



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 29 January 2018 –
7.00pm***

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

Peter Tsokas
Chief Executive Officer

OUR VISION 2033

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

COUNCIL IS COMMITTED TO

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

ACKNOWLEDGEMENT

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

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

PRAYER AND SERVICE ACKNOWLEDGEMENT

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

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

Lest We Forget.

WELCOME

ORDER OF BUSINESS

ITEM NO

PAGE NO

APOLOGIES

- Nil

LEAVE OF ABSENCE

- Nil

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1063	MINUTES Minutes of the Council meeting held on Monday 11 December 2017 Minutes issued separately	11-12

DEFERRED / ADJOURNED ITEMS

Nil

PETITION

Nil

1064 DEPUTATIONS 13-18

1. Anne-Marie Edmonds – Fullarton
Re. Item 1077 Katherine Street Reserve
2. Trudy Fairminer – Fullarton
Re. Item 1077 Katherine Street Reserve

PRESENTATION

Nil

1065 REPORTS OF COMMITTEES 19-26

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

- Unley Business and Economic Development Committee Minutes
6 December 2017

REPORTS OF OFFICERS

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QUESTIONS WITHOUT NOTICE

If applicable

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MOTIONS WITHOUT NOTICE

If applicable

CONFIDENTIAL ITEMS

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1089	Confidentiality Motion to Remain in Confidence – Item 1088 – Minutes of Strategic Property Committee 29 November 2017	213-214

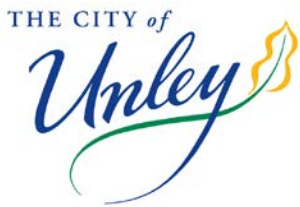
NEXT MEETING

Monday 26 February 2018 – 7.00pm

CONFLICT OF INTEREST

TITLE: CONFLICT OF INTEREST
ITEM NUMBER: 1062
DATE OF MEETING: 29 JANUARY 2018
ATTACHMENTS: 1. CONFLICT OF INTEREST DISCLOSURE FORM

Members to advise if they have any material, actual or perceived conflict of interest in any Items in this Agenda.



CONFLICT OF INTEREST DISCLOSURE FORM

I, _____ have received a
[insert name]

copy of the agenda for the (Ordinary / Special) **Council / Committee / Board**
[delete that which is not applicable]

meeting to be held on _____
[insert date]

I consider that I have a ***material** conflict of interest pursuant to section 73 / ***actual** or ***perceived** conflict of interest pursuant to section 74 *[*delete that which is not applicable]* of the *Local Government Act 1999* ("the LG Act") in relation to the following agenda item:

[insert details]

which is to be discussed by the ***Council / *Committee / *Board** at that meeting.
[delete that which is not applicable]

The nature of my **material** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why you (or a person prescribed in section 73(1) of the LG Act) stands to obtain a benefit or suffer a loss depending on the outcome of the consideration of the matter at the meeting of the Council in relation to the agenda item described above].*

OR

The nature of my **actual** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why the conflict between your interests and the public interest might lead to a decision that is contrary to the public interest in relation to the agenda item described above].*

I intend to deal with my **actual** conflict of interest in the follow transparent and accountable way *[ensure sufficient detail is recorded as to the manner in which you intend to deal with the actual conflict of interest in a transparent and accountable way]*

OR

The nature of my **perceived** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why you consider that an impartial fair-minded person could reasonably consider that you have a perceived conflict of interest in the matter]*

I intend to deal with the **perceived** conflict of interest in the following transparent and accountable way *[ensure sufficient detail is recorded as to the manner in which you intend to deal with the perceived conflict of interest in a transparent and accountable way]*

Signature

Date

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CONFIRMATION OF MINUTES

TITLE: CONFIRMATION OF MINUTES FOR COUNCIL
MEETING HELD ON 11 DECEMBER 2017

ITEM NUMBER: 1063

DATE OF MEETING: 29 JANUARY 2018

ATTACHMENTS: NIL

1. RECOMMENDATION

MOVED:
SECONDED:

That:

1. The minutes of the Council Meeting held on 11 December 2017, be taken as read and signed as an accurate record, noting the inclusion of a correction in relation to the division recorded for Item 1053.
-

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DEPUTATION

TITLE: DEPUTATIONS
ITEM NUMBER: 1064
DATE OF MEETING: 29 JANUARY 2018
ATTACHMENTS: NIL

1. Anne-Marie Edmonds – Fullarton
Re. Item 1077 Katherine Street Reserve
 2. Trudy Fairminer – Fullarton
Re. Item 1077 Katherine Street Reserve
 3. Ian Grimes – Fullarton
Re. Item 10-77Katherine Street Reserve
-

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DEPUTATION REQUEST FORM

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

To: **The Chief Executive Officer**

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

- ☒ Council on 11 / 12 / 2017
OR
☐ Council Committee on / /
Specify name of committee:

Given Name: ANNE-MARIE

Surname: EDMONDS

Address: 13 KATHERINE ST, FULLARTON

Contact phone number: 0412 468 396

Email: amledmonds@gmail.com

I will be speaking:

On my own behalf: ☐ Yes ☐ No

OR

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

Given name of 2nd speaker:

Surname:

Address:

Contact phone number:

Email:

Given name of 3rd speaker:

Surname:

Address:

Contact phone number:

Email:

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

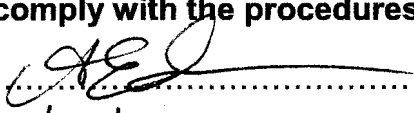
Petitioners for re-instatement of trampolines in
the Katherine St Reserve

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

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

Petition submitted to council for reinstatement
of trampolines in the Katherine St Reserve,
Fullarton (lodged c Council on 4 December 2017)

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

Signed: 

Dated: 4/12/17.

Once completed, please return to the City of Unley, either in person, or by post, facsimile or email pobox1@unley.sa.gov.au

Office Use Only

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

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

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

Approved: ☐ Yes ☐ No

Meeting date: / / Deputation time:

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



DEPUTATION REQUEST FORM

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

To: **The Chief Executive Officer**

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

- ☐ Council on 11/12/17
OR
☐ Council Committee on / /
Specify name of committee:

Given Name: TRUDY FAIRMNER

Surname:

Address: 11 NEASON ST. FULLARTON.

Contact phone number: 045 828 5086

Email: trudy.fairminer@gmail.com

I will be speaking:

On my own behalf: ☒ Yes ☐ No

OR

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

Given name of 2nd speaker:

Surname:

Address:

Contact phone number:

Email:

Given name of 3rd speaker:

Surname:

Address:

Contact phone number:

Email:

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

.....
.....

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

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

.....
.....
.....

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

Signed:

Dated:

Once completed, please return to the City of Unley, either in person, or by post, facsimile or email pobox1@unley.sa.gov.au

Office Use Only

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

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

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

Approved: ☐ Yes ☐ No

Meeting date: / / Deputation time: _____

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

REPORT OF COMMITTEE

TITLE: MINUTES OF UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE – 6 DECEMBER 2017

ITEM NUMBER: 1065

DATE OF MEETING: 29 JANUARY 2018

ATTACHMENTS: 1. MINUTES OF MEETING

1. EXECUTIVE SUMMARY

Item 46

Conflict of Interest

Item 47

Vacancy Rate Review

Committee discussed the report and questioned why the vacancy rate on King William Road has increased. The Committee requested that in future, comparison rates and an explanation for the vacancies are included in the report.

Item 48

Association Coordinators Quarterly Reports for the period 1 July – 30 September 2017

Committee advised that they would like a summary from each of the Trader groups as to what was decided at their committee meetings and what the associations' position is on different matters.

Item 49

Trial Business Infrastructure Grant Scheme

Committee was happy with the scheme that was presented.

Item 50

Unley Business and Economic Development Committee meeting dates 2018

No discussion.

Item 51

Motion without Notice – Review Process of UBED and the Main Street Association Model

Houssam moved a motion without notice requesting Administration conducts a formal review process of UBED and the Main Street Association Model. He requested the review include, Governance Improvements, Collaboration Opportunities, Efficiencies, reporting, benchmarking against other models and the introduction of Key Performance Indicators.

2. **RECOMMENDATION**

MOVED:

SECONDED:

That:

1. The minutes of the Unley Business and Economic Development Committee meeting held on Wednesday, 6 December 2017, be received.
2. The recommendations listed under:

Item 46
Conflict of Interest

Item 47
Vacancy Rate Review

Item 48
Association Coordinators Quarterly Reports for the period 1 July – 30 September 2017

Item 49
Trial Business Infrastructure Grant Scheme

Item 50
Unley Business and Economic Development Committee meeting dates 2018

Item 51
Motion without Notice – Review Process of UBED and the Main Street Association Model

inclusive, be adopted.

UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Minutes of Meeting

**Held Wednesday, 6 December 2017 commencing at 6.30pm
Council Chambers
181 Unley Road Unley**

MEMBERS PRESENT:

Councillor Anthony Lapidge – Presiding Member
Councillor Don Palmer
Doug Strain
Houssam Abiad
Matthew Hassan
Susan Straschko
James Morris

OFFICERS PRESENT:

Mr P Tsokas, Chief Executive Officer
Mr D Litchfield, Director Strategic Projects
Mr J Devine, General Manager City Development
Ms A Klingberg, Coordinator Economic Development
Ms K Jaensch, Executive Assistant City Development

ACKNOWLEDGMENT:

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

APOLOGIES:

Councillor John Koumi
Paula Stacey-Thomas
Alison Snel
Councillor Luke Smolucha

OBSERVERS:

CONFIRMATION OF MINUTES:

MOVED: Houssam Abiad
SECONDED: Doug Strain

That the minutes of the meeting of the Unley Business and Economic Development Committee held on 6 September 2017 as printed and circulated, be taken as read and signed as a correct record.

CARRIED

DEPUTATIONS

Nil.

PRESENTATION:

John Devine provided an update to the Committee on King William Road.

ITEM 46 **CONFLICT OF INTEREST**

Nil

ITEM 47 **VACANCY RATE REVIEW**

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised the Committee he thought the meeting would benefit from a short term suspension of meeting procedures, for up to 15 minutes to discuss the item.

This was agreed with a two thirds majority.
Meeting procedures were suspended at 7.01pm.

FURTHER EXTENSION TO SUSPENSION OF MEETING PROCEDURES

A further extension to meeting procedures, for up to 10 minutes at 7.16pm, was agreed with a two thirds majority.

FURTHER EXTENSION TO SUSPENSION OF MEETING PROCEDURES

A further extension to meeting procedures, for up to 5 minutes at 7.26pm, was agreed with a two thirds majority.

Meeting procedures resumed at 7.31pm.

Item 47

Vacancy Rate Review - Continued

MOVED: Councillor Palmer

SECONDED: Susan Straschko

The Committee recommends to council that:

1. The report be received.
2. A report be presented back to UBED on the factors affecting the current vacancy rates in King William Road, Unley Road and Goodwood Road. This report should also include a comparison of rents with other main streets such as The Parade, Prospect Road and Jetty Road.

CARRIED UNANIMOUSLY

James Morris left the meeting at 7.39pm.

ITEM 48

ASSOCIATION COORDINATORS QUARTERLY REPORTS FOR THE PERIOD 1 JULY – 30 SEPTEMBER 2017

MOVED: Councillor Palmer

SECONDED: Susan Straschko

The Committee recommends to Council that:

1. The report be received.

CARRIED UNANIMOUSLY

ITEM 49

TRIAL BUSINESS INFRASTRUCTURE GRANT SCHEME

SUSPENSION OF MEETING PROCEDURES

The Presiding Member advised the Committee he thought the meeting would benefit from a short term suspension of meeting procedures, for up to 20 minutes to discuss the item.

This was agreed with a two thirds majority.

Meeting procedures were suspended at 7.51pm.

Meeting procedures resumed at 7.55pm.

Item 49

Trial Business Infrastructure Grant Scheme - Continued

MOVED: Houssam Abiad

SECONDED: Doug Strain

The Committee recommends to Council that:

1. The report be received.
2. The remaining \$60,000 from the 2017/18 Mainstreet Improvement Program budget be allocated to a trial Business Infrastructure Grant Scheme.
3. The Business Infrastructure Grant Scheme criteria, as set out in Attachment 1 to this report (Item No. 49, Unley Business and Economic Development Committee, 06/12/2017) are endorsed for the purpose of the Business Infrastructure Grant Scheme trial.

CARRIED UNANIMOUSLY

ITEM 50

**UNLEY BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE MEETING
DATES 2018**

MOVED: Houssam Abiad

SECONDED: Susan Straschko

The Committee recommends to Council that:

1. The report be received.
2. The Unley Business Economic Development Committee meet quarterly on the third 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,	21 March 2018
Wednesday,	20 June 2018
Wednesday,	19 September 2018
Wednesday,	12 December 2018

CARRIED UNANIMOUSLY

OTHER BUSINESS

ITEM 51

MOTION WITHOUT NOTICE – REVIEW PROCESS OF UBED AND THE MAIN STREET ASSOCIATION MODEL

MOVED: Houssam Abiad

SECONDED: Councillor Palmer

The Committee recommends to Council that:

1. Administration conducts a formal review process of UBED and the Main Street Association Model. That the review includes, but is not limited to, Governance Improvements, Collaboration Opportunities, Efficiencies, reporting, benchmarking against other models and the introduction of Key Performance Indicators.

CARRIED UNANIMOUSLY

CLOSE OF MEETING:

The Presiding Member closed the meeting at 8.15pm.

.....
PRESIDING MEMBER

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DECISION REPORT

REPORT TITLE: OMBUDSMAN SA AMENDED AND REDACTED
FINAL INVESTIGATION REPORT: CR SCHNELL

ITEM NUMBER: 1066

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: TAMI NORMAN

JOB TITLE: EXECUTIVE MANAGER, OFFICE OF THE CEO

1. **EXECUTIVE SUMMARY**

This report presents the Ombudsman SA Amended and Redacted Final Report “Full investigation pursuant to referral under section 24(2)(a) of the *Independent Commissioner Against Corruption Act 2012*”.

2. **RECOMMENDATION**

That:

1. The Ombudsman SA “*Amended and Redacted Final Report: Full Investigation pursuant to referral under section 24(2)(a) of the Independent Commissioner Against Corruption Act 2012*” be received.
 2. In accordance with the Ombudsman SA recommendations under section 25(2) of the *Ombudsman Act 1972*, Cr Schnell:
 - a. undertake training in respect of confidentiality;
 - b. apologise to the council in person at a council meeting for disclosing confidential information (including the sharing of [Elected Member A’s] personal information); and
 - c. be reprimanded by the council by means of public statement.
-

3. RELEVANT CORE STRATEGIES/POLICIES

1.1 Civic Leadership – We have strong leadership and governance.

4. DISCUSSION

The Office for Public Integrity (OPI) is responsible to the Independent Commissioner Against Corruption for receiving and assessing complaints and reports about corruption, misconduct and maladministration in public administration. Following an assessment of a complaint or report, the OPI may refer the matter for investigation.

Following consideration of two reports received by the OPI, the Independent Commissioner Against Corruption referred an investigation to the Ombudsman, pursuant to section 24(2)(a) of the *Independent Commissioner Against Corruption Act 2012* (the ICAC Act). The issues investigated were:

1. Whether Cr Schnell committed misconduct in public administration by revealing confidential information to a journalist.
2. Whether Cr Schnell committed an administrative act that was contrary to law by revealing confidential information to a journalist.

The investigation was conducted in totality by the Ombudsman SA, with the Amended and Redacted Final Report provided to the Mayor and CEO for action on 11 December 2017.

The Ombudsman authorised parties to disclose the amended and redacted final report as they saw fit, and advised that it was his intention to publish the report on the Ombudsman SA website and Austlii. The report was published to both sites by the Ombudsman shortly after provision of the report to the City of Unley.

Legislative Requirements

The Code of Conduct for Council Members provides:

3. *Misconduct*

...

A report from the Ombudsman that finds a Council member has breached this Part (Misconduct) of the Code of Conduct must be provided to a public meeting of the Council. The Council must pass resolutions, that give effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Council following the receipt of these recommendations.

Investigation Report

A full copy of the Ombudsman SA report is provided as Attachment 1 of Item 1066/18.

Attachment 1

The Ombudsman has requested that Council report to him by 15 February 2018 on what steps have been taken to give effect to his recommendations

5. ANALYSIS OF OPTIONS

Option 1 – Receive the report and resolve to adopt the recommendations made by the Ombudsman SA.

The Code of Conduct for Council Members requires Council to “*pass resolutions that give effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Council following the receipt of these recommendations.*” On that basis, Council is obligated to adopt the recommendations made by the Ombudsman and this is the only Option proposed for consideration.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 *Financial/budget*

- There may be a cost associated with completion of the required training in relation to confidentiality, however, this can be managed within existing budget.
- There is no financial/budget impact associated with the remaining recommendations.

7.2 *Legislative/Risk Management*

- The Code of Conduct for Council Members requires Council to adopt recommendations made by the Ombudsman.
- Failure of a member to comply with a council requirement made as a result of an Ombudsman recommendation is a failure to comply with Chapter 5 Part 4 of the Local Government Act. If that were to occur Council is to ensure that a complaint is lodged against the member in the District Court.

8. REPORT CONSULTATION

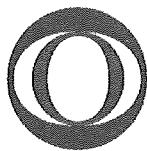
Nil

9. ATTACHMENTS

- Attachment 1 – Ombudsman SA Amended and Redacted Final Report: Full investigation pursuant to referral under section 24(2)(a) of the Independent Commissioner Against Corruption Act 2012 (11 December 2017).

10. REPORT AUTHORISERS

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



OmbudsmanSA

Amended and Redacted Final Report
Full investigation pursuant to referral under
section 24(2)(a) of the *Independent Commissioner Against Corruption Act 2012*

Public Authority	City of Unley
Public Officer	Cr Robert Schnell
Ombudsman reference	2017/03847
ICAC reference	2017/000229; 2017/000273
Date of referral	4 April 2017
Issues	<ol style="list-style-type: none"> 1. Whether Cr Schnell committed misconduct in public administration by revealing confidential information to a journalist 2. Whether Cr Schnell committed an administrative act that was contrary to law by revealing confidential information to a journalist

This matter was referred to the Ombudsman by the Commissioner pursuant to section 24(2)(a) of the *Independent Commissioner Against Corruption Act 2012* (the ICAC Act), as raising a potential issue of misconduct within the meaning of that Act (the referral).

Section 14B of the Ombudsman Act provides:

14B—Referral of matter by OPI or ICAC

- (1) If a matter is referred to the Ombudsman under the ICAC Act, the matter—
 - (a) will be taken to relate to administrative acts for the purposes of this Act; and
 - (b) must be dealt with under this Act as if a complaint had been made under this Act and—
 - (i) if the matter was the subject of a complaint or report under the ICAC Act—as if the person who made the complaint or report under that Act was the Complainant under this Act; or
 - (ii) if the matter was assessed under that Act after being identified by the Commissioner acting on the Commissioner's own initiative or by the Commissioner or the Office in the course of performing functions under any Act—as if the Commissioner was the complainant under this Act.

- (2) In this section—

Commissioner means the person holding or acting in the office of the Independent Commissioner Against Corruption under the ICAC Act;

ICAC Act means Independent Commissioner Against Corruption Act 2012;

Office means the Office for Public Integrity under the ICAC Act.

The referral was based on two reports to the Office for Public Integrity (**OPI**).

The issue concerns alleged breaches by Cr Schnell of clause 3.3 of Part 3 of the Code of Conduct for Council Members (**the Code**). Failure by a council member to comply with Part 3 of the Code constitutes misconduct. As a contravention of Part 3 can constitute grounds for disciplinary action under the *Local Government Act 1999*, I have considered this matter under section 5(3)(a) of the ICAC Act.

In addition, as a breach of the Code amounts to a breach of section 63(2) of the LGA, and a matter referred to me under the ICAC Act is taken to relate to administrative acts for the purposes of the Ombudsman Act, I have considered whether Cr Schnell's conduct appears contrary to law within the meaning of section 25(1)(a) of the Ombudsman Act.

Investigation

My investigation has involved:

- assessing the information provided by the reporter
- seeking and receiving a response from [the journalist]
- seeking and receiving a response from Cr Robert Schnell
- seeking and receiving a response from Mr Michael Kelledy from Kelledy Jones Lawyers
- considering the ICAC Act, the *Ombudsman Act 1972* (SA), and the Code
- providing Cr Schnell and the [Elected Member F] with my provisional report for comment, and considering their responses
- preparing this report.

Standard of proof

The standard of proof I have applied in my investigation and report is on the balance of probabilities. However, in determining whether that standard has been met, in accordance with the High Court's decision in *Briginshaw v Briginshaw* (1938) 60 CLR 336, I have considered the nature of the assertions made and the consequences if they were to be upheld. That decision recognises that greater care is needed in considering the evidence in some cases.¹ It is best summed up in the decision as follows:

The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding, are considerations which must affect the answer to the question whether the issue has been proved ...²

Response to my final report

[the journalist's] solicitor responded by email on 8 December 2017, and requested that it be made clear in paragraphs 7 and 8 that [the journalist] only revealed their source because of the requirements of the Ombudsman Act and ICAC Act. I acceded to the request and amended paragraphs 7 and 8 in that regard.

Neither Cr Schnell nor [Elected Member F] made any response to the final report.

Response to my provisional report

In response to my provisional report Cr Schnell emailed on the 10 November 2017 that he fully accepted the report and proposed recommendations, and was prepared to make a sincere apology at a public council meeting.

¹ This decision was applied more recently in *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 110 ALR 449 at pp449-450, per Mason CJ, Brennan, Deane and Gaudron JJ.

² *Briginshaw v Briginshaw* at pp361-362, per Dixon J.

The [Elected Member F] made no formal response in relation to the provisional report.

Background

1. On 20 February 2017 at 5:30pm elected members and council staff met to receive a briefing from Kelledy Jones Lawyers about a Development Plan Amendment (**DPA**) and conflicts of interest.
2. Ms Rebecca Wilson, Group Manager Governance and Risk at the City of Unley (**the council**) arranged for Mr Michael Kelledy to attend to clarify for elected members the conflict of interest provisions of the Local Government Act, particularly concerning their role in the DPA by discussing the relevant issues and obligations of elected members.
3. Mr Kelledy presented the briefing to all elected members, including Cr Schnell. The Chief Executive Officer, General Manager Community, Coordinator Cultural Development, General Manager City Development and Ms Wilson also attended. The meeting took place at the council, was an informal meeting and was not recorded.
4. On 21 February 2017 at 2:43pm, [the journalist] emailed Ms Erin Thompson, Communications Officer at the council as follows (**the email**):

Hi Erin,

Thanks for giving me the heads up re: last night's workshop. I lasted about 15 minutes before realizing my time was (much) better spent elsewhere.

I do, however, want to get some information from [council employee]³ about a briefing that was given last night to elected members in regards to the Unley Central DPA about potential conflicts of interest.

If you could provide some responses to the following before COB Wednesday that would be appreciated. Alternatively, I am happy to take [council employee's] call.

Q: What was the context for the briefing from Kelledy Jones Lawyers? Why now?

Q: Was this the first time the elected member body have been given legal advice relating to conflicts of interest and Unley Central? If not, why weren't the potential conflicts addressed earlier in the DPA process?

Q: Can you confirm that two councillors ([Elected Member A] and [Elected Member B]) have been advised that they have a material conflict of interest, and must excuse themselves from debate, while another 4 or 5 have been told that they may have "perceived conflicts". Are those with a perceived conflict required to declare that conflict, and then excuse themselves from the meeting? What are the consequences if they do not?

Q: What will happen if seven elected members excuse themselves from a vote, and there is no quorum?

Thanks Erin,

5. Information provided to my investigation identified that the disclosure to [the journalist] occurred between the time the briefing finished at 6:15pm on 20 February 2017, and the time of the email at 2:43pm on 21 February 2017.
6. The referral alleged that the confidential information contained in the email consisted of details of discussions that occurred during the legal briefing including naming specific elected members who may have a conflict of interest in relation to the Unley DPA.

³ [council employee] of the council

7. My investigation sought a response from [the journalist] as to how he came to obtain the information contained in the email. [the journalist] was overseas and responded to my Office via his solicitor, Peter Campbell of HWL Ebsworth Lawyers. [the journalist] provided the information to this Office in accordance with his obligations under the ICAC Act and the Ombudsman Act. [the journalist] responded as follows:
- he received an email from Cr Schnell on 19 February 2017 which stated that elected members would be given a briefing on 20 February 2017 'from a legal adviser about the Unley Central DPA'
 - he received a further email from Cr Schnell on 21 February 2017 which 'discussed some of the matters in the briefing given to elected members at the meeting, including issues relating to potential conflicts of interest.'
 - the information was put to and corroborated by [Elected Member F] during a phone call on 21 February 2017
 - [the journalist] 'was not given notice that the workshop was confidential, nor did he have reason to believe it would be' by either Cr Schnell or [Elected Member F]
 - the first time [the journalist] was aware that the briefing was confidential was on 22 February 2017 when Ms Thompson informed him that it was.
8. In accordance with his obligations under the ICAC Act and the Ombudsman Act [the journalist] provided to my investigation emails from Cr Schnell to [the journalist] on 19, 20 and 21 February 2017. The email dated 19 February 2017 at 12:11pm stated:

Hi [the journalist]

Off the record...

On Monday night we have a workshop on wording of the 4 year plan. However, before that at 5:30 to 6pm we have a session with a legal adviser about the DPA. Supposedly 4 elected members will be unable to vote on the DPA at Council. They are [Elected Member B] (who made a submission re the DPA) and up to 3 others, probably bloggers [Elected Member C], [Elected Member D] and [Elected Member E]. I am hoping that I am not included, but I wouldn't be surprised. I will be outraged. Those affected, those that can't vote (or shouldn't) will be identified and told why. Here's an extract from the CEO...

"Please note at 5:30, Michael Kelliedy will be attending to answer questions and advise members of conflict of interest provisions and the current Unley Central DPA process. Presently there are at least 2 members that cannot debate or vote on the DPA. Michael will be able to explain why.

There are potentially 2 more that may need to excuse themselves....

I strongly suggest that all members attend this session so that the next month or so runs smoothly."

This is an outrageous development and will be perceived by the public as controlling the vote at Council: achieving a 100% yes vote.

There is no mention if the session is confidential. I see no reason why it should be confidential. Surely it should be open to the public.

Regards

Bob Schnell.

9. On 21 February 2017 at 8:29am Cr Schnell again emailed [the journalist], this time as follows:

Hi [the journalist]

Off the record...

The session last night was not confidential by nature.
 We were not asked to keep it confidential.
 The presenter was lawyer Michael Kelledy.
 He gave us advice to help us determine if we have conflict of interest; perceived or material.

The outcome was:

- 1) [Elected Member A] should declare a material conflict because his son made a DPA submission and deputation. The son lives on the boundary of the DPA and his amenity will be affected (by overlooking). [Elected Member A] should absent himself from the meeting.
- 2) [Elected Member B] has a conflict because he made a submission to the DPA. [Elected Member B] should absent himself from the meeting.
- 3) The [Elected Member F] and [Elected Member E] are both members of FOCUS. I didn't know that. Given FOCUS's core position re the DPA, it was highly recommended that [Elected Member F] and [Elected Member E] absent themselves from the meeting.
- 4) Then there are the bloggers. I asked that those bloggers deemed to have a conflict be named. Kelledy and [Elected Member F] both said that they would not be named, they didn't want to do that. However there was private comment (later) that [Elected Member C] and [Elected Member D] should declare a conflict and absent themselves; due to their positions stated on their blogs.

