIONS**

### **Commercial**

An activity that results in financial profit to the organiser of the activity.

### **Community land**

Community land is defined in *The Local Government Act 1999* as, 'All local government land (except roads) that is owned by a council or is under the council's care, control and management'.

### **Fitness training activity**

Any activity involving physical exercise with the aim of enhancing or maintaining physical fitness and overall health and wellness. These activities may include strengthening muscles

and the cardiovascular system, improving athletic skills, weight loss or maintenance, and for enjoyment.

**Fitness trainer**

An individual who facilitates and/or assists others to participate in fitness training activities.

## **5. REFERENCES**

Local Government Act 1999

City of Unley, *Community Plan 2015*

City of Unley, *Open Space Recreation Strategy 2004-2014*

City of Unley, *Community Land Management Plans, 2004*

City of Unley, *Recreation Policy, 2010*

City of Unley, *Open Space Policy, 2010*

City of Unley, *Hire of Civic Centre and Town Hall Policy, 2007*

Recreation SA, *Code of Conduct for the use of local government land by commercial fitness groups & personal trainers, 2008*

Fitness Australia, *Position Statement: Provision of Fitness Training Services in Public Areas, 2010*

## **6. PROCEDURES**

The policy will be implemented according to the following procedures:

### **6.1 Permit System**

A permit will be issued to commercial fitness trainers/leaders in accordance with the following steps:

- 1) Commercial fitness trainers will complete a *Commercial Fitness Training Activities – Application Form* by 1 May, to apply for a permit for the following financial year (from July to June each year).
- 2) Council Administration staff will assess the form, and a 12-month permit will be issued, providing that the fitness trainer pays the relevant fee, and meets the requirements outlined in the Fitness Training Activity Guidelines (Appendix A).
- 3) Fitness trainers will be allocated a location and times that meet their request, and Council requirements. Where a request cannot be met or is not appropriate, Council will negotiate alternative options in accordance with this policy.
- 4) Where fitness trainers/leaders make application to Council after the 1 May deadline, a permit will be granted where the request can be accommodated in accordance with this policy.

To establish a fair and equitable process, fitness trainers must apply annually for the 12-month permit.

Existing fitness trainers will be given priority to book their desired location and times, and Council reserves the right to change bookings after review.

## **6.2 Policy Administration and Review**

- The Administration may make any alterations when necessary to the Fitness Training Activity Guidelines (Appendix A) without requiring formal Council approval.
- The Chief Executive Officer (or delegate) is authorised to issue permits to commercial fitness trainers in accordance with this Policy.

## **APPENDIX A**

### **Fitness Training Activity Guidelines**

#### **1. Permit Period**

Approved bookings will be issued with a permit to use a specific location for the maximum period of **12 months**.

#### **2. Size of Fitness Groups**

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

#### **3. Times of Use**

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

#### **4. Permissible Activities**

- Gym sessions (with or without weights, medicine balls, jump and balance activities)
- Aerobic activities – sprints, obstacle, speed and agility courses
- Core strength and mat activities (such as Yoga, Tai Chi, and Pilates)
- Circuit training

#### **5. Excluded Activities**

- Aggressive and intimidating activities that involve shouting, loud voice calls or instructions
- The use of amplified music or amplified audio (voice) equipment (e.g. loud hailers)
- Activities in play grounds
- Activities starting before 6.30am (or 6.00am in selected parks, refer section 11 'Approved Locations')
- Boxing and martial arts (may be permitted in selected parks, refer section 11 'Approved Locations')
- The use of equipment that may damage the reserve (e.g. logs, tyres, heavy ropes)

#### **6. First Aid**

The trainer must hold a current senior first aid certificate (workplace level 2).

#### **7. Insurance**

The trainer must hold current public liability insurance for a minimum of \$10 million and professional indemnity insurance for a minimum of \$2 million, and provide evidence of these to Council staff.

#### **8. Qualification**

All trainers (including secondary trainers) must hold a minimum qualification of Certificate 4 in Fitness, and provide evidence of this to Council staff.

#### **9. Permit Fees**

An annual fee will apply to undertake commercial fitness activities on community land. Council endorses fees for facility hire annually in conjunction with the Council's Annual

budget, and the fee for commercial fitness training activities will be set as part of this process. No discounts to this fee will be available.

Refer to Council's Fees and Charges register for an up-to-date list of fees.

## 10. Booking Cancellations

Fitness trainers must advise Council of any booking cancellations as soon as practicable.

## 11. Approved Locations

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

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

Reserve	Maximum Group Size	Is a 6.00am Start Permitted?	Is Boxing Permitted?
Forestville Reserve	20	Yes	Yes
Fraser Reserve	10	No	No
Fullarton Park	10	Yes	Yes
Goodwood Oval	20	Yes	Yes
Goodwood Oval Hockey	20	Yes	Yes
Hackett Reserve	4	No	No
Henry Codd Reserve	4	No	No
Heywood Park	20	Yes	Yes
Howard Florey Reserve	10	Yes	Yes
North Unley Play Park	10	No	No
Orphanage Park	20	Yes	Yes
Page Park	20	Yes	Yes
Ridge Park – Oval area	20	Yes	Yes
Scammell Reserve	20	Yes	Yes
Soutar Park	20	Yes	Yes
Unley Oval	20	Yes	Yes
Village Green	10	Yes	Yes

## Conditions of Use

1. Pursuant to the provisions of By-Law No. 3 and Section 202 of the Local Government Act, Council approves the issue of a permit subject to the conditions below.
2. The permit holder, where appropriate, shall ensure that it is licensed, registered or qualified to carry out the activity authorised the issuing of this permit.
3. Written approval from Council is required to transfer the permit to another trainer. The names and contact details of all secondary or assistant trainers must be listed on the permit application form.
4. The permit holder shall comply with and give all notices required by any Act of Parliament, Ordinance, Regulation By-law relating to the activity.
5. The permit holder shall ensure that its site or sites are left in a clean and tidy condition at the end of the event. Failure do so may result in cleaning fees being charged.
6. In relation to debris removal, this specifically includes removal of all skewers, bottle ring pull tops, beer bottle/drink tops and ice cream sticks.
7. Non Council BBQs are permitted onsite subject to the BBQs being operated by a competent adult, and the BBQ containing safe: gas temperature controls; hoses; in service gas bottles and gas bottle fitted regulators. BBQs shall be located on level ground and sheltered from wind and away from flammable sources.

8. The permit holder shall ensure there is no damage to any area of the reserve including all grassed and/or paved areas, footpaths and kerbs.
9. No spikes or stakes are to be driven into the ground without specific directions from Unley Council.
10. All umbrellas shall be suitably anchored to prevent 'wind lift off' and will be in a safe condition with no protruding spines/spikes.
11. Neither the permit holder nor any member or person claiming under them shall injure, damage or destroy or cause or permit the injury, damage or destruction of any tree, shrub, fence, earthwork fixture or any other part or portion of the site. No earthworks shall be carried out on the site unless it is with the prior written approval of Council.
12. The consumption and sale of alcohol is permitted subject to the permit holder complying with the requirements of the Liquor Licensing Act 1935.
13. Subject to clause 11 above, as a permit holder having a licence or permit to serve alcohol, you acknowledge that you have some responsibility for your patron's alcohol consumption and behaviour, therefore alcohol consumption on Council property should be served in non-glass containers and the consumption of alcohol should be monitored by the permit holder.
14. The permit holder will not promote any discriminating, insulting, offensive, threatening or vulgar behaviour or displays.
15. The permit holder accepts that the use of shelters or tents are to be installed in such a way as to not excessively obstruct the view of other reserve patrons. Ropes are to be highlighted with warning containment tape. Pegs are not to be used to anchor shelters, however weights may be used and shall be highlighted accordingly.
16. No building or fixture shall be erected, fixed or placed on the site without the prior written approval of Council and then on such terms and conditions as Council may in its discretion determine.
17. Where the Council determines that damage or destruction has occurred on or in relation to the site or facilities, the permit holder shall be deemed to be responsible and therefore shall be liable to pay to Council the whole of the costs incurred by Council in the repair of such damage or destruction. Such costs shall be payable at the expiration of seven (7) days from the date on which written notice thereof is given to the permit holder and Council may further in its discretion revoke the permit.
18. Permit holders may only use the site and facilities for their own activities and such activities must always be suitable and appropriate to the site and facilities provided.
19. Permit holders must ensure that at all times they have sufficient numbers of qualified persons (over the age of 18 years) available to properly supervise and manage all activities on the site or facilities (including amenities buildings).
20. No vehicle may be driven upon or over any part of the reserve other than upon a defined carriageway for vehicles or be permitted to remain stationary upon any portion of the reserve without the prior written approval of Council. All vehicles on or about the site or facilities or associated therewith shall be parked in areas on or near the reserve designated for the parking of vehicles.
21. The permit holder must exercise all reasonable care to ensure that disturbance by way of noise or other activities to the residents or other occupiers of the area is minimal. The Council shall in its discretion determine whether such disturbance has exceeded minimal standards.
22. The permit holder must ensure that Council has received prior notification of any large scale events, to in turn ensure that Event Emergency Plan/Procedures are in place.
23. The permit holder must ensure that the general public is not denied reasonable access to areas of the reserve not being utilised.
24. The permit holder agrees to indemnify and to keep indemnified City of Unley (the Council), its servants and agents and each of them from and against all actions, costs, claims, charges and expenses whatsoever which may be brought or made or claimed against them or any of them, arising out of any permit holder negligent act or omission in relation to the issuing of the permit.
25. The permit holder accepts that Council has no responsibility whatsoever for any bodily injury to the permit holder or any other person at the facility or to any damage to or loss of property and equipment owned by the permit holder or any other person at the facility. Consequently, the permit holder accepts the responsibility for any negligence arising from the use of the facility that the facility permit holder has reasonable control.



26. The permit holder accepts that Council's Public Liability Insurance does not cover any claims that arise out of negligent actions or omissions of the permit holder arising from the use of the facility.
27. The permit holder shall take out and keep current during the period of this permit a general public liability insurance policy in a form approved by the Council, insuring for a minimum sum of ten (10) million dollars (\$10,000,000).
28. Confirmation of this permit approval shall be provided by the condition that this permit, signed by a Council Officer, has been returned to the permit holder.
29. Council may revoke the permit if the permit holder fails to comply with the conditions of the permit.



DRAFT December 2015

## Attachment 2

### Commercial Fitness Training on Community Land

Policy Type	Council Policy
Responsible Department	Community
Responsible Officer	General Manager Community
Related Policies and Procedures	Open Space, Sport and Recreation, Annual Fees and Charges Schedule
Date adopted	28 November 2011, C293/11
Last review date	22 October 2012, C564/12
Next review date:	3 years
ECM Doc Set I.D.	1840111

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CSP 8 Oct (139/12) C 22 Oct (564/12)

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## 1. POLICY STATEMENT

The purpose of this policy is to provide a framework for managing and allocating the use of community land by commercial fitness groups.

Due to the low amount of open space available for recreation, community land in the City of Unley is in high demand for community and commercial use, and this use and demand is anticipated to increase substantially in the future. Additionally, the fitness training industry has experienced strong growth in recent years, and there is an increasing trend for fitness trainers to undertake these activities outdoors, using community land owned and/or managed by Council.

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

This policy does not apply to;

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

However, the policy provides guidelines for these activities to encourage 'best practice'.

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## 2. COMMUNITY GOAL

Goal 2.4; Healthy and active community.

## 3. PRINCIPLES

The following principles apply to the management of commercial fitness training activities on community land, in accordance with this policy.

- 3.1 Commercial fitness training activities conducted on community land are to be managed in accordance with section 200 of the *Local Government Act 1999*, Council by-laws, and Council's *Community Land Management Plans*.
- 3.2 Community land is primarily for community use and any commercial use of community land should not overly restrict community use.
- 3.3 Commercial fitness training activities are prohibited from using public art works and memorials as part of the exercise routine or for attaching of any equipment (\*new clause\*).
- 3.4 Council aims to ensure permits for commercial fitness training on community land are granted through a fair and equitable process, in accordance with the system contained in this policy and the attached Terms and Conditions.
- 3.5 An annual fee will apply to undertake commercial fitness activities on community land. Council endorses fees for facility hire annually in conjunction with the Council's Annual budget, and the fee for commercial fitness training activities will be set as part of this process. No discounts to this fee will be available.

Refer to Council's Annual Fees and Charges Schedule for an up-to-date list of fees. This may be viewed at the Civic Centre or on the Council website;  
[www.unley.sa.gov.au](http://www.unley.sa.gov.au)

## 4. POLICY OBJECTIVES

- 4.1 To establish a framework for the management of commercial fitness training activities using community land.
- 4.2 To ensure that community use of community land remains the priority use, and to define what locations, activities, and group sizes are appropriate for such activities.
- 4.3 To resolve any issue arising from the use of community land for commercial fitness training activities in an efficient and effective manner.
- 4.4 To ensure a consistent approach to the management of commercial fitness training activities on community land.

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**Comment [JW1]:** New clause inserted as part of the review of this Policy.

- 4.5 To ensure fitness trainers/leaders undertaking commercial activities on community land have the relevant qualifications and insurances, to reduce any risk to participants, other reserve users, and Council.
- 4.6 The Terms and Conditions aim to; (\*new clause\*)
  - (a) reduce the potential for harm to persons who are engaging in fitness activities, and
  - (b) protect Council equipment, infrastructure and vegetation from misuse and damage.
- 4.7 Where Council infrastructure works and maintenance may be scheduled at the same time as a booked training session, Council Administration will aim to give reasonable advance notice to the fitness activity permit holder.

## 5. PERMIT SYSTEM

A permit may be issued to fitness trainers/leaders in accordance with the following process:

- 5.1 To establish a fair and equitable process, fitness trainers must apply annually for the 12 month permit.
- 5.2 Commercial fitness trainers should complete a *Commercial Fitness Training Activities – Application Form* by 1 May, to apply for a permit for the following financial year (from July to June each year).
- 5.3 Council Administration staff will assess the form, and a twelve-month permit will be issued, providing that the fitness trainer pays the relevant fee, and meets the requirements outlined in the Fitness Training Activity Guidelines (Appendix A).
- 5.4 Fitness trainers may be allocated a location and times that meet their request, and Council requirements. Where a request cannot be met or is not appropriate, Council will negotiate alternative options in accordance with this policy.
- 5.5 Where fitness trainers/leaders make application to Council after the 1 May deadline, a permit may be granted where the request can be accommodated in accordance with this policy.
- 5.6 Existing fitness trainers may be given priority to book their desired location and times, and Council reserves the right to change bookings after review.
- 5.7 While no discount is offered on the annual permit fee, a pro rata amount may be charged for a permit issued part way through the financial year.
- 5.8 As provided for in section 261 of the Local Government Act 1999, a permit holder is required to state their full name and usual place of residence and to produce evidence of their identity when requested to do so by an Authorised Officer of Council.

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- 5.9 When requested by an Authorised Officer of Council, Fitness trainers/leaders are required to produce their council permit.

## 6. DEFINITIONS

Commercial activity; An activity that results in financial profit to the organiser of the activity.

Community land; Community land is defined in Section 193(1) of the *Local Government Act 1999* as, "All local government land (except roads) that is owned by a council or is under a council's care, control and management".

For purposes of this policy, the Village Green will be considered as community land.

Council; the Corporation of the City of Unley.

Fitness training activity; Any activity involving physical exercise with the aim of enhancing or maintaining physical fitness and overall health and wellness. These activities may include strengthening muscles and the cardiovascular system, improving athletic skills, weight loss or maintenance, and for enjoyment.

Fitness trainer/leader; A person who facilitates and/or assists others to participate in fitness training activities.

## 7. LEGISLATION AND REFERENCES

*Local Government Act 1999*

City of Unley By-laws:

- No. 1; Permits and penalties
- No. 3; Local government land

City of Unley; *Four Year Plan 2013-2016 – A community of possibilities*

City of Unley; *Community Land Management Plans, 2004*

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

Fitness Australia, *Position Statement: Provision of Fitness Training Services in Public Areas, 2010* ([www.fitness.org.au](http://www.fitness.org.au))

The policy will be implemented according to the following procedures:

### 7.1 Permit System

A permit may be issued to commercial fitness trainers/leaders in accordance with the following process:

8. To establish a fair and equitable process, fitness trainers must apply annually for the 12 month permit.

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City of Unley Open Space Recreation Strategy 2004-2014

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City of Unley, Open Space Policy, 2010¶

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~~9. Commercial fitness trainers should complete a *Commercial Fitness Training Activities – Application Form* by 1 May, to apply for a permit for the following financial year (from July to June each year).~~

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~~10. Council Administration staff will assess the form, and a 12-month permit will be issued, providing that the fitness trainer pays the relevant fee, and meets the requirements outlined in the Fitness Training Activity Guidelines (Appendix A).~~

~~11. Fitness trainers may be allocated a location and times that meet their request, and Council requirements. Where a request cannot be met or is not appropriate, Council will negotiate alternative options in accordance with this policy.~~

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~~12. Where fitness trainers/leaders make application to Council after the 1 May deadline, a permit may be granted where the request can be accommodated in accordance with this policy.~~

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~~13. Existing fitness trainers may be given priority to book their desired location and times, and Council reserves the right to change bookings after review.~~

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<#>To establish a fair and equitable process, fitness trainers must apply annually for the 12-month permit.¶

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## 8. POLICY DELEGATIONS

The Administration may make any alterations when necessary to the Fitness Training Permit Terms and Conditions (Appendix A) without requiring formal Council approval.

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The Chief Executive Officer (or delegate) is authorised to issue permits to commercial fitness trainers in accordance with this Policy.

## 9. AVAILABILITY

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

Civic Centre  
181 Unley Road  
Unley SA 5061

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

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

## 10. DOCUMENT HISTORY

Date:	Council/Committee/Internal	Comment:
16/5/2011	CSP Committee; CSP 31/11	Draft of new policy
23/5/2011	Council; C 135/11	Draft endorsed for public

		consultation
21/11/2011	CSP Committee; CSP 82/11	
28/11/2011	Council; C 293/11	New policy adopted by Council
8/10/2012	CSP Committee; CSP 139/12	
22/10/2012	Council; C 564/12	

## APPENDIX A

### FITNESS TRAINING PERMIT

#### TERMS AND CONDITIONS and APPLICATION FORM

##### 1. Permit Period

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

##### 2. Size of Fitness Groups

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

##### 3. Times of Use

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

##### 4. Permissible Activities

- Gym sessions (with or without weights, medicine balls, jump and balance activities)
- Aerobic activities – sprints, obstacle, speed and agility courses
- Core strength and mat activities (such as Yoga, Tai Chi, and Pilates)
- Circuit training

##### 5. Excluded Activities

- Aggressive and intimidating activities that involve shouting, loud voice calls or instructions
- The use of amplified music or amplified audio (voice) equipment (e.g. loud hailers)
- Activities in play grounds or in other locations where appropriately marked or signed
- Activities starting before 6.30am (or 6.00am in selected parks, refer clause 10 'Approved Locations')
- Boxing and martial arts (may be permitted in selected parks, refer clause 10 'Approved Locations')
- The use of equipment (e.g. logs, tyres, heavy ropes, pegs driven into the ground) that may damage the reserve or council infrastructure.

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- Commercial fitness training activities are prohibited from using public art works and memorials as part of the exercise routine or for attaching of any equipment.

## 6. First Aid

The trainer must hold a current senior first aid certificate (workplace level 2).

## 7. Insurance

The trainer must hold current public liability insurance for a minimum of \$20 million and professional indemnity insurance for a minimum of \$2 million, and provide copies of relevant documents to Council staff.

## 8. Qualification

All trainers (including secondary trainers) must hold a minimum qualification of Certificate 4 in Fitness, and provide copies of relevant documents to Council's staff.