So, at least 4 are out and maybe 6.

The bottom line is that if someone doesn't declare a conflict, then we (staff and elected members and in fact the public) are obliged to report the matter to the Ombudsman. It is our duty.

It promises to be an interesting time when it comes to declaring a conflict of interest.

Regards

Bob Schnell.

10. [the journalist] replied at 9:02am 'Really!?'

11. Cr Schnell replied at 9:27am:

Absolutely.

Why not contact the 6 listed and get a comment. Should be a good story.

I believe that I am OK as I have not stated my voting intention. I just blogged on Council deciding to build on the civic centre.

Each member needs to make the decision and if they don't choose wisely then they run the risk of being dutifully reported.

Regards

Bob Schell

12. [the journalist] replied at 9:32am:

Indeed,

This needs to be reported. Are you comfortable with me putting some questions to the council? You will not be identified as the source.

Let me know.

13. Cr Schnell replied at 10:06am:

[the journalist]

Off the record...

Yes, I am ok with you putting the questions as long as you don't reveal me as the source. Throw me into the mix as a blogger (with [Elected Member C], [Elected Member F] and [Elected Member D]) who needs to assess his position. If you were to contact me as part of your investigation, then I would provide an on record statement.

14. On 21 February 2017 at 11:31am Cr Schnell emailed [the journalist] again:

[the journalist]

Off the record...

You're going to love this.
Despite [Elected Member A] being clearly told last night that he has a conflict, he still doesn't get it.
Here's an email exchange between him and the staff....

Dear Councillor [Elected Member A]
From my observations, you were not singled out by the CEO. You asked a question and Michael Kelledy provided a response. From my perspective, the CEO was just trying to use an example to sum up, clarify and conclude the particular example, given there seemed to be some confusion.

Other members asked questions relating to blogs etc. of which responses were also provided. Unfortunately, there were individual conversations occurring around the table which was quite disruptive and therefore I think may have been where it was missed what led to the CEO seeking clarification to this scenario. You will recall he personalised it to his daughter and himself.

As discussed, legal advice will be forwarded to the council and passed onto Members summarising conflict of interest and the code of conduct and Member obligations including the scenarios discussed last night. This advice will be for the Council, which means that it will not be able to be publicly circulated so as to not jeopardise legal professional privilege. If you wish to have advice that you can distribute publicly, then I would recommend you seek independent advice relating to your personal scenarios.

Kind regards

Rebecca Wilson LLB/LP, BA, Grad Dip ACG, AGIA, ACIS
Group Manager Governance and Risk
City of Unley

15. I informed Cr Schnell of my investigation on 31 May 2017, and sought his response to the allegation. Cr Schnell replied by letter dated 15 June 2017. Cr Schnell stated:
- the email calendar request on 20 February 2017 to attend the briefing did not tag the meeting as private nor confidential
 - when a workshop/briefing is deemed to be confidential there is never an explanation provided as opposed to council meetings when an order is made
 - the workshop/briefing took place in an area known as the 'bar area' which does not have a door that can be closed
 - there was no mention of confidentiality and the information provided was educative as in a training session
 - there was open discussion with question and answer format
 - statements made by elected members reflected information that was already known to the public eg their residential addresses, membership of community groups and the content of their blogs and emails

- reference was made to two elected members who had potential conflicts of interest, which was known to the public
 - Cr Schnell was frustrated by the information provided by Mr Kelledy because Cr Schnell wanted to be told if he had a conflict or not and the information was more advisory in nature.
 - he occasionally meets with [the journalist] as he presumes all elected members do
 - he did not believe the briefing was confidential and there was no reason given as to why any of the discussions should be confidential
 - he only contacted [the journalist] to assist him in understanding what might arise at a future council meeting.
16. In relation to whether the briefing was confidential and whether he emailed [the journalist] about the briefing, Cr Schnell replied:
- Yes.
- Given my understanding that the discussion was not confidential, I provided a light-hearted summary of the session, probably more of a commentary, to [the journalist]. It was intended to be background information to explain that many elected members will probably cite perceived conflict of interest for various reasons eg. membership of community groups, blog posts, emails to residents and public statements.
- The information provided was meant to assist in understanding the statements of conflict of interest that may arise at a future Council meeting. The formality of a Council meeting can at times be a challenge for those in the gallery to understand.
- The background information would help an observer understand what was happening.
17. On 26 July 2017 I emailed Mr Michael Kelledy and he replied on 11 August 2017. Mr Kelledy informed my investigation that:
- the briefing was confidential and arranged by the administration on this basis because legal advice would be provided relative to the personal circumstances of some elected members
 - he was advised of the status of the briefing as confidential by Rebecca Wilson
 - he was not asked to advise either before or after the briefing as to it being described as a confidential briefing
 - he spoke about conflict of interest, bias and the District Centre Zone DPA
 - he took no notes as the meeting was informal and interactive.

Relevant law

18. Section 5(3) of the ICAC Act provides:

(3) *Misconduct in public administration* means—

- (a) contravention of a code of conduct by a public officer while acting in his or her capacity as a public officer that constitutes a ground for disciplinary action against the officer; or
- (b) other misconduct of a public officer while acting in his or her capacity as a public officer.

19. Section 63(2) of the Local Government Act provides:

63-Code of conduct for members

- (1) The Governor may, by regulation, prescribe a code of conduct to be observed by the members of all councils
- (2) Council members must observe the code of conduct.

20. Clause 3.3 of Part 3 of the Code of Code of Conduct provides Council Members must:

- 3.3 Not release or divulge information that the Council has ordered be kept confidential, or that the Council member should reasonably know is information that is confidential, including information that is considered by Council in confidence;

Whether Cr Schnell committed misconduct in public administration by revealing confidential information to a journalist

21. The information disclosed by Cr Schnell to [the journalist] was not information that the council had ordered to be kept confidential. The relevant question is therefore whether Cr Schnell ought reasonably to have known that the matter was confidential.
22. I acknowledge the statements made by Cr Schnell asserting that he believed the information he shared with [the journalist] was not confidential in nature. However, in my view a council member should assume that as a starting point, unless otherwise notified, legal advice should be treated confidentially.
23. Therefore in light of the available information I do not accept that it was reasonable for Cr Schnell to form the belief that the information was not confidential. I consider that Cr Schnell should have reasonably known that the information was confidential in nature for the following reasons:
 - the briefing was for the purpose of Mr Kelledy providing legal advice
 - the briefing discussed personal details of elected members
 - the briefing was for the purposes of assisting elected members in understanding whether they have a conflict of interest in a particular DPA
 - Cr Schnell saw, and passed on, the email exchange between [Elected Member A] and Ms Rebecca Wilson as to whether Mr Kelledy's legal advice was not to be publicly circulated which gives an indication as to how the council administration viewed the briefing
 - [the journalist's] reaction to the information being emailed by Cr Schnell suggested it was information that he otherwise would not have had access to, despite Cr Schnell's insistence that he considered the briefing ought not to have been confidential.

I also note Cr Schnell attempted to keep his own email correspondence about the meeting confidential by marking it 'off the record' and 'don't disclose the source'.

24. It is up to individual council members to determine whether they have a conflict in relation to a particular matter. It was therefore inappropriate for Cr Schnell to disclose personal information to a journalist about [Elected Member A's] and other council members' potential conflict as it possibly compromises this process.

Opinion

In light of the above, I consider that Cr Schnell breached the provisions of section 63(2) of the Local Government Act and clause 3.3 of Part 3 of the Code of Conduct, and on that basis committed misconduct in public administration for the purposes of section 5(3)(a) of the ICAC Act.

Whether Cr Schnell committed an administrative act that was contrary to law by revealing confidential information to a journalist

25. Given that section 63(2) of the LGA requires compliance with the Code, for the reasons set out above I consider that Cr Schnell in breaching the clause 3.3 of the Code of Conduct acted in manner that appears contrary to law for the purposes of section 25(1)(a) of the Ombudsman Act.

Opinion

In light of the above, I consider that Cr Schnell breached the provisions of section 63(2) of the Local Government Act and clause 3.3 of Part 3 of the Code of Conduct, and on that basis his conduct amounts to an administrative act that appears contrary to law for the purposes of section 25(1)(a) of the Ombudsman Act.

As foreshadowed in my provisional report, I recommend under section 25(2) of the Ombudsman Act that Cr Schnell:

1. undertake training in respect of confidentiality
2. apologise to the council in person at a council meeting for disclosing confidential information (including the sharing of [Elected Member A's] personal information)
3. be reprimanded by the council by means of public statement

Final comment

I now report Cr Schnell's misconduct to the principal officer of the council, as required by section 18(5) of the Ombudsman Act.

In accordance with section 25(4) of the Ombudsman Act, I request that the council report to me by **15 February 2018** on what steps have been taken to give effect to my recommendations above; including:

- details of the actions that have been commenced or completed
- relevant dates of the actions taken to implement the recommendation.

In the event that no action has been taken, reason(s) for the inaction should be provided to the Ombudsman.

Pursuant to section 263B(2) of the Local Government Act, if a council member fails to comply with a council requirement made as a result of an Ombudsman recommendation such as those above, the council member will be taken to have failed to comply with Chapter 5 Part 4 of the Local Government Act. In this event, the council is to ensure that a complaint is lodged against the member in the District Court.



Wayne Lines
SA OMBUDSMAN

11 December 2017

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DECISION REPORT

REPORT TITLE: APPOINTMENT OF ACTING MAYOR TO
NOVEMBER 2018

ITEM NUMBER: 1067

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: TAMI NORMAN

JOB TITLE: EXECUTIVE MANAGER, OFFICE OF THE CEO

1. **EXECUTIVE SUMMARY**

The purpose of this report is for Council to make a decision on the appointment of an Acting Mayor following advice from Mayor Lachlan Clyne of his resignation from office.

Section 54(8)-(10) of the *Local Government Act 1999* ('the Act') provides that:

(8) *If a casual vacancy occurs in the office of mayor—*

- (a) *on or after 1 January of a year in which a periodic election is due to be held (and before polling day for that periodic election); or*
- (b) *within 7 months before polling day for a general election (other than a periodic election) (the date of that polling day being known at the time),*

a member chosen by the council may act in the office of mayor until the conclusion of the election.

(9) *The member chosen under subsection (8) may, but need not, be the deputy mayor (if any).*

(10) *If a person is to be chosen under subsection (8) and the votes for 2 or more candidates are equal, lots must be drawn to determine which candidate or candidates will be excluded.*

The current annual allowance payable for the position of Mayor, as determined by the Remuneration Tribunal of South Australia is \$66,303.

2. **RECOMMENDATION**

That:

1. The report be received.
 2. Councillor _____ be appointed as Acting Mayor for the City of Unley for the period 30 January 2018 until the end of the current Council term.
-

3. **RELEVANT CORE STRATEGIES/POLICIES**

Civic Leadership

4.1 We have strong leadership and governance.

4. **DISCUSSION**

On 24 January 2018 Mayor Lachlan Clyne provided his resignation from the office of Mayor to the Chief Executive Officer, with the date of effect of the resignation being 31 January 2018. A copy of the resignation letter is provided as Attachment 1 to Item 1067/18.

Attachment 1

Mayor Clyne's resignation creates a casual vacancy in the office of Mayor, however, given there is a periodic election scheduled for November of this year, the provisions of section 54(8) apply, and allow for a member chosen by the council to act in the office of mayor until the conclusion of the election.

Elected Member allowances are determined by the Remuneration Tribunal of South Australia (Determination 7 of 2014 – Allowances for Members of Local Government). The current annual allowance for the position of Mayor, adjusted in accordance with the terms of the Determination, is \$66,303.

Procedure for appointment

Clause 46 of the Code of Practice – Procedures at Meetings sets out the process for nomination/appointment of Elected Members to internal and external positions. In brief, the process is:

- Meeting procedures are suspended to enable a ballot process to be undertaken
- Nominations for the position are sought
- Ballot papers are completed, with candidates marked in preferential order
- Ballot papers are collected and counted by the CEO and a General Manager.
- The outcome of the ballot is communicated to the Presiding Member and the successful outcome is announced.
- Meeting procedures are resumed and the Presiding Member will call for a motion in relation to the item to confirm the ballot outcome.

Section 54(10) of the *Local Government Act 1999* further provides:

- (8) If a person is to be chosen under subsection (8) and the votes for two or more candidates are equal, lots must be drawn to determine which candidate or candidates will be excluded.*

This means that in the event of a tied or equal vote, names of the relevant candidates will be placed in a hat and drawn one at a time, until one name remains, with that person declared the winner of the ballot.

5. ANALYSIS OF OPTIONS

Option 1 – Councillor _____ be appointed as Acting Mayor for the City of Unley for the period 30 January 2018 until the end of the current Council term.

This option provides for the appointment of a member to act in the role of Principal Member of council following the resignation of Mayor Clyne. As there is a requirement to have a Principal Member this is the recommended option and no other options are proposed.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 Financial/budget

The Mayor of a Council receives an annual allowance of \$66,303 (which is equal to four (4) 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). A member appointed to the position of Mayor will receive this allowance on a pro-rata basis for the remainder of the council term in place of, not in addition to, their Elected Member allowance.

The appointment of an Acting Mayor required following the resignation of Mayor Clyne will result in a small saving being achieved against budget for elected member allowance payments, as overall there will be one less elected member allowance payable (eleven elected members plus Acting Mayor compared with twelve elected members plus Mayor).

7.2 Legislative/Risk Management

N/A

7.3 Staffing/Work Plans

N/A

7.4 Environmental/Social/Economic

N/A

7.5 Stakeholder Engagement

N/A

8. REPORT CONSULTATION

The Office of the CEO.

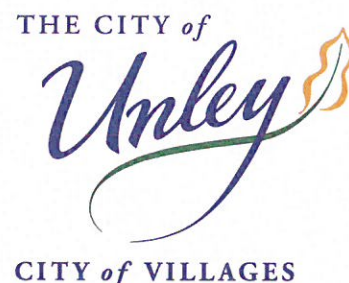
9. ATTACHMENTS

Nil

10. REPORT AUTHORISERS

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

MAYOR'S OFFICE



24 January 2018

Mr P Tsokas
Chief Executive Officer
City of Unley

Dear Peter,

Please accept this letter as notification of my resignation from the position of Mayor of the City of Unley to be effective midnight on the 31st of January 2018.

My reason for resigning is to ensure the City of Unley remains as politically neutral as circumstances will permit.

I would like to thank all the Councillors, staff, and community for engaging with me during my term and making this a positive time. I have loved contributing my time, thoughts and efforts towards the role.

As I resign, I wish my immediate successor and future successors the best of luck as they carry on, hand in hand with the administration and community the good works that help to improve this wonderful community.

Yours sincerely

Lachlan Clyne



Lachlan Clyne

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(This is page 45 of Council Agenda 29 January 2018)

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DECISION REPORT

REPORT TITLE: APPOINTMENT OF DEPUTY MAYOR TO
NOVEMBER 2018

ITEM NUMBER: 1068

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: TAMI NORMAN

JOB TITLE: EXECUTIVE MANAGER, OFFICE OF THE CEO

1. **EXECUTIVE SUMMARY**

The purpose of this report is for Council to make a decision on the appointment of the Deputy Mayor until the end of the current Council term.

Section 51(3) and (4) of the *Local Government Act 1999* ('the Act') provides that:

- (3) *if a council has a mayor, there may also be, if the council so resolves, a deputy mayor and if a council has a chairperson, there may also be, if the council so resolves, a deputy chairperson.*
- (4) *If there is to be a deputy mayor or deputy chairperson, he or she will be chosen by the members of the council from amongst their own number and will hold office for a term determined by the council.*

The term must not exceed 4 years.

In the absence of the Mayor, a Deputy Mayor may act in the office of the Mayor. This role provides a significant developmental opportunity for Elected Members. If Council choose not to appoint a Deputy Mayor, a Member must be chosen from among Elected Members to represent the Mayor each time the Mayor is unable to attend to official duties.

After the 2014 Local Government Council Elections, the feedback from Elected Members indicated the preference was for four appointments of a one-year term, providing the opportunity for four Elected Members to serve as Deputy Mayor.

Councillor Michael Rabbitt was appointed for the period 28 January 2016 until 27 January 2017 and Councillor Palmer was appointed for the period 28 January 2017 until 27 January 2018. The Deputy Mayor is eligible to be chosen for a further term.

The current annual allowance payable for the position of Deputy Mayor, as determined by the Remuneration Tribunal of South Australia is \$20,720.

2. **RECOMMENDATION**

That:

1. Councillor Palmer be acknowledged for his contribution in the role of Deputy Mayor over the past twelve months.

2. Councillor _____ be appointed as Deputy Mayor for the City of Unley for the period 30 January 2018 until the end of the current Council term.
-

3. RELEVANT CORE STRATEGIES/POLICIES

Civic Leadership

- 4.1 We have strong leadership and governance.

4. 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 opportunity 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 the Mayor is absent and unable to attend to official duties.

After the 2014 Local Government Council elections, Council noted their preference for Deputy Mayor appointments was for four one year terms, thereby providing an opportunity for four Elected Members to serve as Deputy Mayor throughout the term of Council.

Council resolved to appoint Councillor Don Palmer as Deputy Mayor for the period 28 January 2017 until 27 January 2018. This appointment has now concluded and a decision is required as to whether a further Deputy Mayoral appointment will be made. Given the current term of Council concludes in November it is proposed that if a Deputy Mayor appointment is made, the term of the appointment be for the remainder of the term of Council.

Elected Member allowances are determined by the Remuneration Tribunal of South Australia (Determination 7 of 2014 – Allowances for Members of Local Government). The current annual allowance for the position of Deputy Mayor, adjusted in accordance with the terms of the Determination, is \$20,720. It should be noted that if the member appointed to the position of Deputy Mayor already holds a Presiding Member position there is no additional allowance payment required.

Procedure for appointment

Clause 46 of the Code of Practice – Procedures at Meetings sets out the process for nomination/appointment of Elected Members to internal and external positions.

In brief, the process is:

- Meeting procedures are suspended to enable a ballot process to be undertaken
- Nominations for the position are sought
- Ballot papers are completed, with candidates marked in preferential order
- Ballot papers are collected and counted by the CEO and a General Manager.
- The outcome of the ballot is communicated to the Presiding Member and the successful outcome is announced.
- Meeting procedures are resumed and the Presiding Member will call for a motion in relation to the item to confirm the ballot outcome.

Section 51(8) of the *Local Government Act 1999* further provides:

- (8) *If a person is to be chosen by the members of the council to fill an office under this section and the votes for two or more candidates for the office are equal, lots must be drawn to determine which candidate or candidates will be excluded.*

This means that in the event of a tied or equal vote, names of the relevant candidates will be placed in a hat and drawn one at a time, until one name remains, with that person declared the winner of the ballot.

5. **ANALYSIS OF OPTIONS**

Option 1 – Councillor _____ be appointed as Deputy Mayor for the City of Unley for the period 30 January 2018 until the end of the current Council term.

This option is consistent with previous views expressed by Council in relation to the appointment of a Deputy Mayor and previous practice. It provides for the appointment of a member to represent the Mayor in the event that he is not able to attend to official duties without requiring a separate appointment to be made each time this circumstance arises.

Option 2 – Council does not appoint a Deputy Mayor for the period 30 January 2018 until the end of the current Council term.

This option means that a member must be chosen to represent the Mayor in official duties each time an absence occurs.

6. **RECOMMENDED OPTION**

Option 1 is the recommended option.

7. **POLICY IMPLICATIONS**

7.1 **Financial/budget**

The Deputy Mayor of a Council receives an allowance of \$20,720 (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).

7.2 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 amongst 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.

7.3 Staffing/Work Plans

N/A

7.4 Environmental/Social/Economic

N/A

7.5 Stakeholder Engagement

N/A

8. REPORT CONSULTATION

The Office of the CEO.

9. ATTACHMENTS

Nil

10. REPORT AUTHORISERS

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

DECISION REPORT

REPORT TITLE: RECOMMENDATION TO VARY COUNCIL
DECISION 883/17 – UNLEY OVAL IMPROVEMENT
PLAN

ITEM NUMBER: 1069

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: PETER TSOKAS

JOB TITLE: CHIEF EXECUTIVE OFFICER

1. EXECUTIVE SUMMARY

In June 2017, Council adopted the Unley Oval Improvement Plan report (883/17), and slightly varied the proposed work plan in September 2017 with the Unley Oval Ancillary Matters report (997/17).

The current decision requires the securing of State Government funding before the project can proceed. To date there has been no announcement from the State Government relating to the Council's Unley Oval grant application for funding under the Female Facilities Program. This report therefore is seeking a variation to the motion adopted by Council at item 883/17 which will allow two components of the project to commence immediately whilst we await news of the grant funding application.

2. RECOMMENDATION

That:

1. The report be received.
2. That Council Resolution 883 of the Council meeting of 26 June 2017 be varied as follows (*strikethrough text to be deleted*):

ITEM 883

UNLEY OVAL IMPROVEMENT PLAN

1. The report be received.
2. The revised proposal to develop only the player facilities component and new canteen becomes the new preferred Grandstand Upgrade option.
3. \$300 000 be included in the 2017/18 budget as the initial Council contribution to the project.
4. At the time of receiving confirmation that grant funding from the AFL and SA Government has been secured, Administration be authorised to immediately commit a further \$1.5 million to the project, brought forward from future years of the four year financial plan.
5. Administration seek opportunities for additional grant funding in the lead up to the State election in 2018.

6. Following appropriate community engagement, a forty year (non-exclusive) lease be offered to Sturt Football Club over the new facilities in accordance with Councils Property Management Policy.
 7. Administration be delegated the authority to enter into necessary contracts to deliver the project.
-

3. RELEVANT CORE STRATEGIES/POLICIES

- 6.1 Four Year Plan 2013 – 2016 Initiative to Implement the Unley Oval Master plan.
- 6.2 Living Active – Sport and Recreation Plan 2015-2020.

4. DISCUSSION

Legislative Provision

Section 21 of the *Local Government (Procedures at Meetings) Regulations 2013* provides:

21 – Chief Executive Officer may submit a report recommending revocation or amendment of council decision

- (1) The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.
- (2) The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

This provision enables a recommendation to amend a previous decision of council to be placed on the Council agenda by the CEO, and accordingly this report recommends to Council that decision 883/17 be varied.

In June 2017, Council approved the player facilities and new canteen component of the Unley Oval Improvement Plan, subject to securing funding from the Australian Football League (AFL) and the State Government. The AFL funding has been secured, but no announcement has yet been made by the State about the successful recipients of grants under the Female Facilities Program (FFP) funding round.

As projects which have already commenced are not eligible for FFP funding, the player facilities and canteen project has been divided into three discrete projects (stages). The McKay stand player upgrades, which constitute the majority of the FFP funding work, are contained within Stage 3 of the overall project. The canteen and Oatey stand upgrades are Stages 1 and 2.

The project has been subject to a competitive tender process through the Tenders SA website, and Administration is now in negotiation with a preferred tenderer. It is likely that Council will be able to achieve a price within the funds derived from Council, Sturt Football Club [SFC] and AFL contributions for the project that will allow Stages 1 and 2, the canteen and Oatey stand, to be constructed, while still allowing potential for Stage 3 to be completed if the FFP funding is forthcoming.

Whilst the timing is not critical to the project, the earlier Stage 1 (canteen) can commence, the less disruption there will be to the SFC home match days during the 2018 season. Commencing Stage 2 (Oatey stand) at the same time as Stage 1 will minimize the amount of time the builder is on site, which has a significant impact on the project cost.

The wording of part 4 of Council's decision currently requires State Government funding to be secured before Administration can commit the \$1.5 million to the project, which prevents the engagement and commencement of any work at this point in time.

To enable engagement of the relevant contractors and facilitate work commencing on the canteen and Oatey stand, a variation to Part 4 of the resolution adopted by Council in item 883/17 is required as follows:

4. At the time of receiving confirmation that grant funding from the AFL and ~~SA Government~~ has been secured, Administration be authorised to immediately commit a further \$1.5 million to the project, brought forward from future years of the four year financial plan.

The remainder of the resolution 883/17 would be unchanged. The proposed varied motion is shown in full at the Recommendation section of this report.

As mentioned previously, Administration is now in negotiation with the preferred tenderer to deliver Stages 1 and 2 within the budget for those stages (\$2.55 million). The negotiations centre on some possible value management initiatives, whereby the scope of the project is being reduced or changed. The reductions mainly relate to components of the project that would be 'nice to haves' for what is being constructed, but would be 'must haves' if the spectator viewing area at the top of the Oatey stand is constructed in the future.

Examples of this include installing the lift shaft to take patrons to the top deck of the Oatey stand, but not installing the lift car; and installing the stairwell framing to take the stairway to the top deck but not installing the actual stairs.

5. ANALYSIS OF OPTIONS

Option 1 – Council endorse a variation to the previous decision of council to enable work to commence on Stages 1 and 2 of the Unley Oval Improvement Plan.

The main advantage of adopting this Option, is that it allows two of the major components of the project to commence immediately, without jeopardising the potential for the third stage (McKay stand) to be undertaken if further Government funding is secured.

Option 2 – The motion adopted at 883/17 remain unchanged

The main advantage of adopting this option is that Council will not have committed to part of the project with no certainty of funding being secured to complete all three stages of the project.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

6.1 Financial/budget

The only budget implication from varying the adopted motion is that it provides certainty as to the timing of the bringing forward of future expenditure, rather than making that timing dependent upon the actions of a third party.

6.2 Stakeholder Engagement

Not required for this variation.

7. REPORT CONSULTATION

Executive Manager Office of the CEO
Director Strategic Projects

8. REPORT AUTHORISERS

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

DECISION REPORT

REPORT TITLE: KING WILLIAM ROAD TRADERS ASSOCIATION
ITEM NUMBER: 1070
DATE OF MEETING: 29 JANUARY 2018
AUTHOR: DAVID LITCHFIELD
JOB TITLE: DIRECTOR STRATEGIC PROJECTS

1. **EXECUTIVE SUMMARY**

The King William Road Traders Association has written to Council (Attachment 1 to Item 1072/18) seeking a review and audit of the collection of the separate rate. A copy of the minutes setting out the decision of the Committee is provided at Attachment 2 of Item 1070/18. They state that the primary purpose of the review is to identify the opportunity to increase the amount of revenue raised from the collection of the separate rate by including all businesses located on King William Road.

Attachment 1

Attachment 2

Council imposes a separate rate for marketing and promotion purposes on defined areas along four of the major shopping strips in the Council area. The basis for the collection of the separate rate varies significantly between the shopping areas, with all businesses with a Commercial land use classification paying the separate rate on Unley and Goodwood Roads, but only those with a Commercial Shop classification paying on King William Road. Fullarton Road businesses pay a flat rate of \$250 per business. King William Road Businesses pay the highest rate in the dollar, and the largest amount of money is raised on King William Road.

The Local Government Act 1999 specifies the process that must be followed if a separate rate is going to be imposed on any land. Part of that process involves the preparation of a report into the reasons for the change, the implications and the equity issues. It is proposed that this report be prepared to inform Council as to whether they wish to continue to investigate the Traders Association request, and undertake the necessary community consultation as part of that process. A further report will be presented to Council when the report into the implications has been prepared.

2. **RECOMMENDATION**

That:

1. The report be received.
2. A report consistent with the provisions of section 151 (5) (d) of the *Local Government Act 1999* be prepared, and provided to Elected Members to inform consideration of the request from the King William Road Traders Association for a review and audit of the collection of the separate rate.