## 9. Safety

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

## 10. Booking Cancellations

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

## 11. Approved Locations

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

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

Reserve	Maximum Group Size	Is a 6.00am Start Permitted?	Is Boxing Permitted?
Forestville Reserve	20	Yes	Yes
Fraser Reserve	10	No	No
Fullarton Park	10	Yes	Yes
Goodwood Oval	20	Yes	Yes
Goodwood Oval Hockey	20	Yes	Yes
Hackett Reserve	4	No	No
Henry Codd Reserve	4	No	No
Heywood Park	20	Yes	Yes

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¶ An annual fee will apply to undertake commercial fitness activities on community land. Council endorses fees for facility hire annually in conjunction with the Council's Annual budget, and the fee for commercial fitness training activities will be set as part of this process. No discounts to this fee will be available.¶

¶ Refer to Council's Fees and Charges register for an up-to-date list of fees.¶

Howard Florey Reserve	10	Yes	Yes
North Unley Play Park	10	No	No
Orphanage Park	20	Yes	Yes
Page Park	20	Yes	Yes
Ridge Park – Oval area	20	Yes	Yes
Scammell Reserve	20	Yes	Yes
Soutar Park	20	Yes	Yes
Unley Oval	20	Yes	Yes
Village Green	10	Yes	Yes

- ↓
12. Pursuant to the provisions of By-Law No. 3 and Section 202 of the *Local Government Act 1999*, Council approves the issue of a permit subject to the conditions below.
  13. The permit holder, where appropriate, shall ensure that he/she is licensed, registered or qualified to carry out the activity authorised the issuing of this permit.
  14. As provided for in section 261 of the *Local Government Act 1999*, a permit holder is required to state their full name and usual place of residence and to produce evidence of their identity when requested to do so by an Authorised Officer of Council.
  15. When requested by an Authorised Officer of Council, Fitness trainers/leaders are required to produce their council permit.
  16. Written approval from Council is required to transfer the permit to another trainer. The names and contact details of all secondary or assistant trainers must be listed on the permit application form.
  17. The permit holder shall comply with and give all notices required by any Act of Parliament, Ordinance, Regulation, By-law relating to the activity.
  18. The permit holder shall ensure that its site or sites are left in a clean and tidy condition at the end of the event. Failure do so may result in cleaning fees being charged.
  19. In relation to debris removal, this specifically includes removal of all skewers, bottle ring pull tops, beer bottle/drink tops and ice cream sticks etc.
  20. ~~Non Council BBQs are permitted onsite subject to the BBQs being operated by a competent adult, and the BBQ containing safe: gas temperature controls; hoses; in service gas bottles and gas bottle fitted regulators. BBQs shall be located on level ground and sheltered from wind and away from flammable sources.~~
  21. The permit holder shall ensure there is no damage to any area of the reserve including all grassed and/or paved areas, footpaths and kerbs.

**Comment [SB2]:** Suggest running these clauses on from the ones above as they are all permit conditions. These would be numbered 11, 12 etc. And use same size font.

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22. No spikes or stakes are to be driven into the ground without specific directions from Unley Council.
23. All umbrellas shall be suitably anchored to prevent 'wind lift off' and will be in a safe condition with no protruding spines/spikes.
24. Neither the permit holder nor any member or person claiming under them shall injure, damage or destroy or cause or permit the injury, damage or destruction of any tree, shrub, fence, earthwork fixture or any other part or portion of the site. No earthworks shall be carried out on the site unless it is with the prior written approval of Council.
25. ~~The consumption and sale of alcohol is permitted subject to the permit holder complying with the requirements of the Liquor Licensing Act, 1997.~~
26. ~~Subject to clause 11 above, as a permit holder having a licence or permit to serve alcohol, you acknowledge that you have some responsibility for your patron's alcohol consumption and behaviour, therefore alcohol consumption on Council property should be served in non-glass containers and the consumption of alcohol should be monitored by the permit holder.~~
27. The permit holder will not promote any discriminating, insulting, offensive, threatening or vulgar behaviour or displays.
28. The permit holder accepts that shelters or tents are to be installed in such a way as to not excessively obstruct the view of other reserve patrons. Ropes are to be highlighted with warning containment tape. Pegs are not to be used to anchor shelters; however weights may be used and shall be highlighted accordingly.
29. No building or fixture shall be erected, fixed or placed on the site without the prior written approval of Council and then on such terms and conditions as Council may in its discretion determine.
30. Where the Council determines that damage or destruction has occurred on or in relation to the site or facilities, the permit holder shall be deemed to be responsible and therefore shall be liable to pay to Council the whole of the costs incurred by Council in the repair of such damage or destruction. Such costs shall be payable at the expiration of seven (7) days from the date on which written notice thereof is given to the permit holder and Council may further in its discretion revoke the permit.
31. Permit holders may only use the site and facilities for their own activities and such activities must always be suitable and appropriate to the site and facilities provided.
32. Permit holders must ensure that at all times they have sufficient numbers of qualified persons (over the age of 18 years) available to properly supervise and manage all activities on the site or facilities (including amenities buildings).
33. No vehicle may be driven upon or over any part of the reserve other than upon a defined carriageway for vehicles or be permitted to remain stationary upon

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any portion of the reserve without the prior written approval of Council. All vehicles on or about the site or facilities or associated therewith shall be parked in areas on or near the reserve designated for the parking of vehicles.

34. The permit holder must exercise all reasonable care to ensure that there is minimal disturbance by way of noise or other activities to the residents or other occupiers of the area. The Council shall in its discretion determine whether such disturbance has exceeded minimal standards.
35. The permit holder must ensure that Council has received prior notification of any large scale events, to in turn ensure that Event Emergency Plan/Procedures are in place.
36. The permit holder must ensure that the general public is not denied reasonable access to areas of the reserve not being utilised.
37. The permit holder agrees to indemnify and to keep indemnified the Council, its servants and agents and each of them from and against all actions, costs, claims, charges and expenses whatsoever which may be brought or made or claimed against them or any of them, arising out of any permit holder negligent act or omission in relation to the issuing of the permit.
38. The permit holder accepts that Council has no responsibility whatsoever for any bodily injury to the permit holder or any other person at the facility or to any damage to or loss of property and equipment owned by the permit holder or any other person at the facility. Consequently, the permit holder accepts the responsibility for any negligence arising from the use of the facility that the facility permit holder has reasonable control.
39. The permit holder accepts that Council's Public Liability Insurance does not cover any claims that arise out of negligent actions or omissions of the permit holder arising from the use of the facility.
40. The permit holder shall take out and keep current during the period of this permit a general public liability insurance policy in a form approved by the Council, insuring for a minimum sum of \$20 million.
41. Confirmation of this permit approval shall be provided by the condition that this permit, signed by a Council Officer, has been returned to the permit holder.
42. Council may revoke the permit if the permit holder fails to comply with the conditions of the permit.
43. Penalties apply for breach of Council by-laws and permit conditions.

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## **DECISION REPORT**

<b>REPORT TITLE:</b>	ROYAL ADELAIDE SHOW TRAFFIC MANAGEMENT
<b>ITEM NUMBER:</b>	335
<b>DATE OF MEETING:</b>	14 DECEMBER 2015
<b>AUTHOR:</b>	SATYEN GANDHI
<b>JOB TITLE:</b>	MANAGER TRANSPORT AND TRAFFIC

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### **1. EXECUTIVE SUMMARY**

The purpose of this report is to seek Council guidance regarding future funding of the traffic management activities and costs associated with the Royal Adelaide Show.

Council, historically has funded the traffic management activities associated with the Royal Adelaide Show. In 2015, these costs were approximately \$36 000.

In 2014, DPTI issued new guidelines regarding traffic management for events. These guidelines indicate the event organiser should pay for the traffic management arrangements.

The Royal Agricultural and Horticultural Society of South Australia (RAHS) have indicated they would prefer that Council continue to fund these arrangements.

It is proposed that Council consider this RAHS request as part of the Council's 2016/17 budget deliberations.

### **2. RECOMMENDATION**

That:

1. The report be received.
  2. Council consider the request from the Royal Agricultural and Horticultural Society (RAHS) as part of the 2016/17 budget deliberations.
  3. The RAHS be informed accordingly.
-

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

#### **3.1 Moving – Community Plan 2033**

- An integrated, accessible and pedestrian-friendly City

#### **3.2 Operational Excellence – Community Plan 2033**

- A financially sustainable approach to business and planning activity

### **4. DISCUSSION**

The Royal Agricultural & Horticultural Society of South Australia (RAHS) has been organising the Royal Adelaide Show since 1840. It is a unique event in South Australia and important to many South Australians. Around half a million patrons attend the show every year. As such, it attracts large numbers of people to Wayville and surrounding areas. In order to manage safe and efficient road operations, both local and state authorities work with the RAHS to provide traffic, parking, and public transport solutions. The purpose of this report is to seek Council's guidance regarding possible changes to the funding of the current traffic management activities during the show period.

The City of Unley has, for decades, been undertaking all the traffic and parking management works associated with the Royal Adelaide Show, and funding the costs. The traffic management component involves speed limit changes, temporary parking prohibitions to facilitate traffic flows, facilitation of public transport and taxis, and advance notification to surrounding residents. Traffic management also needs to be co-ordinated with and approved by state agencies like the SA Police and DPTI. In 2014, for the first time, Council outsourced this responsibility to contractors, at a cost of about \$16 000.

The parking management component involves the planning, installation and enforcement of temporary parking time limits in local streets in Wayville and Goodwood. There is also the task of issuing some 1600 temporary parking permits. Parking management during the show time provides an important service to local residents, helping to minimise the impact of high volumes of traffic and parking in the area.

In 2014, DPTI issued their Guidelines for Events on SA Roads (Attachment 1 to Item 335/15). These guidelines provide the framework for conducting and managing events on and adjacent to roads in South Australia. The guidelines state *'The event organiser shall be responsible for arranging and meeting the costs of preparing and implementing Traffic Management Plans for all events.'* As per these guidelines, the traffic management and associated responsibilities should be carried out by the RAHS. In 2015, there were enhanced traffic management requirements for the Show in accordance with these new guidelines. The 2015 cost was almost \$33 000. A budget variation request in relation to the expenditure over run will be presented as part of the next quarterly budget review to accommodate the additional \$17,000 in costs.

*Attachment 1*

Administration has had discussions with RAHS on the matter, with a view to ceasing future Council funding. The RAHS is of the view that Council should continue to fund the traffic management activities during the show period, as they note that Council does not provide the RAHS with other municipal services like waste collection. However, this is the case for many other properties with non-residential land uses in the Council area.

The RAHS' rates for the 2015/16 financial year are \$435,583.

Other major events that are held at the Showgrounds are required to organise their own traffic management. The Royal Adelaide Show is the only one for which Council funds this activity.

## **5. ANALYSIS OF OPTIONS**

### **Option 1 – That Council consider the request from the RAHS as part of the 2016/17 budget deliberations**

This option will mean Council considers the request from the RAHS that Council continue to fund the traffic management arrangements as part of its 2016/17 budget deliberations.

Council will consider this request along with the other proposals for funding. Council receives over \$400 000 per annum in rates from the RAHS, but in the Society's view does not provide general municipal services to the Showgrounds.

Council does not provide traffic management funding to other event organisers. As outlined earlier, the DPTI events management guidelines clearly specify that these type of traffic management activities are the responsibility of the event organiser.

### **Option 2 – Council continues with the existing funding arrangements for Royal Adelaide Show traffic management with annual reviews at budget times**

This would retain the existing arrangement with RAHS where Council would continue to be responsible for traffic management costs associated with Show time activities. These costs may continue to increase in future years above the current \$33 000 level. The allocation in the 2016/17 operating budget will have to be increased from \$16 000 to \$34 000 to cover the costs of next year's management.

### **Option 3 – Council negotiates a shared funding arrangement for Royal Adelaide Show traffic management**

This option would see Council share the traffic management costs with the RAHS. A 50:50 arrangement would see Council contribute in the

order of \$17 000 next financial year and would be in keeping with past contributions.

**Option 4 – Council ceases funding any part of the traffic management arrangements**

This option would place the RAHS on the same footing as other major event organisers in the City. It would release a significant amount of funding (Circa \$34 000) that can be reallocated in the 2016/17 budget.

Discussions will also occur with the Chief Executive Officer of the Royal Agricultural and Horticultural Society to discuss other options (eg joint sponsorship of events), prior to Council's budget deliberations on this matter.

**6. RECOMMENDED OPTION**

Option 1 is the recommended option.

**7. POLICY IMPLICATIONS**

Current operational budgets make provision for only \$16 000 of this funding. Following this year's event with the new guidelines in place, it is apparent that the allocation will need to increase to about \$34 000 in 2016/17.

If Council determines to consider the request from the RAHS as part of the budget deliberations, it will be an opportunity for Council to consider the priority of this request against other requests in a fully informed manner.

A decision to cease funding the traffic management will put the appropriate risk management and planning responsibility back with the event organiser (RAHS) as recommended under DPTI guidelines.

Regardless of the funding arrangements, Council as the local road authority will continue to have a role in the traffic management planning and approvals as per the Minister's delegation to Council under the Road Traffic Act. Council will also continue to cater for its responsibilities of temporary parking control management within the local area, and as such, other local ratepayers will continue to receive the same Council assistance as in previous years.

**8. REPORT CONSULTATION**

N/A

**9. ATTACHMENTS**

Attachment 1 – Guidelines for Events on SA Roads



## 10. REPORT AUTHORISERS

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

## DECISION REPORT

<b>REPORT TITLE:</b>	RUGBY – PORTER STREETS BIKEWAY CONCEPT DESIGNS
<b>ITEM NUMBER:</b>	336
<b>DATE OF MEETING:</b>	14 DECEMBER 2015
<b>AUTHOR:</b>	SATYEN GANDHI
<b>JOB TITLE:</b>	MANAGER TRANSPORT AND TRAFFIC

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### 1. **EXECUTIVE SUMMARY**

The Rugby-Porter Streets bikeway runs between Greenhill and Cross Roads within the Unley Council boundaries. It's one of the most used suburban local bike routes in greater Adelaide. It caters for nearly 700-800 cyclists a day.

The bikeway is identified as a priority route within Council's Draft Walking and Cycling Plan and within the State Government's Integrated Transport and Land Use Plan (ITLUP). The Department of Planning, Transport and Infrastructure (DPTI) are willing to consider funding proposals to improve infrastructure along this key bike route.

The purpose of this report is to provide information on the potential opportunities to upgrade the infrastructure within this corridor.

There are five key priority projects proposed for the corridor that will enable a better cycling corridor but importantly, preserve or enhance existing amenity and road safety for local residents, school children, and visitors to our city.

The key projects are as follows:

- Rugby Street section between Cremorne and Wattle Streets.
- Rugby Street and Edmund Avenue intersection - changes to the existing roundabout design.
- Rugby Street and Fisher Street intersection improvements.
- Rugby Street and Porter Street intersection improvements.
- Way-finding signage and sharrows line markings along the route.

It is envisaged the total project cost would be in order of \$220 000 – \$240 000. It is proposed that the Council apply for a DPTI contribution of \$180 000 towards the project. The remaining contribution of up to \$60 000 will be sourced within Council's Minor Traffic Facilities capital budget. In other words, subject to DPTI funding approval, Council will not require additional budget allocation towards this project.

In the event Council endorses the recommendations and receives DPTI funding, appropriate community engagement will be undertaken with the

relevant stakeholders. The general feedback from the community in the past is that they would like to see improvements to the existing bike corridor.

## **2. RECOMMENDATION**

That:

1. The report be received.
  2. Concept designs for Rugby Street - Porter Street Bikeway as shown in Attachment 1 to Item 336/15 be endorsed for grant application and community engagement purposes.
  3. An application be made to DPTI for a funding contribution to the Rugby-Porter Streets Bikeway upgrade.
  4. Community engagement on the proposed concept designs be undertaken with the relevant stakeholders if the funding application is successful.
  5. A report of outcomes of the above processes be brought back to Council in early 2016.
-

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

#### **3.1 Moving – Community Plan 2033**

- An integrated, accessible and pedestrian-friendly City
- Alternative travel options

#### **3.2 Living**

- Healthy and active community

### **4. DISCUSSION**

The Rugby – Porter Street Bikeway runs north-south between Greenhill Road and Cross Road. It is an alternative route to the Unley Road and Duthy Street bikeways. It connects the Frome Street Bikeway in the City to the Belair Bikeway in the south. In other words, it has a large catchment spanning three different Council areas. Adelaide City Council has invested and is continuing to invest in the upgrade of Frome Street for cyclists. The Department of Planning, Transport and Infrastructure (DPTI) have recently upgraded Greenhill Road including the intersection with Porter Street to provide cyclists a safer road crossing. Similar works have also been undertaken along Cross Road at the intersection with Rugby Street.

Rugby – Porter Street currently carries 700-800 cyclists per day and has the potential to grow given the existing factors (e.g. a number of road closures along the route, low traffic volumes, direct connection to the CBD and more local residents cycling as a travel option) favouring the growth. The Rugby – Porter Street Bikeway has been featured as a high priority route in DPTI's ITLUP and Council's Draft Walking and Cycling Plan 2015-2020. This is also consistent with Council's Community Plan 2033 which aspires to achieve a defined percentage increase in bike users throughout the City and complete the network of on-road and off-road bike paths.

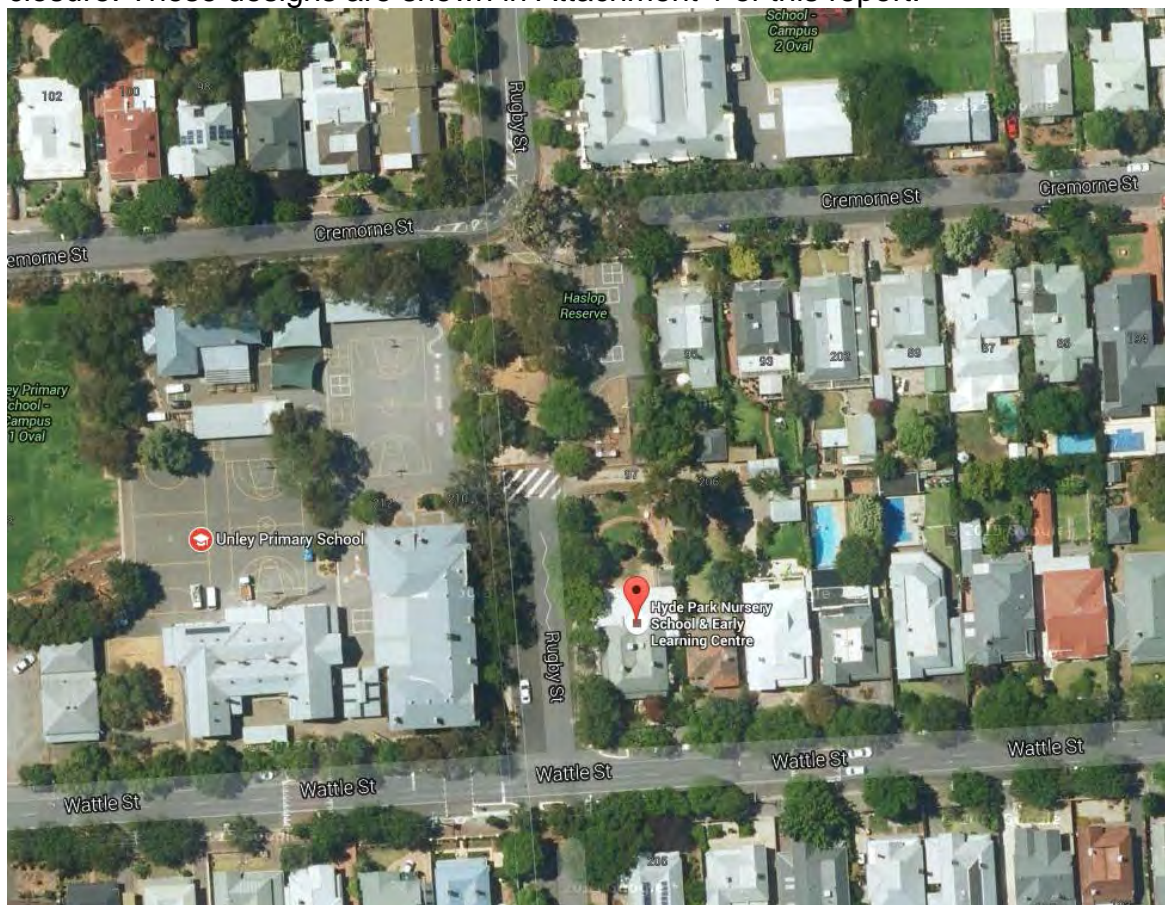
As per the latest census data, the local residents living in the vicinity of this bike route are taking up cycling as an option. The data shows up to 8% of these residents ride to work (especially the residents living in the section north of Fisher Street). This compares very favourably with the greater Adelaide average of 1.9%. One of the contributing factors for the higher participation rate can be attributed to the investment/strategies of Council in upgrading this bike route over the last decade. The statistics are similar for other shared use paths in the Council area, which reinforces the view that infrastructure investment is a factor in improving the growth in the number of cyclists. Super Tuesday bike counts (March 2015, 7am - 9am) show Porter Street has seen an increase of 28% in cyclist volumes when compared with the previous counts from 2012. This makes it the busiest suburban local street bike route (draft Walking and Cycling Plan).

There are a number of opportunities to further upgrade the bike route with the potential of making it safer and more attractive for both the local residents who are potentially new cyclists and the current cycling community. There are five key proposals recommended for the bike route (not necessarily in order of priority):

## 1. Rugby Street section adjacent to Unley Primary School

This section of Rugby Street is located between Unley Primary School and Hyde Park Early Learning Centre and runs through Haslop Reserve which is used for school children play activities. Rugby Street has road closures on the south side of Cremorne and Wattle Streets. Cremorne Street has a sharp 'bend' in the road where it meets Haslop Reserve as shown in the map below. On-street parking is allowed on both sides of Rugby Street. As per the latest traffic data, Cremorne and Wattle Streets near this section of Rugby Street, carry 631 and 5405 vehicles per day respectively. Given the mixture of activities including children and a high number of traffic, pedestrian and cyclists movements, this section of Rugby Street often experiences conflicts between road users, especially during the school peak hours. However, there have not been any recorded crashes involving cyclists at this location in the latest five years crash data.

The proposal for this section of Rugby Street is aimed to achieve a balance between all road users and adjacent land use activities. The proposal will include design changes at the Cremorne Street 'bend' to reduce vehicle speed, an upgrade of lighting (especially through Haslop Reserve), parking design changes at Rugby Street near the school to provide more parking adjacent to the school and an upgrade to the cyclists access to/from the Wattle Street road closure. These designs are shown in Attachment 1 of this report.



Rugby Street section near Unley Primary School

## 2. Rugby Street and Edmund Avenue intersection – changes to the roundabout design



Rugby Street and Edmund Avenue (looking north)

The latest 5 year collision data shows that this intersection has experienced two crashes and both involved cyclists. As per the latest traffic data, Edmund Avenue and Rugby Street carry 2072 and 1053 vehicles per day in this area respectively. As shown in the photo above, the current arrangements allow motorists to approach the roundabout at an angled position due to the conventional design. This in turn lessens the vehicle's speed reduction and puts cyclists into a 'squeeze point' at the approach to the roundabout. The proposal for this roundabout is to redesign the existing approach to allow a 'radial design' and install sharrows marking in the middle of the approach. This will encourage slower vehicle speeds to the approach, and provide a visual cue for drivers of the presence of cyclists.

## 3. Rugby and Fisher Streets intersection – kerb extensions

Rugby Street is closed at the southern approach to this intersection and cyclist/pedestrian ramps are provided to allow the north-south cyclist movements. Based on site observations and technical data, there are three key issues associated with the intersection:

1. Street lighting especially in winter.
2. Sight lines/cyclists storage area when cars are parked adjacent to the cyclists access; and
3. Cyclists having difficulty crossing Fisher Street because of the relatively high traffic volumes.

The recommendation for this intersection is to upgrade the lighting, redesign the kerb extension on the southern approach allowing cyclists better sight lines with additional bike storage area, improved line markings and better signage warning Fisher Street road users of the presence of cyclists presence on the Rugby Street corridor. The photo below shows the existing arrangements at this junction.





*Rugby and Fisher Streets intersection (looking south)*

#### 4. Porter Street and Young Street intersection improvements

The Rugby-Porter bike route intersects with Young Street in Parkside. Young Street is an east-west residential street which spans much of the breadth of the City of Unley. This section of the street extends between Unley Road and Duthy Street, where it terminates in a road closure. Motorists utilise the street to access residential properties in the vicinity, but also, via Porter Street, it provides a connection between Unley Road and Duthy Street. Traffic volumes are in the order of 700-800 vehicles per day. Crash data available suggests that two crashes have occurred at the intersection in the 2010-2014 period.

Porter Street intersects with Young Street on the southern side of the intersection and functions as a T-junction, with Porter Street traffic giving way and Young Street traffic having priority. Porter Street also intersects with Young Street at the northern side of the intersection; however a road closure is in place which only allows access by pedestrians and cyclists.

Cyclists travelling on the Rugby – Porter bike route must give way to traffic on Young Street. Feedback and observations suggest that cyclists often do not exercise adequate caution and ride straight through the intersection without ensuring the road is clear. In addition to this, a motorist on Young Street unfamiliar with the location is likely not to be aware that they are approaching an intersection of a road and a busy bike route, and may not notice a cyclist failing to give way.

Although the cyclist volume at the intersection is possibly higher than that of motor vehicles, a priority change is not recommended. Although a bicycle boulevard approach suggests that there are benefits in giving priority to cyclists,

it is likely that a significant number of motorists travelling east-west on Young Street, or northbound and turning right from Porter Street to Young Street, would fail to understand their requirement to give way to cyclists in this configuration. A change in priority may therefore potentially provide cyclists a false sense of security and not improve safety.

Alternatively, a raised pavement of contrasting colour is proposed. A raised pavement is a section of roadway approximately 90-100mm high, ramped up from the normal level of the street. This treatment will significantly reduce both through and turning traffic speeds, as well as increase motorist and cyclist awareness.

In association with this, it is also proposed that lighting be upgraded at the intersection. While a street light already exists, increased luminosity will further improve the visibility of cyclists.



Porter Street and Young Street intersection (looking north)

#### 5. Along the route way-finding signage and sharrows line marking

Way-finding signage and sharrows line marking will assist cyclists in navigating the bike route. Way-finding signage consists of signs at intersections and other decision points which provide confirmation that a cyclist is travelling in the right direction. They also include details such as arrows pointing to various suburbs or retail precincts, and an approximation of distance and riding time to that destination.



Some way-finding signage is currently present along the bike route. These signs were chosen because they are of a design consistent with the Frome Street bike route in the Adelaide CBD. Although they are of an attractive design aesthetically, they may not be adequately visible to cyclists. Unless a cyclist stops or significantly reduces their speed, they are not able to read the signs. In addition to this, the signs are not reflective and are not visible at night.



Existing way-finding sign

AS1742.9-2000 Manual of uniform traffic control devices - Part 9: Bicycle facilities, indicates that way-finding signs should be of a particular colour scheme and text height in order to maximise readability and interpretation. Compliance with this Standard also encourages consistency along routes which span multiple council areas. If DPTI approves the funding, discussions will be held with neighbouring councils about consistent signing along the bikeway.

The City of Unley recently undertook a project with DPTI to install way-finding signs along the Mike Turtur Bikeway and Marino Rocks Greenway. It is recommended that signs of a similar design be installed to replace the current signs. This will improve visibility both during the day and night and enable reading at a greater distance and more appropriate speed.



Mike Turtur Bikeway way-finding sign



Sharrows line marking also assist cyclists in way-finding and navigation, as well as provide safety benefits for cyclists. A 'sharrow' consists of a cyclist symbol and arrow, placed towards the centre of a traffic lane.



Existing sharrow on Railway Terrace South, Goodwood

DPTI guidelines indicate that sharrows may be placed in streets that form part of the Bike direct bicycle network, as well as in those streets that have relatively low traffic speeds and volumes. The Rugby-Porter bike route fulfils these criteria and sharrows may be located along the entire length of the route, except for the sections which already have a designated shared bicycle/parking lane.

In contrast to a bicycle lane, which designates space along the edge of a traffic lane, sharrows are located towards the centre of the lane. In low speed and volume environments, this provides several safety benefits for cyclists, including:

- Assisting cyclists with lateral positioning on roads with on-street parallel parking in order to reduce the chance of being hit by an opening door of a parked vehicle,
- assisting cyclists with lateral positioning on roads that are too narrow for a motor vehicle and a bicycle to travel side by side in the same direction,
- alerting road users that they are on a designated bike route,
- alerting road users of the lateral location cyclists are likely to occupy within the roadway,
- encouraging safe passing of cyclists by motorists.

It is considered that sharrows and improved way-finding signage along the entire route will enable those unfamiliar with the route to navigate successfully, as well as provide safety benefits.

## 5. **ANALYSIS OF OPTIONS**

Option 1 – Concept designs as shown in Attachment 1 to Item 336/15 be supported, an application be made to DPTI for contribution funding for the works, community engagement be undertaken with affected stakeholders and a report on the outcome of the process be presented to the Council in early 2016

The Rugby-Porter bikeway is a key cycling route within the Council and metropolitan Adelaide. DPTI's Integrated Transport and Land Use Plan (ITLUP) designates high priority and investment into this corridor to facilitate a safer and more attractive bike route. This is also consistent with Council's strategic vision (Community Plan 2033).

Discussions with DPTI officers indicate that there is a case for investment into this corridor and there are funding opportunities for such works. Council has this opportunity to partner with DPTI and other stakeholders to upgrade both the cycling experience as well as the amenity for local residents. The total costs of the project are in the order of \$240 000. It is proposed that Council contributes \$ 60 000 towards the project and apply for DPTI funding for the remainder of the contribution. Should the DPTI funding be approved, Council's contribution towards the works can be accommodated within the existing budget. This is a good opportunity for Council to deliver strategic cycling infrastructure for the corridor.

Council's UBUG have been consulted on the draft Walking and Cycling Plan of which this corridor is a key component of the Plan.

## Option 2 – Provide an alternative recommendation/s

Council may wish to make an alternative recommendation/s on the matter.

## **6. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **7. POLICY IMPLICATIONS**

### **7.1 *Financial/budget***

- The first order cost estimates suggest likely total costs of between \$220 000 – \$ 240 000. This includes all design, procurement and installation costs.
- The total Council contribution toward the project will be \$60 000 (\$51 000 from Traffic Facilities budget and \$9000 from Minor Traffic Control devices budget).
- Council has already invested nearly \$25 000 in the upgrade of the Rugby Street intersection with Frederick Street.
- In the event Council receives the DPTI funding contribution of \$180 000, the total project would be delivered within the existing budget allocation and no further budget adjustments will be required from Council. If DPTI offer a lesser amount, the scope of the project will need to be reviewed or the project not proceeded with.
- If the project cost exceeds estimates when detailed design is completed, a further report outlining scope reduction options will be brought back to Council.

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

- The proposed treatments are generally compliant with the relevant Australian Standards and best practice designs.
- The project is subject to the DPTI funding contribution and the funding application outcome. Therefore, it is recommended to apply for the DPTI funding before undertaking community engagement on the matter. However, informal discussions have been undertaken with DPTI and it is understood that there is a reasonable case for funding these project works.

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

- Council has sufficient internal resources to meet the community engagement and project management requirements. The majority of the

detailed designs and civil works are likely to be carried out by contractors and will be sourced in accordance with Council' procurement policy.

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

- There have been a number of studies undertaken both locally and overseas which demonstrate a direct link between cycling and the environmental, social and economic benefits. The recommendations are also in alignment with Council's Community Plan 2033.

#### **7.5 Stakeholder Engagement**

- The Rugby – Porter Streets Bikeway is identified as a priority project proposed for further upgrading in the Council's Draft Walking and Cycling Plan. Engagement on this draft plan has already occurred with stakeholders, including UBUG and has received their support.
- If the funding application is successful, engagement in relation to the detailed design of the upgrades will be undertaken with the relevant stakeholders, DPTI, industry experts and key focus groups like the Unley Bicycle User Group (UBUG). This will ensure the concepts have appropriate input from all the appropriate parties. Following any consultation, a further report will be presented to Council.

### **8. REPORT CONSULTATION**

- Assets team
- Finance team

### **9. ATTACHMENTS**

Attachment 1 – Rugby Porter Bikeway - designs of priority treatments

### **8. REPORT AUTHORISERS**

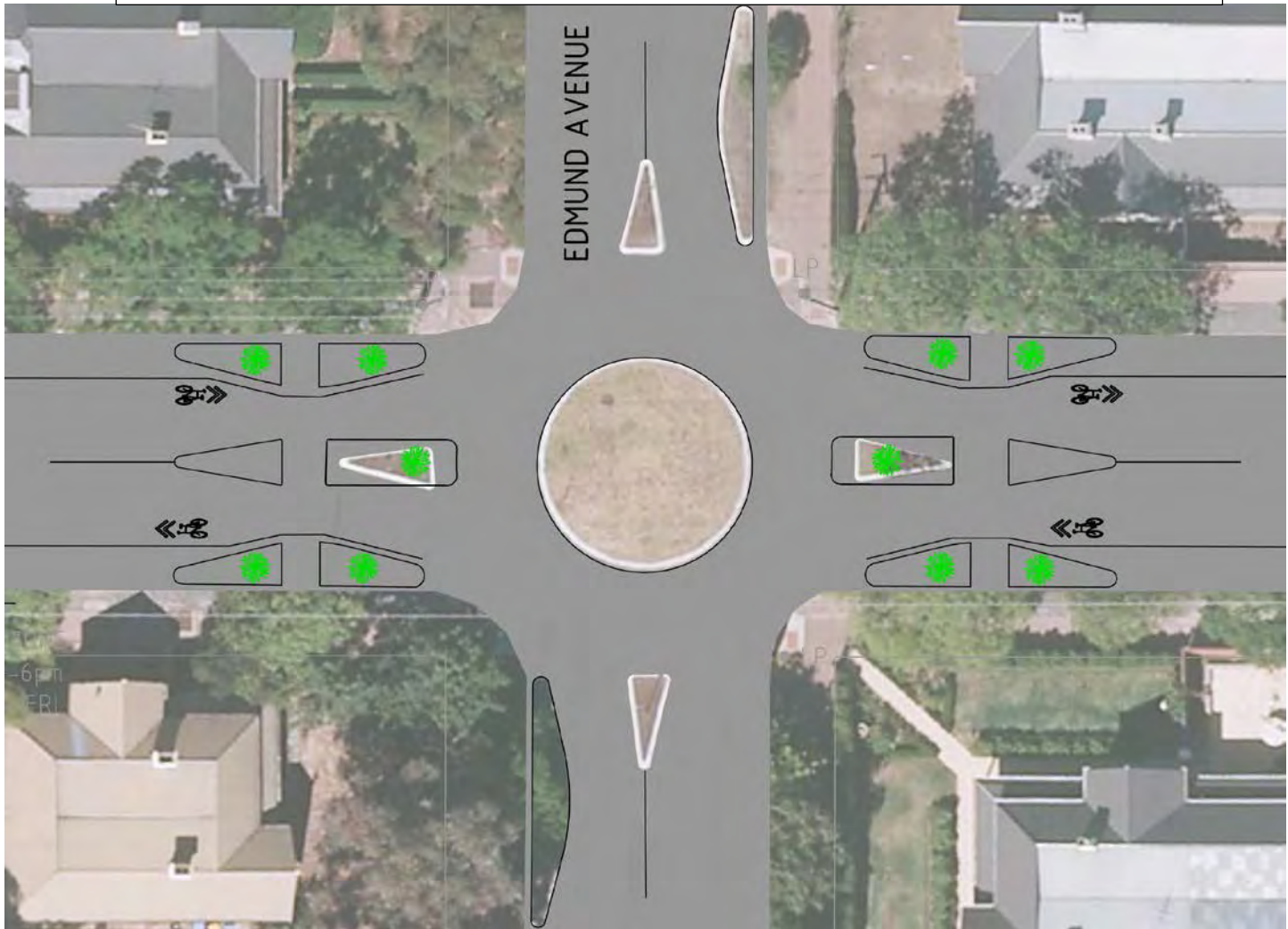
<b><u>Name</u></b>	<b><u>Title</u></b>
David Litchfield	General Manager Economic Development and Planning

Rugby Street (section between Cremone Street and Wattle Street)