3. RELEVANT CORE STRATEGIES/POLICIES

1.1 Economic Prosperity

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

4. DISCUSSION

Four Traders Associations exist in the City of Unley to market and promote the retail shopping strips of Unley, Goodwood, Fullarton and King William Roads. The vast majority of the revenue of these Associations is provided from Council, by way of a separate rate that is imposed on businesses in defined areas of these roads. Council imposes the rate for marketing purposes, and has a contractual arrangement with the traders associations to undertake that marketing activity.

Businesses with a land use code of Commercial on Unley, Goodwood and Fullarton Roads pay the separate rate. Businesses with a land use code of Commercial – Shop pay the rate on King William Road but those classified as Commercial – Office and Commercial – Other do not. This creates anomalies across the City. The Cremorne Hotel for example, pays a separate rate but the Hyde Park Tavern does not. They are owned by the same entity.

There is also significant disparity in the rate in the dollar businesses pay in different areas:

Goodwood Road	A rate in the dollar of 0.001361
Unley Road	A rate in the dollar of 0.0003622
King William Road	A rate in the dollar of 0.0019603
Fullarton Road	A rate based upon a fixed charge of \$250

In all cases, the separate rate payment is capped at \$2 000. These differences in the rate have evolved over the years as Council has collected the different amounts requested by the different traders associations.

The King William Road Traders Association (KWRTA) has written to the Council seeking a review and audit of the collection of the separate rate. They state that the primary purpose of the review is to identify the opportunity to increase the amount of revenue raised from the collection of the separate rate by including all businesses located on King William Road.

Council previously went through this process in 2011, but decided at that time not to change the basis of rating on King William Road. At that time there was considerable objection from professional service providers on the Road who claimed that they did not rely in any way on passing foot traffic for their business. If the basis of rating changes, but the amount collected remains relatively stable, the average payment per assessment will significantly reduce. If the average payment remains the same but the basis changes, the amount collected would significantly increase. This is the proposal put forward by the KWRTA.

Council needs to make a decision whether to support the request from the KWRTA or not, however, before Council can make any changes to the separate rate applicable to King William Road, section 151(5) of the *Local Government Act 1999* (The Act) requires a report to be prepared on the proposed change (151(5)(d)) and public consultation to occur (151(5)(e)).

Section 151(6) states:

- (6) A report prepared for the purposes of subsection (5)(d) must address the following:
- (a) the reasons for the proposed change;
 - (b) the relationship of the proposed change to the council's overall rates structure and policies;
 - (c) in so far as may be reasonably practicable, the likely impact of the proposed change on ratepayers (using such assumptions, rate modelling and levels of detail as the council thinks fit);
 - (d) issues concerning equity within the community, and may address other issues considered relevant by the council.

It is suggested that in the first instance, should Council wish to consider the request for review and audit of the King William Road separate rate, the required report be prepared and provided to Elected Members to assist them in making a decision as to whether to further investigate the matters raised by the KWRTA, including undertaking public consultation. Being fully informed about the matters outlined in the Act above will ensure that the implications of proceeding, or otherwise, are fully understood. This report should be prepared by independent consultants to ensure any perceptions of bias one way or the other by Council staff are not presented to Council. The report is likely to cost up to \$15 000, but this money would need to be spent anyway if Council decides to proceed to the next stage of investigations.

The KWRTA has not, at this time, provided any details in regards to how any increased collection from the Separate Rate would be expended. The Act does make provision for mandatory consultation in regard to any change in the basis of rating to occur as part of the mandatory consultation process about the Council's annual business plan and budget.

5. ANALYSIS OF OPTIONS

Option 1 – That a report consistent with the provisions of section 151(5)(d) of the *Local Government Act 1999* be prepared, and provided to Elected Members to inform consideration of the request from the King William Road Traders Association for a review and audit of the collection of the separate rate.

This option means that the request from the KWRTA is effectively placed on hold for a short time, until the Council is in a position to understand the implications of what is proposed. If Council decides to further investigate the proposals once this report has been received, then the report must be made a public document as part of the mandatory consultation process.

The advantages of this option are that Council will be fully informed of likely impacts and equity issues before making any decision.

Option 2 – Advise the King William Road Traders Association that Council is not prepared to consider any changes to the basis of rating at this time.

This option would mean that there is no immediate prospect of bringing the basis of imposing the separate rate on King William Road in line with the other retail strips in the Council area.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 Financial/budget

- The recommended option would cost approximately \$15 000.
- There is no allocation in the current budget but the cost of this would be identified with the third Budget review.

7.2 Legislative/Risk Management

There is the likelihood of some adverse publicity if Council does decide to investigate the KWRTA requests further. Raising an increased amount of money from the separate rate equates to a rate increase, and rate increases are never popular.

7.3 Staffing/Work Plans

If Council does decide to undertake consultation on this matter, there would be a significant impact on staff time, but that impact can be managed within existing resources.

7.5 Stakeholder Engagement

This will be required if Council makes a decision at a future meeting to further investigate the matter, and this would occur as part of Council's consultation process for the annual budget.

8. REPORT CONSULTATION

Executive Manager Office of CEO.

9. ATTACHMENTS

1. Letter from King William Road Traders Association.

10. REPORT AUTHORISERS

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

24 January 2018

Peter Tsokas
CEO - City of Unley
181 Unley Road
Unley SA



Dear Peter,

Thank you for taking the time to meet with me on Thursday 8th December. I am looking forward to working in partnership with the City of Unley and feel that we are on the same page with the direction of King William Road.

As mentioned in our meeting and previously discussed with various committee members, we would like to propose for collection of the separate rate to be reviewed.

We confirm that a number of concerns have been raised by the King William Road Trader's Association Committee and the King William Road Traders in relation to the collection of the Separate Rate by the City of Unley.

The concerns primarily relate to ensuring that the collection of the Separate Rate is as fair and equitable as possible amongst the properties in the precinct.

We understand that currently the Separate Rate is collected only from properties categorised as Commercial – Shop. As such, the Separate Rate is not collected from properties categorised as Commercial – Office or Commercial – Other.

In light of the concerns raised by the Committee and Traders and passed all in favour at the King William Road Traders Association meeting heading on Tuesday 23rd January we would like a review and audit of the collection of the Separate Rate.

The primary objective of the review being to implement consistency across new and old properties plus include all categories as part of the collection of the separate rate levy with an overall objective to increase the revenue raised.

Thank you again for your time last week and in support of the above, as the chairperson of the KWRTA I am available to speak with councillors in more detail about the objective of the increasing the amount raised by the collection of the separate levy.

Kind Regards,

Johnny Nasaris
Chairperson

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MINUTES – COMMITTEE MEETING – TUESDAY 23RD JANUARY 2018
6pm at The Ark

Opened at 6:04pm
Closed: 7:37pm

Item	Topic	Spokesperson
1	<p>Opening and Welcome</p> <p>Present:, Johnny Nasaris, Marion Labouesse, Simone Roberts, Emily Hardy, , Ava Aviad, Brittany Duregon, Peter Paleologos, Simone Ellery, Matthew Hassan</p> <p>CoU Representatives: Akarra Klingberg, John Devine, Laura DeBono</p> <p>Apologies: Glenys Karaduman</p> <p>Absent: Nil</p> <p>Matthew Hassaan arrived 6:14pm</p>	Johnny Nasaris

Street Upgrade Update

John Devine (General Manager, City Development)

- Objective is focussed on economic development, not just an infrastructure project
- Location is Park/Mitchel to Arthur/Union - Primary High Street of KWR
- Waiting on detailed report from engineering, but road must be upgraded as it's failing structurally. The upgrade is not just cosmetic.
- Objectives make KWR the iconic main street of Adelaide again
- Imperative to work together
- Building on the street design from 5 years ago
- Surveys outcomes to be shared with the KWRTA
- Currently securing a location for shop front to be on the street for face to face consultation with community
- Technology focus to be make a progressive street. "A Smart Street"
- CoU to provide update on situations that can be included in the newsletter

Timing

- If KWRTA and CoU are in unison with design then council can move quicker with Trader and Association support.
- Constructibility - How can we manage it with timings and how can we work together to leverage KWRTA FY18/19 budget\.. Can things to be done earlier? Later? Etc.
- Managing trader expectations with timings

How do we best involved KWRTA and traders?

- Association to have project team to be key point of contact with CoU
- Round table discussion with traders at ideas meeting
- Key conversations around timings and business impact.
- What marketing program do we put in place to supporting traders during times? Community engagement?
- Association to invest in infrastructure that traders can use, eg. Clear wall to cover dusts at restaurants like 50SixOne

ACTIONS:

- Create Project team
- Include update in trader newsletter
- Special meeting specifically for Street Upgrade - all traders???



	<p>Chairperson address committee - Johnny Nasaris</p> <ul style="list-style-type: none">- Effective with time, Respect the bell- Synergy of team, what is moral compass, We are the committee that is the HUB and a huge focus on leaving any personal agendas at the door.- We all recognise that we have personal ideas and if we have them, lets bring it to the table in the right forum. Request to add it to the agenda.- Communication to council requires approval from association prior to submission- All communication to council from KWRTA will only be considered if on letterhead for association. <p>ACTIONS:</p> <p>Notify traders tp come to committee for additional support.</p> <p>Detail new committee and where from in newsletter and the new mantra of committee.</p>	
2	<p>Minutes</p> <p>MOTION: Approval of Minutes from meeting held in November 2017</p> <p>MOVE: Marion. Second: Brittany. All</p>	
	<p>Financial Matter</p> <p>MOTION: Q3 & Q4 budget as per document submitted is approved</p> <p>MOVE: Emily. SECOND: Marion. ALL</p> <p>ACTION</p> <p>P&L for month and quarter at each meeting. Include attachments in minutes when being sent</p>	

	<p>Council Matters</p> <ul style="list-style-type: none"> - Welcome back Laura from maternity leave. - Review of UBED and Association structure - Budgets and Events process <p>- Council Expectations of council</p> <ul style="list-style-type: none"> - Work collaboratively with KWRTA - Where possible cc on all communication - Council is a non-voting member - Reference to memorandum distributed at meeting (attach) <p>ACTION</p> <ul style="list-style-type: none"> - CoU to email digital version memorandum to minutes and document in file - Chelsea to email out details about budget and events as sent by Akarra. 	
11	<p>General Business</p> <p>Separate Rate Levy</p> <ul style="list-style-type: none"> - Letter has been submitted to Peter Tsokas at council <p>MOTION: KWRTA supports the letter submitted with the primary objective of the review being to implement consistency across new and old properties and including all categories with an overall objective to increase the revenue raised.</p> <p>MOVE: Matthew. SECOND: Johnny. ALL</p> <p>ACTION:</p> <ul style="list-style-type: none"> - Updated letter stating that letter has been ratified by KWRTA - CoU to email previous report from 2010. - KWRTA To create conversation and bullet points to support. <p>NEXT STEP:</p> <p>CEO submit report to council to vote on council . If council endorse the report, a new report will be prepared to consider going out to public consultation.</p> <p>Council Meeting: Monday 28th January.</p>	



<p>General Business</p> <p>Project Teams</p> <ul style="list-style-type: none">- Autumn/Winter campaign project team: Ava Abiad, Marion Labouesse, Peter Paleologos, Simone Ellery- Feature Food Event - May (Food Safari) Project team: Ava Abiad, Marion Labouesse, Peter Paleologos, Simone Ellery <p>Budget - Feature Food Event: \$8k</p> <p>MOTION: \$8k allocated from Q3&4 reviewed budget to be managed by project team to be managed by project team</p> <p>MOVE: Marion. SECOND: Ava. ALL</p> <p>Budget - Autumn/Winter campaign project team - \$17k</p> <p>MOTION: \$17k</p> <p>MOVE: Simmy. SECOND: Emily. ALL</p>	
<p>CLOSED</p>	

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DECISION REPORT

REPORT TITLE: ECONOMIC DEVELOPMENT RATES INCENTIVE
ITEM NUMBER: 1071
DATE OF MEETING: 29 JANUARY 2018
AUTHOR: NICOLA TINNING
JOB TITLE: ACTING GENERAL MANAGER BUSINESS
SUPPORT AND IMPROVEMENT

1. **EXECUTIVE SUMMARY**

In an effort to stimulate economic growth in the City of Unley, Members' have indicated a wish to develop an Economic Development Rates Incentive Policy, using instruments of the *Local Government Act 1999* (LG Act), to apply a discretionary rate rebate to strategic developments. In order to define the scope of works, it is appropriate to consult with, and seek endorsement from, Council.

In accordance with current process, this policy will be reviewed by the Policy Workgroup for consultation and feedback before it is presented to Council for consideration and adoption.

It is recommended that Council authorise the development of a policy that allows for the application of a discretionary rebate to strategic developments in the main corridors and key strategic locations across Unley City Council.

2. **RECOMMENDATION**

That:

1. The report be received.
 2. An Economic Development Rates Incentive Policy be developed for Council consideration at the February meeting.
-

3. **RELEVANT CORE STRATEGIES/POLICIES**

3.1 Community Goal 3.2(d) Support medium density development in selected precincts.

3.2 The policy seeks to support:

- Council's commitment to thriving main streets and corridors through economic development and growth.
- Encourage population growth with higher density dwellings along main corridors and in key strategic locations, in line with the Greater Adelaide 30 Year Plan.
- Encourage development that is consistent with Council's Development Plan.

4. **DISCUSSION**

In an effort to stimulate economic growth in the City of Unley, Council can apply a discretionary rebate of rates to strategic developments. This will act as an enticement to investors and purchasers to the area.

To facilitate appropriate consideration of this type of rebate of rates, Administration would need to develop a policy for Council's consideration and adoption.

To ensure high quality economic development in the appropriate areas of the City, eligibility criteria can be applied, consisting of:

- Defined areas or locations within the City;
- Mixed use developments over a certain value and comprising at least 50% residential development, with a view to supporting long term economic growth; and
- Consistency with Council's Development Plan.

Types of incentives may comprise:

- ***Residential Rebate:*** Council will provide eligible purchasers of 'off the plan' residential apartments a percentage (%) rebate on their general council rates to a maximum period of 5 years. This is similar to the incentive currently provided by Adelaide Council.
- ***Developer Rebate:*** Council will provide a percentage (%) rebate on general council rates to an 'eligible developer' of an 'eligible development' on a case-by-case application to encourage timely construction.

Each rebate application will be considered individually and entirely separately to the development application process.

5. **ANALYSIS OF OPTIONS**

Option 1 An Economic Development Rates Incentive Policy is developed for Council consideration at the February Council meeting.

It is recommended that Council endorse the development of a policy to be considered by Council for the application of Residential Rebate of Rates and Developer Rebate of Rates under S166(1)(a) of the Act.

An incentive of this nature should encourage economic growth in the City and assist Council to achieve economic prosperity goals in its Community Plan.

Option 2 Council does not support the development of an Economic Development Rates Incentive Policy.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

There are no policy implications, as the power to grant discretionary rebates is retained by the Council.

Legislation References:

- Local Government Act 1999 Division 5 – Rebates of Rates
- Section 166 – Discretionary rebates of rates

8. REPORT CONSULTATION

The draft policy will be provided to the Policy Working Group for consultation and feedback.

9. ATTACHMENTS

NIL

10. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
Nicola Tinning	A/GM Business Support and Improvement
David Litchfield	Director Strategic Projects
Peter Tsokas	CEO

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INFORMATION REPORT

REPORT TITLE: FINANCE PERFORMANCE REPORT FOR THE
QUARTER ENDED 30 DECEMBER 2017

ITEM NUMBER: 1072

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: SARAH TAYLOR

JOB TITLE: MANAGER FINANCE & PROCUREMENT

1. **EXECUTIVE SUMMARY**

The report highlights the year to date financial position as at 31 December 2017.

Council's overall result is favourable to budget by \$1.233M with favourable variances in operating income \$570K, operating expenditure \$571K and Projects \$91K (Operating and Capital) relating to timing.

A positive cash flow of \$825K has been realised year to date. The borrowing liability has reduced by \$2.2M for the quarter, primarily due to the final repayment of a \$1.3M debenture relating to the swimming pool construction.

2. **RECOMMENDATION**

That:

1. The report be received.
-

3. RELEVANT CORE STRATEGIES/POLICIES

Goal 5: Organisational Strategy

5.3 Good Governance and Legislative Framework.

5.5 A financially sustainable approach to business and planning activity.

4. DISCUSSION

Funding Result compared to budget

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	YTD Variance %	Full Year Revised Budget \$'000
Operating income	43,699	43,129	570	1.3%	46,643
Operating expenditure	19,673	20,244	571	2.8%	42,873
Funding surplus before Projects	24,026	22,885	1,141		3,770
Net expenditure - Operating projects	357	350	(8)	-2.2%	1,432
Operating Surplus after Projects	23,669	22,535	1,134		2,338
Net expenditure - Capital projects	2,218	2,318	100	4.3%	11,907
Net Lending / (Borrowing) for Financial Year	25,012	23,778	1,233		(2,447)

Operating income and expenditure are favourable to budget at the end of December 2017. Further information on these items is included in Attachment 1 to Item 1072/18.

Attachment 1

There are no budget concerns for either Operating or Capital projects at this time. The variations are timing related and have been considered as part of the 2nd Budget Review.

Statement of Financial Position

	Dec 2017 \$'000	June 2017 \$'000	Movement \$'000
Assets	601.2	558.4	42.8
Liabilities - Borrowings	(4.1)	(6.3)	2.2
Other Liabilities	(5.8)	(11.5)	5.7
Net Assets (Liabilities)	591.3	540.6	50.7

The movement in the Statement of Financial Position represents:

- An increase in Assets due to a higher accounts receivable balance, primarily rates;
- An overall reduction in Borrowings, as a result of rate receipts allowing for higher short-term Cash Advance Drawings (CAD) repayment; and
- The decrease in Other Liabilities relates to the payment of creditors that were outstanding at the end of June.

Cash Flow

	Dec 2017 \$'000
Net Flows from Operating	4,803
Net Flows from Investing	(2,213)
Net Flows from Financing Activities	(1,765)
Net Change in Cash Position	825

A positive cash flow of \$825k has been realised year to date. As noted above, there have been \$1.7m in principal repayments made on borrowings.

Operating Result (Attachment 1 to Item 1072/18)

Attachment 1

How well are we managing our Operating Income compared to Budget?	On track
How well are we managing our Operating Expenditure compared to Budget?	On track

Operating Projects (Attachment 2 to Item 1072/18)

Attachment 2

How well are we managing our Operating Projects?	On track
--	----------

Capital Works (Attachment 3 to Item 1072/18)

Attachment 3

Overall, how well are we managing our Capital Works?	On track
--	----------

Overall Funding Statement (Attachment 4 to Item 1072/18)

Attachment 4

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

5. ATTACHMENTS

1. Operating Result (Excluding Projects)
2. Operating Projects
3. Capital Projects
4. Overall Funding Statement

6. REPORT AUTHORISERS

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

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OPERATING RESULT (excluding Projects)

Attachment 1

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

On Track

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	YTD Variance %	Full Year Revised Budget \$'000
Rates	39,969	39,927	43	0.1%	39,952
Statutory income	891	783	108	13.8%	1,467
User charges	889	846	42	5.0%	1,700
Grants, subsidies & contributions	1,240	1,251	(10)	-0.8%	2,815
Other income	709	322	386	119.8%	711
Total Operating Income	43,699	43,129	570	1.3%	46,643

Year to Date Result

Income is favourable by 1.3% compared to budget year to date. Key contributing factors are as follows:

Statutory income \$108K favourable to budget;

- Fees are \$44K favourable, primarily due to the provision of Regulatory Services to the Town of Walkerville \$24K, which will be offset by increased expenditure associated with these service provisions, the remaining relates to the increase in fines in Bikeways and Clearway zones.
- Animal and Development Fees are \$40K favourable due to the timing of dog registrations.
- Development Services are \$21K favourable due to timing of the receipt of development authorisations and building fees.

Other Income \$386K favourable to budget;

- Special distributions have been received from the LGA Workers Comp Scheme \$108K, the LGA Mutual Liability Scheme \$29K and the LGA Asset Mutual Fund \$50K. This income will be considered as part of Budget Review 3.
- Centennial Park \$50K favourable due to budget timing, inflow of bonus income of \$100K has been received earlier than budgeted.
- Burnside street cleaning waste disposal \$37K income received for services provided.
- Invoices issued for private works and Infrastructure for Operating services \$33K.
- Parking Enforcement \$32K as a result of fine recoveries from the Courts.

OPERATING RESULT (excluding Projects)

Attachment 1

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

On Track

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/ (Unfav) \$'000	YTD Variance %	Full Year Revised Budget \$'000
Operating expenditure					
Total Employment costs	8,610	8,700	90	1.0%	17,938
Materials, contracts and other expenses	7,303	7,798	495	6.3%	17,158
Depreciation and amortisation	3,561	3,561	-	0.0%	7,122
Finance costs	199	185	(14)	-7.3%	656
Total Operating Expenditure	19,673	20,244	571	2.8%	42,873

Year to Date Result

A favourable expenditure variance of 2.8% compared to budget year to date. This compares to this time last financial year with a favourable expenditure variance of 1.7%.

Employment costs are \$90K favourable this relates to vacancies in a number of areas across Council including Operational Services, Finance, Development and Compliance, Governance and Library Services.

Materials, contracts and other expenses are \$495K favourable, this relates primarily to timing. This compares with a favourable variance of \$144K at this time last financial year. The majority of the variance relates to the timing of materials \$282K and contracts \$200K including:

- Contracts Maintenance \$92K,
- Water \$91K,
- Software and Licenses \$82K,
- Waste Contract \$47K (\$37K offset by additional income received for Burnside Street Cleaning Waste disposal agreement additional \$10K relates to timing) and
- Electricity \$46K.

Forecast

Budget Review 2 will be presented to Council at the January 29th Meeting.

OPERATING PROJECTS

Attachment 2

How well are we managing our Operating Projects?

On track

City of Unley Operating Projects as at December 2017

	Actual YTD \$'000	Budget YTD \$'000	YTD Var Fav/(Unfav) \$'000	Annual Budget \$'000
Income				
201919 - Unley Gourmet Gala	47	-	47	70
202232 - Events - Double Shot Coffee Fiesta	31	68	(37)	68
202559 - Events - Ignite Unley		-		-
202677 - Water Sensitive Urban Design (WSUD) Initiatives	22	-	22	-
Income Total	101	68	33	138
Expenditure				
201919 - Unley Gourmet Gala	80	50	(30)	265
201995 - Main Street Digital Economy Strategy	3	-	(3)	-
202232 - Events - Double Shot Coffee Fiesta	88	68	(20)	68
202233 - Healthy Community Program	8	10	2	20
202234 - Tour Down Under	15	20	5	71
202351 - Undergrounding of Goodwood Road - Stage 2	1	-	(1)	105
202358 - Age Friendly Strategies	()	-	-	-
202367 - Second Generation Street Tree Implementation (Year 1)	8	20	12	75
202371 - Community Fruit Trees in Parks		-	()	5
202559 - Events - Ignite Unley	14	15	1	15
202561 - Events - Every Generation Festival	3	5	2	5
202563 - Events - Australia Day		-	()	14
202564 - Events - Event Attraction	-	-	-	10
202600 - Goodwood Groove	5	5	-	5
202617 - Records Management Compliance Project	(1)	-	1	-
202618 - Events - Fringe in Unley		-	()	10
202619 - Royal Adelaide Show Traffic Mgmt	21	20	()	20
202620 - Street Tree Watering Well Program	48	25	(23)	50
202622 - Unley City Wide Greening	43	36	(7)	55
202642 - Events - Promotion & Staffing	12	13	1	16
202657 - 2017-18 Trader Event Sponsorship	18	15	(3)	55
202658 - Active Aging	4	3	(1)	20
202659 - Investigate enhancement of Ridge Park & Orphanage Park for s	-	-	-	20
202660 - Implementation of City Wide Park Tree Risk Assessment Audits	-	15	15	30
202661 - Reactive Footway Maintenance - Increased Level of Service	79	25	(54)	150
202662 - LATM Study - Parkside & Fullarton Year 1	4	20	16	40
202663 - Parking Initiatives	-	30	30	130
202664 - Closure of King William Road on Sundays	1	10	9	41
202665 - Business Concierge	-	10	10	50
202666 - Review of services using a Target Operating Model	1	-	(1)	120
202677 - Water Sensitive Urban Design (WSUD) Initiatives	1	-	(1)	50
202678 - Street Lighting Infrastructure Alternative Lighting Solution	-	-	-	50
202679 - Event Storage	3	3	()	5
Expenditure Total	458	418	(40)	1,570
Net Operating Projects Expenditure	357	350	(8)	1,432

Income

Operating project income is \$33K favourable to budget, this is due to timing of:

- Sponsorship income for Unley Gourmet Gala and Double Shot Coffee Fiesta.
- Grant funding for Water Sensitive Urban Design (WSUD) Initiatives from EPA for Rain gardens.

Expenditure

Operating project expenditure is unfavourable to budget due to timing. These include:

- Unfavourable budget variances in Reactive Footway Maintenance \$54K, Unley Gourmet Gala \$30K and Street Tree Watering Well program \$23K, no overspend is anticipated by year end.
- Favourable budget variance in Parking Initiatives \$30K, project is underway with anticipated spend in Quarter 3 and Quarter 4.

How well are we managing our Capital Works?

On track

City of Unley Capital Works Summary as at December 2017

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	Annual Budget \$'000
Income Total	759	738	21	1,339
Expenditure				
NEW - New Capital	898	875	(23)	4,702
REPLACE - Replacement Capital	1,659	1,761	102	7,704
PROJDEL - Project Delivery	420	420	-	840
Net Capital Projects Expenditure	2,218	2,318	100	11,907

The New Capital Projects listing includes the 2016-17 Carry Forward Projects of \$1.4m approved by Council at the 28th of August Meeting.

Capital Income

The majority of Capital income relates to the budgeted sale of Maud Street.

New Capital Expenditure

Most projects are on target to budget relating to the following projects :

- Unfavourable timing variances relate to: Goodwood Road Streetscape and Way finding \$144k the project is awaiting South Australia Power Networks technical assessment of electrical pits. Unley Oval Projects \$77K with design underway.
- Favourable timing variances relate to: Safety Works Goodwood Primary School \$60K works planned for January. LATM Implementation \$40K works underway and King William Road Streetscape Engagement and Design underway.

Asset Replacement Expenditure

The unfavourable variance in Replacement Capital relates to timing variances across the program.

- Unfavourable timing variances relate to: Kerb and Water table replacement \$117K, Footways replacement \$102K and Electronic Document and Records Management System (EDRMS) Replacement \$73K as works continue to be on schedule.
- Favourable timing variances relate to: IT Asset Replacement \$316K (timing related only, project now underway) and Major Plant Purchases \$250K with the majority of plant and equipment on order for delivery later in the year.

Forecast

Budget Review 3 will consider State Government grant of \$2.5m towards the Goodwood Oval grandstand and the Millswood Sporting Complex.