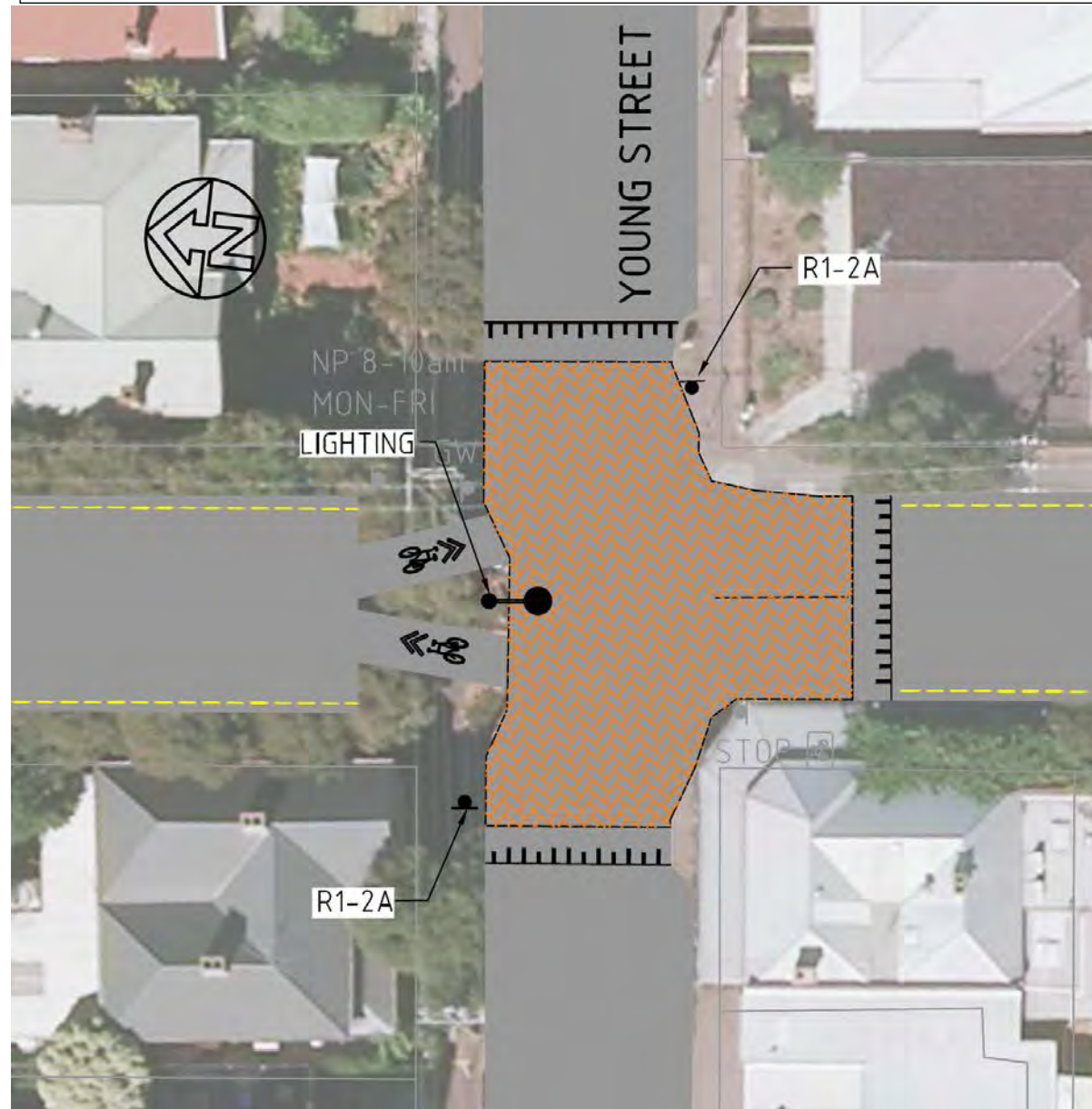


Rugby Street / Edmund Avenue Roundabout redesign

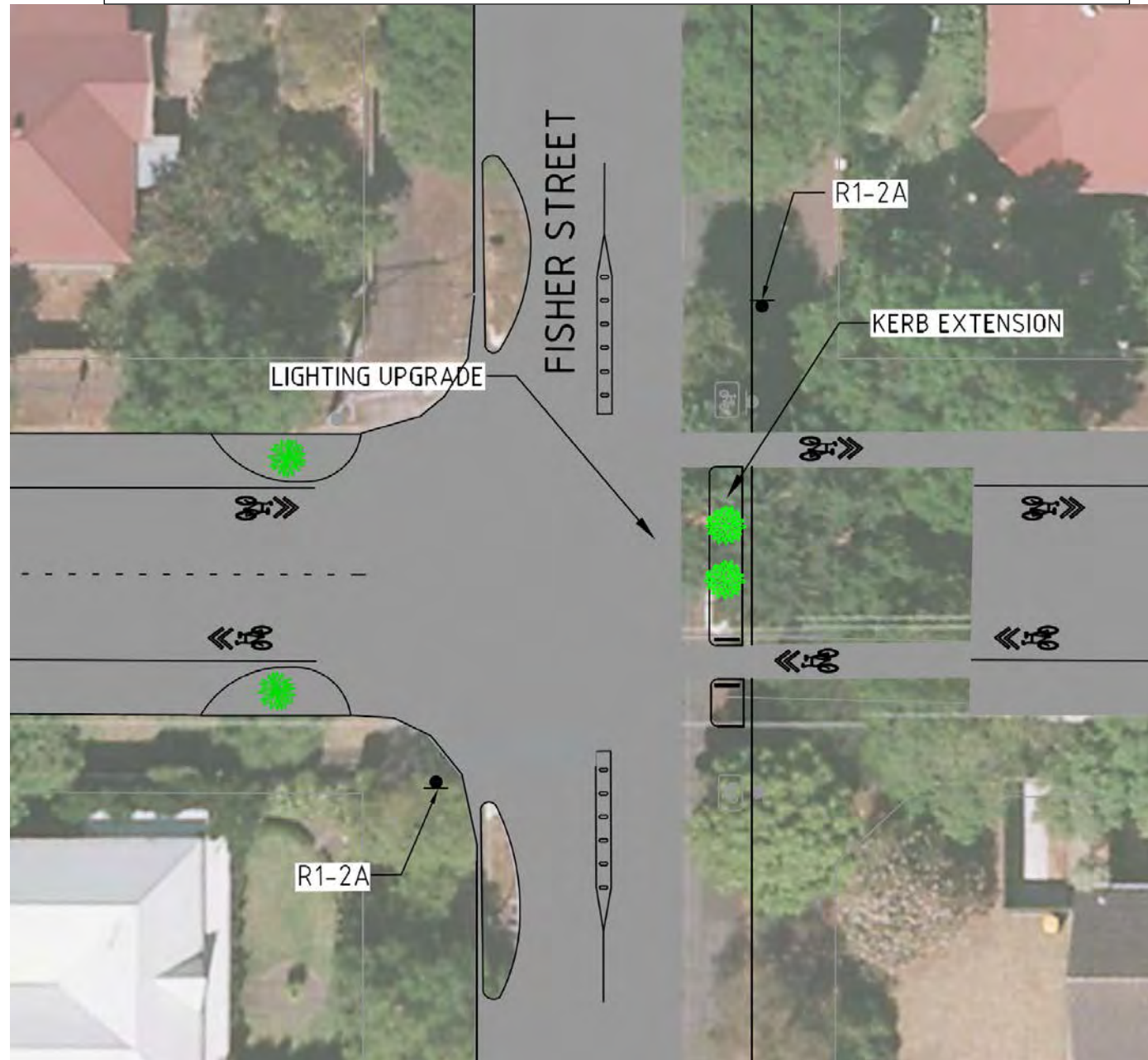




**Rugby Street /Porter Street intersection**



Rugby Street /Fisher Street intersection





## **INFORMATION REPORT**

**REPORT TITLE:** BROWN HILL KESWICK CREEK – STATUS  
UPDATE – DECEMBER 2015

**ITEM NUMBER:** 337

**DATE OF MEETING:** 14 DECEMBER 2015

**AUTHOR:** JOHN DEVINE

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### **EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with a status update on the Brown Hill Keswick Creek (BHKC) - Storm Water Management Project and to inform Council of the proposed next steps in the project process relating to the development and formation of a governance model and / or regional subsidiary, and completion of the Stormwater Management Plan (SMP).

On the 29 September 2015, Council formally endorsed Option D as the recommended solution for the Part B works, and gave direction to the BHKC Project Steering Group to finalise the SMP and re-submit the finalised document to the Stormwater Management Authority (SMA) for gazetting.

It is estimated that the SMP will be finalised by the end of February 2016.

As part of Council's decision, it was recommended that the project councils continue to investigate a Regional Subsidiary as the vehicle for project delivery and ongoing care and management of the Brown Hill Keswick Creek flood mitigation scheme.

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. The report be received.
-

## **BACKGROUND**

On 29 September 2015, Council formally endorsed Option D as the recommended solution for the Part B works, and gave direction to the BHKC Project Steering Group to finalise the SMP and re-submit the finalised document to the Stormwater Management Authority (SMA) for gazetting.

## **DISCUSSION**

Following endorsement of Option D by all 5 catchment councils, work has been proceeding with the preparation of a final SMP for BHKC including the Part B works. This work is expected to be completed by the end of February 2016.

A key part of the activities currently being undertaken by the BHKC Project Steering Group is working through the complexities of a governance model (regional subsidiary) for the project. This work includes the development of a draft charter for the subsidiary and to date discussions have been around some core principles. Currently, the principles include:

- The regional subsidiary (RS) will be assigned ongoing responsibility for the management of the BHKCSP assets;
- The cost of ongoing maintenance activities (including both preventative and reactive) such as creek clearing will be apportioned equally with one fifth charged to each council;
- Other operational costs of the RS, understood to include governance, professional administrative etc. (but not depreciation), will be apportioned on a one fifth per council basis;
- The costs of any asset replacement/renewal and upgrade activities for the project (lifecycle upgrade issues) will revert to the pro rata apportionment used for allocation of initial asset, (for example recreation opportunities) acquisition costs;
- The RS will be responsible for all works associated with achievement of stormwater mitigation objectives and the maintenance of those assets. However, if a Council wished to further develop an asset the incremental costs would be at that Council's expense.

Other aspects being discussed include:

- The funding model for the Regional Subsidiary each year to cover all operational costs other than depreciation.
- Membership of a Regional Subsidiary (*limited / not limited to the five (5) member councils and / or independent representatives*).
- Decision making and what role and influence does each member council have in the decision making process and / or works (voting rights) including dispute resolution.

There has also been discussion regarding stormwater harvesting, amenity enhancements and design amendments. Currently the position of the Steering

Group is that if the work is consistent with the SMP, the subsidiary will consult with the councils on specific design matters, but it is unlikely that councils will have the right of veto. If individual councils choose to vary the works for amenity enhancements or stormwater harvesting, at significant increased costs, that council will have to bear the extra cost.

Over the next few months the BHKC Project Steering Group will continue with the work associated with the formation of a regional subsidiary model, and in particular the preparation of a draft subsidiary charter. This draft Charter will be brought back to all five (5) councils for review and comment before being finalised.

## DECISION REPORT

**REPORT TITLE:** DEVELOPMENT REGULATION DELEGATION  
**ITEM NUMBER:** 338  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** SUE BAYLY  
**JOB TITLE:** GOVERNANCE OFFICER

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### 1. **EXECUTIVE SUMMARY**

The Development Regulations 2008 have been amended to include a new Regulation, number 82(5), the power to assign a classification to a building re the maximum number of persons who may occupy a building. Council endorsement is sought to delegate the power to the Chief Executive Officer.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. **Delegations made under Development Act 1993**
    - 2.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the Report dated 14 December 2015 and entitled Development Regulation Delegation and marked Appendix 1) are hereby delegated this 14 of December 2015 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
    - 2.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
-

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

Goal 5.3      Good governance and legislative framework

## **2. DISCUSSION**

The Development Act 1993 (the Act) and the Development Regulations 2008 (the Regulations) provide Council with powers to assess and control planning and development in the Council area.

These powers may be delegated by Council to the Chief Executive Officer (CEO) and then further sub-delegated to staff to enable efficient processing of development applications.

Council was advised by Local Government Association Circular 27.5 (1/7/2015) that the Regulations have been amended to include a new Regulation 82(5) which is the power to specify the number of persons who may occupy a building and in which parts of a building the limit may apply.

The power is applicable to all buildings but more usually to large buildings such as halls, offices etc, and these are often assessed by private certifiers. However, there may be occasion where staff will be required to assess an application to which Regulation 82(5) would apply.

The sub-delegations to staff in the Planning and Development Unit are currently being reviewed and this provides the opportunity to include the new Regulation. Council endorsement is therefore sought for the delegation to be made to the CEO, with the power to further sub-delegate it to suitably qualified staff.

There is no need to revoke any previous delegation for Regulation 82(5) as it is a new Regulation. The wording of the Regulation is attached and it will be added as Clause 97.3 to the Delegations Register.

## **3. ANALYSIS OF OPTIONS**

### **Option 1 – Delegation of Development Regulation 82(5) to the CEO**

This option ensures that staff will be able to efficiently process an application and make the appropriate notice to the property owner to apply Regulation 82(5) of the Development Regulations 2008.

### **Option 2 – The Council does not delegate to power under Development Regulation 82(5)**

Council may retain the power under Regulation 82(5) of the Development Regulations 2008, but this would delay assessment of a development application to which the Regulation applied.



#### **4. RECOMMENDED OPTION**

Option 1 is the recommended option.

#### **5. POLICY IMPLICATIONS**

##### **5.1 *Financial/budget***

- There are no extra costs involved as the development assessment process is routine operational.

##### **5.2 *Legislative/Risk Management***

- Sub-delegation of the power under the new Regulation to the CEO and then to appropriately qualified staff is sound administrative practice and in accordance with the Act and Regulations.

#### **6. REPORT CONSULTATION**

Manager Development and Team Leader Building.

#### **7. ATTACHMENTS**

Instrument of Delegation under the Development Act 1993 and Development Regulations 2008.

#### **8. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Paul Weymouth	Manager Development
Rebecca Wilson	Manager Governance and Risk

**Instrument of Delegation**

**Under the Development Act 1993 and Development Regulations 2008**

Clause 97.3; The power pursuant to Regulation 82(5) of the Regulations, on assigning a classification to a building (or part of a building), to, if relevant, determine and specify in the notice to the owner under Section 66(4) of the Act –

- 97.3.1 the maximum number of persons who may occupy the building (or part of the building); and
- 97.3.2 If the building has more than one classification – the part or parts of the building to which each classification relates and the classification currently assigned to the other parts of the building.

## DECISION REPORT

**REPORT TITLE:** CITY RELATIONSHIPS POLICY  
**ITEM NUMBER:** 339  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** DEBBIE WASHINGTON  
**JOB TITLE:** PROJECT OFFICER

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### 1. **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's endorsement to adopt a City Relationships Policy to formalise a framework for Council to consider future requests for relationships with other cities.

The policy will

- Promote and encourage local and international information exchange and liaison between local governments, business leaders and the wider community
- Develop long-lasting, mutually beneficial friendships and exchange of ideas
- Gain a valuable understanding of state, national or international, issues that may be of relevance to the city of Unley.
- Promote and foster understanding between people at all levels and of different cultures

There are a number of opportunities for the City of Unley to learn and benefit from cities locally and internationally.

The Mayor and CEO have had discussions with a number of other cities in terms of information exchange and providing humanitarian assistance. A policy will provide a framework and help guide which relationships Council should consider.

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. The City Relationships Policy be adopted as attached (Attachment 1 to Item 339/15).
-

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

- 1.1 Emerging our path to a future city
  - 1.1 A thriving and prosperous business community

Living our path to a vibrant city:

- 2.1 Highly desirable and diverse lifestyle
- 2.2 Activated places
- 2.3 Cultural and artistic diversity

## **2. DISCUSSION**

In the last 18 months, the City has been holding discussions with other cities on specific issues of relevance and benefit to the City. These have been to exchange ideas and learn from other cities' experiences, to investigate opportunities for economic growth/ increasing the number of visitors to the city and for cultural exchanges. These discussions have identified that there are a number of opportunities for longer-term relationships and for partnerships to be formed.

Unley is a highly desirable place to live with a diverse lifestyle. Its rich cultural history and cultural diversity and understanding is celebrated and promoted. Participating in formal relationships with other cities will enable the community to establish and maintain relationships with other communities around the world in a unique and meaningful way.

Ongoing relationships with other cities can bring long-term benefits to communities through an exchange of knowledge, ideas, awareness and understanding of other cultures and issues affecting other cities. They can also lead to economic growth and new business contacts. Where there is an intention for an ongoing relationship, they are often formalised agreements between cities.

Last year, the City entered into a Memorandum of Understanding with the Mayor of Pozières and the cities have formed a Historical Partnership based on their shared history. Furthermore, the City has been approached by Siha District Council in Tanzania to enter into a formal arrangement based around Unley providing assistance to Siha in the form of advice and knowledge across a range of technical areas.

In order to put into place a framework for considering any future opportunities which may arise to formalise partnerships with other cities, it is proposed that the Council adopts a City Relationships Policy.

Relationships with other cities would bring benefits to the community, depending on the nature of the relationship and desired outcomes by both parties. Examples of such benefits to the community include:

- a) exchanging knowledge and ideas to address/resolve relevant issues;

- b) promoting economic growth and increasing numbers of visitors to the City;
- c) contributing to creating a vibrant city by;
  - a. celebrating other cultures
  - b. promoting a vibrant, cosmopolitan lifestyle
  - c. activating and enlivening our public precincts by attracting events and festivals to the City
  - d. encouraging community spirit and a strong sense of belonging
- d) contributing to the development of other cities by sharing our knowledge and expertise;
- e) remembering a shared history; and
- f) creating educational opportunities and sporting exchanges.

Types of relationships would depend on the desired nature of the relationship, desired length of relationship and level of commitment. These may include Memoranda or Letters of Understanding.

Criteria for such relationships are defined in the policy, taking into consideration location, demographics, cultural opportunities and existing relationships. Similarities in economic conditions or trade opportunities could also be taken into account, as could educational and humanitarian opportunities. These are further detailed in the policy. Some examples of potential opportunities follow.

## Examples

**Mentoring / Economic Development:** The CEO's of Unley and Loxton councils have discussed opportunities to share knowledge around a number of areas including service reviews and organization cultural change. In particular, Loxton is keen to learn from Unley how it has addressed these issues. There is also an opportunity to develop a relationship around Age Friendly Cities ( a priority for Loxton) and economic development opportunities connecting businesses from both cities.

**Age-Friendly City Relationship:** The City of Unley is an Age-Friendly city; one of many around the world. There are cities both more and less advanced in terms of their progress in this field. The City could partner with a similar Age-Friendly city to learn how they are addressing similar issues in their communities. This would be an example of a relationship based on social and educational opportunities. Similarly, there may also be a further opportunity to partner with a city to mentor them and show them how the City has applied Age-Friendly principles. While going to other places to learn may be possible, even more achievable is that the City could host Council staff from other jurisdictions for mutual learning.

**Historical Relationship:** In 2014, the Council entered into an Historical Partnership agreement with the town of Pozières, France based on its shared history. The City of Unley works closely with Alliance Française, based in Unley and is currently drafting an MoU with them. Further opportunities may be available for an ongoing partnership with another city in France. This would be

an example of a relationship based on social and educational opportunities where links with schools and community groups could be made.

**Mentoring / Humanitarian Relationships:** In April, the Council hosted a delegation from Tanzania. The Siha District Council is interested in learning from us and proposes a partnership via a Memoranda of Understanding. Specifically, they require advice on strategic and urban planning and delivering community services. This is an opportunity for the City of Unley to assist on a humanitarian basis. While staff may assist in terms of visiting Tanzania, the City could also host Tanzanian staff to learn here. Another opportunity also exists to link schools in Unley with schools in Nepal, in terms of assistance with the provision of library books and other resources. This initiative would be an example whereby the community lead the relationship and Council may play a supportive role rather than taking the lead.

**Economic Development:** The South Australian Government has a China Engagement Strategy which aims to increase business for South Australian businesses. They have identified that local councils are key to the success of the strategy. There are opportunities to increase the numbers of visitors to our shops and restaurants and may be further trade and investment openings. The Council has been working closely with the Australia China Business Council in SA to identify opportunities for Unley. Links with schools and community centres could be made: the Confucius Institute is already assisting us in planning these.

### **3. ANALYSIS OF OPTIONS**

#### Option 1 – Endorse the City Relationships Policy as attached (Attachment 1 to Item 339/15)

By endorsing the policy, Elected Members would be approving a framework around which future opportunities to establish formal relationships could be considered. While any formal relationships with other cities would still need to be endorsed by Council, Council would have established a framework to consider such proposals. Although not a core Council activity, having noted the benefits of these relationships, the Council would have further opportunities to make our city more vibrant and create opportunities for economic growth.

#### Option 2 – Propose and endorse amendments to the City Relationships Policy

There may be amendments that Elected Members prefer to make before endorsing this policy.

#### Option 3 – Do not endorse the City Relationships Policy

Any proposals for formal relationships with other cities would be considered on an ad-hoc basis by Council. This could allow greater flexibility for Council to debate future options, however may result in lack

of coherence and confusion about what the City of Unley wishes to achieve from such proposals.

#### **4. RECOMMENDED OPTION**

Option 1 is the recommended option.

#### **5. POLICY IMPLICATIONS**

##### ***Financial/budget***

- Costs attributed to particular types of relationships will vary for each relationship, depending on what will be achieved for that relationship.
- There is currently no budget allocated to fund programs and activities for City relationships. Currently relationships are at a formative stage and benefits are around conversations and exchange of information which has no financial impact.
- If formal partnership arrangements arise as a result of this policy, any programs and activities requiring budgets will be subject to budgetary discussions in the future and costs will be submitted to Council at the beginning of the financial year as part of the budget process.

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

- A policy will enable a framework and guidelines to be established around developing formal relationships with other Cities. It will also ensure such relationships are aligned with the City's 4 year and 30 year plans.

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

- Programmes or activities which arise from this policy are likely to be initiated and led by the Office of the CEO and Mayor. Directorates may be required to provide advice, assistance and support on specific initiatives.

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

- There may opportunities to learn from other cities in terms of how they approach issues and address environmental, social and economic concerns in their city. For instance should the City wish to pursue establishing a formal relationship around an Age-Friendly status, this could result in learning different ways of solving problems to the benefit of the community. Likewise, there are also likely to be opportunities for cultural and economic benefits, should relationships with these likely outcomes be pursued.

##### ***Stakeholder Engagement***

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

**6.    ATTACHMENTS**

1.     City Relationships Policy

**7.    REPORT AUTHORISERS**

Rebecca Wilson - Manager Governance and Risk  
Peter Tsokas – Chief Executive Officer





## City Relationships Policy

Policy Type:	Council Policy
Responsible Department:	Office of the CEO
Responsible Officer:	Chief Executive Officer
Related Policies and Procedures	None
Date Adopted:	14 December 2015
Last Council review:	N/A
Next review date:	3 years
ECM Doc Set ID:	

### 1. POLICY STATEMENT

This provides a framework for the objectives, selection criteria and types of initiatives supported by the Council when forming formal relationships with other cities, both internationally and within Australia. The type of relationships covered by this policy includes Historical, Economic, Cultural and Educational Partnerships. This policy shall collectively describe such relationships as “formal relationships with other cities”.

### 2. COMMUNITY GOAL

Emerging our path to a future city

1.1 A thriving and prosperous business community

Living our path to a vibrant city:

2.1 Highly desirable and diverse lifestyle

2.2 Activated places

2.3 Cultural and artistic diversity

### 3. POLICY OBJECTIVES

The main objectives of this Policy are to:

- Promote and encourage local information exchange and liaison between local governments, business leaders and the wider community
- Develop long-lasting, mutually beneficial friendships and exchange ideas
- Promote and foster understanding between people at all levels and of different cultures

- Promote economic growth and increase tourism and the number of visitors
- Exchange cultural, educational, technical and policy assistance and advice with other cities
- Enhance and promote the image of Unley City Council

#### **4. PRINCIPLES**

The City of Unley is a highly desirable place to live with a diverse lifestyle. It has a rich cultural history and celebrates cultural diversity by promoting cultural understanding and inclusiveness while providing diverse community activities and opportunities.

Participating in formal relationships with other cities will enable the community to establish and maintain relationships with other cities in a unique and meaningful way. Such relationships are expected to bring long-term benefits to the communities through exchange of ideas, gaining alternative perspectives and increasing understanding of other issues. Investing time in relationships can lead to benefits such as economic growth and new business contacts.

#### **5. POLICY**

##### **Establishing and Maintaining City Relations**

Formal relationships with other cities should be established for their strategic relevance to the City of Unley and its residents.

Relationships, where possible, should be based on the concept of reciprocation and mutual benefit except in circumstances where they have been entered into for humanitarian reasons.

##### **Types of relationships**

A range of relationship types could be applied, depending on the expected benefits to parties. These include:

1. Historical
2. Economic
3. Social
4. Educational
5. Cultural
6. Mentoring

The types of agreements used to form relationships will be Memoranda or Letters of Understanding.

## Criteria

Generally, potential cities with which the City of Unley may consider entering into formal relationships, should have a positive influence on the community. The following criteria will be considered when selecting or reviewing formal relationships with other cities:

- **General:** A similar population size or demographic, geographical location, relevance to the local community, existing connections, historical, sporting, artistic significance and ease of access;
- **Economic:** similar economic conditions, trade and investment opportunities, tourism potential;
- **Social:** similar social infrastructure and issues, opportunity for broad based activity, people to people interest, energy and commitment;
- **Educational:** in terms of economic, social and environmental issues, opportunity for student/teacher exchange programs;
- **Mentoring/Humanitarian:** opportunity to use the skills of the City of Unley staff and the community to assist in the development of the city concerned. This may be in a number of technical areas.
- **Cultural:** assist the opportunity to exchange or promote cultural activities between two places
- **Historical:** a historical relationship

In considering these factors, it is necessary to compare both the similarities and differences as both could provide mutual benefit.

Such benefits may include but are not limited to:

- exchanging knowledge and ideas to address/resolve similar issues
- promoting economic growth and increasing numbers of visitors to the City
- contributing to creating a vibrant city by:
  - promoting a vibrant, cosmopolitan lifestyle
  - activating and enlivening our public precincts by attracting events and festivals to the City
  - encouraging community spirit and a strong sense of belonging
- contributing to the development of other cities by sharing our knowledge and expertise
- remembering a shared history
- creating educational opportunities

No formal partnership will be sought for relationships where the relationship is only between the Councils' administrative bodies.

## Approval

For new formal agreements covered by this policy, approval shall be sought by a resolution at a Council meeting. Following approval, there shall be an exchange of a document relevant to the established relationship signed by the Mayor and/or the CEO of the City of Unley and the leader of the nominated city.

Council will also note where 'in kind' costs and expenses are part of the relationship.

## **Review of relationship**

Relationships will be reviewed prior to the expiration of their term as stated in the agreement.

## **6. DEFINITIONS**

**City Relations** – are the political, economic, social and cultural relationships that exist between cities from different cities/countries.

**City Agreements** –are agreements of cooperation between cities including Historical, Economic, Social, Cultural, Educational and Mentoring Partnerships.

**Memorandum of Understanding** - a Memorandum of Understanding is a document describing a bilateral or multilateral agreement between parties. It expresses a convergence of will between the parties, indicating an intended common line of action and may or may not imply a legal commitment. Depending on the exact wording, lacks the binding power of a contract but can lead to formal contractual agreements.

**Humanitarian** – having concern for or helping to improve the welfare or happiness of people

## **7. LEGISLATION/REFERENCES**

*NOT A MANDATORY policy*

## **8. POLICY DELEGATIONS**

Nil applicable

## **9. ROLES/RESPONSIBILITIES**

Programmes or activities which arise from this policy are likely to be initiated and led by the Office of the CEO and Mayor. Directorates may be required to provide advice, assistance and support on specific initiatives.

## **10. AVAILABILITY**

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

Civic Centre  
181 Unley Road  
Unley SA 5061

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

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

## 11. DOCUMENT HISTORY

Date:	Council/Committee/Internal	Comment:
	Committee item / year	
	Council item / year	

DRAFT

## **INFORMATION REPORT**

**REPORT TITLE:** REVIEW OF CONFIDENTIALITY ORDERS  
**ITEM NUMBER:** 340  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** CAROL GOWLAND  
**JOB TITLE:** EXECUTIVE ASSISTANT TO CEO & MALYOR

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### **EXECUTIVE SUMMARY**

Section 91(9)(a) of the Local Government Act requires Council to undertake a review of its confidentiality orders that operate for a period exceeding 12 months. This report provides Council on the status of documents with confidentiality orders as per Section 91(9)(a) of the Local Government Act up to 30 November 2015.

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. Council note the confidential items revoked by the Chief Executive Officer.
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## 1. **RELEVANT CORE STRATEGIES / POLICIES**

Under Section 91(9)(a) of the Local Government Act, Council is required to review any order that has operated for a period not exceeding 12 months, at least once in every year.

## 2. **DISCUSSION**

Once the confidentiality orders are revoked by the Chief Executive Officer, the documents are made available on Council's website under 'Agenda and Minutes' on the page named 'Confidentiality Orders' removed.

A review of each confidentiality order has been undertaken on an Item by Item basis by the responsible officer and those orders which have been able to be revoked by the Chief Executive Officer are listed in Attachment 1 to Item 340/15.

*Attachment 1*

Confidentiality orders which are to remain in place until the next review are detailed in Attachment 2 to Item 340/15.

*Attachment 2*

A number of items need to remain confidential because they contain legal advice, personal information, or 'commercial in confidence'. The table below shows the number of items and the reason for the confidentiality order.

<b>No of Items</b>	<b>Reason for confidentiality</b>
6	Section 90(2) and (3)(a) of the Local Government Act – personal affairs
5	Section 90(2) and (3)(h) of the Local Government Act – legal advice / litigation
16	Section 90(2) and (3)(d) of the Local Government Act – commercial in confidence

Of the above 27 documents, 8 of these are attachments only which are required to remain in confidence (some due to legal advice).

## 3. **ATTACHMENTS**

- Confidentiality Orders revoked by the CEO under delegation
- Confidentiality Orders still in place

## 4. **REPORT AUTHORISERS**

Chief Executive Officer

**ATTACHMENT 1**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Confidentiality Order Removed</b>
September 2005	CEO Performance Review	November 2015
August 2010	Item 731 – CPCA Business Plan 2010-2013	November 2015
November 2013	Item 980 – Building Encroachment	30 June 2015
October 2014	Item 1305 – Encroachment Palmerston Place	30 November 2015
October 2014	Item 1306 – Palmerston Place Encroachment	29 June 2015
March 2015	Item 93 – Appointment of Independent Members to Section 41 Committees	7 April 2015
April 2015	Item 115 – Determination of Event Contract	November 2015
April 2015	Item 118 – Audit and Government Committee Independent Membership Appointments	May 2015
August 2015	Item 232 - Goodwood Community Centre Future Management Model	August 2015
August 2015	Item 241 – CEO Contract	August 2015
September 2015	Item 272 – Lease of Council Property	November 2015



## CONFIDENTIALITY ORDERS AS AT 30 NOVEMBER 2015

KEY : Attachments only remain confidential

Committee and/or Council Meeting Date and Item No.	Topic	Section 90(3) Grounds for Confidentiality (Note: Amendments to Sn 90 became operative on 22 May 2003)	Duration of the Order or Circumstances it will cease (and comments if necessary)	Status of Document and Recommendation re Confidentiality Order
<b>2009</b>				
City Strategy and Policy Item 259 21 September 2009	Water Supply Council Reserves  <b>(Report &amp; Attachments only)</b>  <b>Maintain for life of contract. 35 years.</b>	Disclosure of the commercial information could prejudice the commercial position of the person who supplied the information.	Remain in confidence until the order is reviewed by the CEO in December 2009. Report and attachments only.	<b>Maintain confidentiality in accordance with Council resolution.</b> <b>Reviewed – February 2010 and July 2010.</b> <b>Remake of confidential order May 2011.</b> <b>Maintain confidentiality for life of contract or until revoked by CEO.</b> <b>Reviewed by CEO 30/3/12 – Maintain confidentiality.</b> <b>Reviewed by CEO 8/3/13 – Maintain confidentiality.</b> <b>Reviewed by CEO 30/8/13 – Maintain.</b> <b>Reviewed by CEO 10/2/14. Maintain on report and attachments for life of contract.</b> <b>Reviewed by CEO 3/10/14. Maintain on report and attachments for life of contract.</b> <b>Reviewed by CEO 11/3/15. Maintain on report and attachments for life of contract.</b> <b>Reviewed by CEO 30/11/15. Maintain.</b>
<b>2010</b>				
Item 660 Council 27 April 2010	Brownhill Keswick Creek Stormwater Project – Legal opinion – Stormwater Management Plan and Implications  <b>Attachments 3 – 7 confidential</b>	Pursuant to Section 90(2) and (3)(h) of the Local Government Act. Information provided in confidence.	Report and attachments remain confidential until reviewed by the CEO – June 2010.	<b>Attachments only remain confidential as per Council resolution.</b> <b>Reviewed – July 2010 – Attachments to remain confidential.</b> <b>Remake of confidential order May 2011.</b> <b>Maintain confidentiality until revoked by CEO.</b> <b>Reviewed by CEO 3/10/12 – Attachments remain confidential (information provided in confidence.)</b>

Committee and/or Council Meeting Date and Item No.	Topic	Section 90(3) Grounds for Confidentiality (Note: Amendments to Sn 90 became operative on 22 May 2003)	Duration of the Order or Circumstances it will cease (and comments if necessary)	Status of Document and Recommendation re Confidentiality Order
				Reviewed by CEO 8/3/13 – Attachments remain confidential. Reviewed by CEO 30/8/13 – Confidentiality order removed on Attachments 1 and 2. Maintained on Attachments 3 – 7. Reviewed by CEO on 10/2/14 – Maintain on Attachments 3 – 7. Reviewed by CEO on 3/10/14 – Maintain on Attachments 3 – 7. Reviewed by CEO on 11/3/15 – Maintain on Attachments 3 – 7. Reviewed by CEO on 30/11/15 – Maintain on Attachments 3 – 7.
2011				
Item 5 Special Council 5 February 2011	City of Unley v Partek and Mollison	Pursuant to Section 90(2) and (3)(h) of the LGA. Legal advice.	Section 91(7) and (9) LGA. Keep confidential for a period of 6 months.	Reviewed by CEO on 29/3/12 – Maintain confidentiality on report and attachments. Remove on Minutes. Report and attachments remain confidential. Reviewed by CEO 8/3/13 – Maintain confidentiality on report and attachments – legal advice. Reviewed by CEO 30/8/13 – Maintain on report & attachment – legal advice. Reviewed by CEO 10/2/14 – Maintain on report and attachment – legal advice. Reviewed by CEO 3/10/14. Maintain on report & attachment – legal advice. Reviewed by CEO 11/3/15. Maintain on report and attachment. Reviewed by CEO 30/11/15. Maintain on report and attachment.
Item 9 CEO Recruitment Committee 5 September 2011	Presentation by Stillwell Management Consultants re Applicants	Section 90(2) and (3)(a)	Keep confidential until revoked by CEO.	Reviewed by CEO 16/3/12 – Maintain confidentiality. Reviewed by CEO 3/10/12 – Maintain confidentiality. Reviewed by CEO 8/3/13 – Maintain

Committee and/or Council Meeting Date and Item No.	Topic	Section 90(3) Grounds for Confidentiality (Note: Amendments to Sn 90 became operative on 22 May 2003)	Duration of the Order or Circumstances it will cease (and comments if necessary)	Status of Document and Recommendation re Confidentiality Order
				confidentiality. Reviewed by CEO 30/8/13 – Maintain. Reviewed by CEO 10/2/14 – Maintain. Reviewed by CEO 3/10/14 – Maintain. Reviewed by CEO 11/3/15 – Maintain. Reviewed by CEO 30/11/15 – Maintain.
Item 12 CEO Recruitment Committee 15 September 2011	Applicants for the position of Chief Executive Officer	Section 90(2) and (3)(a)	Keep confidential until revoked by CEO. Delegated to CEO.	Reviewed by CEO 16/3/12 – Maintain confidentiality. Reviewed by CEO 3/10/12 – Maintain confidentiality. Reviewed by CEO 8/3/13 – Maintain confidentiality. Reviewed by CEO 30/8/13 – Maintain. Reviewed by CEO 10/2/14 – Maintain. Reviewed by CEO 3/10/14 – Maintain. Reviewed by CEO 11/3/15 – Maintain. Reviewed by CEO 30/11/15 – Maintain.
<b>2012</b>				
Adjourned item 132 CSP Item 556 Council 27 August 2012	Street Tree Removal 26 Porter Street Parkside – Attachments 6 and 7 only remain confidential	Pursuant to Section 90(2) and (3)(h)(i) of the LGA. Legal advice and litigation	Until revoked by the CEO	<b>Reviewed by CEO 20 November 2012 – Confidentiality order removed on all except Attachment 6 – Legal advice</b> Reviewed by CEO 8/3/13 – Maintain confidentiality on attachments 6 and 7. Reviewed by CEO 30/8/13. Reviewed by CEO 10/2/14 – Maintain on Attachments 6 & 7. Reviewed by CEO 3/10/14 – Maintain on Attachments 6 & 7. Reviewed by CEO 11/3/15 – Maintain on Attachments 6 & 7. Reviewed by CEO 30/11/15 – Maintain on Attachments 6 & 7.
Item 615 Council 26 November 2012	CPCA Provision of Services to Other Local Government Councils	Section 90(2) and (3)(d) of the LGA. Commercial advantage	Until revoked by the CEO	Reviewed by CEO 30/8/13. Maintain. Reviewed by CEO 10/2/14 – Maintain. Reviewed by CEO 3/10/14 – Maintain. Reviewed by CEO 11/3/15 – Maintain. Reviewed by CEO 30/11/15 – Maintain.

Committee and/or Council Meeting Date and Item No.	Topic	Section 90(3) Grounds for Confidentiality (Note: Amendments to Sn 90 became operative on 22 May 2003)	Duration of the Order or Circumstances it will cease (and comments if necessary)	Status of Document and Recommendation re Confidentiality Order
<b>2013</b>				
Item 715 Council March 2013	CPCA Strategic Plan 2012-2033  <b>Attachment only confidential.</b>	Section 90(2) and (3)(d) of the LGA. Commercial advantage	Until revoked by the CEO	<b>Attachments only confidential.</b> Reviewed by CEO 30/8/13. Maintain on attachments. Reviewed by CEO 10/2/14 – Maintain on attachments. Reviewed by CEO 3/10/14 – Maintain on attachment. Reviewed by CEO 11/3/15 – Maintain on attachment. Reviewed by CEO 30/11/15 – Maintain on attachment.
Item 780 Council May 2013	CPCA Operating Budget  <b>Attachment 2 only confidential.</b>	Section 90(2) and (3)(d) of the LGA. Commercial advantage	Until revoked by the CEO	<b>Attachment 2 only confidential.</b> Reviewed by CEO 30/8/13. Maintain on attachments. Reviewed by CEO 10/2/14 – Maintain on Attachment 2 only. Reviewed by CEO 3/10/14 – Maintain on Attachment 2 only. Reviewed by CEO 11/3/15 – Maintain on Attachment 2 only. Reviewed by CEO 30/11/15 – Maintain on Attachment 2 only.
Item 808 Council 24 June 2013	Council Owned Property 166 – 168 Unley Road Unley	Section 90(2) and 3(d) of the LGA. Commercial advantage	Until revoked by the CEO	Reviewed by CEO 10/2/14 – Maintain on report and attachments. Reviewed by CEO 3/10/14 – Maintain. Reviewed by CEO 11/3/15 – Maintain. Reviewed by CEO 30/11/15 – Maintain.
Item 842 Council 22 July 2013	Centennial Park Cemetery Authority Operating Budget 2013-2014 <b>Attachment 1 confidential</b>	Section 90(2) and 3(d) of the LGA. Commercial Advantage	Until revoked by the CEO	<b>Attachment 1 only confidential</b> Reviewed by CEO 10/2/14 – Maintain on Attachment 1. Reviewed by CEO 3/10/14 – Maintain on Attachment 1 only. Reviewed by CEO 11/3/15 – Maintain on Attachment 1 only. Reviewed by CEO 30/11/15 – Maintain on Attachment 1 only.

Committee and/or Council Meeting Date and Item No.	Topic	Section 90(3) Grounds for Confidentiality (Note: Amendments to Sn 90 became operative on 22 May 2003)	Duration of the Order or Circumstances it will cease (and comments if necessary)	Status of Document and Recommendation re Confidentiality Order
Item 845 Council 22 July 2013	Centennial Park Cemetery Authority Annual Business Plan 2013 – 2016 <b>Attachment 1 confidential</b>	Section 90(2) and 3(d) of the LGA. Commercial Advantage	Until revoked by the CEO	<b>Attachment 1 only confidential.</b> Reviewed by CEO 10/2/14 – Maintain on Attachment 1. Reviewed by CEO 3/10/14 – Maintain on Attachment 1 only. Reviewed by CEO 11/3/15 – Maintain on Attachment 1 only. Reviewed by CEO 30/11/15 – Maintain on Attachment 1 only.
Item 880 Council 26 August 2013	Land Encroachment Ferguson Avenue Myrtle Bank	Pursuant to Section 90(2) and (3)(a) of the LGA. Personal affairs	Until revoked by the CEO	Reviewed by CEO 10/2/14 – Maintain. Reviewed by CEO 3/10/14 – Maintain. Reviewed by CEO 11/3/15 – Maintain. Reviewed by CEO 30/11/15 – Maintain.
<b>2014</b>				
Item 1161 Council 26 May 2014	Centennial Park Cemetery Authority Draft Operating Budget 2014-15 <b>Attachment 2 only confidential</b>	Section 90(2) and (3)(d) of the LGA. Commercial advantage	Until revoked by the CEO	<b>Attachment 2 only confidential.</b> Reviewed by CEO 3/10/14 – Maintain on Attachment 2 only. Reviewed by CEO 11/3/15 – Maintain on Attachment 2 only. Reviewed by CEO 30/11/15 – Maintain on Attachment 2 only.
Item 1164 Council 26 May 2014	Land Encroachment <b>Recommendation 2 only confidential</b>	Section 90(2) and (3)(i) of the LGA. Litigation	Until revoked by the CEO	<b>Recommendation 2 only confidential.</b> Reviewed by CEO 3/10/14 – Maintain on recommendation 2 only. Reviewed by CEO 30/11/15 – Maintain on recommendation 2 only.
Item 1209 Council 28 July 2014	Domestic Health Issue	Section 90(3)(a) Personal affairs	Until revoked by the CEO	<b>Report confidential.</b> Reviewed by CEO 3/10/14. Maintain. Reviewed by CEO 11/3/15. Maintain. Reviewed by CEO 30/11/15 – Maintain.
Item 1226 Council 11 August 2014	Unley Central Precinct Property Development Options	Section 90(2) and (3)(b)(i) and (ii). Commercial advantage	Until revoked by the CEO	<b>Minutes and report confidential.</b> Reviewed by CEO 30/11/15 – Maintain.
Item 151 Council 25 May 2015	CEO Employment Contract	Section 90(3)(a) Personal affairs	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain on Report. Remove confidentiality motion on Minutes.</b>

<b>Committee and/or Council Meeting Date and Item No.</b>	<b>Topic</b>	<b>Section 90(3) Grounds for Confidentiality (Note: Amendments to Sn 90 became operative on 22 May 2003)</b>	<b>Duration of the Order or Circumstances it will cease (and comments if necessary)</b>	<b>Status of Document and Recommendation re Confidentiality Order</b>
Item 173 Council 27 June 2015	CPCA Proposal	Section 90(2) and (3)(b)(i) and (ii). Commercial advantage	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain.</b>
Item 207 Council 27 July 2015	CEO Performance Review	Section 90(3)(a) Personal affairs	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain</b>
Item 235 Council 24 August 2015	Damage to Flooded Gum	Section 90(2) and 3(f) Litigation	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain</b>
Item 238 Council 24 August 2015	Strategic Land Acquisition	Section 90(2) and (3)(b)(i) and (ii) Commercial advantage	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain</b>
Item 241 Council 24 August 2015	CEO Contract	Section 90(3)(a) Personal affairs	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain on report.</b>
Item 10 – DSP Council 28 September 2015	Draft Inner and middle metropolitan Corridor Infill Minister Development Plan Amendment	Section 90(2) and (3)(j) Information provided on a confidential basis	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain</b>
Item 275 Council 28 September 2015	Unley Central	Section 90(2) and (3)(b)(i) and (ii) Commercial advantage	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain</b>
Item 318 Council 23 November 2015	Goodwood Community Centre Future Lease Arrangement	Section 90(2) and (3)(b)(i) and (ii) Commercial advantage	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain</b>
Item 321 Council 23 November 2015	CPCA Quarterly Progress Report	Section 90(2) and (3)(b)(i) and (ii) Commercial advantage	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 – Maintain on Attachment only.</b>
Item 324 Council 23 November 2015	Damage to Flooded Gum	Section 90(2) and (3)(f) Litigation	Until revoked by the CEO	<b>Reviewed by CEO 30/11/15 - Maintain</b>

## DECISION REPORT

**REPORT TITLE:** DETERMINATION OF TIME AND PLACE OF  
ORDINARY MEETINGS OF COUNCIL FOR  
2016

**ITEM NUMBER:** 341

**DATE OF MEETING:** 14 DECEMBER 2015

**AUTHOR:** CAROL GOWLAND

**JOB TITLE:** EXECUTIVE ASSISTANT TO CEO & MAYOR

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### 1. **EXECUTIVE SUMMARY**

For the purposes of Section 81 of the Local Government Act, Council must determine the time and place of its ordinary meeting. There must be at least one ordinary meeting in each month.