CAPITAL PROJECTS

Attachment 3

City of Unley New Capital Carry Forward Projects as at December 2017				
	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	Annual Budget \$'000
202352 - Implementation of Public Lighting & Energy Opportunities	29	-	(29)	25
202359 - LATM Implementation	121	121	-	121
202376 - Goodwood Road Streetscape & Way finding Strategy Delivery	214	70	(144)	250
202502 - Public Art Strategy Implementation	21	21	-	86
202503 - King William Road Trader Association	1	8	7	8
202507 - Glen Osmond Road Association		7	7	7
202624 - KWR Masterplan	-	50	50	50
202626 - COU Cycling & Walking Plan	84	115	31	315
202629 - Safety Works - Goodwood Primary School	-	60	60	60
202648 - Rugby/Porter Bikeway Stage 1	51	49	(3)	49
202649 - Goodwood Road Free Public WI-FI Initiative	-	-	-	69
New Capital Carry Forward Projects Total	522	500	(22)	1,039

OVERALL FUNDING STATEMENTS

Attachment 4

The City of Unley

Overall Funding Statement

for the year to date ended December 2017

	Actual YTD \$'000	Budget YTD \$'000	YTD Variance Fav/(Unfav) \$'000	YTD Variance %	Full Year Revised Budget \$'000
Rates	39,969	39,927	43	0.1%	39,952
Statutory income	891	783	108	13.8%	1,467
User charges	889	846	42	5.0%	1,700
Grants, subsidies and contributions	1,240	1,251	(10)	-0.8%	2,815
Other income	709	322	386	119.8%	711
Total Operating Income	43,699	43,129	570	1.3%	46,643
Operating expenditure					
Total Employment costs	8,610	8,700	90	1.0%	17,938
Materials, contracts and other expenses	7,303	7,798	495	6.3%	17,158
Depreciation and amortisation	3,561	3,561	-	0.0%	7,122
Finance costs	199	185	(14)	-7.3%	656
Total Operating Expenditure	19,673	20,244	571	2.8%	42,873
Funding surplus/(deficit) before Projects	24,026	22,885	1,141		3,770
Project Summary					
Operating projects					
Income	101	68	33	48.3%	138
Expenditure	458	418	(40)	-9.7%	1,570
Net expenditure - Operating projects	357	350	(8)		1,432
Capital projects					
Income	759	738	21	2.8%	1,339
Expenditure	2,977	3,055	79	2.6%	13,246
Net expenditure - Capital projects	2,218	2,318	100		11,907
Total Operating projects and capital works program (net)	2,575	2,667	92	3.5%	13,339
Depreciation and amortisation	3,561	3,561	-	0.0%	7,122
Net Lending / (Borrowing) for Financial Year	25,012	23,778	1,233	5.2%	(2,447)
Operating Surplus after Projects	23,669	22,535	1,134		2,338

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

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DECISION REPORT

REPORT TITLE: SECOND QUARTER BUDGET REVIEW 2017-2018
ITEM NUMBER: 1073
DATE OF MEETING: 29 JANUARY 2018
AUTHOR: SARAH TAYLOR
JOB TITLE: MANAGER FINANCE AND PROCUREMENT

1. **EXECUTIVE SUMMARY**

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

This report presents the Second Quarter Budget Review of the 2017-18 financial year for Council's consideration.

The proposed budget requests will not change the Budgeted Operating Surplus of \$2.2m, however the Net Borrowing result of \$2.5M for the year ended 30 June 2018, will be revised to \$2.3M.

2. **RECOMMENDATION**

That:

1. The report, including Attachments 1-3 to Item 1073/18 be received.
 2. The budget variations totalling \$200K (Attachments 2-3 to Item 1073/18) from the Second Quarter 2017-18 Budget Review be approved.
 3. The revised budgeted Uniform Presentation of Finances reflecting no change to the Budgeted Operating Surplus of \$2.2M, and a decrease in Net Borrowing from \$2.5M to \$2.3M be adopted.
-

3. RELEVANT CORE STRATEGIES/POLICIES

3.1 Local Government Act 1999 Section 123.

3.2 Local Government (Financial Management) Regulations 2011 Regulation 7 and 9.

Civic Leadership

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

4.1 Support Elected Members to provide effective leadership to the City.

4. DISCUSSION

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

At the Council meeting held on the 27 November 2017, Council adopted the First Quarter Budget Review 2017-2018 with an updated Budget Operating Surplus before Capital Revenue of \$2.2M and an estimated Net Borrowings of \$2.5M. Council's Original Annual Business Plan and Budget was adopted on 26 June 2017.

Attachment 1

Second Quarter Budget Review

The proposed variations to the current budget are considered under three categories; operating budget, capital budget and zero balance variations. Each of these is described below.

Operating Budget Variations

The current 2017-18 adopted budget reflects a Net Operating Funding Surplus before Capital Revenue of \$2.2M. There are no adjustments to Operating Income or Expenses for this Budget Review and therefore no change to the current surplus.

	\$'000
Current Adopted Budget Net Operating Surplus before Capital Revenue	2 248
Net Impact of Second Quarter Budget Review Variations Decrease in Expenditure	0
Second Quarter Budget Review Operating Surplus	2 248

Capital Budget Variations

The current 2017-18 adopted budget reflects a Net Outlay on Assets of \$3.8M. The proposed adjustments, detailed below, will decrease the Net Outlay on Assets \$3.6M.

	\$'000
Current Budget Net Outlay on Assets	3 824
Net Impact of Second Quarter Budget Review Variations	
Increase in Expenditure	50
Decrease due to project deferral	-250
Receipt of Grant Funds	-2 500
Quarantine of Funds for use in 2018-19 and beyond	2 500
Second Quarter Budget Net Outlay on Assets	3 624

Details of the proposed key budget change is as follows:

- Expenditure of \$250K for the Goodwood Oval is no longer required to complete public toilet works. The grandstand redevelopment will commence in 2018-19 following the receipt of State Government Grant Funds of \$2.5M.
- \$50K to be brought forward to cover project planning and concept design costs for Goodwood complex upgrade.
- Recognition of the receipt of Capital funds for Goodwood Oval. Note that these funds have been quarantined for use in 2018-19 and beyond, as per the agreement with State Government (Attachment 2 to Item 1073/18).

Attachment 2

Zero Balance Budget Variations

During the second quarter there have been further changes proposed to the Adopted Budget that relate to movements between income and expenditure categories.

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

- Community Passenger Network service being transferred to Red Cross. As this is an externally funded service there are no savings to Council. The adjustment is a reduction in income of \$100K and a corresponding reduction in expenditure of \$100K.
- A consultant has been commissioned to undertake investigations into the redesign and access to Almond Street at a cost of \$5K (Item 1020, 27 November 2017, Council Meeting) this expenditure has been offset by savings within the Traffic facilities budget (Attachment 3 to Item 1073/18).

Attachment 3

Budget Review Presentation

As a result of changes to the Regulations, the Budget Review Presentation has been simplified for the First and Third Budget review for the year, whereby it is now required to produce in accordance with Section 9 (1)(a);

“a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances”

In accordance with the Regulations relating to the Uniform Presentation of Finances, the movements in the current and proposed budgets is shown as (Attachment 1 to Item 1073/18).

Attachment 1

Movements in Budgeted Borrowings

The 2017-18 Adopted Annual Business Plan and Budget in June 2017 showed forecast borrowings at 30 June 2018 of \$12.490M. After adjusting the opening balance to reflect the 2016-17 audited financial statements and taking into account the 2016-17 carry forwards approved from Council Report 957/17 on 28 August 2017, forecast borrowings were subsequently revised to \$8.78M, with the shift in budget of \$200K it is anticipated that total borrowings will drop to \$8.58M.

The borrowing movements are shown below.

Borrowings	Opening Balance 28.8.17	New Borrowings	Repayments	Forecast 30.6.18
	\$'000s	\$'000s	\$'000s	\$'000s
CAD (Short Term Drawdown)	1 942	-	-	1 942
Current Fixed Term Borrowings	2 211	-	-	2 211
Non-Current Fixed Term Borrowings	2 237	4 747	(2 554)	4 430
	6 390	4 716	(2 544)	8 583

5. **ANALYSIS OF OPTIONS**

Option 1 –

- Budget variations totalling \$200k (Attachments 2-3 to Item 1073/18) from the Second Quarter 2017-18 Budget Review be approved.
- The revised budgeted Uniform Presentation of Finances reflecting no change to the Budgeted Operating Surplus of \$2.2M, and a decrease in Net Borrowing from \$2.5M to \$2.3M be adopted.

This option will ensure Council meets the requirements of section 7 and 9 of the *Local Government (Financial Management) Regulations 2011*.

The Council is required to undertake at least three budget reviews of its annual budget. This report is the first of these. This enables Council to address occasions where the adopted budget for a particular project or service has changed. It also enables the inclusion of new projects and initiatives as the opportunity or need arises during the year.

There are no other options proposed.

6. **RECOMMENDED OPTION**

Option 1 is the recommended option.

7. **POLICY IMPLICATIONS**

These proposed adjustments will increase Council's Operating Surplus for the 2017-18 year.

8. **REPORT CONSULTATION**

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

9. **ATTACHMENTS**

1. Proposed Budgeted Uniform Presentation of Finances for the Year Ended 30 June 2018.
2. Proposed Budget Requests.
3. Proposed Zero Budget Changes.

10. **REPORT AUTHORISERS**

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

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Attachment 1

Uniform Presentation of Finances For the year ended 30 June 2018

\$ '000	Current Budget 2018	Zero Budget Changes	Additional Requests Increase/ (Decrease)	1st Quarter Budget Review
Income	46,780	(100)	-	46,680
less Expenses	(44,532)	(100)	-	(44,432)
Operating Surplus / (Deficit)	2,248	(0)	-	2,248
less Net Outlays on Existing Assets				
Capital Expenditure on Renewal and Replacement of Existing Assets	8,312	(0)	-	8,312
less Depreciation, Amortisation and Impairment	(7,122)	0	-	(7,122)
less Proceeds from Sale of Replaced Assets	(229)	-	-	(229)
Subtotal	961	(0)	-	961
less Net Outlays on New and Upgraded Assets				
Capital Expenditure on New and Upgraded Assets	4,934	-	(650)	4,284
less Amounts Received Specifically for New and Upgraded Assets	(465)	-	(2,050)	(2,515)
less Proceeds from Sale of Surplus Assets	(645)	-	-	(645)
add commitment for New or Upgraded asset from Grant Funding*	-	-	2,500	2,500
Subtotal	3,824	-	(200)	3,624
Net Lending / (Borrowing) for Financial Year	(2,537)	(0)	200	(2,337)
Net Financial Liabilities at Beginning of Year	(15,347)			(15,347)
Decrease / (increase) in Other	90			90
Net Financial Liabilities at End of Year	(17,794)			(17,594)

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

* Note: This line has been added to recognise that whilst income has been received for Goodwood Oval upgrade these funds are quarantined for future years use.

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Attachment 2

Budget Review Requests

Net Outlays on New and Upgraded Assets Capital Expenditure on New and Upgraded Assets

Cost Centre/ Project	Description	Amount \$	Comment
202671	Goodwood Oval Millswood Sporting Complex	(50 000)	Funding to be brought forward to cover project planning and concept design costs for complex upgrade
202670	Goodwood Oval Facilities	250 000	Public Toilet Project no longer required following the receipt of State Government Grant funding of \$2.5m. Grandstand works will commence in 2018-19.
202670	Goodwood Oval Facilities	2 500 000	To recognise the receipt of 2.5m for the Goodwood Oval redevelopment from State Government. This income will be quarantined for expenditure in future years, therefore it is not available to reduce Financial Liabilities.
202670	Goodwood Oval Facilities	-2 500 000	To quarantine State Government Funds for Goodwood Oval and ensure that this income does not impact borrowings.
Capital Expenditure (Increase)/ Decrease		200 000	

Attachment 3

Zero Budget Requests

Cost Centre/ Project	Description	Uniform Presentation Category	Amount \$	Comment
1538	Community Passenger Network	Operating Grants Revenue	(100 000)	This service has been transferred to Red Cross. The service is externally funded, so there are no savings to Council.
		Operating Expenditure	100 000	
202349	Traffic Facilities – Various	Capital Expenditure	(5 000)	Budget to be transferred to Almond Street per Council decision November 27 meeting, item 1020.
202687	Almond Street Design	Capital Expenditure	5 000	
0				

INFORMATION REPORT

REPORT TITLE: BIANNUAL PERFORMANCE REPORT
ITEM NUMBER: 1074
DATE OF MEETING: 29 JANUARY 2018
AUTHOR: JULIE KERR
JOB TITLE: EXECUTIVE ADVISOR, OFFICE OF THE CEO

1. **EXECUTIVE SUMMARY**

The Biannual Performance Report (Attachment 1 of Item 1074/18) provides Council with data analysis, and reports on strategic planning, service delivery activity and financial performance across the whole of the organisation. The report assists with keeping Elected Members informed, and supports strategic decision making, continuous improvement and strategic governance.

Attachment 1

2. **RECOMMENDATION**

That:

1. The report be received.
-

3. RELEVANCE TO CORE STRATEGIES/POLICY

Civic Leadership

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

4.1 We have strong leadership and governance.

4.2 Council provides best value services to the community.

4.3 Our Business Systems and Solutions are effective and transparent.

4. DISCUSSION

The City of Unley has a Four Year Plan which informs its Annual Business and Delivery Plans and budget processes, and guides Council and the community in relation to priorities and strategies, including the longer term vision outlined in the Community Plan 2033.

The corporate reporting mechanism has been implemented to provide Council with prudent and strategic information that will support and inform its decision making.

The corporate report, which now provides Council with a performance report on a biannual basis, ensures Council is demonstrating on-going and improved public accountability. It provides evidence and opportunities to drive and support continuous improvement.

This report, which covers the period from 1 July 2017 to 31 December 2017, includes comparisons with the same period from the 2015/16 financial year.

The current reporting period shows, in particular, the following:

- Progress in transforming the existing call centre to a Customer Resolution Centre as part of the emphasis on implementing a customer focused culture across the organisation;
- Strong financial performance with a result that is favourable to budget by \$1.233 million;
- Progress with a range of initiatives to assist the City of Unley to be known as an easy place to do business;
- Steady update of *My Unley* as a method of lodging customer requests; and
- Positive responses to a customer satisfaction survey on footpath replacement.



CITY OF UNLEY
BIANNUAL CORPORATE REPORT
January 2018



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CEO UPDATE

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

2017/18 Key Performance Indicators

1. Continue to develop a customer service focused culture across the organisation

Year one of the Customer Experience Program (endorsed by EMT in June 2017) is underway, and is focussed on the following areas:

- Transforming the existing call centre to a Customer Resolution Centre, including implementation of a workforce development plan; development of a quality assurance program; establishment of service partnering agreements to maximise first point of call resolution (year one includes Regulatory Services, Traffic Management, Development Services and City Operations); and establishing key performing indicators for both the Customer Resolution Centre and organisation as a whole (In progress);
- Establishment and implementation of a complaints management framework (In progress);
- Standardisation of organisational customer request workflows, with organisation wide KPIs established and embedded to measure successful service resolution (commencing mid 2018);
- Continuation of the development of the corporate Knowledge Base and associated tools (Stage 2) (In progress);
- Introduction of customer service surveys – stage 1 focussed on Planning Services, Traffic Management and Footpath Replacement Program (complete);
- Continued improvement of customer self-help options including customer service kiosks (in progress);
- Implementation of Skype for Business and Touchpoint technologies (contact centre) (in progress).

2. Development of Target Operating Model (TOM) providing principles that enable Council to define the future business operating model to deliver best value services.

The development of the TOM is progressing well. The first half of the year has been focussed on understanding our existing services and collecting data about the current operating model.

This information has been collated into the Draft Annual Operating Plan which has been distributed to Members for review and feedback.

3. The revitalisation of the King William Road street scape and redevelopment of Unley Oval Grandstands and Goodwood Oval

The Council late last year received a commitment from the State Government to contribute \$2.5 million towards a new facility at Goodwood Road and has allocated an additional \$950K, together with sport funding of approximately \$150K. The funding deed with the State Government has been signed and includes a 2-year project timeline, with detailed design and approvals to be undertaken in 2018, and construction in 2019.

Minor amendments are currently being made to the concept designs in consultation with the clubs, before being presented to Council for endorsement of community engagement between February and March 2018. Detailed design of the grandstand will commence following final endorsement by Council in April 2018.

Other priority projects at Goodwood Oval and Millswood Sporting Complex include the upgrade of lights at Tennis SA and a new building for Millswood Croquet Club. Council has allocated \$40K to the lighting project and the Administration is currently negotiating with Tennis SA to seek a funding contribution.

Council has also allocated \$260K to a new building at Millswood Croquet Club. A concept design has been prepared and the Administration is working with the club to review this in order to reduce the overall cost of the project, including staging.

A specialist consultant team has been engaged to assist Council prepare an updated design for King William Road. Detailed engineering testing has been completed of the road pavement to help determine the structural condition of the pavement. The results of this testing are expected in February 2018. A market survey has also been undertaken to help Council understand: who uses King William Road; why people come to the street, how they got there; and people's thoughts on parking. The traders' association and landowners are being engaged to understand their views of the road, and how it can be improved.

Administration is currently negotiating with some of the landlords to secure a 'street front' which will be heavily used (as an engagement service) during the design and construction phases of the project.



4. Continue to develop a performance based culture across the organisation and build the capability and capacity of the people

Activities supporting ongoing development of a performance based culture have included;

- Maintaining an increasing focus on ensuring our recruitment process provides a robust and thorough assessment of preferred candidate's values & beliefs to ensure that they are aligned with our preferred constructive culture;
- The development of a leadership capability framework for all people leaders across the organisation, prescribing minimum competencies required by leaders to be successful;
- Conducting a *Living the Unley Values* workshop for all new staff; and
- Conducting a *People Leadership Forum*, providing people leaders with ongoing professional development focused on ensuring they have the capability to engage staff in a manner that enhances the importance of our values and preferred culture.

Planning is under way for the whole of organisation culture survey to be undertaken in late March 2018.

5. Deliver the annual business plan for 2017/2018, whilst continuing to review and implement initiatives that deliver strong financial performance.

Council's overall result is favourable to budget by \$1.233m.

Both operating income and expenditure have favourable variances.

- Operating income, \$570k, includes a special distribution from Council's insurer and various statutory fees collected which are higher than expected.
- Operating expenditure, \$571k, mainly relates to materials and contract costs.

These are both considered to be timing related at this stage. Both Operating and Capital projects have a combined variance of \$91k. A review of projects indicates this is a timing issue and is not related to the completion of works per the works schedule.

The administration is also identifying opportunities to create paid parking areas. A report will be presented to Council in March 2018 (as part of the LATM report) where sites for paid parking areas will be identified. The sites include potential indentation parking bays along Greenhill Road in Parkside. Council has previously supported the concept and, subsequently, DPTI approval has been sought. Community engagement has been undertaken as part of the LATM process on this matter. Subject to Council approval, implementation will be in June 2018.

There are other sites such as Salisbury Street (new parking spaces) where paid parking areas can be created which will ease the parking pressures from residential areas and allow local businesses to use the parking spaces.

Also as part of this initiative, at Bartley Crescent a total of approximately 15 parking spaces were created (as part of FY 16/17 CEO KPIs) and these spaces are in the existing paid parking zone which is supported within FY 17/18 CEO KPIs.

6. Continue to collaborate with the ERA Councils to implement shared services to improve efficiency, while maintaining agreed service levels

The existing shared service arrangement that commenced in November 2016 between Town of Walkerville and City of Unley, wherein council is providing regulatory services to Town of Walkerville on a 'fee for service' basis, is progressing well. The CEO of the Town of Walkerville has expressed a high level of satisfaction with the service being provided by City of Unley despite the challenges presented by the loss of key personnel from both organisations due to resignations.

Work is underway to investigate the merits of a broader shared services trial involving City of Prospect, Town of Walkerville and City of Unley to collaborate and pool resources to deliver regulatory services in a more efficient and effective manner across the three council areas.

7. Remove barriers in Council's policies and processes to assist the City of Unley to be recognised as an easy place to do business

One of the priorities in Council's four year plan is to assist businesses to set up and operate in Unley. As part of the project, the following initiatives are in train:

- Work has begun on formalising the process of business enquiries / applications being brought to the attention of Economic Development staff, and streamlining the process. This will be further formalised through the Economic Development Hive (staff cross functional team) which is currently being formed;
- *Remplan Economy*, a suite of resources used to analyse and benchmark the industries and businesses that form the local economy, has been purchased and is currently being built for Unley. This will have both

public and internal interfaces and will provide economic information, both general and scenario specific. The system should be accessible by the end of February 2018;

- The Outdoor Dining and Banner policies are currently being reviewed as part of the process of reviewing Council policies to ensure they are business friendly. Other policies with implications for Economic Development are being prioritised and reviewed.

8. Explore opportunities to reduce the costs of public street lighting, improve service level and improve environmental outcomes

A joint project with Campbelltown City Council has commenced to prepare a business case exploring the benefit of converting existing street lighting to LEDs. This project will also involve negotiations with SAPN on access charges, and assist each Council to prepare a high level vision in relation to 'Smart City'. A specialist lighting consultant has been engaged to assist both Councils, and Councils have also been provided an initial briefing on the meaning of 'Smart City'. The business case for a change over to LEDs is expected to be presented to Council in March 2018.

A project has commenced in Heywood Park which will make the park an example of a "smart" open space. The concept design includes LED lighting, smart poles containing a variety of technology such as WiFi, sensors, CCTV cameras and alarms. An electric charging station is also being installed for cars and bikes. Part of the project also includes interpretive signage to assist park users to better understand a variety of environmental aspects of the park. The introduction of this technology will reduce operational maintenance costs of the park and improve the service level and environmental outcomes.

9. Develop strategies with sporting clubs, tenants, and other users of Council properties to increase usage and patronage of their facilities

The Administration has developed and sent an electronic survey to City of Unley sport and recreation clubs, including all groups who lease or have long term agreements to use council facilities. The survey has been designed to provide a snapshot of each club's membership numbers and profile (such as changes and place of residence), facility use and opportunities for increased facility. As at 12 January 2018, approximately 50% of surveys have been received and the Administration will ensure all surveys are received by early February.

Additionally, a consultant has been engaged to undertake random surveys of park users at selected parks during February, to provide information regarding who is using Council's open space, including when, why, what activities they are undertaking, and what Council can do to enhance their experience and increase use of Council owned open space/ recreational facilities. This information will be used to support the sport and recreation club survey.

A recreational consultant has also been engaged to explore a range of sports layouts for Ridge and Orphanage Parks. In particular, the consultant is looking at possibilities for the Ridge Park oval within the existing constraints, if the cricket pitch and levy banks were removed. Cost estimates for a range of alternatives are also being prepared.

10. Implement a continuous improvement program to evaluate the effectiveness of Council's community engagement practices and identify opportunities for improvement.

The following initiatives are under way:

- An internal review of the Community Engagement Toolkit has commenced, to provide preliminary assessment of usability and make recommendations for improvement;
- Identification of 2-3 upcoming projects to be used as the basis for active planning and application of the toolkit (e.g. King William Road, Goodwood Grandstand redevelopment);
- Identification of 2-3 past projects to review the engagement process and evaluate what worked or didn't work (e.g. Local Area Traffic Management Scheme/Trial of parking permits);
- Consideration of a staff survey to understand the knowledge and application of the existing engagement toolkit, and opportunities for further training/communication to support engagement practices;
- Review of the Community Engagement and Consultation Policy (as required under s.50 of the *Local Government Act 1999*).



Elected Members' Attendance July - December 2017

Council Meetings (P = Present, A = Apology, L = Leave)

Elected Members	24 Jul 2017	14 Aug 2017	28 Aug 2017	25 Sep 2017	9 Oct 2017	23 Oct 2017	27 Nov 2017	11 Dec 2017	Present
Mayor Lachlan Clyne	P	P	P	L	L	L	L	P	4
Mike Hudson	P	P	P	P	P	P	P	A	7
John Koumi	P	P	P	P	P	P	P	P	8
Anthony Lapidge	P	P	P	P	P	P	P	P	8
Peter Hughes	P	P	P	P	P	P	P	P	8
Michael Hewitson	P	P	P	P	P	P	P	P	8
Rufus Salaman	P	P	P	P	P	P	P	P	8
Rob Sangster	A	P	P	P	P	P	P	A	6
Michael Rabbitt	P	P	P	P	P	P	P	P	8
Bob Schnell	P	P	P	P	P	P	P	P	8
Luke Smolucha	P	P	A	P	P	P	P	P	7
Jennie Boisvert	A	P	P	P	P	P	P	P	7
Don Palmer	P	P	A	P	P	P	P	P	7
Attendees	10	12	10	12	12	12	12	11	

Briefings/Workshops (P = Present, A = Apology, L = Leave)

Elected Members	7 Aug 2017	4 Sep 2017	3 Oct 2017	9 Oct 2017	30 Oct 2017	6 Nov 2017	Present
Mayor Lachlan Clyne	P	A	L	L	L	L	1
Mike Hudson	A	A	A	P	P	P	3
John Koumi	P	P	P	P	P	P	6
Anthony Lapidge	P	P	P	P	P	P	6
Peter Hughes	P	P	P	P	P	P	6
Michael Hewitson	P	P	P	P	P	P	6
Rufus Salaman	P	P	P	P	P	P	6
Rob Sangster	P	A	P	P	P	P	5
Michael Rabbitt	P	A	A	P	P	P	4
Bob Schnell	P	P	P	P	P	A	5
Luke Smolucha	P	P	P	P	P	P	6
Jennie Boisvert	P	P	P	P	P	P	6
Don Palmer	P	P	A	P	P	P	5
Attendees	12	9	9	12	12	11	

DIVISIONAL REPORTS

External funding Grants and Subsidies 2017/2018

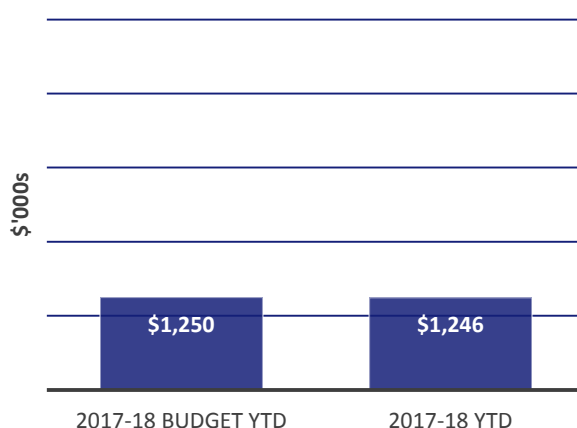
Comments:

As shown, Council is on track in relation to budget at the end of December 2017, with only a 4k variance.

There is a slight under achievement against budget for Health and Ageing related to the transfer of the Community Passenger Network grant to Red Cross. This is offset in part by the over achievement for Local Roads related to the distribution of budget across periods. It is anticipated that Grants will be on target for year end.

These figures include a grant of \$6.45k from DPTI for purchase of e-bikes.