This report provides the meeting dates for the 2016 calendar year.

### 2. **RECOMMENDATION**

That:

1. The report be received.
2. The Council meet on the fourth Monday of every month at 7.00pm in the Council Chambers, 181 Unley Road Unley, with appropriate adjustments to accommodate public holidays, in accordance with the meeting schedule outlined below:

Monday	25 January 2016
Monday	22 February 2016
Tuesday	29 March 2016
Tuesday	26 April 2016
Monday	23 May 2016
Monday	27 June 2016
Monday	25 July 2016
Monday	22 August 2016
Monday	26 September 2016
Monday	24 October 2016
Monday	28 November 2016
Monday	12 December 2016

3. Council meet, when required, on the second Monday of the month, as determined by the Chief Executive Officer

4. The above meeting dates be adopted and advertised in accordance with the Local Government Act 1999.
- 

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

Under Section 81 of the Local Government Act, Council must determine the time and place of its ordinary meeting. There must be at least one ordinary meeting in each month.

A further Council meeting is able to take place on the second Monday of the month, as determined by the Chief Executive Officer. This initiative worked well in 2015, and it is suggested that this schedule remain in place for 2016.

## **2. DISCUSSION**

Council is required to meet once in each month and it has been determined that the fourth Monday of the month is suitable for all Council meetings. A further meeting can take place on the second Monday of the month, if it is determined by the Chief Executive Officer (eg this occurs during the preparation of the Annual Business Plan and Budget).

The only alterations to the schedule are listed below:

- The Council meeting scheduled for the fourth Monday for March 2016, be changed to Tuesday 29 March 2016, due to the Easter Monday holiday.
- The Council meeting scheduled for the fourth Monday for April 2016, be changed to Tuesday 26 April 2016, due to Anzac Day.
- The Council meeting scheduled for the fourth Monday for December 2016, be moved to the second Monday of the month instead of the fourth Monday, due to the Christmas period.

Under the Terms of Reference, the Section 41 Committees are able to determine their own meeting dates. Some of the Committees have determined their meeting dates for the following year and a draft calendar of events is attached for Members' information (Attachment 1 to Item 341/15). This calendar will be updated as required.

*Attachment 1*

## **3. ANALYSIS OF OPTIONS**

Option 1 –The Council meet on the fourth Monday of each month at 7.00pm at the Council Chambers, 181 Unley Road Unley, with appropriate adjustments to accommodate public holidays and the



Council meet, when required, on the second Monday of the month, as determined by the Chief Executive Officer.

As detailed above, the meeting dates be rescheduled to allow for public holidays.

Option 2 – Adopt the meeting schedule with amendments.

#### **4. RECOMMENDED OPTION**

Option 1 is the recommended option.

#### **5. POLICY IMPLICATIONS**

##### **5.1 *Financial/budget***

Nil

##### **5.2 *Legislative/Risk Management***

Nil

##### **5.3 *Staffing/Work Plans***

Not applicable

##### **5.4 *Environmental/Social/Economic***

Not applicable

##### **5.5 *Stakeholder Engagement***

Stakeholders will be notified through Gazette, Unley Life and Eastern Courier Messenger.

#### **6. REPORT CONSULTATION**

Executive Assistants

#### **7. ATTACHMENTS**

Draft Calendar of Events for 2016.

**8.     REPORT AUTHORISERS**

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



MEETING DATES - COUNCIL AND COMMITTEES - 2016 - DRAFT																			ATTACHMENT																	
	JANUARY			FEBRUARY			MARCH			APRIL			MAY			JUNE			JULY			AUGUST			SEPTEMBER			OCTOBER			NOVEMBER			DECEMBER		
M				1	EM BRIEFING																1	EM BRIEFING														
T				2			1														2								1							
W				3			2	UBED									1	UBED			3								2							
T				4			3										2				4			1					3			1				
F	1	PUBLIC HOLIDAY		5			4		1								3		1		5			2					4			2				
S	2			6			5		2								4		2		6			3		1			5			3				
S	3			7			6		3		1						5		3		7			4		2			6			4				
M	4			8	Council if needed		7	EM BRIEFING	4	EM BRIEFING	2						6	EM BRIEFING	4	EM BRIEFING	8	Council if needed		5	EM BRIEFING	3	PUBLIC HOLIDAY	7	EM BRIEFING	5	EM BRIEFING					
T	5			9	INFRASTRUCTURE & SUSTAINABILITY		8		5		3	EM BRIEFING					7	INFRASTRUCTURE & SUSTAINABILITY	5		9	INFRASTRUCTURE & SUSTAINABILITY		6			4	EM BRIEFING	8			6				
W	6			10	COMMUNITY & CULTURE		9		6		4						8		6		10	COMMUNITY & CULTURE		7	UBED		5		9			7	UBED			
T	7			11			10		7		5						9		7		11			8			6		10			8				
F	8			12			11		8		6						10		8		12			9			7		11	Remembrance Day		9				
S	9			13			12		9		7						11		9		13			10			8		12			10				
S	10			14			13		10		8						12		10		14			11			9		13			11				
M	11			15	DSP COMMITTEE		14	PUBLIC HOLIDAY	11	Council if needed	9	Council if needed					13	PUBLIC HOLIDAY	11	Council if needed	15			12	Council if needed	10	Council if needed	14	Council if needed	12	COUNCIL MEETING					
T	12			16	DAP		15	Council if needed	12	INFRASTRUCTURE & SUSTAINABILITY	10						14	Council if needed	12		16	DAP		13			11	INFRASTRUCTURE & SUSTAINABILITY	15	DAP	13	DAP				
W	13			17			16		13		11	COMMUNITY & CULTURE					15		13		17			14			12		16	COMMUNITY & CULTURE	14					
T	14			18			17		14		12						16		14		18			15			13		17			15				
F	15			19			18		15		13						17		15		19			16			14		18			16				
S	16			20			19		16		14						18		16		20			17			15		19			17				
S	17			21			20		17		15						19		17		21			18			16		20			18				
M	18			22	COUNCIL MEETING		21		18	DSP COMMITTEE	16						20		18	DSP COMMITTEE	22	COUNCIL MEETING		19			17	DSP COMMITTEE	21			19				
T	19			23			22		19	DAP	17	DAP					21	DAP	19	DAP	23			20	DAP		18	DAP	22			20				
W	20	DAP		24			23		20		18						22		20		24			21			19		23			21				
T	21			25			24		21		19						23		21		25			22			20		24			22				
F	22			26			25	GOOD FRIDAY	22		20						24		22		26			23			21		25			23				
S	23			27			26		23		21						25		23		27			24			22		26			24				
S	24			28			27		24		22						26		24		28			25			23		27			25	CHRISTMAS DAY			
M	25	COUNCIL MEETING		29			28	EASTER MONDAY	25	ANZAC DAY	23	COUNCIL MEETING	27	COUNCIL MEETING	25	COUNCIL MEETING	29		27	COUNCIL MEETING	26	COUNCIL MEETING	24	COUNCIL MEETING	28	COUNCIL MEETING	26	COUNCIL MEETING	29	COUNCIL MEETING	27	PUBLIC HOLIDAY				
T	26	PUBLIC HOLIDAY Australia Day					29	COUNCIL MEETING	26	COUNCIL MEETING	24						28		26					27			25		28	INFRASTRUCTURE & SUSTAINABILITY	27	PUBLIC HOLIDAY				
W	27						30		27		25						29		27					28			26		30							
T	28						31		28		26						30		28					29			27									
F	29								29		27							29						30			28						29			
S	30								30		28							30									29						31			
S	31										29							31									30									
M											30																	31								
T											31																									



## DECISION REPORT

**REPORT TITLE:** APPOINTMENT OF DEPUTY MAYOR  
**ITEM NUMBER:** 342  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** REBECCA WILSON  
**JOB TITLE:** MANAGER GOVERNANCE & RISK

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### 1. **EXECUTIVE SUMMARY**

The purpose of this report is for Council to make a decision on the appointment of the Deputy Mayor for the next 12 months.

Under section 51 of the Local Government Act 1999 ('Act'), a Deputy Mayor position may be chosen by the Members of the Council to hold office for a term determined by Council. This opportunity provides a significant developmental role for Elected Members.

In the absence of the Mayor, a Deputy Mayor acts in the office of the Mayor. If Council choose not to appoint a Deputy Mayor, a Member must be chosen from among Elected Members each time there is a requirement to replace the Mayor in his official duties when he is absent.

After the 2014 Local Government Council Elections, the feedback from Elected Members indicated the preference was for 4 x 1 year terms appointments, providing the opportunity for 4 Elected Members to serve as Deputy Mayor.

Councillor Bob Schnell was appointed in 28 January 2015 for a period of 12 months, expiring 27 January 2016. The Deputy Mayor is eligible to be chosen for a further term.

The position of Deputy Mayor receives an annual allowance of \$20,101

### 2. **RECOMMENDATION**

That:

1. The report be received.
  2. Councillor \_\_\_\_\_ be appointed as Deputy Mayor for the City of Unley for the period 28 January 2016 until 27 January 2017, unless such appointment is revoked by Council.
-

**1. RELEVANT CORE STRATEGIES/POLICIES**

O5.3 – Good governance and legislative framework

**2. DISCUSSION**

In the absence of the Mayor, a Deputy Mayor may act in the office of the Mayor. The role of the Deputy Mayor provides a significant developmental role for Elected Members.

Section 51 of the Act stipulates that if the Council has a mayor, there may also be a deputy mayor, if the Council so resolves. The Deputy Mayor is to be chosen by the Members of the Council from among their own number and will hold office for a term determined by Council.

The Council may choose not to appoint a Deputy Mayor, in which case a Member must be chosen from among the Elected Members each time there is a requirement to replace the Mayor in his official duties, when he is absent.

During the previous term of Council, the Deputy Mayor was appointed for a 2 year term. However, after the 2014 Local Government Council elections, Council noted their preference was for there to be 4 x 1 year terms, thereby providing an opportunity for 4 Elected Members to serve as Deputy Mayor.

Council resolved to appoint Councillor Bob Schnell as Deputy Mayor for the period 28 January 2015 until 27 January 2016. As this appointment expires next month, Council now need to decide whether a person is to be chosen to fill the office and if so, who and for what term.

If resolved to appoint a Deputy Mayor, on the expiration of a term of office, the current serving Deputy Mayor is eligible to be chosen for a further term.

The position of Deputy Mayor receives an annual allowance of \$20,101.25 per annum, as per the Remuneration Tribunal Determination of Allowances for members of Local Government Councils, July 2014.

If a person is to be chosen by the Members of the Council to fill the office of Deputy Mayor and the votes for two or more candidates for the office are equal, Clause 46, Nomination/Appointment of elected members to internal and external positions in the Code of Practice – Procedures at Meetings, will be followed.

### **3. ANALYSIS OF OPTIONS**

Option 1 – Council appoint a Deputy Mayor for the City of Unley for the period 28 January 2016 until 27 January 2017, unless such appointment is revoked by Council.

This option reflects the Elected Members' preference.

Option 2 – Council does not appoint a Deputy Mayor for the period 28 January 2016 until 27 January 2017.

This option means a member must be chosen each time there is a requirement to replace the Mayor in his official duties, when he is absent.

### **4. RECOMMENDED OPTION**

Option 1 is the recommended option.

### **5. POLICY IMPLICATIONS**

#### **5.1 *Financial/budget***

The Deputy Mayor of a Council receives an allowance of \$20101.25 (which is 1.25 times the annual allowance for Elected Members of a Council. This allowance is to be paid, unless the Member declines to accept payment of the allowance (either in whole or in part).

#### **5.2 *Legislative/Risk Management***

Section 51 of the Act stipulates that if the Council has a mayor, there may also be a deputy mayor, if the Council so resolves. The Deputy Mayor is to be chosen by the Members of the Council from among their own number and will hold office for a term determined by Council.

The Council may choose not to appoint a Deputy Mayor, in which case a Member must be chosen from among the Elected Members each time there is a requirement to replace the Mayor in his official duties, when he is absent.

#### **5.3 *Staffing/Work Plans***

NA

#### **5.4 *Environmental/Social/Economic***

NA

## **5.5 Stakeholder Engagement**

NA

## **6. REPORT CONSULTATION**

The Office of the CEO and Governance are departments consulted in regards to preparation of this report.

## **7. ATTACHMENTS**

Nil

## **8. REPORT AUTHORISERS**

<b><u>Name</u></b>	<b><u>Title</u></b>
Peter Tsokas	CEO

## **INFORMATION REPORT**

**REPORT TITLE:** COUNCIL ACTION RECORDS  
**ITEM NUMBER:** 343  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** CAROL GOWLAND  
**JOB TITLE:** EXECUTIVE ASSISTANT TO CEO & MAYOR

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### **EXECUTIVE SUMMARY**

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

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. The report be noted.
-



**COUNCIL ACTION REPORTS - ACTIONS TO October 2015**

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
COUNCIL	82	<b>City of Unley Library Service Review -</b>	General Manager Community	A report will be presented to Council in February / March 2016, addressing the recommendations for the Library Service Review.
DSP	3	<b>Draft General Development Plan -</b> 2. Do not endorse the draft General DPA in its current form. 3. An opportunity be provided for the scope, nature and timetable of the DPA to be revised to address the issues of concern of the Committee. 4. A further report be provided to the Committee in June 2015.	General Manager Economic Development & Planning	Draft reviewed in May 2015. Revision required. Progress delayed primarily due to priority with processing Residential Growth DPA; responding to critical issues with proposed Activity Centres Ministerial DPA, Corridors Ministerial DPA and The 30-Year Greater Adelaide Plan (update 2015) and awaiting their outcomes to understand inherent impacts on scope and nature of policy in General DPA.
AUDIT & GOV	13	<b>Motion on Notice re Service Review -</b> The Audit and Governance Committee requests the Chief Executive Officer to develop a brief to appoint an experienced sector consultancy to undertake a service and organisational review which will include but not be limited to assessment and recommendations on the following:  <ul style="list-style-type: none"> <li>• The efficiency and effectiveness of its operations; the adequacy and deployment of resources in operational activity</li> <li>• The manner in which its resources are directed towards the Council's priorities and provide value for money to the community</li> <li>• Strategic opportunities that will maximise return on Council's major assets</li> <li>• Opportunities to improve the efficiency and/or effectiveness of its services including options to use alternative service delivery mechanisms</li> <li>• Opportunities for cash savings and revenue growth.</li> </ul>	General Manager Corporate Services	Gone to market for quotes for work. Quotes received from 5 suppliers. A&G Comm held w/shop 19 Nov to discuss quotes for Part A work, which may be able to be achieved for significantly less investment than originally thought. Part A info (expected Dec 15). Three Suppliers have been selected for Part B work once Part A activity is ascertained.
COUNCIL	161	<b>Draft Active Ageing Strategy -</b> Council endorse the draft Active Ageing Strategy for the purpose of community engagement. 3. On completion of community engagement, a further report be presented to Council to endorse the final Active Ageing Strategy.	General Manager Community	Actioned. Report in this Agenda. COMPLETED.

**COUNCIL ACTION REPORTS - ACTIONS TO October 2015**

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
<b>COUNCIL 13 July</b>	179	<b>Unley Oval Grandstand Upgrade</b> - 2. Engagement with the community be undertaken regarding the nominated grandstand upgrade option1, and Council be advised of the feedback.	General Manager Economic Development & Planning / Community	Report will be provided to Council in January 2016.
	180	<b>Maud Street Kerb Build Out A Mother's Milk Café Outdoor Dining Area</b> - 2. Option 1, Council support installation of the kerb built out at Maud Street to enable outdoor dining for AMM be endorsed. 3. The temporary water filled barrier protection installed at Maud Street be removed (when the actions in sub para 2 are complete). 4. The residents and traders consulted on the matter be notified of the Council decision.	General Manager Economic Development & Planning	Works completed as per Council direction. <b>COMPLETED</b>
	285	<b>Revocation of Community Land Classification and Proposed Disposal of Land - Lot 502 Dover Street Malvern</b> - 2. Council formally request the Minister for Planning, to support the revocation of Community Land Status on land identified as Allotment 502 within Filed Plan 34815, Certificate of Title Volume 5381 Folio 56 in the area named Malvern, as a pre-cursor to the negotiation for sale of the portion of land to the owner of 1 Dover Street Malvern.	General Manager Assets and Environment	Letter sent to Minister. Awaiting response.

**COUNCIL ACTION REPORTS - ACTIONS TO October 2015**

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
UBED	14	<b>Review of Differential Separate Rates</b> - 2. A review be undertaken of the role and operation of the Trader Associations, in conjunction with the associations, to ensure they are still the most appropriate method for promotion of the precincts and are supported by the businesses in those precincts. 3. The Unley Business & Economic Development Committee engage and consult with main street traders and businesses to discuss and investigate the existing arrangements for the application of Differential Separate Rates, and provide recommendations to Council as to any changes that may be prudent. 4. A report be submitted to the next UBED Committee meeting on the feasibility of introducing a cap to the differential separate rate and the proposed methodology to be undertaken for reviewing the Trader Association model.	General Manager Economic Development & Planning	Report went to UBED on 2 December. Report to be submitted at the next UBED meeting in 2016.
	15	<b>Partnership with Business SA</b> - 2. The City of Unley seek to progress the matter of a partnership with Business SA, to better support the businesses of Unley. 3. A formal partnership agreement be negotiated and the CEO authorised to sign such agreement.	General Manager Economic Development & Planning	Partnership agreement being drafted by BEDM - Business SA advised in writing of decision and actions to be taken. <b>COMPLETED</b>
COUNCIL	304	<b>Clarence Park Community Centre Partnering and Management Agreement 2015 - 2018</b> - 2. The Partnership and Management Agreements between the City of Unley and Clarence Park Community Centre Inc., as contained in Attachment 1 to Item 304/15, be endorsed. 3. The CEO be delegated to execute the Partnership and Management Agreements.	General Manager Community	

# COUNCIL ACTION REPORTS - ACTIONS TO October 2015

Meeting	Item	Subject and Council Resolution	Resp.	Status/Progress
	308	Licence to Kirinari 41 Oxford Terrace Unley - 2. A short-term Licence Agreement be negotiated with Kirinari School for shared access to 41 Oxford Terrace during the 2016 school year under the same Terms and Conditions as are currently in place and for an annual fee of \$2,450 plus GST. 3. Signage be erected providing details of public access times. 4. Council reaffirm its position to Kirinari that any licence agreement is only for a short term, pending outcomes of options associated with the Unley Central Precinct Project and that any further improvements to the site be undertaken only after approval from Council.	General Manager Assets and Environment	License Agreement being drafted. Signage being designed and produced. Mayor to visit Kirinari and explain short term nature of Agreement.
	315	Notice of Motion from Councillor Lapidge re Mr Bryan Elliott, CPCA - Appreciation of Service - 1. The City of Unley writes to Mr Bryan Elliott expressing its appreciation for his significant contributions over the last 12 years as the Chief Executive Officer of Centennial Park Cemetery Authority.	Chief Executive Officer	Letter written to Mr Elliott. COMPLETED
	316	<b>Notice of Motion from Councillor Boisvert re Pedestrian Safety on Shared Pathways</b> - 1. Investigate the risks associated with cyclists and pedestrians travelling along shared pathways in the same direction on the same side of the path; 2. Consider whether there is a need to change the laws to make it common practice to have contra flow lanes operating on shared pathways, with cyclists travelling on the left hand side and pedestrians the right hand side.	General Manager Economic Development and Planning	Letter has been sent to DPTI.
	305	<b>Shared Street Concept - Anderson Street Fullarton</b> - 2. The Anderson Street residents be advised that the proposal to construct shared street infrastructure will be considered by Council in the 2016/17 budget deliberations, and if included in the budget, further consultation will occur with local residents. 3. Residents of Anderson and Dawson Streets be informed accordingly.	General Manager Economic Development and Planning	Community notification letters have been mailed out on 30 Nov 2015.