External Funding in \$'000s



	2017-18 Actuals \$'000s	2017-18 YTD Budget \$'000s	Variance \$'000s	2017-18 Budget \$'000s
Grants - Health & Ageing	663	684	(21)	1,368
Grants - Financial Assistance Grants	201	201	0	402
Grants - Library Board	267	282	(15)	282
Grants - Local Roads	95	69	26	191
Grants - Roads to Recovery	0	0	0	543
Grants - Other	20	14	6	28
Operating Grants - total	1,246	1,250	(4)	2,814
Capital Grants - Replacement	-	-	-	-
Capital Grants - New	-	-	-	450
Capital Grants	-	-	-	450
Total Grants & Subsidies	1,246	1,250	(4)	3,264

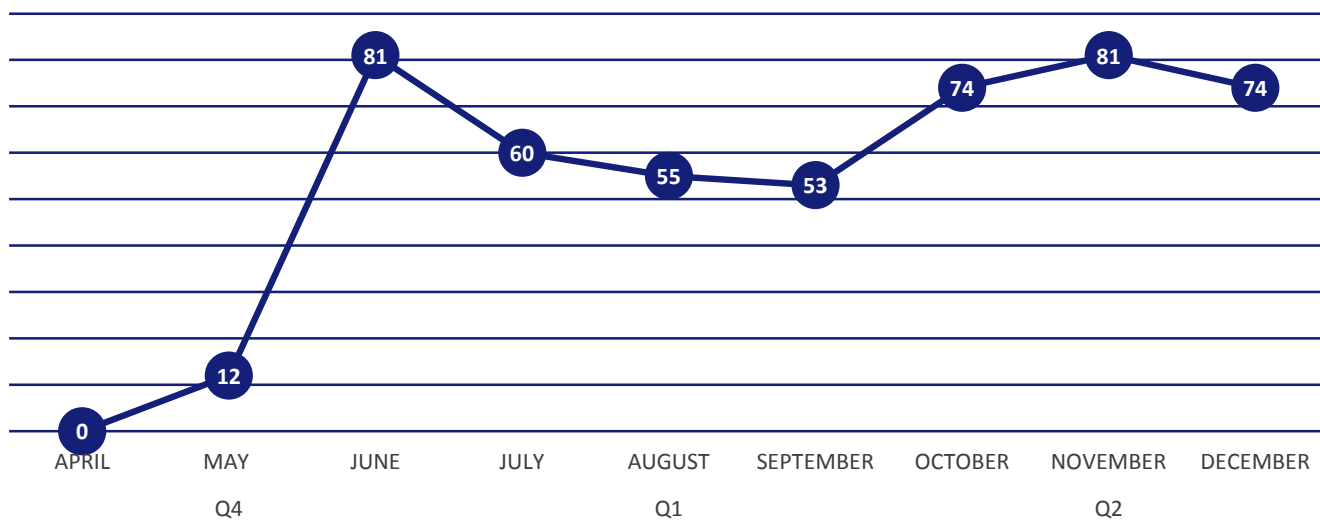
Customer Service

Customer Requests via *My Unley*

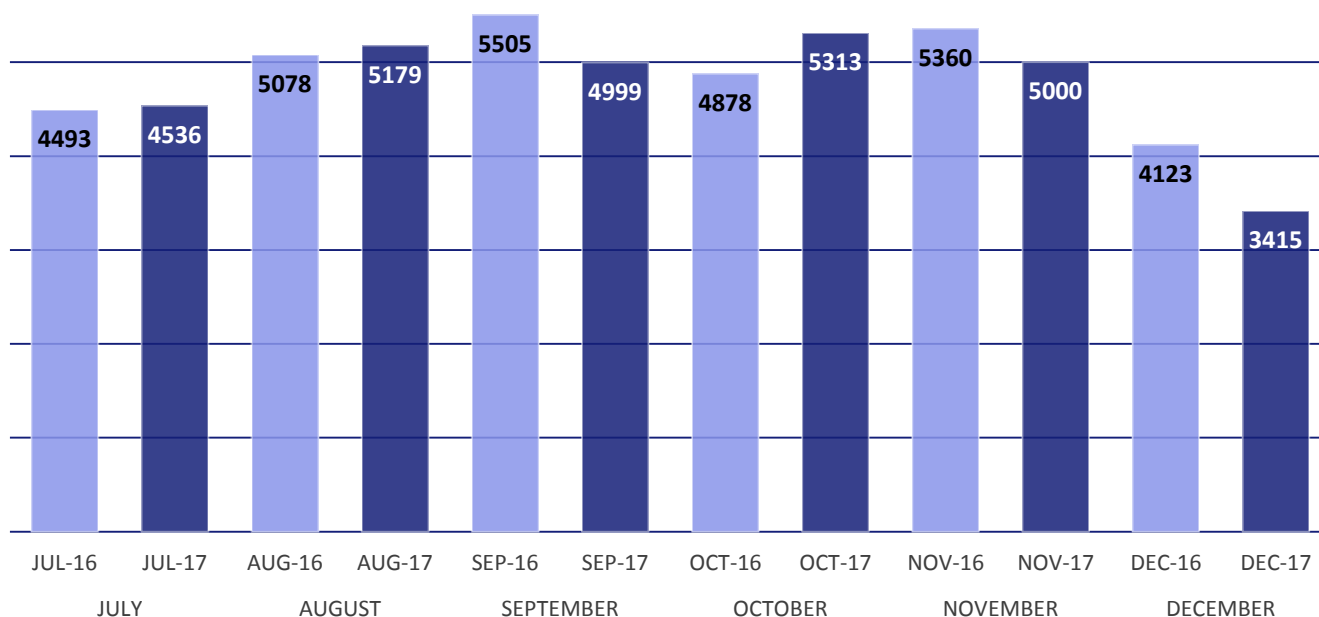
On June 1, 2017, the City of Unley launched '*My Unley*', a user friendly online service allowing customer request lodgement and payments from a web browser and mobile device.

My Unley allows customers to easily and efficiently interact with Council at any time, day or night, using an iPhone, iPad, Android device or web browser. Further enhancements to *My Unley* are proposed for 2017-18 that will allow customers to track the progress of their request as it is completed.

Total Customer Requests Received via *My Unley*



Comparison of calls answered Q1 and Q2 2016 to 2017



The volume of calls answered in Q1 2017 (14,714) compared to Q1 2016 (15,076) is consistent, with approximately 120 calls fewer per month. Calls answered in Q2 2017 (13,728) decreased (633) compared to Q2 2016 (14,361) by an average of 211 fewer calls per month.

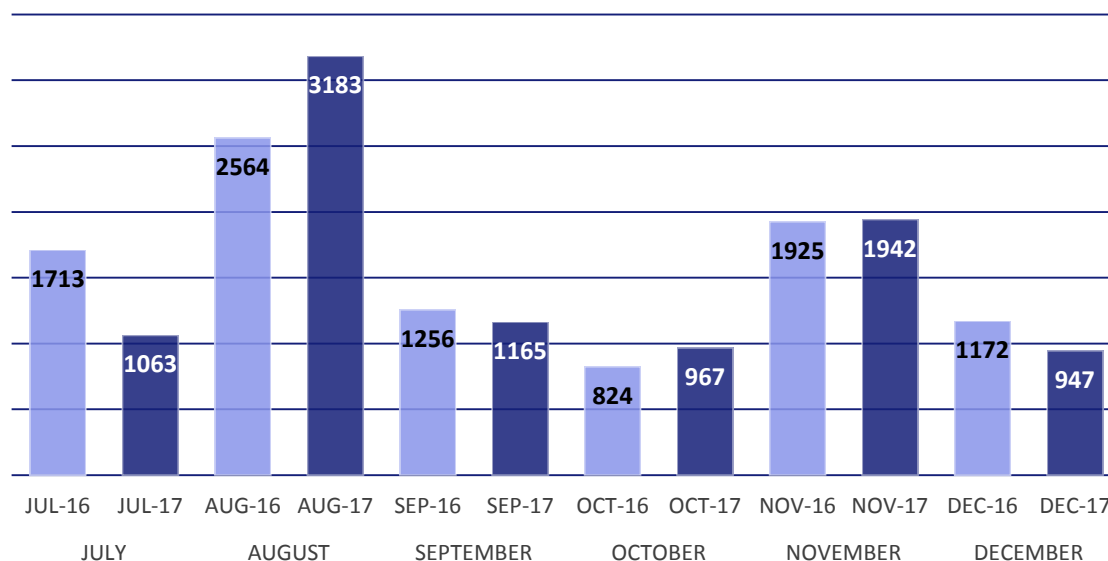
This decrease could be attributed to a media project designed to promote self-payment, in line with the customer experience program, specifically targeting rates and dog renewals, as well as information around parking restrictions for the Royal Adelaide Show.

Specific events spiked calls in November and December of 2016 which did not occur in these same months of 2017. These included:

- freak storms between the Xmas and New Year period of 2016 resulting in an influx of calls about flooding, trees down, damage and sand bag collections/pickups;
- significant mail outs from traffic regarding both feedback on "pay for use" parking trials (2,500 residents) and also an outcome of an LATM (5,500 residents);
- 1200 parking permit renewals were posted in November, resulting in payment and general queries.

Counter Transactions

Counter Transactions Q1 and Q2 2016 to 2017



In line with phone calls, front counter transactions also saw a decrease in volume.

Q1 2017 (5,411) compared to Q1 2016 (5,533) saw an overall slight decrease (122) in transactions receipted at the front counter. This quarter is historically the busiest period of the year for the front counter, with customers paying for dog renewals, rates and expiations resulting from the Royal Adelaide Show.

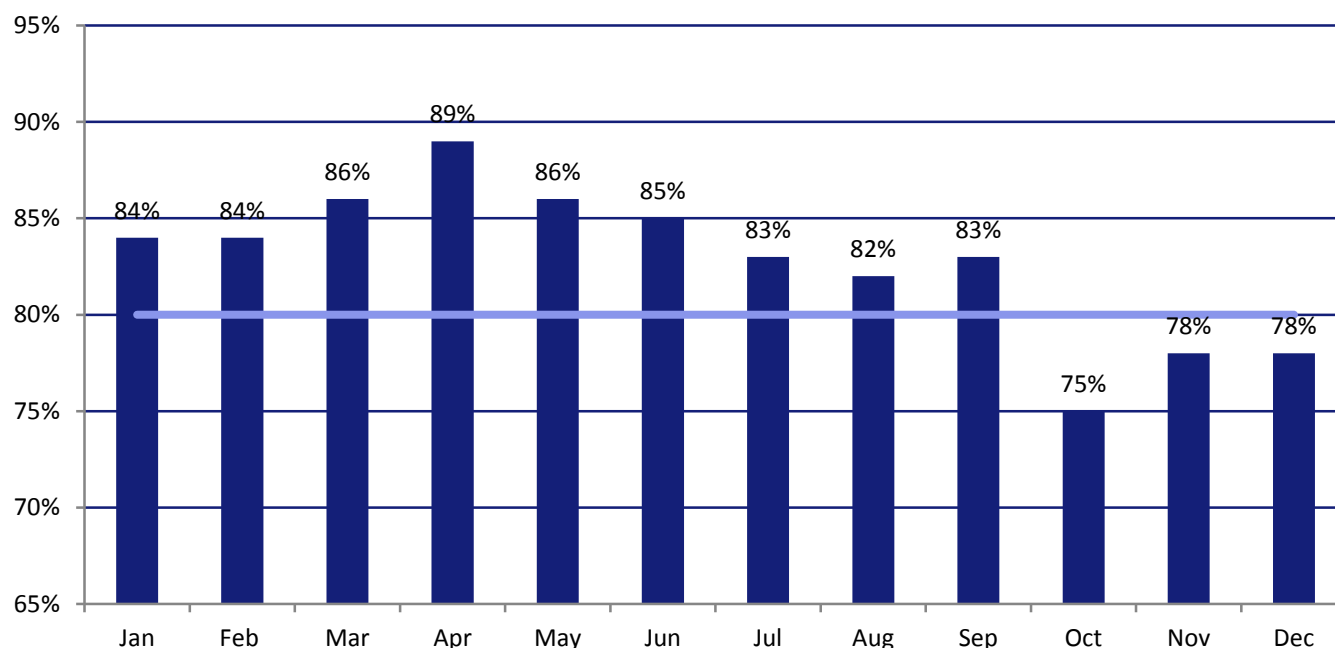
August 2017 presented the highest counter transactions to date which can be attributed to a rise in:

- Rates receipting (increase of 394 compared to August 2016);
- Miscellaneous receipting which includes parking permits (increase of 67 compared to Aug 2016);
- Animal receipting which includes renewals and new dogs (increase of 154 compared to August 2016).

The volume of receipted transactions for Q2 2017 (3,856) remained consistent with Q2 2016 (3,921).

Service Level

Service Level tracking 2017



Service Level Tracking Target: To answer 80% of all incoming calls within 30 seconds.

Q2 of this year yielded results below target. This is the result of a number of factors, most importantly the start of a shift towards a resolution centre as the Customer Experience (CX) Program ramps up.

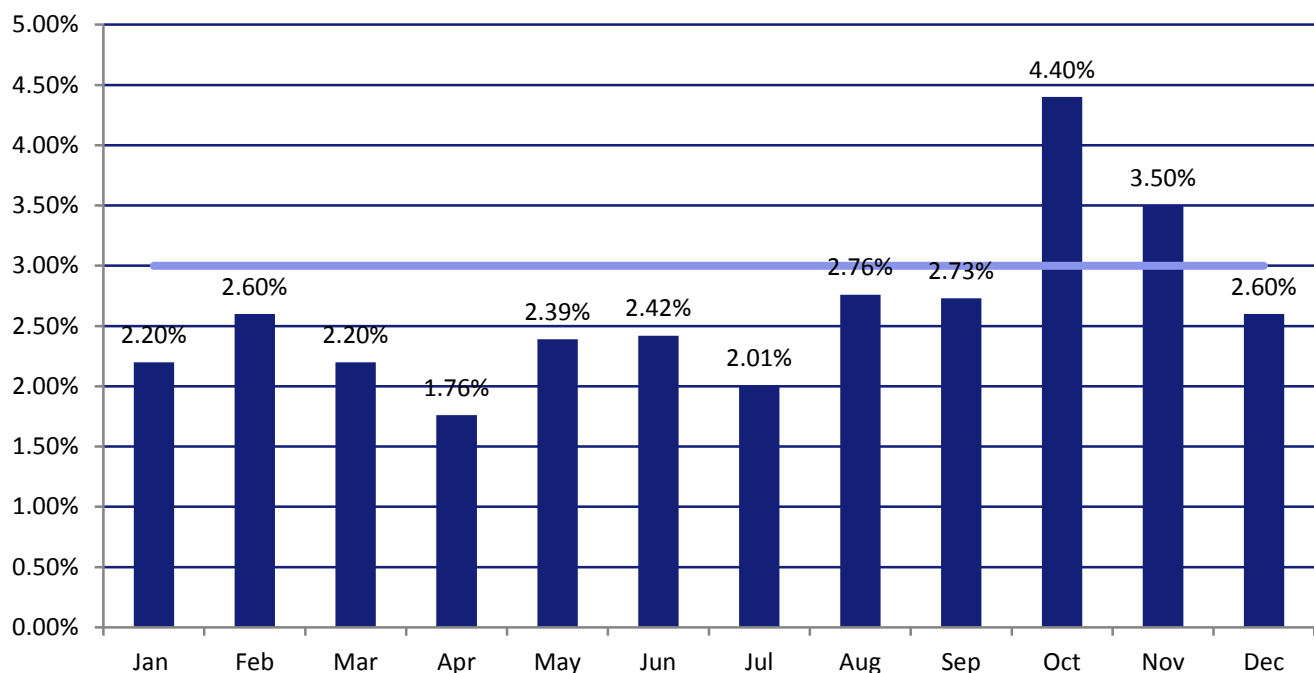
Being resolution focused changes the emphasis from operational targets such as “Grade of Service” and “Abandoned Call Rate” towards “Ease of Doing Business” and “Customer Satisfaction”. The Customer Experience Team is learning to “own” calls, reducing the focus of transferring phone calls and providing first point of contact resolution using multiple systems. This resulted in extended service levels as the team learns to implement this new service model.

Following suit with the CX program, training sessions, offsite skills testing and offline follow-up sessions impacted slightly on staffing resources. In addition to this and in line with the customer experience program deliverables, the team also underwent a restructure process during this time.

Additionally, following the implementation of ECM, the CX team temporarily took on additional responsibility for conversion of emails and hard copy correspondence.

Abandoned Calls

Abandoned Calls 2017



Abandoned Calls Target: No greater than 3%

In line with service levels, the abandoned call rate target was met with the exception of October and November.

Factors besides those listed above which contributed to a higher call abandoned rate in this quarter, particularly October, included:

- Parking and Rangers conducting a drive for 240 unregistered dogs, calling customers to request payment. This impacted the centre which then received call backs;
- Severe and unexpected weather in the beginning of October causing flash flooding which also spiked calls;
- Sick leave in the centre during mid-October, combined with other unscheduled leave and minimal casual availability, resulting a skeleton staff in the service centre.

Q1 remained in line with service levels and previous quarters, rising slightly in August and September as expected due to dogs, rates and the Royal Adelaide show.

Environmental Health Inspections

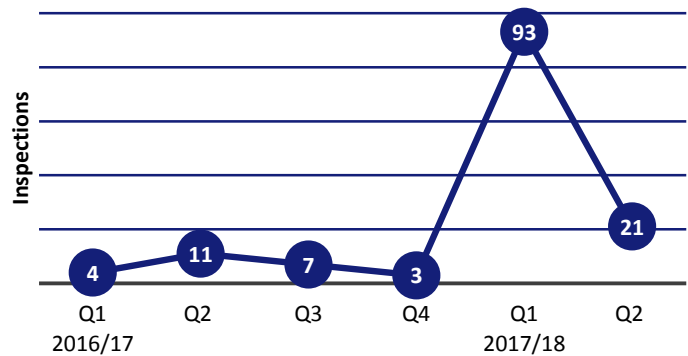
Health Premises* Inspections

Hair and beauty inspections for the two yearly audit were completed in Q1 2017, hence the high number of inspections compared with Q1 2016.

Inspections conducted during Q2 were primarily cooling towers, warm water and swimming pools as all Health and Beauty inspections were conducted in Q1.

**Health premises consist of cooling towers, warm water systems, swimming pools, and hair and beauty, tattooists, skin penetration businesses.*

Health Premises Inspections

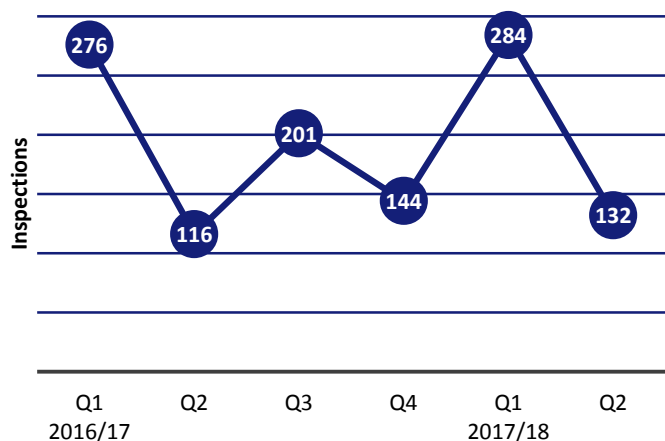


Food Premises Inspections

Food inspections were conducted for stalls at the Royal Adelaide Show during Q1 2017, hence the peak in inspections compared with the remainder of the year. Overall, numbers were similar to Q1 in 2016.

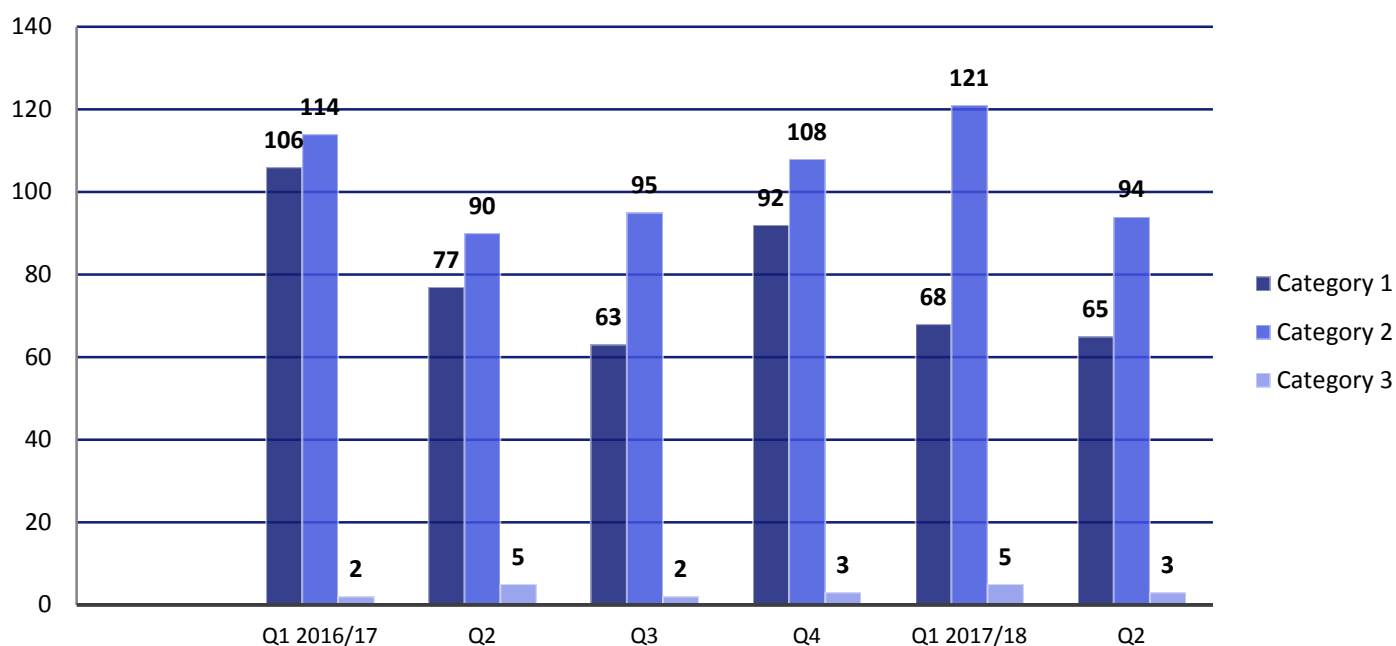
Food premises inspections are being conducted in accordance with the scheduled program.

Food Premises Inspections



Applications lodged by category

Applications Lodged by Category of Public Notification

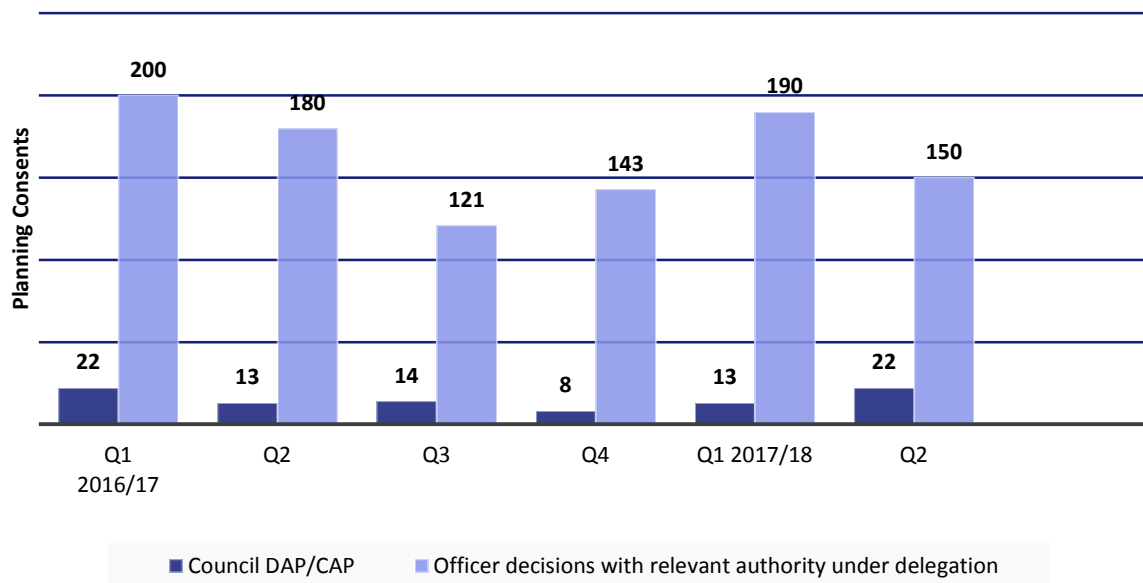


- Category 1: No public notice is given, no public consultation occurs and there is no right of appeal by “third parties” against the decision.
- Category 2: A notice, describing the development, identifying the land and stating such things as whether it is complying or non-complying development must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

The number of Q1 2017 applications is slightly down on Q1 2016, however the overall proportion of Cat 2 applications increased from 51% to 62%. The number of Q2 2017 applications is similar to Q2 2016, however the overall proportion of Category 2 applications has again increased from 52% to 58%. This is attributed to the authorisation of the *Village Living and Desirable Neighbourhoods DPA 2* on July 2 2017.

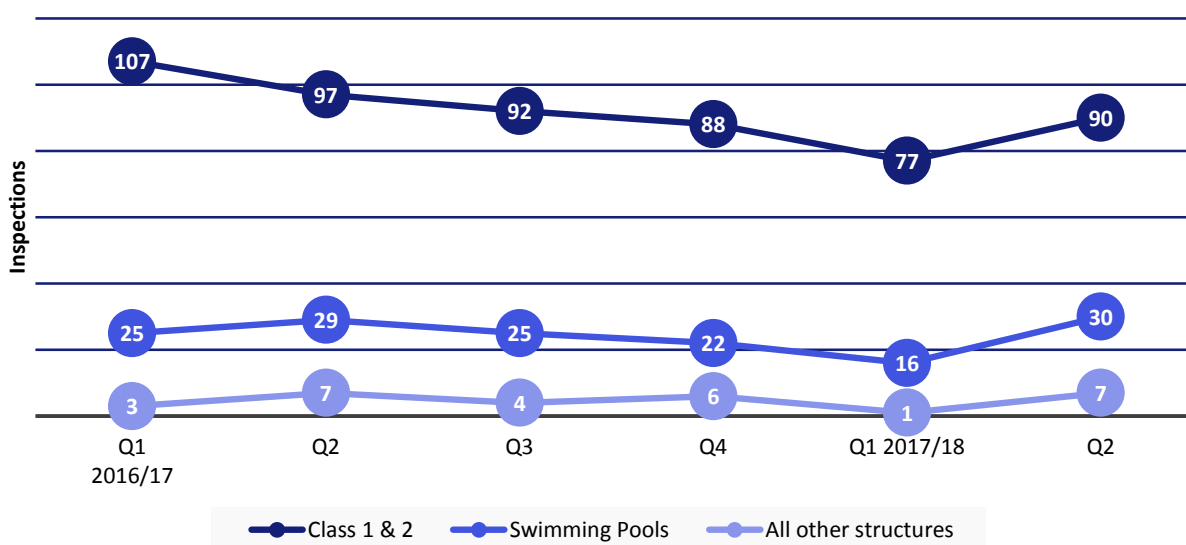
Planning consents issued by relevant authority

Planning Consents Issued



In Q1 2017, overall numbers of delegated and CAP decisions are slightly less than in Q1 2016. When Q2 2017 statistics are compared to Q2 in 2016, the number of delegated decisions is slightly less than in Q2 2016. However, the proportion of CAP decisions is slightly higher.

Compliance (Building rules related inspections)



Swimming Pools

100% of pool barrier notifications inspected- legislative requirement is 80% (5 out of 5 inspected within 0-14 days).

Roof Framing

Owner builders: we have inspected 100% of all notifications (legislative requirement is 90%).

Licensed builders: we have inspected 95% (legislative requirement is 66%).

Notes

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

Class 1 - One or more buildings which in association constitute:

Class 1a - A single dwelling being a detached house, or one of a group of two or more attached dwellings, each being a building

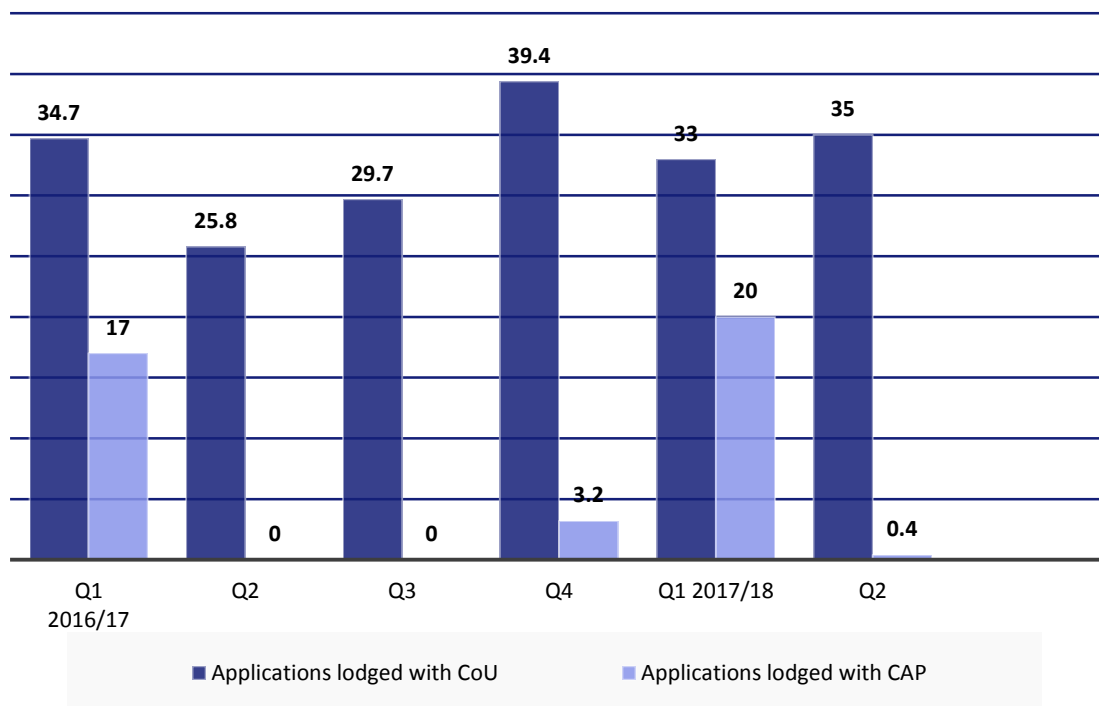
Class 1b - A boarding house or like in which not more than 12 persons would ordinarily be resident; or four or more single dwellings located on one allotment and used for short-term holiday accommodation, etc

Class 2 - A building containing 2 or more *sole-occupancy units*, each being a separate dwelling.

Building inspections numbers remain relatively consistent with previous quarters and are being conducted in accordance with legislative requirements.

Value of Development Applications

Value of Development Applications - \$ millions



The value of developments shown above is provided by the applicants at the time of lodgement. They represent the cost of development and do not include costs associated with fit out.



Lease Stages

Leases coming up for renewal next quarter

Negotiations have begun with the following tenants:

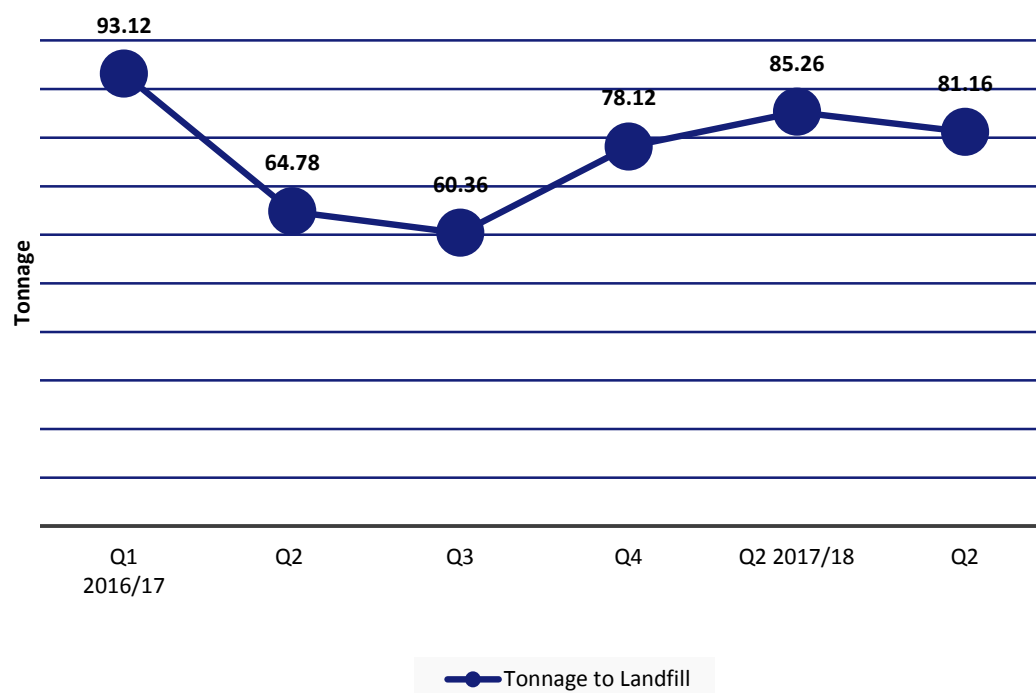
- **Beyond Stone Pty Ltd** – 3/71-73 King William Road, Unley (Extension of Lease – Current extension expires – 31st January 2018)
- **Fern Avenue Community Garden** – 18-20 Fern Avenue, Fullarton (New Lease – Current lease expires 31st January 2018).

100% of leases are currently leased.

Waste Management

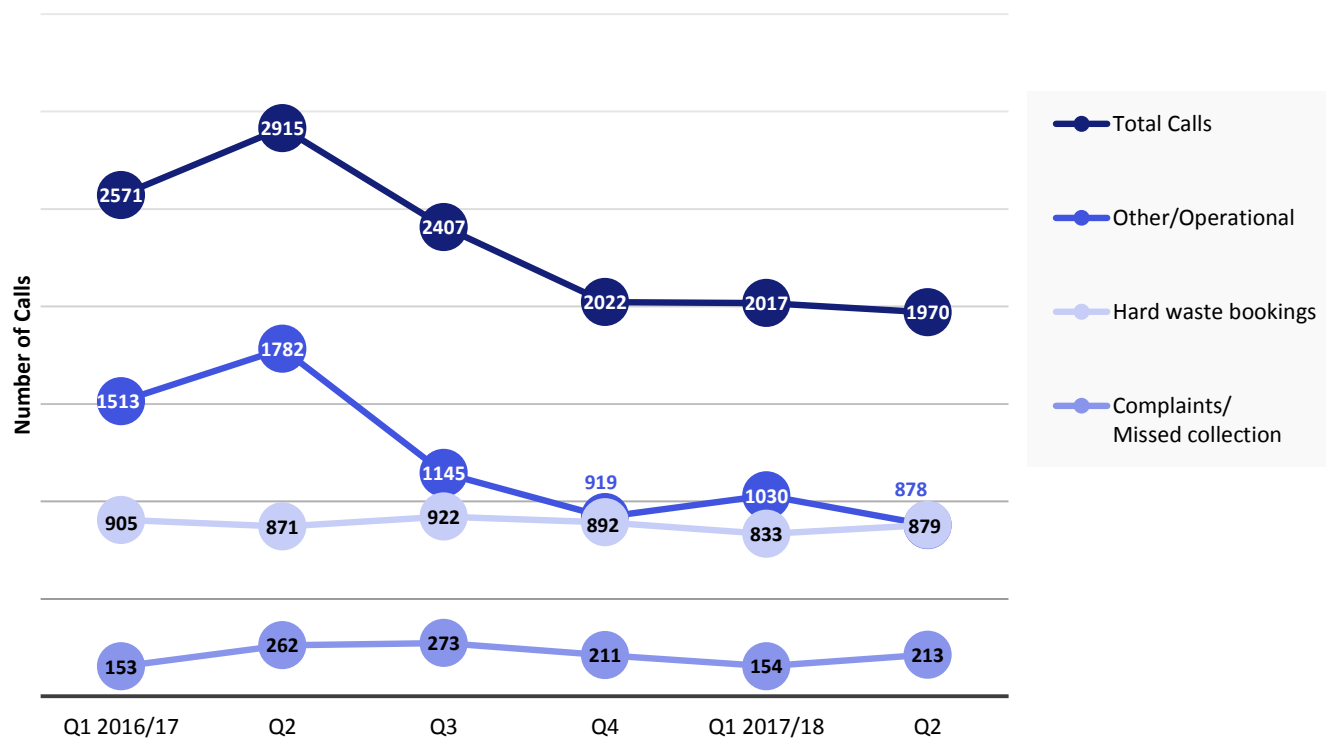
Hard Rubbish to Landfill

Hard Rubbish Tonnage to Landfill



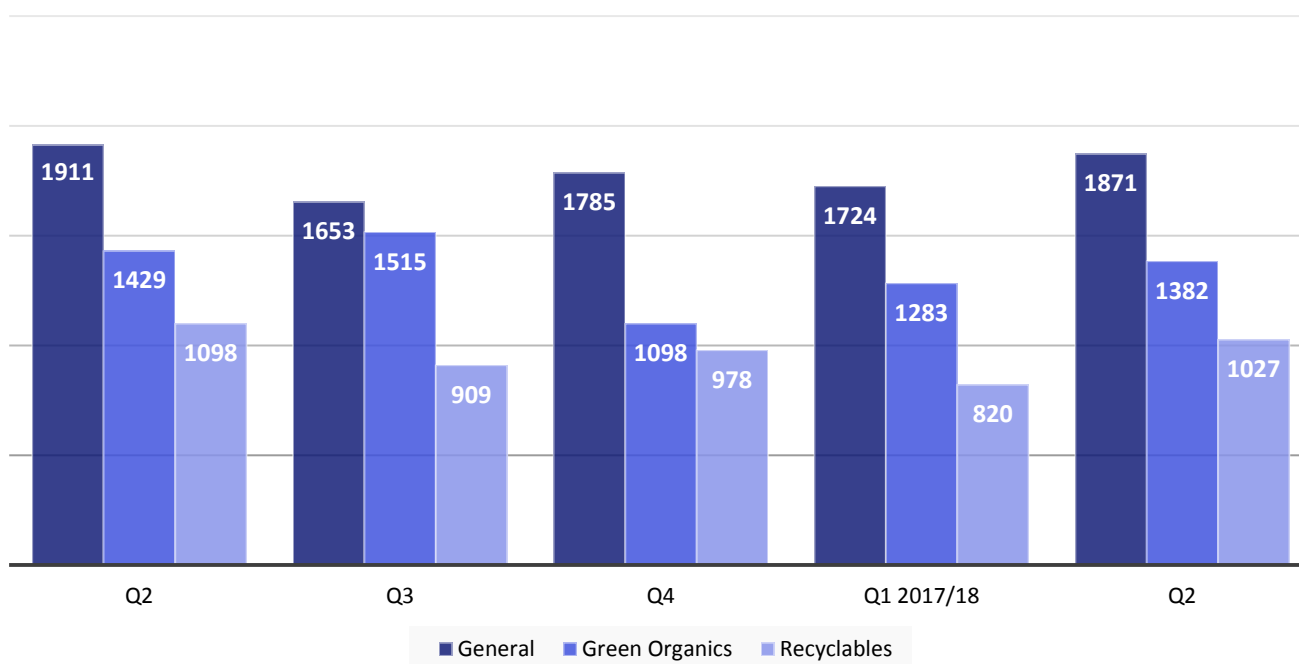
Waste Contractor Indicators

Waste Contractor Indicators



Total Tonnage

Total Tonnage each Waste Stream



The data shows seasonal fluctuations in landfill volumes; however, compared to the equivalent quarters in the previous financial year, the results are similar.

Education and awareness programs continue with the following initiatives:

- Provision of convenient locations for residents to drop off their Tricky Waste, eg batteries, mobile phones, fluorescent tubes & globes, engine oil;
- E-waste (anything with an electrical cord) drop off containers - Unplug'N'drop - Depot, Fullarton Park and Clarence Park Community Centres;
- The trial household hazardous waste collection service from the homes of City of Unley residents has been well utilised;
- The kerbside bin audit concluded in 2017; an Elected Member Briefing on this is proposed for February or March 2018;
- New public place recycling stations have been installed at Soutar Park and Henry Codd Reserves and are showing some good results in waste diversion;
- There has been continual monitoring of street and park litter bin use to determine any change to frequency of collections;
- Assistance with provision of event bins & covers for private and community events has occurred;
- *The Take the Pledge* campaign is continuing with a further round of 10 weeks in early 2018. It is showing extremely good results in waste diversion, with very favourable feedback from residents. The program, which is in its third year, has seen 1, 390 households take the pledge to better their recycling. A comparison of households that have taken the pledge with those that have not, shows that the former are putting an extra 1.6kg per household of food in the organics bin.
- Business waste education is under way with bin inspections, stickers on correct items to place into bins, etc;
- School, kindergarten and child care centres are being provided with education advice, tools, and implementation systems;
- There is continual promotion and sale of kitchen caddy and compostable liners which are available from Council offices and soon from Community Centres.

Customer Satisfaction Survey – Footpath Replacement

Summary

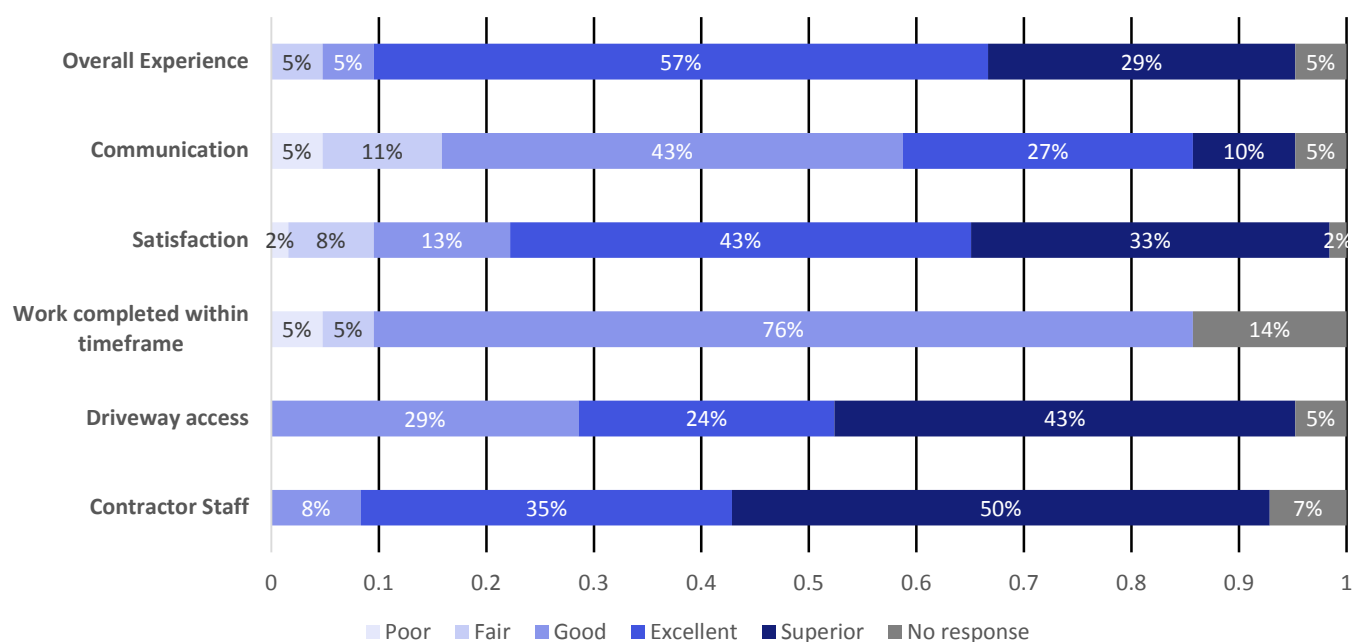
During the period of 1/09/17 – 29/12/17 a total of 191 surveys were distributed and 21 survey responses received. This was a response rate of 11%.

Streets where footpaths were replaced:

- Alexander Ave, Millswood (15 surveys distributed)
- Harvey St, Millswood (15 surveys distributed)
- Hague Ave, Unley Park (15 surveys distributed)
- Nanthea Tce South, Unley Park (15 surveys distributed)
- Newman St, Forestville (15 surveys distributed)
- Aroha Tce, Forestville (20 surveys distributed)
- St Helen St, Parkside (15 surveys distributed)
- Wycliff St, Fullarton (20 surveys distributed)
- Winifred Ave, Black Forest (15 surveys distributed)
- Hill Ct, Black Forest (15 surveys distributed)
- Burnham Ave, Myrtle Bank (23 surveys distributed)
- Nelly St, Parkside (8 surveys distributed)



Footpath Replacement Satisfaction Survey (Sep - Dec 2017)



- **Residents' overall experience:** 86% experienced the replacement of the footpaths as excellent or superior. 5% of residents had only a fair experience, due to leftover bricks and pallets not being removed within the expected time frame (one month).
- **Communication:** includes the quality of the information and notification regarding the commencement and completion dates of the project. 16% of the respondents expect communication to improve as some may not have received notification at all or only after work has commenced. Overall, the majority of respondents (80%) were satisfied with the quality and timeliness of the information received.
- **How satisfied are residents with the completed product?** This includes the quality of the work, whether the site was left clean and tidy, and satisfaction with the reparation of the nature strip. 10% thought the completed product was poor or fair due to personal preferences such as the colour of the pavers, or the requirement for more pavers e.g. around exposed tree roots. For some there was disappointment that the nature strip's plants, irrigation and mulch were not replaced immediately as it was before. However, over 89% of respondents were satisfied with the completed product."
- **Work completed within the set timeframe:** 10% of respondents indicated the work was not completed within the time frame due to rain. 76% indicated completion was on time.
- **Driveway access:** There is overwhelming satisfaction with regards to driveway access, as most residents indicated they were given adequate notice to remove cars before work commenced on the footpath.
- **Contractor staff:** This includes the staff's professionalism, friendliness, responsiveness, helpfulness, ease of contact and flexibility in meeting residents' needs. Over 85% of respondents thought contractor staff provided excellent or superior service.

Environmental Projects Update

Capital Projects

Greening verges

The new Greening Verges Incentive has been completed and was very popular, with 62 verges converted from dolomite over an area of 1336m². This includes the increased budget approved by Council at its 28 August 2017 meeting to accommodate all eligible applications. While there was excellent involvement by the Civil Works team in assisting to deliver this project as early as possible, there was no expectation for residents to plant until after summer heat passes. However, it has been pleasing to see a number of verges already gardenised with plants or lawn and looking great. One property even organised a “verge garden party” inviting neighbours to gather and assist in planting out.

Due to verge sites being wide spread across the council area, the work has generated interest from adjacent neighbours and subsequent enquiries to council. Already we have 14 residents register their interest if and when a second round of the incentive may become available. Another 4 have chosen to go ahead without delay at their own cost. One potential improvement is to offer a small amount of paving for path/bin pad with the incentive if the incentive goes ahead in 2018/19.

Administration is currently developing a similar strategic approach to handle future WSUD and other greening initiative opportunities.



Fruit Tree Orchard

A Community Fruit Tree Orchard at Orphanage Park is scheduled for Autumn 2018.

Operating Projects

Various initiatives are underway as follows:

- The *City Switch Green Office Program*, due to go live in March, will provide support to office based businesses in the city, including those in leased offices, to increase their sustainability;
- A detailed tree canopy study is being undertaken using existing aerial imagery, to show how tree canopy in the city has changed over time (1979, 1997, 2007 and 2017) comparing private and public land tenure to suburb level, with the output due in April;
- By pooling the collective knowledge of staff across the eastern region councils via the street tree working group, the *Resilient East – Climate Change Adaptation Plan* now includes the creation of a list of tree species climate suitable for our region. A progress report is due at the February council meeting on proposed priorities for next year;
- Energy efficiency assessments are being undertaken within council owned buildings with regard to potential LED light upgrades, solar investment and behavior changes to improve efficiency;
- The third Community Sustainability Training Course “*Living Smart*” is about to commence, with residents participating in a seven week training program providing practical options to undertake at home; and
- Council is working with environmental volunteers and school groups within the city, with presentations having been given to Walford, Unley Primary School, Goodwood Primary School and Concordia College.



2017/18 Capital Works Program

Footpaths

The program of replacing asphalt footpaths that have reached the end of their life with paving is continuing.

The following footpaths have been completed:

Grove Ave, Harvey St, Florence St Goodwood, Newman St, Eglington Ave, Winifred Ave, Hill Ct, Mornington Rd, Caroon St, Alexander Ave, Hague Ave, Nanthea North Tce, Nanthea South Tce, St Helens St, Nelly St, Wycliff St, Burnham Ave & Aroha Tce

The following footpaths will be completed by June 2018:

Myra St, White St, Pine St, Vardon Tce, Nairne Tce, Mann St, Greville St, & Charles St.

Roads

This program is in accordance with the Network Condition and Budgetary Analysis Report: 2016. The report outlines Preventative, Rehabilitation and Reconstruction Projects through to 2021.

The following roads have been completed:

- Grace St & Wood St road reseals;
- Railway Terrace North and South kerbing at Goodwood Rd junction;
- The following roads will be completed by June 2018;
- North Tce, West Tce & Nelson Rd kerbing replacement;
- Nairne Tce & Nichols St design will be completed in January 2018 and construction in April 2018;
- Macklin St reseal & kerbing design completed and construction to occur in March/April 2018;
- Kennilworth Rd Stormwater drain completed, with reseal to occur in April/May 2018.

Drains and Stormwater

This program is undertaken in accordance with recommendations of the Unley Stormwater Management Plan Strategic Review.

A contract has been awarded for the Glen Osmond Road/Fullarton Road Diversion Drain and Kennilworth Road Drain projects which should be completed by the end of March 2018.

The Macklin Street Parkside drain will be constructed in conjunction with the road reconstruction in March/April 2018

Reserves and Open Space

This program is based on improving the quality and useability of the open space network.

- Scammel Reserve park fencing, furniture and lighting replacement has been completed;
- Windsor Street shared path lighting renewal and upgrade has been completed;
- Soutar Park irrigation renewal to maintain water efficiency at the site will be completed in January 2018.

Car Parks

Renewal of portion of the Fullarton Park Community Centre main car park that has been affected by roots of some significant trees will be undertaken in April 2018.

DDA compliance

Replacement of the Bus Shelter at stop 12 east side of Fullarton Road will be installed in March 2018.

A board walk & ramp at Palmer Avenue will be constructed in February 2018.



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DECISION REPORT

REPORT TITLE: TRAMPOLINES AT KATHERINE STREET RESERVE
ITEM NUMBER: 1075
DATE OF MEETING: 29 JANUARY 2018
AUTHOR: JOHN WILKINSON
JOB TITLE: SPORT AND RECREATION PLANNER

1. EXECUTIVE SUMMARY

A petition to reinstate the trampolines at the Katherine Street Reserve, Fullarton was lodged with Council on 4 December 2017. At its 11 December 2017 meeting, Council formally received the petition (Item 1041) and resolved that:

1. *The petition be received.*
2. *Acknowledgement of the receipt be sent to the principal petitioner.*
3. *A report be prepared for presentation to the January 2018 Council meeting, addressing issues associated with the re-instatement of the Trampolines, including consideration of alternative locations.*
4. *The principal petitioner be notified of Council's proposed actions.*

As there are differences of opinions in the local community regarding the trampolines, the purpose of this report is to provide Council with information in order for it to make an informed decision on whether or not to reinstate the trampolines in Katherine Street Reserve, Fullarton.

2. RECOMMENDATION

That:

1. The report be received.
 2. Council endorse the reinstatement of two trampolines at Katherine Street Reserve in the new central location Alternative B, as shown in Attachment 3 to Item 1075/18. Local residents within 500 metres of Katherine Street Reserve be informed of Council's decision in writing via a letter.
-

3. **RELEVANT CORE STRATEGIES/POLICIES**

Community Living

Goal 1: People value our City with its enviable lifestyle, activities, facilities and services.

1.1 Our community is active, healthy and feels safe.

1.3 Our City meets the needs of all generations.

1.5 Our City is connected and accessible.

The provision of recreation opportunities within the City of Unley is also identified in Council's Open Space Strategy and Sport and Recreation Plan 2015-2020.

4. **DISCUSSION**

Council purchased 19-21 Katherine Street, Fullarton in 2014 for the purpose of creating a local park to provide opportunities for informal recreation and junior play. This decision supported Council's Open Space Strategy, which identified a gap in the provision of local open space in the northern section of Fullarton.

To inform the design and development of the new park, consultation with local residents was undertaken during 2014/15, which included surveys and meetings. The final design incorporated a large range of facilities including three in-ground trampolines.

A map showing the layout of the reserve is provided as Attachment 1 to Item 1075/18.

Attachment 1

Following the opening of the park in November 2016, anecdotal evidence has shown that the new park has been well received and is being well used; so much so, that minor adjustments have been made in response to community suggestions. These have included new fencing along Moore Street and the installation of automatic timers to switch the park lighting off at 10.00pm.

In mid-2017, an adjacent resident raised concerns relating to excessive noise and loss of privacy created by the three in-ground trampolines located near their property.

In response to the concerns, an acoustic engineer was engaged to assess the noise levels in consideration of the provisions of the *Environment Protection (Noise) Policy 2007* (the Policy) and recommend appropriate solutions. This report is included as Attachment 2 to Item 1075/18.

Attachment 2

It should be noted that in-ground trampolines are now a common and well-used feature in many playgrounds. There are currently two located at Forestville Reserve and the Administration has not received any concerns in relation to them.

For a residential zone, such as Katherine Street, the Noise policy recommends average noise levels of 52 decibels during the day (7am to 10pm) and 45 decibels at night (10pm to 7am). The Policy also allows for penalties to be applied for certain characteristics, such as tone, impulse, low frequency, and modulation of the noise source. Based on observations during the use of the trampolines, two penalties are considered to be applicable in this case, and as such an 8 dB(A) penalty to the measured and predicted noise levels was applied to determine if noise levels caused by the trampolines exceeded the Policy recommendations.

The assessment of noise levels was simulated by adults jumping on the three trampolines simultaneously, as this was similar to the original complaint. It is noted in the report that noise levels generated by children could be expected to be significantly lower than those of an adult.

The assessment concluded that the noise levels of the three trampolines exceeded the provisions of the Policy.

In response to the resident complaint, the decision was made to remove the trampolines and replace the trampolines with low rubber mounds for junior play. At this time, an email was sent to local residents informing them of the decision and the subsequent investigation of alternative locations for the trampolines. The trampolines are being stored until a decision is made on their re-use.

Since the removal of the trampolines, a number of local residents have been advocating for their reinstatement. A petition to reinstate the trampolines at the Katherine Street Reserve, Fullarton, was lodged with Council on 4 December 2017. At its 11 December 2017 meeting, Council formally received the petition (Item 1041) and resolved that:

3. *A report be prepared for presentation to the January 2018 Council meeting, addressing issues associated with the re-instatement of the Trampolines, including consideration of alternative locations.*
4. *The principal petitioner be notified of Council's proposed actions.*

Privacy Concerns

In addition to noise, the complainant also raised privacy concerns created when trampoline users were able to look over the adjacent fence into their property. Whilst the trampolines have been removed and replaced with low rubber mounds, the complainant has raised concerns with the mounds, which still enable people to look over the fence. Council has planted vegetation along the fence line which is expected to create a visual barrier within three (3) years and will shortly install a trellis to provide an immediate barrier.