## **ITEM 344**

### **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

#### **QUESTIONS ON NOTICE FROM COUNCILLOR RABBITT RE UNLEY CENTRAL**

The following Questions on Notice were received as Questions Without Notice at the November meeting of Council and the answers are provided:

#### **Questions**

Council is currently seeking feedback on the proposed directions for the Unley Central Precinct (Consultation commencement date was 6 November).

1. *When were Elected Members informed about the details of the letters to residents, the display material and dates of the survey, including the public sessions?*

#### **Answer**

An Engagement Plan; outlining the proposed consultation, stages, methodology, negotiables/non-negotiables and designated primary stakeholder catchment area of affected properties identified to receive letters (modified and extended in the north west); was presented, discussed and endorsed by the Development Strategy and Policy Committee [DS&PC] on the 21 September 2015 and adopted by Council on the 28 September 2015.

A copy of the letters, brochure (including drop-in session details) and survey were distributed (12 November 2015) as an attachment to an update on the project in the agenda for the 16 November 2015 DS&PC and adopted by Council on the 23 November 2015.

Agendas for DS&PC Meetings are distributed on the Thursday prior. All Elected Members receive either a hard copy or are notified by email in regard to accessing an electronic copy, depending on their personal preference. Consequently, all Elected Members had access to the documents from 12 November 2015.

2. *If they were not informed (other than those on the DSP or UBED Committees), why not?*

#### **Answer**

As above. No other notification was given.

3. *What was the catchment area within which residents received direct notice of the survey?*

Answer

The primary stakeholder catchment area was designated (as modified and extended by the DS&PC in the north west) in the Engagement Plan endorsed by the DS&PC and Council in September 2015.

4. *Given that the Unley Central Precinct is the core of our City, other than via 'Your Say', to what extent has the existence of the survey been communicated to the broader community?*

Answer

In accord with the Engagement Plan this initial consultation stage was intended as a preliminary exploration and information gathering exercise with those more directly affected to obtain their views on broader ideas, issues and impacts.

Beyond the letters, web-site and 'HaveYourSay', advice in the Unley Life column in the Eastern Courier Messenger on the 10 November 2015 was intended. Unfortunately this did not occur and it was delayed until the 24 November 2015 publication.

5. *Why was the email notice of this consultation not sent to those registered with 'Your Say' until 16 November - 10 days after commencement of the consultation and only a few days prior to the public session days of 19 and 21 November?*

Answer

Email notification to the 'HaveYourSay' on-line community does not typically happen upon creation of the entry but occurs subsequently as a regular monthly update on new consultations. That has been a learning experience for those involved with this consultation, and in future stages of engagement the emails will be "forced" to suit the timing requirements of the engagement. There are more than 1000 registered recipients on Your Say.

## **ITEM 345**

### **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

#### **QUESTIONS ON NOTICE FROM COUNCILLOR HUGHES RE OPPORTUNITIES TO EXPAND OUR COMMUNITY VOLUNTEERS PROGRAM**

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

#### **Preamble**

On Friday 20th November I attended an appreciation event in the Town Hall for Unley's Volunteers. It was announced that we have 400+ Volunteers.

At the event I became aware of keen Volunteer interest in new roles.

1. Friends of Heywood Park. This group is volunteering to meet on a regular basis at Heywood Park and undertake minor maintenance and beautification that is not within the normal province of Council's own staff. I understand that some councils have similar volunteers who provide maintenance along creeks and waterways.
2. Parking monitors. These people have asked for Council's approval to be authorised to place friendly reminder notices on car windscreens when they observe parking infringements in challenging parking locations.

#### **Questions**

1. *Will Council make contact with these volunteers and explore the possibilities, if names are provided?*

#### **Answer**

Council's Administration will contact the interested parties to discuss what opportunities there may be for volunteering with regards to Heywood Park. Issues that will need to be considered include insurance cover, WHS and the specific tasks identified.

2. *What obstacles exist to either roles being established?*

#### **Answer**

Council's legal and statutory obligations, as stated above.

3. *Can any obstacles be overcome?*

#### **Answer**

If the obstacles are of a legislative nature, then it is unlikely they would be overcome.

4. *What action can Elected Members take to support the establishment of these new Volunteer roles?*

Answer

As stated above, the determination of the roles will be guided by legislative obligations. Should it be the case that the volunteer activities proposed are deemed to be appropriate, then we would suggest Elected Members provide names of those interested to our Volunteer Coordinator in Human Resources, to enable the recruitment process and various checks to be performed.



## **ITEM 346**

### **QUESTIONS ON NOTICE FROM COUNCILLOR PALMER RE COST OF COMMUNITY CONSULTATION**

#### **Preamble to Questions**

I have long recognised that public consultation constitutes a large contribution to our budget each year. As a one off lump sum I have wondered how much we spend and wonder likewise if we truly value the amount we do commit to this vital component of our budget. Elected members may be astounded if and when we are given, even an estimate of these costs.

In more recent of times I have also contemplated not just the lump sum \$ annual cost but the cost per head of some campaigns and also the cost per head of responses received.

We have often directed admin on applying a campaign of lesser total up front cost only to question later if we should have widened the survey area.

I believe we would be better placed to make informed consultation decisions if we knew what our total annual cost and not just the lump sum cost of a given consultation/survey but the per head cost and importantly the cost per head of responses received. In other words, we may find the bigger lump sum consultation may prove the more cost effective at achieving maximum responses, assuming that is our goal.

Knowing this may also inform on the least cost effective methods and may prompt us to find ways of connecting at a reduced cost, be it total, cost per head of those surveyed and/or the cost per head of responses received.

My questions then are:

1. Can we be advised what is our total annual cost of community consultation across all departments, including consultations authorised by council, consultations prompted by admin on changes to roads etc, representations on Category 2 and 3 development applications.
2. Can we be advised of the method of consultation and the total cost of each consultation on a group of given projects including but not restricted to Unley Central, the Picket Fences and other such projects of admins choice by way of example of what we spend on a per project budget.
3. Can we then please advise the number of rate payers consulted cost per head of each of these campaigns.
4. Likewise, can we be advised of the number of responses to each campaign and the cost per head of responses received.

## **OFFICER'S COMMENTS (CEO)**

This is a significant piece of work which will require some time to gather all the information.

In answering these questions, Members should note that Council undertakes consultation on most of the services provided, not just projects.

For example, consultation occurs with parking zone changes, tree removals, traffic device installations, Home and Community Care Services, Development Services and Regulatory Services.

Currently there is no specific cost centre allocated to community consultation, instead Administration staff undertake this task as part of their normal activity and therefore any answer to question 1 will merely be an estimate.

Questions 2 – 4 will be easier to define on the basis that they are project related. Information will be provided based on the following projects: Forestville LATM, Unley Central, Unley Oval picket fence and DPA 2.

The answers will be provided in the new year.

## **CORRESPONDENCE**

**TITLE:** CORRESPONDENCE  
**ITEM NUMBER:** 347  
**DATE OF MEETING:** 14 DECEMBER 2015  
**ATTACHMENTS:** 1. CORRESPONDENCE

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MOVED:  
SECONDED:

The correspondence from

- Centennial Park Cemetery Authority
- Prime Minister
- Deputy Premier – Minister for Planning
- Annesley Junior School
- Steven Griffiths MP

be noted.

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Centennial Park  
Cemetery Authority  
Telephone 08 8276 6011  
Facsimile 08 8275 2266  
enquiry@centennialpark.org.au  
www.centennialpark.org  
700 Goodwood Road  
Pasadena SA 5042

6 November 2015

Mayor Lachlan Clyne  
City of Unley  
PO Box 1  
UNLEY SA 5061

Dear Mayor Lachlan Clyne

**Re: New Chief Executive Officer for Centennial Park**

On behalf of the Board of Management, I am pleased to announce that Ms Janet Miller has been appointed as Chief Executive Officer (CEO) of the Centennial Park Cemetery Authority.

Janet will commence her new role from January 2016, joining Centennial Park's high-performing Executive Management Team.

Janet has 15 years experience in leadership and people management.

As former Chief Executive Officer of DW Fox Tucker Lawyers and previous Chief Executive Officer of the Perks Group (Financial Services), Janet has extensive experience in operational and financial management, strategic planning and implementation, as well as engaging with a broad range of stakeholder groups.

Janet was Chief Executive Officer at DW Fox Tucker Lawyers from 2009-2015.

Prior to this, she was CEO at the Perks Group for six of the 12 years she spent with the company. Janet was the firm's first CEO and led the company through a period of significant growth and change.

Janet will replace Bryan Elliott, who has resigned as CEO after 12 invaluable years. We are thankful for Bryan's leadership over this time and wish him all the very best in his next phase of life.

We feel very privileged to have Janet join Centennial Park. I trust you will join me in warmly welcoming her to the position.

The wider community will be informed of Janet's appointment in a separate communication to be distributed today.

In the coming months, we will hold an official welcome for Janet and I look forward to sharing the details with you on that soon.

On behalf of the Board of Management, I appreciate your ongoing support of Centennial Park.

Kind regards,

Stephen Hains  
Chairman  
Centennial Park Board of Management

Subject - CENTENNIAL PARK (6)		
Property/Street MANAGEMENT BOARD		
Application No.		
Doc. No.	09 NOV 2015	Class. ALM
For Info/Action C GOLWIND		



PRIME MINISTER

Reference: C15/114189

11 NOV 2015

Councillor Lachlan Clyne  
Mayor  
City of Unley  
PO Box 1  
UNLEY SA 5061

Dear Mayor

Thank you for your very kind message of congratulations.

The responsibility of this office is both humbling and inspiring.

This is the most exciting time to be an Australian; the opportunities for our nation, its people and its businesses have never been so numerous and diverse.

But to succeed in a rapidly expanding global market and to remain a high wage, generous social welfare net first world economy we need to be more agile, creative, productive and innovative.

The keen focus of my Government will be on achieving this and by doing so secure the jobs and the prosperity of our children and grandchildren.

Thanks again for writing to me and I look forward to your help and good counsel in the future.

Yours sincerely

MALCOLM TURNBULL

Parliament House CANBERRA ACT 2600  
Telephone (02) 6277 7700  
[www.pm.gov.au](http://www.pm.gov.au)

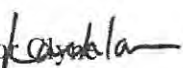
APPRECIATION		(6)
Doc. No.		
19 NOV 2015		Class.
For Information		ACM
C GOWLAND		

The Hon John Rau MP

9965984

18 November 2015

Mayor Lachlan Clyne  
City of Unley  
PO Box 1  
UNLEY SA 5061

Dear Mayor 



**Government  
of South Australia**

Deputy Premier  
Attorney-General  
Minister for Justice Reform  
Minister for Planning  
Minister for Housing and Urban  
Development  
Minister for Industrial Relations  
Minister for Child Protection  
Reform  
45 Pirie Street  
ADELAIDE SA 5000  
GPO Box 464  
ADELAIDE SA 5001  
Tel 08 8207 1723  
Fax 08 8207 1736

**Inner and Middle Metropolitan Corridor Infill Development Plan Amendment**

I am writing to thank you for your Council's recent consideration and comments on the preliminary draft Inner and Middle Metropolitan Corridor Infill Development Plan Amendment (DPA). A number of issues have been raised that require careful consideration.

A number of Councils have also expressed concern about the possible timing of the release of the DPA in relation to the current process for the *Planning, Development and Infrastructure Bill*. I have therefore decided to hold off releasing the draft DPA for public consultation until early next year, so the Bill can be further progressed, and further consideration be given to DPA issues.


However, I remain committed to progressing this important initiative in a timely manner as part of the government's planning reform agenda.

In accordance with the *Development Act 1993*, Council will have an opportunity to make written submissions on the DPA during the statutory consultation period, and may request to be heard at the Development Policy Advisory Committee (DPAC) public meeting(s).

Following the receipt of a report on the issues raised during consultation from DPAC, I would then be in a position to approve the DPA, with or without changes, or decline to approve the DPA.

If you have any questions, please contact Mr Daniel Clapp, Principal Planner of the Department of Planning, Transport and Infrastructure, who is the project coordinator for the DPA, on direct telephone number 7109 7015 or by email at [Daniel.Clapp@sa.gov.au](mailto:Daniel.Clapp@sa.gov.au).

Yours sincerely

  
**John Rau**  
Deputy Premier  
Minister for Planning

371.7

Subject	MINISTERIAL TOWER MOBILE		
Property/Street			
Application No.			
Doc. No.	20 NOV 2015	Class.	ALLIANCE
For Info/Action	C. GOWLAND		



**Annesley Junior School**  
Values Matter

28 Rose Terrace, Wayville  
South Australia 5034  
T 61 8 8422 2288  
E [enquiries@annesley.sa.edu.au](mailto:enquiries@annesley.sa.edu.au)  
W [annesley.sa.edu.au](http://annesley.sa.edu.au)

23 November 2015

Mr L Clyne  
Mayor of Unley  
181 Unley Road  
UNLEY SA 5061

Dear Lachlan

Our two students Lily and Matilda recently attended the Unley ANZAC Centenary Commemoration ceremony at Unley Memorial Gardens. The memorial plaque representing the long history of MLC/Annesley in the Unley area was a very visual acknowledgement of their school's heritage and was a wonderful learning experience for our students. I thank you for allowing the girls to be participants at the ceremony.

Additionally, they were thrilled to have their photo taken with the Mayor of Unley (photo in this week's edition of *Annesley News* [www.annesley.sa.edu.au](http://www.annesley.sa.edu.au)).

With best wishes for the festive season.

Yours sincerely

CHERYLYN SKEWES  
Principal

Subject <i>Appreciation</i>	
Property/Street	
Application No.	
Doc. No.	24 NOV 2015 Class. <i>McGee</i>
For info/action <i>C. Gowland</i>	







# STEVEN GRIFFITHS MP

Member for Goyder



25 November 2015

Mayor Lachlan Clyne  
City of Unley  
PO Box 1  
UNLEY SA 5061

Dear Mayor Clyne

*LACHLAN,*

I refer to the Local Government Rate Capping policy the South Australian Liberal Party took to the 2014 State Election.

While I know from many discussions over the last 20 months that the position of local government is to reject the policy, I am concerned that the details of the proposal may not be known by elected members and staff to the level needed to ensure informed debate occurs. Thus, the reason for this letter which I ask you to circulate within council.

The rate capping policy was developed by the SA Liberal's purely to deal with cost of living pressures. The policy, and others that impact on State Government, are designed to ensure that South Australians pay for service delivery that it cost efficient.

The rate capping policy has been structured to provide flexibility for individual council circumstances, which is a fundamental component in recognition of the pressure on local government to respond to community demands, service gaps and on-going infrastructure construction and maintenance.

Under the State Liberal's plan, rate capping will restrict all councils to an increase in rate revenue in line with the percentage change determined for each financial year by the index calculation on typical local government costs. It is envisaged that a body such as the Essential Services Commission of South Australia (ESCOSA) would undertake the rate capping function.

Individual councils can apply to ESCOSA for a variation above the determined percentage increase, but must be able to demonstrate engagement with their communities and that support to go above the allowable increase exists.

Examples of circumstances in which variations could be sought include:

- Dealing with high growth areas and the challenges presented
- Funding the development and/or maintenance of essential community infrastructure or backlogs
- Funding new or enhanced services to meet growing demand in the community
- Funding projects of regional significance

Address 51 Robert Street, Maitland SA 5573

Tel (08) 8832 2455

Fax (08) 8832 2699

Email [goyder@parliament.sa.gov.au](mailto:goyder@parliament.sa.gov.au)

Web [www.stevengriffiths.net](http://www.stevengriffiths.net)



Importantly, the policy will exclude from ESCOSA's rate pegging calculations areas such as:

- Waste water treatment charges
- Rate income in the first year from new properties created by subdivision
- Federal Government grants
- State Government grants

For local government, rate capping ensures that councils will not bear the brunt of public criticism for increases in rates, with ESCOSA to set the allowable rate income rise for councils and councils then having the discretion to set rate levels for different categories of land uses.

Enclosed is a copy of the 2014 policy document outlining the rate capping scheme.

The SA Liberal's continue to support a rate capping policy in response to community concerns on cost of living pressures and to ensure services, no matter the level of government providing them, does so in a cost efficient way.

I assure you that the SA Liberal Party remain committed to working with local government to make South Australia the best place to live and conduct business.

Yours sincerely



Steven Griffiths  
**Member for Goyder**  
**Shadow Minister for Regional Development**  
**Shadow Minister for Local Government**  
**Shadow Minister for Planning**

Subject - (1001-10) State Government		
Property/Street		
Application No.		
Doc. No.	27 NOV 2015	Class.
For Info/Action	C. Rowland	

# 3

## EASING COST OF LIVING Our Plan

If elected in March 2014, a Marshall Liberal Government will move to cap council income rises from the 1st of July 2015.

We will cap council rate rises in keeping with council cost inflation, to ease the pain and get household budgets back under control. We will use a local government cost index to set the rate cap which will be determined in consultation with SA's independent regulator the Essential Services Commission of South Australia (ESCOSA) and the Local Government Association.

The rate cap will be determined by examining input costs and measuring annual price movements for goods, materials and labour used by the average council. It will also make it much easier for ratepayers to see where council costs are coming from.

Unlike NSW, our rate cap will not include a productivity dividend for local government, as councils are already taking measures to increase efficiencies in South Australia.

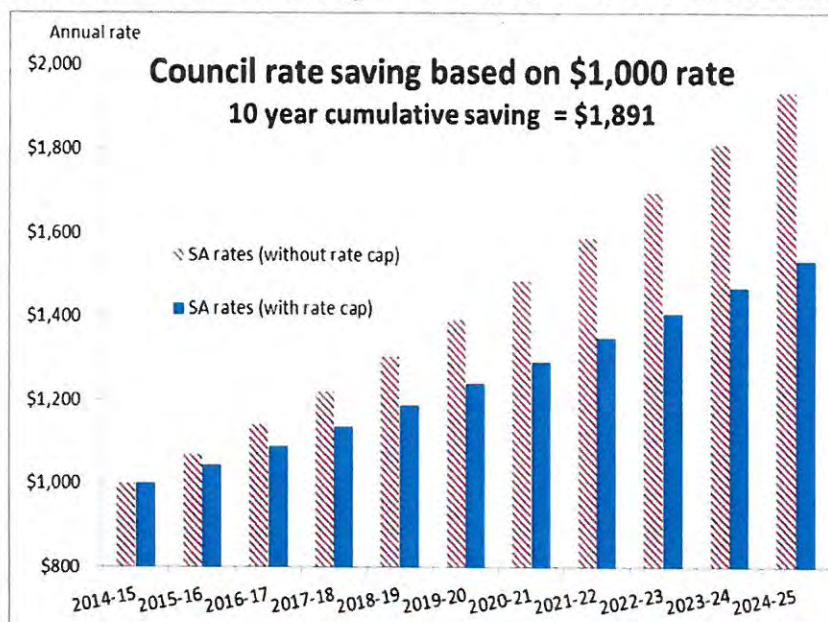
We will also allow a council to seek an increase in their income above the rate cap from ESCOSA in cases of unique circumstances, as has worked to great effect in NSW.

Pegging council rate rises back to reasonable levels could save households hundreds of dollars and allow homeowners to better manage their finances.

If SA rates grew at 4.4% a year over the next 10 years (this is the NSW growth rate) rather than SA's historical growth rate of 6.8% per year, a household with a \$1,000 annual rate bill would see a cumulative saving of \$1,891 over this 10 year period.

We will also work with high-growth councils like Onkaparinga, Playford, Salisbury, Light, Copper Coast, Mallala and Mount Barker over this transition period, recognising the challenges their communities face.

Our approach will ensure efficient and effective government and will ease the cost of living for all South Australians.