After much consideration, the Administration is of the view that because the mounds are low, static and primarily used by young children who would not be able to look over the fence, the situation will be monitored and no further action will be taken at this time with respect to removal of the mounds.

Alternative Options for Reinstatement of Trampolines

A. Reinstatement of three trampolines in the original locations at Katherine Street Reserve.

Council may wish to reinstate the three trampolines in their original location at Katherine Street Reserve. This would require the removal of the rubber soft fall mounds, which were installed as a replacement for the trampolines, providing additional play equipment. It is also likely that these mounds would be damaged when being removed and would not be able to be relocated to another area within the reserve. There would be a cost for reinstating the trampolines but this is not significant.

Whilst it is likely that this option would be supported by many residents, including those who signed the petition, this option would disregard the concerns of the adjacent resident and the findings of the acoustic study. Consequently, this option is not recommended.

B. Reinstatement of two trampolines closer to the centre of Katherine Street Reserve.

It is possible to relocate trampolines away from the southern boundary closer to the centre of the reserve, as per Attachment 3 to Item 1075/18. This would alleviate the noise impacts for the resident adjacent the park, with the noise assessment tests undertaken concluding that the provisions of the Policy would be met between the hours of 7.00am and 10.00pm.

Attachment 3

However, should the trampolines be used by teenagers or adults after 10pm, the provisions of the Policy are likely to be exceeded. This includes the noise generated by the trampolines at 4.5 metres high, which is the approximate height of some second storey windows of surrounding properties.

It should be noted that the acoustic modelling for this work was undertaken based on the reinstatement of the same three trampolines. If Council were to endorse this option, it is recommended that two trampolines be reinstated, which would obviously reduce noise levels, however exact noise levels are currently not known. Whilst this solution is seen as a compromise, it nonetheless considers the views of all stakeholders.

Council should consider the provisions of the Policy and previous decisions to remove the trampolines in accordance with the Policy.

Advice from the Environment Protection Agency regarding the management of noise in playgrounds indicates that playground noise is typically difficult to manage and should this option be endorsed, the installation of signage is recommended near the new location, regarding appropriate times of use. Similar signage exists at other parks in the City of Unley.

Lighting in the park is turned off automatically at 10.00pm. It is anticipated that once the initial popularity of the park reduces, use of the trampolines by teenagers and adults after 10.00pm will be reduced.

C. Reinstatement at alternative locations.

The trampolines could be reinstated at other locations within close proximity to Katherine Street Reserve, and suitable sites have been shortlisted as follows:

- Howard Florey Reserve, Campbell Rd, Parkside
 - Approximately 1.1km from Katherine Street Reserve.
 - Two trampolines could be reinstated to the north of the playground.
 - May require the relocation of a sapling tree.
 - Proposed location is approximately 30 metres from nearest property, including barriers such as vegetation, a low wall and road.
- Ridge Park, Barr Smith Ave, Myrtle Bank
 - Approximately 1.4km from Katherine Street Reserve.
 - Two trampolines could be reinstated within existing playground, to the south of the large 'basket swing'.
 - Proposed location is approximately 30 metres from nearest property, including barriers such as vegetation and brick fencing.

The proposed locations at these alternative sites are marked in Attachment 4 to Item 1075/18.

Attachment 4

There is merit in reinstating the trampolines at either of these sites. Howard Florey Reserve is closer to Katherine Street Reserve and would benefit from the installation of additional play features. The trampolines would also be a suitable addition to the existing playground at Ridge Park, which is designed for older children. Given the distance from surrounding residents, Ridge Park is the preferred location should Council wish to pursue a different location to the Katherine Street Reserve.

It should be noted that whilst this solution would address the concerns of the complainant and meet the provision of the Policy, the noise levels at the alternative locations is not known, and relocation away from Katherine Street Reserve is likely to receive opposition from many of the signatories of the petition (Item 1041).

D. Investigate alternative trampoline products for installation at Katherine Street Reserve

The Administration is aware of other locations in metropolitan Adelaide where in-ground trampolines are located in close proximity to adjacent properties. One such location is at St Helen's Park in Prospect, where a different product is used, that appears to generate less noise whilst still providing the same play value.

Staff from the City of Prospect have advised that they had not received any noise related complaints regarding the product, which has been installed for over 18 months. The manufacturer has advised that they have not received any noise related complaints regarding this product, and that the cost to install two trampolines with rubber surfacing is approximately \$20K.

This option has not been formally tested by an acoustic engineer and adapted to the City of Unley; however, it is noted that most of the noise comes from the pounding of shoes on the trampoline surface, not the trampoline itself. This option could also make the existing trampolines redundant, making reinstatement more expensive.

5. ANALYSIS OF OPTIONS

Option 1 – Council endorse the reinstatement of two trampolines at Katherine Street Reserve in the new central location Alternative B, as shown in Attachment 3 to Item 1075/18. Local residents within 500 metres of Katherine Street Reserve be informed of Council’s decision in writing via a letter.

This option provides a compromise for all stakeholders, reducing the impact of the three trampolines on the affected resident, as well as providing a fun and interesting item of play equipment for park users. This also aligns with Council’s desire to develop Katherine Street Reserve for the enjoyment of the wider community.

Whilst this option may exceed the Policy after 10.00pm, it is believed that as lighting is automatically turned off at 10.00pm and with the installation of appropriate signage, the use of trampolines after 10.00pm will be minimal.

The third trampoline will be installed in another park later in the year.

Option 2 – Install the trampolines at an alternative location.

The preferred location for the reinstatement of the trampolines is Ridge Park in Myrtle Bank. While the trampolines would add to the facilities in this park, it would leave a gap in the provision of play equipment at Katherine Street Reserve. This option would also not appease many of the residents who signed the December 2017 petition.

Option 3 – Do not reinstate the trampolines.

By not reinstating the trampolines, this option will address the concerns of the initial complainant. However, this option is likely to receive opposition from other local residents as identified by the December 2017 petition.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 *Financial/budget*

There are no budget implications caused by the reinstallation of the trampolines.

7.2 Legislative/Risk Management

There are no specific legislative or risk management implications associated with this option.

7.3 Staffing/Work Plans

The construction work will be undertaken by external contractors and project managed by council staff within existing work plans. If an alternative site was chosen, there would be work involved in consulting with the local community regarding that proposal.

7.4 Environmental/Social/Economic

The intent of previous decisions and subsequent investigations has been to find a solution that meets the needs of the broader community and provide positive social impact.

7.5 Stakeholder Engagement

Residents within approximately 500 metres of Katherine Street will be notified of Council's decision via direct mail out. This includes an area bounded by Florence Street, Glen Osmond Road, Wattle Street and Wellington Terrace.

8. REPORT CONSULTATION

Consultation has occurred with the General Manager City Development and Executive Manager, Office of the CEO.

9. ATTACHMENTS

1. Map showing the layout of Katherine Street Reserve.
2. Acoustic engineer report.
3. Map showing central location with Katherine Street Reserve.
4. Map showing locations of potential alternative locations.

10. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
Peter Tsokas	Chief Executive Officer
John Devine	General Manager City Development

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Katherine St

Moore St

le / dry creek bed

Grassed open space

Playground

Shelter

Location of trampolines (now softfall mounds)

'Forest of trees'

Fence / hedge



North

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KATHERINE STREET RESERVE

TRAMPOLINE NOISE

Environmental Noise Assessment

October 2017

sonus.

Chris Turnbull
Principal
Phone: +61 (0) 417 845 720
Email: ct@sonus.com.au
www.sonus.com.au

INTRODUCTION

Children's trampolines were previously installed on the southern side of the reserve located on the corner of Katherine Street and Moore Street in Unley.

It is understood that following complaints regarding noise from the three original trampolines, it is proposed to remove the three trampolines and to locate two trampolines closer to the centre of the reserve.

This report establishes appropriate assessment criteria in accordance with the South Australian *Environment Protection (Noise) Policy 2007*, and compares the predicted noise from use of the trampolines with the criteria.

CRITERIA

Environment Protection (Noise) Policy 2007

The Environment Protection (Noise) Policy 2007 (the Policy) excludes activities such as play areas in schools and child care centres due to the inherently high noise levels of children playing, the limited options with respect to noise reduction measures that do not compromise safety and the broad community acceptance of the location of play areas in residential areas. It is questionable as to whether this exclusion extends to community play areas.

Notwithstanding the above, the Policy provides the most relevant indication of the amenity that can be expected in a certain area through the setting of goal noise levels based on the Development Plan zones of the noise source and the dwellings.

The playground and closest residences are located within the Residential Zone of the Unley Council Development Plan¹. For a residential zone, the Policy recommends equivalent (average) goal noise levels of 52 dB(A) during the day (7am to 10pm) and 45 dB(A) at night (10pm to 7am).

When comparing measured levels with the goal noise levels, penalties may be applied for each characteristic of tone, impulse, low frequency and modulation of the noise source. Based on observations during the use of the trampolines, two penalties would be applicable under the Policy, resulting in the addition of 8 dB(A) to the measured and predicted noise levels.

Where the goal noise levels are met after application of the relevant penalties, no further acoustic treatment is required.

Where the goal noise levels are exceeded, the Policy requires the consideration of other factors to determine what action, if any, is required to be taken. The factors are established to ensure “all reasonable and practicable” noise reduction measures are implemented. The factors include considerations such as the type of noise source, the historical use of the area and the times and duration of the use. Due to these factors, a particular activity can, in some cases, exceed the goal noise levels of the Policy without the need for further action.

¹ Consolidated 4 July 2017

ASSESSMENT

Predicted Noise Levels

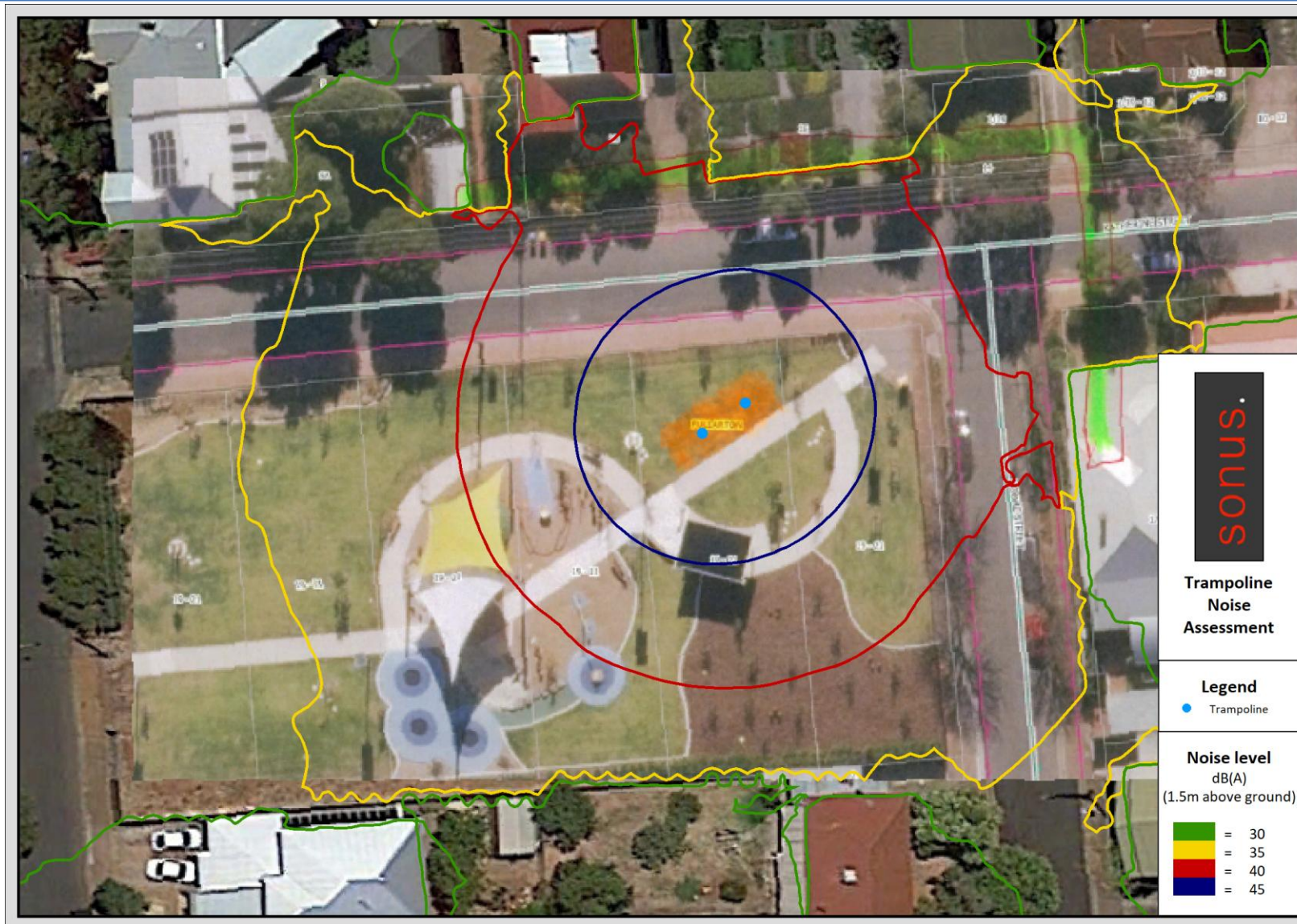
Measurements of the noise from trampolines in the original location were made on 9 May 2017.

The noise was simulated by an adult jumping on the trampoline. Based on observations made at the playground, the typical use of the trampolines by children will result in lower noise levels than presented in this report.

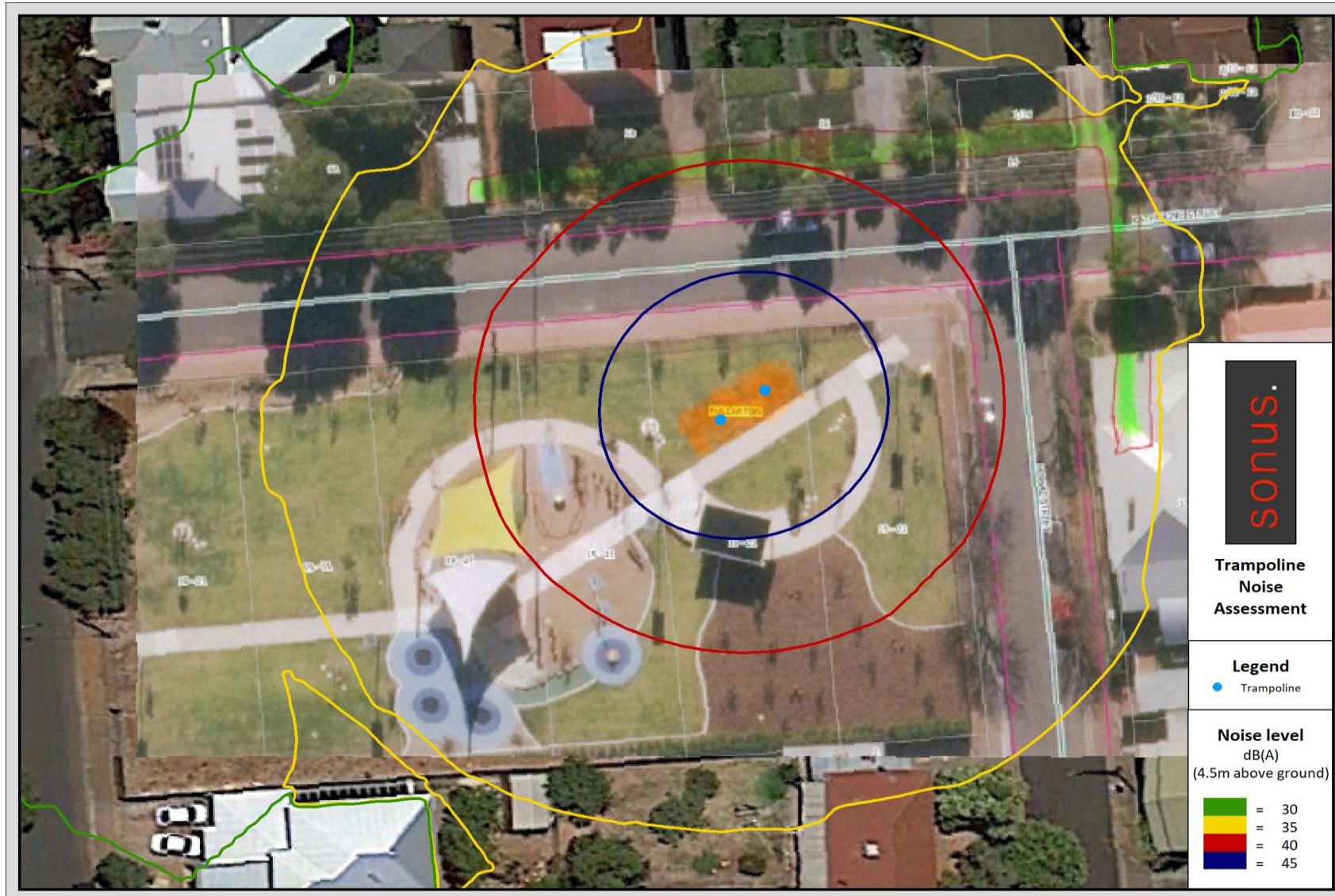
Based on the measurements, noise predictions have been made for two adults wearing shoes on the relocated trampolines. The predictions have been made for ground level (1.5m above ground level) as well as at first floor level (4.5m above ground). Noise contours for the two receiver heights are shown on the attached aerial photographs.

The highest predicted noise level at a residence is 40 dB(A). With 8 dB(A) added for the character of the noise in accordance with the Policy, the highest predicted level becomes 48 dB(A). This level achieves the Policy goal level for the period between 7:00am and 10:00pm.

It is noted that use of the trampolines by children will generate significantly lower noise levels.



(This is page 139 of Council Agenda 29 January 2018)



Katherine Street

Attachment 3

Proposed central location
for two trampolines





DECISION REPORT

REPORT TITLE: RENEWABLE ENERGY AT CLARENCE PARK
COMMUNITY CENTRE

ITEM NUMBER: 1076

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: KAT RYAN

JOB TITLE: COORDINATOR ENVIRONMENTAL PROJECTS
AND STRATEGY

1. **EXECUTIVE SUMMARY**

To consider an opportunity for installing renewable energy at Clarence Park Institute Hall in the form of a 20kW solar power system which has a projected return on investment of 3.6 years and reduction in current electricity bill of 93%.

In November and December 2017, the City of Unley hosted an energy efficiency work placement position. The officer completed a range of tasks over a six week period reviewing energy usage and researching improvement opportunities across main council buildings including Clarence Park Community Centre.

The identified energy efficiency improvement at Clarence Park through solar investment is relatively low at approx. \$17,000 and has the potential to be completed within 2017/18 financial year. This project would be a particularly positive environmental achievement on a heritage community hall and would be a financially sound asset management improvement.

Endorsement of the new project opportunity in principle is sought subject to funding being identified at the third budget review.

2. **RECOMMENDATION**

That:

1. The report be received.
 2. The procurement and installation of a 20kW solar power system at Clarence Park Institute Hall in 2017/18 be endorsed in principle subject to funds (\$17,000) being identified in the third budget review.
-

3. **RELEVANT CORE STRATEGIES/POLICIES**

Community Plan 2033

- Best practice principals are in place to reduce dependency on mains power.
- A financially sustainable approach to business and planning activity.

Four Year Delivery Plan

- Objective 2.3. The energy efficiency of the city is increased and our carbon footprint reduced.
 - Improve energy efficiency in council buildings and implement energy audit findings.
 - Investing in alternative energy opportunities/technology across the City including council buildings.

Environmental Sustainability Strategy

- Increase the energy efficiency of the City and reduce net total of grid based energy use by 5 per cent.

4. **DISCUSSION**

The City of Unley is committed to increasing the energy efficiency of the city and reducing our carbon footprint. Identified actions to achieve this objective in the Four Year Delivery Plan are: Implementation of energy audit findings; and investment in energy opportunities on council buildings.

In November and December 2017, Council secured a fully paid work placement position of an experienced energy efficiency officer. This six week placement was funded by Work Cover SA and provided through the employment agency Maxima. One of the identified opportunities by the placement officer was for solar investment at Clarence Park Community Centre, particularly on the Institute Hall which has suitable roof space (see figure 1).

Market research has projected that a 20kW solar power system on the roof with a 25kW inverter at a cost of approximately \$17,000 will reduce the annual bill in the first year from \$5,388 to \$373. This represents a 93% reduction in the current electricity bill and a return on investment within 3.6 years (see Figure 2). Renewable energy production for this site is estimated at 26,487kWh/year.

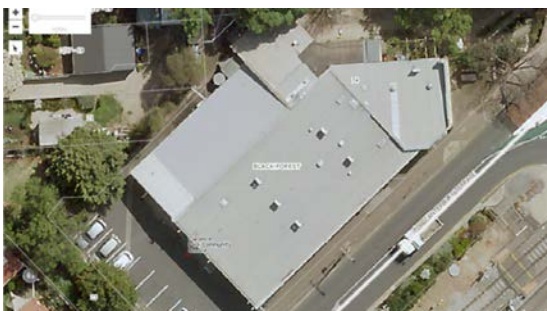


Figure 1: Roof at Clarence Park Institute Hall.

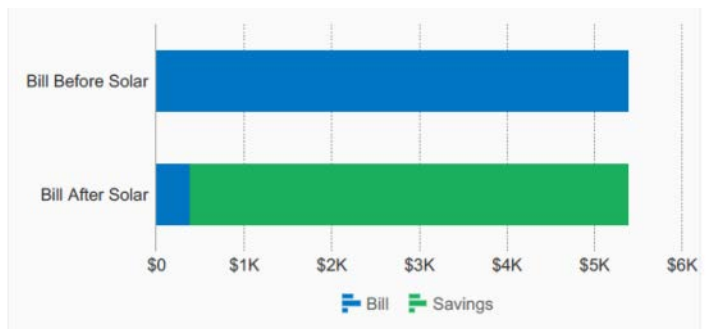


Figure 2: Annual Bill projections before and after solar power system.

It should be noted that costs given at this stage are market research estimates to be used for planning and budgeting purposes only and they include the following assumptions:

- Over the past 15 years electricity tariffs have risen by an average of 7% per year, and projections have been based on a conservative 3% escalation per year.
- All projections have been made based on panels being installed flat on the roof. In this configuration, tier one quality panels should have 87% efficiency and will not be visible from the street or compromise the visual amenity of the heritage hall.
- The products used will have a minimum 10 year warranty.
- Any new panel and inverter system is to be battery compatible for potential future addition.

This initiative provides an opportunity for Council to demonstrate leadership in energy efficiency by generating 26,487 kWh/year of renewable energy at a heritage Council owned building.

By investing in solar power systems, Council is able to offset electricity consumption, reduce carbon footprint, contribute to climate change mitigation and reduce financial risk against future electricity price rises.

- In 2015/16, a 10kW system was installed on the Unley Swimming Pool which is on track to pay for itself within 5 years.
- In 2016/17, a 15kW system with a 9.8 lithium ion battery was installed at the Fullarton Community Centre and is projected to have a payback of 8.3 years. 40% of the battery is being discharged every day to help offset night-time energy usage, while the remaining 60% is for backup power to lighting circuits in the event of power blackout.
- There is currently no solar investment on council owned buildings planned for 2017/18.

Technology improvements and increasing electricity prices continue to make solar a sound financial investment for building assets. Beyond 2017/18, there is potential for future solar projects on other Council owned buildings with suitable roof space which could be considered as a rolling multi-year project through budget processes, refer Attachment 1 to Item 1076/18.

Attachment 1

It is recommended that Council endorse the reallocation of funds from project expenditure savings to allow renewable energy potential to be optimised at Clarence Park within the 2017/18 financial year.

5. ANALYSIS OF OPTIONS

Option 1 – The procurement and installation of 20kW solar power system at Clarence Park Institute Hall in 2017/18 be endorsed in principle subject to funds (\$17,000) being identified in the third budget review.

The identified renewable energy project opportunity at Clarence Park Institute Hall has the potential to reduce the current electricity bill by 93% and provide a return on investment within 3.6 years. This would be a particularly positive achievement on a heritage community hall environmentally, and be a sound asset management improvement.

Option 2 - Council does not endorse procurement of solar panels at Clarence Park Community Centre in 2017/18

The opportunity for electricity cost savings and energy efficiency improvements will not be realised.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 Financial/budget

The funding will need to be sourced from operational savings during the 2017/18 Budget Review 3 in March 2018 prior to undertaking implementation. There will be on-going savings in future years as a result of reduced electricity bills in the order of \$5000 per annum.

7.2 Legislative/Risk Management

- There are no legislative implications.
- Risks will be identified and managed as appropriate.

7.3 Staffing/Work Plans

Required work can be accommodated within existing staff work plans.

7.4 Environmental/Social/Economic

- The project would directly contribute to Council's energy efficiency objectives, targets and actions as outlined in section 3.
- After 3.6 years the project would create electricity savings of over \$5,000 per annum, assuming electricity pricing remains stable for at least the 10 year warranty period of the panels.
- The project would be procured through a competitive quote process.

7.5 Stakeholder Engagement

- If approved, the Clarence Park Community Centre Management Board and regular hirers will be informed of improvement works.
- Installation works will be coordinated to create minimum disruption.

8. REPORT CONSULTATION

The proposed Renewable Energy project has been discussed with Building Assets, Finance and Clarence Park Community Centre teams.

9. ATTACHMENTS

1. Council Owned Buildings with Potential for Solar Investment.

10. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
Peter Tsokas	Chief Executive Officer
John Devine	General Manager City Development

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DECISION REPORT

REPORT TITLE: CONSULTATION FOR GOODWOOD OVAL NEW TWO-STOREY FACILITY
ITEM NUMBER: 1077
DATE OF MEETING: 29 JANUARY 2018
AUTHOR: JOHN WILKINSON
JOB TITLE: SPORT AND RECREATION PLANNER

1. EXECUTIVE SUMMARY

Council received a report on 27 November 2017 (Item 1021) regarding the priority projects at the Goodwood Oval and Millswood Sporting Complex, including an offer of funding from the State Government of \$2.5M towards a proposed new two-storey facility at Goodwood Oval.

At this meeting, Council resolved numerous items, with those relevant to the proposed new two-storey facility redevelopment being as follows:

2. *The State Government offer of a grant of up to \$2.5m towards the construction of a new facility for the Goodwood Football and Cricket Clubs on Goodwood Oval be accepted, supported by financial contributions from the sporting clubs/SANFL of up to \$150,000 and a Council contribution of \$950,000 with the Chief Executive Officer authorised to enter into the necessary funding agreement with the State Government and any other agreement with funding contributors in order to deliver the project.*
3. *The two-storey option proposed as the preferred option for the new facility on Goodwood Oval be endorsed, subject to discussions with the Office of Recreation and Sport and the sporting clubs, not proposing any major variations to the options.*
4. *Community engagement on the proposed new facility on Goodwood Oval occur from January to March 2018, and a report be brought back to Council upon the completion of the engagement process.*

Following this resolution, the funding agreement with the State Government for the \$2.5m contribution has been signed and work on the endorsed two-storey upgrade option has been undertaken in consultation with the clubs, proposing minor variations only per Attachment 1 to Item 1077/18. The final design for the purposes of community consultation is included as Attachment 1 to Item 1077/18 of this report.