## **MAYOR'S REPORT**

**TITLE:** MAYOR'S REPORT FOR MONTH OF  
DECEMBER 2015

**ITEM NUMBER:** 348

**DATE OF MEETING:** 14 DECEMBER 2015

**ATTACHMENTS:** 1. MAYOR'S CALENDAR

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## **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. The report be received.
-

DATE	TIME	MEETING SUBJECT	LOCATION
14/11	9.00am	Elected Member Finance Workshop	Unley Civic Centre
17/11	5.30pm	Meeting with the Ambassador of France in Australia	University of Adelaide
18/11	12.30pm	Aged Care Providers' Lunch	Civic Centre
	5.30pm	Unley Museum Drinks and Nibble prior to AGM	
19/11	6.00pm	Thank you Reception for Fred Trueman	
20/11	10.30am	2 <sup>nd</sup> Mayor's Summit for Jobs Growth	Adelaide Town Hall
	12.30pm	RDA Adelaide Board Meeting	
	3.00pm	Volunteer Christmas Function	Unley Town Hall
	6.00pm	Ignite Unley on Unley Oval	
25/11	7.00am	White Ribbon Breakfast	Convention Centre
	6.00pm	Unley Road AGM	Snake Charmer
26/11	All day	MLGG Meeting	Naracoorte
27/11	2.00pm	Invest in SA	Unley Town Hall
	5.00pm	French Christmas Market	Memorial Gardens
28/11		French Christmas Market	Memorial Gardens
30/11	12 noon	Guest Speaker at Barzaar Lunch	
1/12	7.00am	Unley Business Breakfast	Town Hall
	6.00pm	King William Road Traders Association Christmas Cheer	
2/12	2.00pm	Creative France in SA	
	4.00pm	Australia Day Panel Meeting	Mayor's office
3/12	5.30pm	Student Networking Event	Town Hall
4/12	1.30pm	Walford School Speech Day	
	5.00pm	Fullarton Park Community Centre Christmas Party	
6/12	12noon	Sturt Bowling Club Christmas Lunch	
7/12	2.00pm	Pozieres Bayonet Presentation	
	6.30pm	EM Briefing	
8/12	9.00am	RDA Adelaide Strategy Review	
9/12	12.30pm	MLGG Economic Development Think Tank	Crowne Plaza
10/12	12 noon	ERA Mayors and CEOs meeting	
During this period I have met with Elected Members, Administration, Residents and various community groups.			

## **DEPUTY MAYOR'S REPORT**

**TITLE:** DEPUTY MAYOR'S REPORT FOR MONTH OF  
DECEMBER 2015

**ITEM NUMBER:** 349

**DATE OF MEETING:** 14 DECEMBER 2015

**ATTACHMENTS:** 1. DEPUTY MAYOR'S REPORT

---

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. The report be received.
-

Meetings with the Mayor, CEO, GMs and staff  
Discussions with EMs.  
Various discussions.

The list below mostly excludes events and activities that I would normally attend as an Elected Member eg. Council meetings, briefing sessions, Ward discussions with staff and community events.

At all events attended, any expense incurred was funded by myself.

Friday 20 November

Attended a Harvest Luncheon in the Community Garden @ Willcox Avenue, Prospect.

'Head Gardener' Jack Condous was a generous host. He provided a tour of the garden and we nibbled on fresh produce as we wandered. A lot of effort has gone into making it a success; especially the volunteers and funding from the Council. Lunch was superb. Simple fare washed down with SA wines.

Of particular note were Jack's home cured red Kalamata olives and Tapenade. Absolutely superb. The best ever.

He sent me the recipe and I will share it via my blog.

I understand that the Mayor of Prospect has a fondness for Jack Condous' olives and tapenade.

Friday 20 November

Attended a fund raising event at the Capri Theatre, Goodwood.

Invited by the Art Deco & Modernism Society.

Raffles and silent auctions to raise money to fund the painting of the external of the theatre. Men were dressed as 007 and women were dressed suitably to accompany James Bond. Some nice outfits.

The Bond movie Spectre was screened.

During speeches the City of Unley was acknowledged for its generous \$20k contribution from the Council's Conservation fund.

The Capri is celebrating its 75th birthday and the painting is overdue.

As a matter of note, the murals on the Northern wall will be re-painted.

Saturday 21 November

AC/DC Concert @ Adelaide Oval.

The music was loud; very loud.

My body was vibrating and thumping.

Friday 27 November

Attended the French Market @ Unley in the evening.

An excellent ambience.

A good crowd.

Purchased food to take home.

Saturday 28 November

Attended the French Market @ Unley and enjoyed a rustic lunch.  
Very hot; struggled to find shade.  
I preferred the atmosphere of the previous evening.  
Afterwards, wandered over to the Etsy craft sale event in Oxford Terrace.  
Also popped into Aggies Op Shop to check out their stock; made a purchase.

Attended numerous Christmas and end of year events; gatherings with residents and traders.

I wish everyone an enjoyable and safe period during the Christmas and New Year break. It's an opportunity to unwind and recharge at an easy pace.

## **REPORTS OF MEMBERS**

**TITLE:** REPORTS OF MEMBERS  
**ITEM NUMBER:** 350  
**DATE OF MEETING:** 14 DECEMBER 2015  
**ATTACHMENTS:** 1. MEMBERS' REPORTS

---

MOVED  
SECONDED:

That:

Council note the attached reports from Members

1. Councillor Don Palmer
  2. Councillor Mike Hudson
  3. Councillor Peter Hughes
  4. Councillor Michael Rabbitt
-



## REPORTS OF MEMBERS

**TITLE:** REPORT FROM COUNCILLOR PALMER

---

(a) **Items of particular interest, concern or urgency**

1 Australia Chinese Graduates function

I attended this function attended by some 100 graduates and/or students to graduate next year.

Networking with the students I found them to be bright, well spoken (English), ambitious and very keen to find employment here in Adelaide. Many of them I guess won't achieve that aim and will return to China.

The key though is their desire to remain here rather than return to China, something we should be conscious of and prepared to assist with.

(b) **Functions Attended**

23 November	Conference with Mayor and David Brown re Unley Central public consultation
24 November	Conference with Mayor, CEO, Davids Litchfield and Brown and Cr Rabbitt re Unley Central public consultation
25 November	Liaised with Laura over suggested improvements to our customer request system.
1 December	Unley Business Breakfast King William Road Traders Association Christmas Drinks
2 December	UBED
3 December	Australia Chinese Networking Event
7 December	Pozieres Bayonet Presentation
8 December	Goodwood Road Traders Association Christmas Drinks
9 December	Discussion with Millswood Bowls and Croquet Clubs with John Wilkinson and Cr Boisvert.
10 December	Strategic Property Acquisitions Committee meeting
11 December	Mayor's Christmas Dinner

## Monthly report from Councillor Mike Hudson.

Together with a number of other I Members attended the Memorial Gardens tribute to victims of the Paris terrorist attack. Short and poignant speeches. A moving poem. And a stirring rendition of the Marseillaise. Congratulations to all those responsible for an excellently staged short-notice event.

Attendance at the Christmas celebrations of Eastwood Community Centre, with a large (150-plus) turnout including Burnside Mayor David Parkin and a streamlined David Pisoni... who said that no special diet, just strong willpower, has been responsible for his 16k weight-loss!

Joined fellow Justices of the Peace at the annual Christmas lunch. The daily volunteer service continues to garner praise from residents of Unley and surrounding council areas.

Together with other members of the Council sub-committee sifted through the varied applications for the Citizen of the Year Awards. Interesting...

Liaised with a VERY concerned resident of Stow Court, who is pursuing her investigation into strong rumours of the closure and sale/redevelopment of the Trust's 100-plus unit complex on Fullarton Road. There appears to be a lot of governmental dodging and weaving (read "evasion") going on.

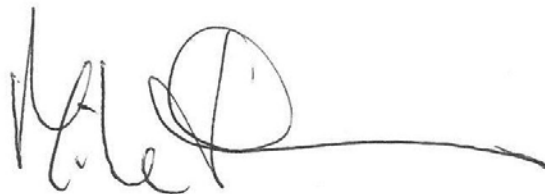
Informative meeting with senior depot staff regarding the Council's tree strategy document, and the implications of future street replanting with regard to Human Rights Commission guidelines for equitable footpath access.

Welcomed the proprietors of two new large shops to the Unley business area, one on Glen Osmond Road and the other on Unley Road. Both dealing largely with musical nostalgia. Who was it who said that vinyl was dead?

Survived a convoluted (legal and long) explanation of the implications of the ever-changing minefield of conflicts of interest as they pertain to Elected Members. Council "workshops" appear, unfortunately, to be an ever-growing industry. Two this month. The latest on Oxford Tce plans and our bus service.

All of the above took place either side of a long hiatus on Blyth Street, where the resident suffered major withdrawal trauma while waiting (for an agonising week) for the delivery of a new, whizbang desk-top machine which keeps him in touch with the outside world.

Happy New Year.

A handwritten signature in black ink, appearing to read 'Mike Hudson', followed by a long horizontal line.

## REPORTS OF MEMBERS

**TITLE: DECEMBER 2015**

**REPORT FROM COUNCILLOR**

**PETER HUGHES**

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**(a) Items of particular interest, concern or urgency**

**(b) Functions Attended**

17<sup>th</sup> Nov - Attended the Vigil for the victims of the Paris attacks. An extremely well put together ceremony with moving tributes. The event provided opportunities for people to pay their respects, grieve and support the French community. Congratulations to all.

19<sup>th</sup> Nov – Attended the City of Unley's Volunteers Xmas party event in the Town Hall. The Hall was simply but appropriately decorated for a party atmosphere. Good quality entertainment and speeches of appreciation. Unley has 400+ registered volunteers, some of whom have expressed their enthusiasm for new volunteer projects.

20<sup>th</sup> – Attended the first Ignite Unley Outdoor Cinema event at Unley Oval. This was a very successful event that engaged children and families with many constructive, adventurous, recreational and play activities prior to the film. Feedback from event partners and parents was excellent. Many are already looking forward to later movies scheduled for December, January and March.

27<sup>th</sup> – The Australia China Business Council invited Unley to host an event for Chinese investors to meet with regionally based businesses and their respective Local Governments to showcase investment opportunities.

Approximately 10 Regional Councils set up exhibition booths in our Town Hall. Three Elected Members arrived at the appointed time, only to discover there had been a communication misunderstanding and the event would not be starting for another hour and a half (or so).

On returning, the visitors were on the Village Green having photos with koalas. As there was no space inside for the opening speeches, they were held outside without a microphone and amplifier. Rather disappointing. I would like to know of any business success that evolves from the day.

27<sup>th</sup> – Attended Hughes Gallery at Fullarton Park for the Opening of Fullarton artist, Helen Mickan's, exhibition 'Back to the Future'. Helen is a regular exhibitor. Unfortunately there was only a modest attendance due no doubt to there being many community events on that weekend.

27<sup>th</sup> – Attended the French Market for several hours and thought the crowd was steadily high, the layout improved by following aspects of the Double Shot Coffee Fiesta and there were a greater number of stalls. Security was less obvious. Drinks were very expensive. Next year I will explore BYO. Some patrons brought their own picnic hampers.

Unfortunately, due to an oversight, no Elected Members had been made aware of their invitation to the Official Opening.

27<sup>th</sup> – Attended my first ETSY in the closed off Oxford Terrace on Saturday morning. This market attracted a large crowd and there was a good flow of people between it and the French Market.

I enquired with several staff holders about the meaning and purpose of ETSY.

I could not get anything definitive.

The only 'logical' response was that 'it just sounds a cute name'.

Apparently it is a movement to support home crafts people, connected by social media. It also has the purpose of supporting local producers to compete against cheap imported goods.

The presence of ETSY added to a great atmosphere in the area.

2<sup>nd</sup> Dec – Attended the Unley Road Traders Xmas Networking Event at Villa 77, 77 Unley Road. A well organised and well supported event. During speeches we were informed of the significant extra business generated along Unley Road due to the French Market and ETSY events. Aggies at St Augustine's also had an excellent trading day.

4<sup>th</sup> Dec – Fullarton Park Community Centre Xmas function for volunteers and centre users. Again a very well presented event thanks to our staff and volunteers. A well attended event with entertainment and catering. I attempted to play the role of Cheerful Sugarbells, my Christmas Elf name.

6<sup>th</sup> Dec – The Sturt Bowling Club @ Unley Oval held their Xmas Lunch. President Bruce Williams explained to the 70 attendees a fairly typical week at the club:

- Tuesday – 100 regular Tuesday Night Owls supported by 10 club volunteers.
- Wednesday – 2 Pennant teams played away (Hope Valley and Torrensville).
- Thursday – Another 100 regular Thursday Night Owls with 10 club volunteers.
- Friday – 100 Social bowlers held their works Xmas event at SBC
- Saturday – 2 pennant teams played at home and another played away.
- Sunday – Some club championship events in the morning and Xmas lunch.

7<sup>th</sup> Dec – Pozieres Relic Bayonet Presentation in the rotunda at the Soldiers Memorial Gardens. The Australian Bayonet was recovered from the fields of Pozieres. The presentation was to the citizens of South Australia and to help bring renewed awareness of the massive Australian losses, and in particular 800 from South Australia. The centenary of the battle of Pozieres is in 2016.

## REPORTS OF MEMBERS

TITLE: REPORT FROM COUNCILLOR RABBITT

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(a) **Items of particular interest, concern or urgency - Nil**

(b) **Functions**

Comments on functions attended *after* my November Report.

My point in addressing these two events is that, as host/partner, the success, failure, arrangements, etc reflect on us.

When CoU Staff manage events, the arrangements are well executed. However, it appears that we may need to liaise more closely with *external* organisers

27 Nov - Invest in SA

*Issue 1:*

I arrived at this function at the 'invitation time' of 1.00 pm, along with two other Councillors. The Town Hall was still in the process of being set up and when we asked the start time, we were told that it was 2.30 pm.

*Issue 2:*

We duly returned at about 2.20 pm and after again going to the Town Hall, were redirected to the Village Green. This was a pleasant setting for the visitors to meet a couple of koalas before the Official Welcome. However, some visitors appeared to have difficulty hearing the softly spoken interpreter (A P/A system would have helped).

*Issue 3:*

When we did move into the hall, it was quite crowded and I was advised that there was some misunderstanding about the available floor area.

27 Nov - French Market

I arrived at the Market at about 5.10 pm to hear speakers welcoming people to the market. The front row of chairs was taken by the speakers, but there were several rows of empty seats indicating that more guests were expected.

On 30 November, EMs received an apology from the Director of Alliance Française re the absence of an invitation to the Opening Ceremony. This was an unfortunate oversight.

### **December Functions Attended/Forthcoming**

1 Dec	King William Road Traders' Association – Christmas Cheer <i>(There was acknowledged for the support of Council for businesses along KW Road, but also that the traders needed to be more proactive themselves in promoting this shopping strip)</i>
2 Dec	Unley Road Association – Christmas Networking Event <i>(The success of the French Market and the ETSY Made Local Market brought people to Unley, with most cafés and restaurants registering excellent trade over that weekend. Council's role in this was acknowledged)</i>
4 Dec	Fullarton Park Community Centre Christmas Party
7 Dec	Pozières Bayonet Presentation Ceremony
8 Dec	Goodwood Road Business Association – Christmas Cheer
11 Dec	Mayor's Christmas Dinner
13 Dec	Goodwood Gig 'n' Groove
13 Dec	Carols at the Rotunda

**ITEM 351**

**MOTION OF WHICH NOTICE HAS BEEN GIVEN**

**NOTICE OF MOTION FROM COUNCILLOR BOISVERT RE CLOSURE OF FOOT TRACK TO MILLSWOOD STATION**

Councillor Boisvert moved the following as a Motion Without Notice at the November 2015 meeting of Council. This was not accepted by the Presiding Member, so it becomes a Motion on Notice for the Council meeting on 14 December 2015.

That:

Council write to the Australian Rail Track Corporation and express its dismay at the closure of the foot track that links Millswood Crescent / Arundal Avenue to the Millswood Station without consultation with residents.

Consultation occur immediately and the foot track be re-opened, until at least the outcome of the consultation is known.

**OFFICER'S COMMENTS**

While there is no issue writing a letter to ARTC expressing our dismay at the closure of this foot track, ARTC has made it clear that it does not intend to reopen the track, and it is entitled to do so.

While the community was not consulted on the closure, ARTC does not have to consult on this matter, and has now informed residents of its decision to close the track.

The latest email from ARTC explains that it is intending to improve the fencing situation on the Goodwood Bridge end of the former Arundel pedestrian path, and is willing to work with Council on some simple landscaping options in this vicinity.

## **DECISION REPORT**

**REPORT TITLE:** CONFIDENTIALITY MOTION FOR ITEM 353 –  
ENCROACHMENT ONTO COUNCIL LAND

**ITEM NUMBER:** 352

**DATE OF MEETING:** 14 DECEMBER 2015

**AUTHOR:** KELLEY JAENSCH

**JOB TITLE:** EXECUTIVE ASSISTANT ASSETS AND  
ENVIRONMENT

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### **PURPOSE**

To recommend that Item 353 be considered in confidence at the 14 December 2015 Council meeting and that the Minutes, Report and Attachments referring to this report remain confidential until the item is revoked by the Chief Executive Officer at a future date.

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. Pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer  
Mr D Litchfield, General Manager Economic Development & Planning  
Mr J Devine, General Manager Assets and Environment  
Mr S Faulkner, General Manager Corporate Services  
Ms M Berghuis, General Manager Community  
Ms R Wilson, Manager Governance and Risk  
Ms C Gowland, Executive Assistant to CEO and Mayor  
Mr A Johns, Manager Property Assets

on the basis that it will receive and consider the report on encroachment on Council land, and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

- (b) information the disclosure of which
  - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and

(ii) would, on balance, be contrary to the public interest.

It would be in the best interest of Council to consider this matter in confidence.



## **DECISION REPORT**

**REPORT TITLE:** CONFIDENTIALITY MOTION TO REMAIN IN  
CONFIDENCE ITEM 353 – ENCROACHMENT  
ONTO COUNCIL LAND

**ITEM NUMBER:** 354

**DATE OF MEETING:** 14 DECEMBER 2015

**AUTHOR:** KELLEY JAENSCH

**JOB TITLE:** EXECUTIVE ASSISTANT ASSETS AND  
ENVIRONMENT

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### **PURPOSE**

To recommend that Item 353 remain in confidence at the 14 December 2015 Council meeting until the order is revoked by the Chief Executive Officer.

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(b) of the Local Government Act:

2.1 The

- ☒ Minutes
- ☒ Report
- ☒ Attachments

remain confidential on the basis that the information contained in this report could confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, and

- 2.2 the minutes, report and attachments will be kept confidential until the item is revoked by the Chief Executive Officer.

## **DECISION REPORT**

**REPORT TITLE:** CONFIDENTIALITY MOTION FOR ITEM 356 – UNLEY CENTRAL  
**ITEM NUMBER:** 355  
**DATE OF MEETING:** 14 DECEMBER 2015  
**AUTHOR:** KELLEY JAENSCH  
**JOB TITLE:** EXECUTIVE ASSISTANT ECONOMIC DEVELOPMENT AND PLANNING

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### **PURPOSE**

To recommend that Item 356 be considered in confidence at the 14 December 2015 Council meeting and that the Minutes, Report and Attachment referring to this report remain confidential until the item is revoked by the Chief Executive Officer at a future date.

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. Pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999 the Council orders the public be excluded, with the exception of the following:

Mr P Tsokas, Chief Executive Officer  
Mr D Litchfield, General Manager Economic Development & Planning  
Mr J Devine, General Manager Assets and Environment  
Mr S Faulkner, General Manager Corporate Services  
Ms M Berghuis, General Manager Community  
Ms R Wilson, Manager Governance and Risk  
Ms C Gowland, Executive Assistant to CEO and Mayor

on the basis that it will receive and consider the report on Unley Central, and that the Council is satisfied that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:

(b) information the disclosure of which

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and

(ii) would, on balance, be contrary to the public interest.

It would be in the best interest of Council to consider this matter in confidence.

## **DECISION REPORT**

**REPORT TITLE:** CONFIDENTIALITY MOTION TO REMAIN IN  
CONFIDENCE ITEM 356 – UNLEY CENTRAL

**ITEM NUMBER:** 357

**DATE OF MEETING:** 14 DECEMBER 2015

**AUTHOR:** KELLEY JAENSCH

**JOB TITLE:** EXECUTIVE ASSISTANT ECONOMIC  
DEVELOPMENT AND PLANNING

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### **PURPOSE**

To recommend that Item 356 remain in confidence at the 14 December 2015 Council meeting until the order is revoked by the Chief Executive Officer.

### **RECOMMENDATION**

MOVED:  
SECONDED:

That:

1. The report be received.
2. Pursuant to Section 91(7) and (3)(b) of the Local Government Act:

2.1 The

- ☒ Minutes
- ☒ Report
- ☒ Attachments

remain confidential on the basis that the information contained in this report could confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, and

- 2.2 the minutes, report and attachments will be kept confidential until the item is revoked by the Chief Executive Officer.