Attachment 1

This report seeks Council endorsement to undertake community engagement on the updated concept designs for a new two-storey facility at Goodwood Oval.

2. RECOMMENDATION

That:

1. The report be received.
 2. Council undertake community consultation on the proposed new two-storey facility at Goodwood Oval via a direct mail out between February and March 2018, and the Administration present a report back to Council April 2018 to summarise the results of the consultation and endorse a final design for the new two-storey facility.
-

3. RELEVANT CORE STRATEGIES/POLICIES

3.1 Community Living Goal 1: People value our City with its enviable lifestyle, activities, facilities and services.

- 1.1 Our community is active, healthy and feels safe.
- 1.3 Our City meets the needs of all generations
- 1.5 Our City is connected and accessible.

The improvement of Council's sport and recreation infrastructure is also identified in a number of key Council strategies and plans:

- Living Active, Sport and Recreation Plan 2015-2020, City of Unley
- Open Space Strategy, City of Unley
- Disability Action Plan, City of Unley
- Long Term Financial Plan

4. DISCUSSION

The intent of this project has been to achieve improved facilities at Goodwood Oval to meet the needs of the football and cricket clubs, the broader community, and more specifically, requirements for female participants and umpires.

Council has received a number of reports regarding improvements at Goodwood Oval, with the most recent report presented to Council on 27 November 2017 (Item 1021), which included draft concept designs for new single and two-storey buildings. This report also advised Council of the offer of State Government funding (\$2.5M), AFL and club funding (\$150K).

At this meeting, Council received the external funding offers, and allocated \$950K, bringing the total funding for this project to \$3.6M, which will now make this project a reality.

Funding Agreement

In accordance with the 27 November 2017 Council resolution, the Administration has worked with State Government representatives to draft and sign the deed of agreement for the \$2.5M funding contribution.

Key terms of this agreement include:

- The \$2.5M funding contribution is exclusive of GST.
- The purpose of the funding is to enable the development of a new local level Australian Rules football and cricket clubroom facility at Goodwood Oval, providing a joint facility for the football and cricket clubs and other community users.
- Council must ensure that all facilities comply with all relevant development approval requirements, including appropriate design features to:
 1. Maximise the safety of children in areas where children gather, access services, and participate in programs; and
 2. Maximise female participation through the provision of separate female change room and toilet facilities or Unisex facilities.
- Construction of the new grandstand must commence no later than 31 December 2018 and the project must be completed no later than 31 March 2020.
- Council must establish a Steering Committee for governance and monitoring of the project, and invite a representative from the Office for Recreation and Sport as an observer only.

The Administration believes the terms of the funding agreement are reasonable and achievable, and in accordance with the terms of the agreement, an estimated timeline for the project is as follows:

Dates	Task
February – March 2018	Community engagement on “final” concept design.
April 2018	Council endorsement of final concept design following community consultation process. Consultant engaged to undertake detailed design.
April – August 2018	Detailed design completed and relevant approvals sought.
September – November 2018	Tender for construction finalised and contractor engaged.
December 2018 – March 2020	Construction period.

Minor Variations to Concept Designs

Following the November 2017 Council meeting, the Administration has worked with the architect and both clubs to make minor variations to the concept designs for the new two-storey building, considering functionality improvements and potential cost reductions.

In accordance with the Council resolution from November 2017 (Item 1021), the Administration has undertaken minor changes to the two-storey design. The main purpose of the changes relate to additional feedback from the clubs and opportunities to reduce costs. The Office of Recreation and Sport were contacted during this process but advised that their input can commence after community consultation is completed. A summary of variations included in Attachment 1 are as follows:

Ground floor

- Removal of some storage areas in the new facility and construction of a new external storage facility at the Goodwood Oval complex in order to reduce costs.
- Removal of stairs at the southern end of the new facility as they are not required and can therefore reduce costs further.
- Removal of some internal corridors which were linked to storage areas and are no longer required.
- Main ground floor entry relocated to northern side and lift relocated to western (Curzon Ave) side to reduce impacts on nearby residents.

First floor

- More detail has been provided on the layout of toilets, storage, bar, kitchen and office facilities.
- Minor increase in the floor area, providing a space for 200 people seated and the inclusion of an operable wall to create a meeting space.

The changes have reduced the ground floor area from approximately 557m² (as shown in the November 2017 plans) to 530m². However, the first floor area has increased, creating a total facility area of 1102m² (compared to 1015m² in the November 2017 plans).

The proposed separate storage facility would be a 'garden shed' style structure, approximately 40m² and is intended to provide storage space for both the football and cricket clubs, for playing equipment (e.g. balls, bats, goal posts) and other large items (e.g. cricket pitch covers). The facility could also be used by other sporting groups, such as the hockey club.

The rationale for this proposal is primarily related to value for money, as construction costs per square metre for the proposed storage facility are greatly reduced through provision of an external storage facility.

Community Engagement

As endorsed by Council on 27 November 2017, a community engagement process is to be undertaken on the new two-storey facility. In order to undertake a thorough consultation process, a six (6) week consultation period is proposed, commencing in early February and concluding in mid-March 2018. The results will then be compiled and presented to Council in April 2018.

Based on the project cost and level of community interest, a direct mail out is proposed to residents located within approximately one (1) kilometre of Goodwood Oval. The consultation materials will include hard copy surveys, reply paid envelopes and information regarding the project.

Given that the State Government and Council have signed a deed for the construction of a new facility, community feedback will be sought on the key features of the proposed facility rather than seeking support for the project itself. Input into minor variations will be sought.

Project information and surveys will also be placed on Council's website, and displayed at Goodwood Oval, Civic Centre, libraries and Community Centres, and promoted via the Eastern Courier newspaper.

The construction process will also go through the normal statutory notification processes for development applications, noting that the proposed development is likely to be assessed as a Category 3 development.

5. ANALYSIS OF OPTIONS

Option 1 – Council undertake community consultation on the proposed new two-storey facility at Goodwood Oval via a direct mail out between February and March 2018, and the Administration present a report back to Council April 2018 to summarise the results of the consultation and endorse a final design for the new two-storey facility.

Based on the project cost and level of community interest, a direct mail out is recommended to ensure the local community are aware of the project and have the opportunity to provide input.

It is proposed that letters be sent to properties within approximately one kilometre of Goodwood Oval. Project information and surveys will also be placed on Council's website, at Goodwood Oval and other Council facilities.

Whilst it will be important to receive community input into the project, the consultation materials will outline the work undertaken to date, including the discussions with clubs to develop the current design, Council's preference for a two-storey building, and the requirements of funding partners for a local level football and cricket facility.

This option will enable a thorough engagement process to occur between February and March 2018, and a report to be presented in April 2018 to enable Council to endorse the final designs for the grandstand redevelopment.

Option 2 – Council undertake a print and digital media campaign between February and March 2018 to inform the community of the proposed new two-storey facility at Goodwood Oval and the Administration present a report back to Council April 2018 to summarise the results of the consultation and endorse a final design for the new two-storey facility.

This option will be the most efficient and cost effective consultation method, as it will mean that a direct mail out is not undertaken and that the community is only informed of the project.

Information would be disseminated via the Eastern Courier newspaper, as well as information placed at Goodwood Oval, Council facilities and on Council's website. The benefit of this method is that all residents, regardless of location, would be provided with the same information and also means that the project would be subject to only minor variations based on club feedback.

This option will still provide an opportunity for the community to comment but based on the project cost and level of community interest, this option is not recommended.

6. RECOMMENDED OPTION

Option 1 is the recommended option.

7. POLICY IMPLICATIONS

7.1 Financial/budget

The cost of community consultation is approximately \$2,000 which includes advertisements in the Eastern Courier newspaper and a direct mail out campaign.

7.2 Legislative/Risk Management

Community and stakeholder engagement will be a key element of the design process to ensure any legislative and risk implications are identified and addressed. Legislative and risk implications will also be considered as part of the development application and construction process.

7.3 Staffing/Work Plans

Council owns these assets, and therefore will be responsible for managing the construction and long term management of them. There will be some costs associated with project management of these works and this has not been factored into the costings. This staff cost could be estimated at \$120,000 over the life of the actual upgrades. Because the specific timing of the project is unclear at this stage, it cannot be ascertained at this time how much of that staff commitment can be absorbed into existing staff workloads. Budget requirements will be considered as part of the 18/19 budget process.

7.4 Environmental/Social/Economic

The new facilities will meet the needs of the clubs and community thereby having a positive social impact. There is also the opportunity to integrate key environmental initiatives such as water storage and solar panels into the final design.

7.5 Stakeholder Engagement

The football and cricket clubs will continue to be engaged during the development of a final concept for the Goodwood grandstand facility.

The process for community engagement is outlined in the discussion section of this report.

8. REPORT CONSULTATION

Consultation has occurred with the General Manager City Development and Executive Manager, Office of the CEO.

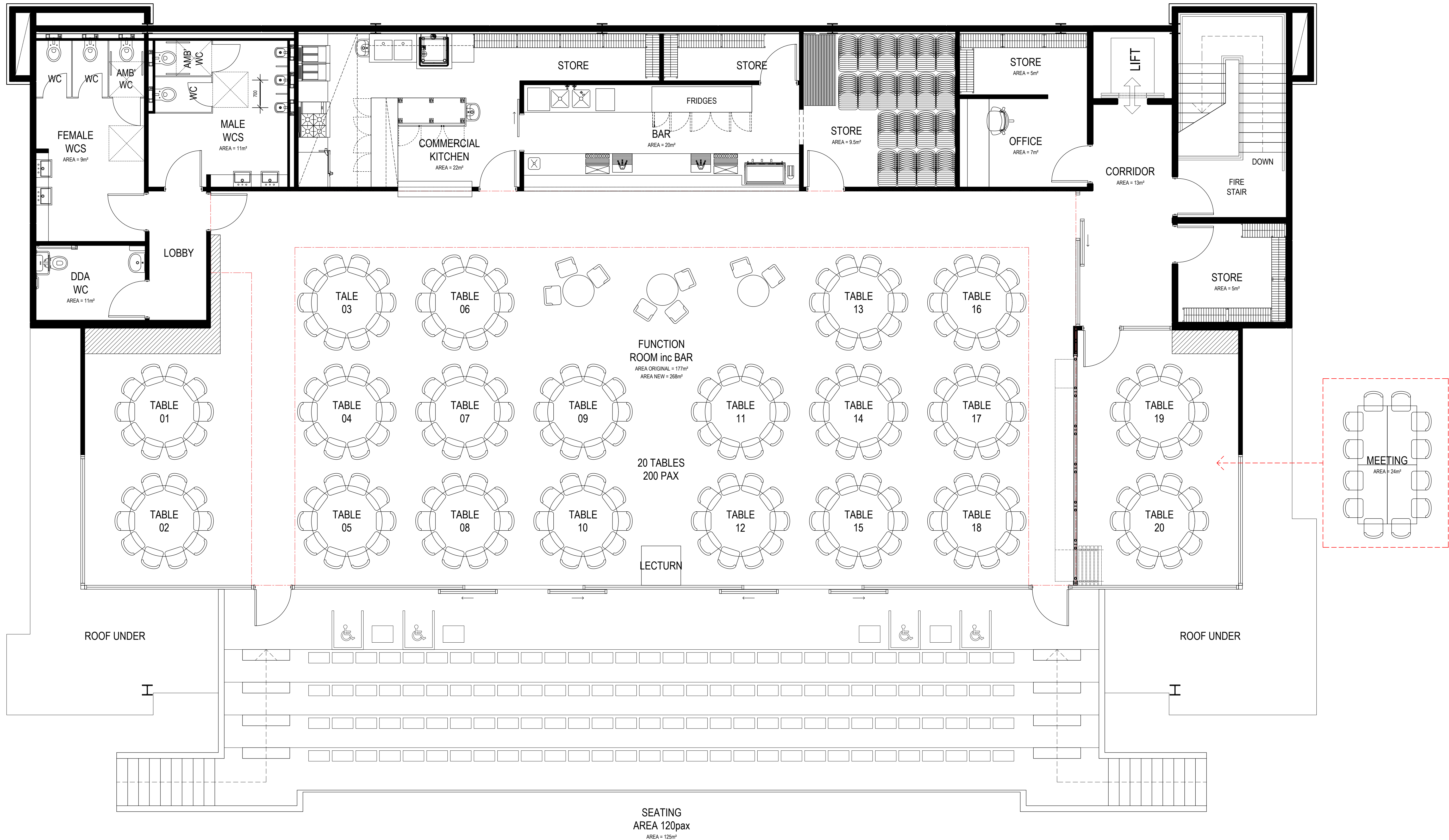
9. ATTACHMENTS

1. Goodwood Oval proposed two-storey facility – final draft concepts for the new two-storey building.

10. REPORT AUTHORISERS

<u>Name</u>	<u>Title</u>
John Devine	General Manager City Development
Peter Tsokas	Chief Executive Officer

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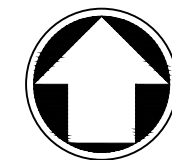
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UNLEY COUNCIL

ARCHITECT

BELL Architecture

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JOB TITLE

UNLEY COUNCIL
GOOD WOOD OVAL

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INFORMATION REPORT

REPORT TITLE: COUNCIL ACTION RECORDS
ITEM NUMBER: 1078
DATE OF MEETING: 29 JANUARY 2018
AUTHOR: LARA JONES
JOB TITLE: EXECUTIVE ASSISTANT OFFICE OF THE CEO

1. **EXECUTIVE SUMMARY**

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

2. **RECOMMENDATION**

MOVED:
SECONDED:

That:

1. The report be noted.
-

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COUNCIL ACTION REPORTS - ACTIONS TO DECEMBER 2017					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
23/05/16	467	Resilient East Climate Change Adaptation Plan - 2. Council gives in principle endorsement of the Resilient East Regional Climate Change Adaptation Plan (Attachment 1). 3. Council endorses Adelaide City Council's continued involvement in the Resilient East Regional Climate Change Adaptation project partnership. 4. Council notes that the Resilient East Project Steering Group will continue to oversee the project and develop recommendations for the ongoing governance and implementation framework for project partners, including councils and State Government. 5. A subsequent report be presented to Council outlining the priority projects, partners, and funding expectations included in the Resilient East Regional Climate Change Adaptation Plan.	GM City Development	- ERA has engaged an additional resource to assist with the project and once he has met with the ERA CEO's, a report will then be submitted to all ERA Councils. - An update report outlining progress to date and priority projects for 18/19 is scheduled for February 2018 Council meeting.	February 2018
25/07/16	522	Parkside on Street Parking - 2. Subject to approval from DPTI of the concept, community engagement on (pay for use) parking bay indentation along Greenhill Road be supported. 3. Further investigation into the introduction of Smart Parking technology occur, and if the proposal looks to have promise, a report be provided to a future meeting regarding a trial in the Parkside area. 4. A report outlining the outcome of the above community engagement be presented to Council as soon as the results are available.	GM City Development	- DPTI supports the Greenhill Road parking option in-principle and community engagement occurred with affected stakeholders in September 2017. Currently options are being worked out for smart parking solutions. - A further report to Council is to be included in the Parkside LATM area for community engagement. LATM report is scheduled for March 2018 Council meeting.	June 2018
23/01/17	744	Notice of Motion Councillor Rabbitt re Vacant Land at 251 Goodwood Road - 1. Administration investigates ownership of the vacant land at 251 Goodwood Road, Kings Park (believed to be owned by the Department of Planning Transport and Infrastructure). 2. On the basis of 1. above being confirmed, Administration requests the transfer of ownership of this land to the City of Unley 'gratis', on the basis that council will maintain the land in a tidy state. 3. Administration prepares a concept plan and costing for a low maintenance, dry garden area that would provide an additional 'green space', enhance the western approach to the Millwood Train Station and hopefully discourage the regular dumping of rubbish at the site. 4. Administration identifies funding sources as part of the 2017/18 budget process.	GM City Development	- Due to the slow response from DPTI, this matter has now been escalated to the General Manager to follow up.	
27/02/17	772	Proposed Road Opening Western Corner of Blyth and Nelly Streets Parkside - 2. Council accept the gift of the small piece of land on the western corner of Blyth and Nelly Street, Parkside, and undertake the process under the Roads Opening and Closing Act 1991, to transfer this piece of land to public road, at Council's expense. 3. Subject to the response to the Community Consultation process, the Chief Executive Officer and Mayor be approved to sign and Seal where necessary, any documents to complete the roads opening process.	GM City Development	Survey Plan & Documents finalised (Signed & Council Seal attached) Documents Lodged at Lands Title Office	August 2018
27/02/17	773	Proposed Road Closure of Pieces of Rugby Street (Haslop Reserve) and Cremorne Street Malvern - 1. The report be received. 2. In accordance with the process under the Roads Opening and Closing Act 1991 that sections of the public roads known as Rugby Street (currently known as Haslop Reserve) and Cremorne Street, Malvern be closed as a public road and a Certificate of Title be issued in the ownership of Council. 3. Subject to the response to the Community Consultation process to close portions of Rugby Street and Cremorne Street, Malvern (currently known as Haslop Reserve), the CEO and Mayor be approved to sign and Seal where necessary, any documents to complete the roads closing process. 4. The sections of the public road proposed to be closed be excluded from the classification of community land. 5. Notice of this resolution, be published in the Government Gazette in accordance with S193 (6) (a) of the Local Government Act. 6. Administration discuss with the Department of Education and Child Development their interest in purchasing this portion land or contributing towards the cost of the land transfer.	GM City Development	Survey Plan & Documents finalised (Signed & Council Seal attached) Documents Lodged at Lands Title Office	August 2018
27/03/17	799	42 Ferguson Avenue and Ferguson Avenue Reserve Myrtle Bank - Proposed Land Swap and Road Closure	GM City Development	Survey Plan & Documents finalised (Signed & Council Seal attached) Documents Lodged at Lands Title Office	August 2018

COUNCIL ACTION REPORTS - ACTIONS TO DECEMBER 2017

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
22/05/17	863	MOTION ON NOTICE – COUNCILLOR SALAMAN RE FUTURE USE OF VACANT LAND AT 41 OXFORD TERRACE UNLEY That: 1. Administration investigates options (including planning considerations) for ongoing use of the land, including as a car park area for City of Unley staff. 2. Administration prepares a concept plan and costing for low maintenance car park area that identifies the number of parks available and considers drainage, pavement type and lighting and accessibility. 3. Administration identify existing car parks that will likely be freed up as a result of relocating a number of staff parks to 41 Oxford Terrace (ie current onstreet parking or reallocation of spaces within the Civic precinct rear car park area. 4. Administration identifies funding sources.	GM City Development	- The land has become available and a report will be submitted to Council in March 2018.	March 2018
22/05/17	864	MOTION ON NOTICE – COUNCILLOR SCHNELL RE PARKING PERMITS Council review its policy on paid residential parking permits across the whole city.	GM City Development	- The Parking Policy review was completed in late 2017. - A report is scheduled for March 2018 Council meeting.	March 2018
26/06/17	883	UNLEY OVAL IMPROVEMENT PLAN 2. The revised proposal to develop only the player facilities component and new canteen becomes the new preferred Grandstand Upgrade option. 3. \$300 000 be included in the 2017/18 budget as the initial Council contribution to the project. 4. At the time of receiving confirmation that grant funding from the AFL and SA Government has been secured, Administration be authorised to immediately commit a further \$1.5 million to the project, brought forward from future years of the four year financial plan. 5. Administration seek opportunities for additional grant funding in the lead up to the State election in 2018. 6. Following appropriate community engagement, a forty year (non-exclusive) lease be offered to Sturt Football Club over the new facilities in accordance with Councils Property Management Policy. 7. Administration be delegated the authority to enter into necessary contracts to deliver the project.	Director Strategic Projects	- Refer to Council Agenda 29 January 2018 Item 1069 .	January 2018
24/07/17	908	BROWNHILL KESWICK CREEK REGIONAL SUBSIDIARY - 2 Council endorses the recommendations submitted from the Brown Hill Keswick Creek - Project Steering Group relating to the role (Operational Model) and membership of BHKC Regional Subsidiary that: • The preferred operational model for the BHKC Regional Subsidiary be Option 2- Construct and maintain SMP assets only. • The Regional Subsidiary Board be comprised of independent and skills based members to deliver the outcomes of the BHKC Stormwater Management Plan, for the duration of the project, with a membership of five - four independent members plus the Chair. • A nominations Committee be established, with a representative from each council, to select the board members and the nominations be presented to the five catchment councils. 3. Council notes that: • The recommendations, as presented by the BHKC Project Steering Group, will be considered by the other four partner catchment councils (Cities of Adelaide, Burnside, Mitcham, and West Torrens). • The BHKC Project Steering Group will present a draft charter for consideration and review to each Council, seeking to advance the charter to the Minister for approval and gazettal. • The timeline of 28 February 2018 has been set by the Stormwater Management Authority for the formation of a Regional Subsidiary. • Works associated with the detention basin within the South-East Park Land (Park 16 – Victoria Park), are currently scheduled to commence within 2018/19. • This option is consistent with the State Government's requirements, and is the recommended option of the BHKC Steering Group. • All five Catchment Councils are being presented with this option, so a change to the recommendation may mean that Unley would have a different requirement than the other Catchment Councils for the regional subsidiary charter.	GM City Development	- All Catchment Councils passed the recommended motion. - Work is now proceeding on the preparation of a Draft Charter for each Council's consideration. This work is expected to be completed by October/ November 2017. - Refer to Item 1026 - completed.	Completed

COUNCIL ACTION REPORTS - ACTIONS TO DECEMBER 2017

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
27/11/17	1018	PETITION – RE WORKS IN SECOND AVENUE FORESTVILLE 1. The principal petitioner be advised that at the time the Petition was received, construction work on the rain garden at Second Avenue Forestville had been completed and that following a review of the communication process related to the project Council is satisfied that information was provided to relevant properties prior to the commencement of the project.	GM City Development	Completed	Completed
27/11/17	1020	Almond Street Goodwood – Shared Zone 1. The creation of a shared zone or street in Almond Street is considered as part of the budget process for the 2018/19 financial year. 2. A budget provision of \$10,000 is considered at the second Budget Review in 2017/18 to allow the preparation of concept design works for a shared zone or street in Almond Street.	CEO	- A consultant has been engaged to investigate options and a report will be provided in February or March 2018.	March 2018
27/11/17	1021	Priority Projects at Goodwood Oval and Millswood Sporting Complex 1. The State Government offer of a grant of up to \$2.5m towards the construction of a new facility for the Goodwood Football and Cricket Clubs on Goodwood Oval be accepted, supported by financial contributions from the sporting clubs/SANFL of up to \$150,000 and a Council contribution of \$950,000 with the Chief Executive Officer authorised to enter into the necessary funding agreement with the State Government and any other agreement with funding contributors in order to deliver the project. 2. The two-storey option proposed as the preferred option for the new facility on Goodwood Oval be endorsed, subject to discussions with the Office of Recreation and Sport and the sporting clubs, not proposing any major variations to the options. 3. Community engagement on the proposed new facility on Goodwood Oval occur from January to March 2018, and a report be brought back to Council upon the completion of the engagement process. 4. \$40,000 be allocated towards the sports lighting upgrade at the Millswood Tennis Complex, and discussions continue with external funding partners to achieve this project. Subject to confirmation of a funding contribution from Tennis SA: a. a development application for the project is to be submitted by the Administration; and b. at the appropriate time in 2018, a grant funding application is to be submitted to the Office for Recreation & Sport for additional funds to enable delivery of this project. 5. \$260,000 be allocated towards the development of a new club building and surrounds at the Millswood Croquet Club and discussions continue with possible external funding partners before a commitment to proceed with this project is made.	GM City Development	1. Deed and invoice for \$2.5m complete. Additional funds (i.e. SANFL) will be sought at the appropriate time. 2. Design variations to be complete in mid Jan for the 29 Jan council meeting. 3. Consultation to be undertaken between Jan-March, with a council report to be presented in March 2018. 4. Tennis SA funding secured, DA completed and ORS funding application to be submitted by April 2018. 5. Designs for croquet building reviewed and scaled back by late Jan-early Feb 2018. Marketing materials developed by end of Feb 2018 if possible. Discussions with external funding partners to continue before state election, and with federal funding partners also. - Refer to Council Agenda 29 January 2018 Item 1077.	TBA
27/11/17	1022	GOODWOOD COMMUNITY CENTRE PERFORMANCE REVIEW 1. The renewal of Goodwood Community Services Inc. Lease Agreement for the management of Goodwood Community Centre for a further three years (expiry date 16 May 2021) in accordance with the terms of the current lease, be approved. 2. Further discussion occur with GCS to further align KPI requirements.	GM City Services	- GCS has been advised and discussions are occurring to facilitate the lease extension to further align KPI requirements.	TBA
27/11/17	1023	MULTI-YEAR COMMUNITY IMPACT GRANTS PROGRAM 1. Funding be awarded under the multi-year Community Impact Grants program annually for three years as follows: • \$6,000 per annum to the Unley Concert Band for the 2018-2020 Concert Series; • \$9,700 per annum to Access2Arts for a program of creative activities designed by and for adults with learning disability; • \$6,100 per annum to Sustainable Communities SA – Unley Group for a program to promote and encourage the community to grow more of its own food, in particular those groups who are marginalised and vulnerable in terms of nutrition; • \$9,820 per annum to Social Entrepreneurship and Education Design (SEED) for a half-day excursion enabling participants to meet and interact with successful entrepreneurs. 2. All applicants to the multi-year Community Impact Grants program be notified of the outcome of their application. 3. Individual agreements for the multi-year be prepared with the successful applicants and the Chief Executive Officer be delegated to sign the agreement on behalf of Council.	GM City Services	Completed.	Completed

COUNCIL ACTION REPORTS - ACTIONS TO DECEMBER 2017

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
27/11/17	1026	BROWN HILL KESWICK CREEK REGIONAL SUBSIDIARY CHARTER 1. As a partner in the delivery of the Brown Hill Keswick Creek (BHKC) Storm Water Management Plan approve the following recommendations of the Brown Hill Keswick Creek Project Steering Group regarding the draft Charter (Brown Hill Keswick Creek Regional Subsidiary). 1.1 Approve the draft Charter (Brown Hill Keswick Creek Regional Subsidiary) as per Attachment 1 - Draft Brown Hill Keswick Creek Regional Subsidiary Charter, as recommended by the Brown Hill Keswick Creek Project Steering Group. 1.2 In conjunction with the catchment councils, (Cities of Burnside, Mitcham, Unley and West Torrens), make an application to The Honourable Geoff Brock, Minister for Local Government to establish the Regional Subsidiary (to be known as the Brown Hill Keswick Creek Stormwater Authority) as a separate body corporate in accordance with section 43 of and Schedule 2 (Parts 2 and 3) to the Local Government Act 1999 ('the Act'). 1.3 Provide all necessary approvals and, as required, delegations to the Regional Subsidiary to exercise the powers, functions and responsibilities set out in its Charter as recognised and approved by Council in providing its approval to the Charter. 2. The Chief Executive Officer is delegated authority to do all things necessary to finalise and clarify items relating to the Draft Brown Hill Keswick Creek Regional Subsidiary Charter, namely; 2.1 Ensure that the application to establish the Regional Subsidiary is in a form acceptable to the Minister and accompanied by the information required by the Minister; 2.2 Liaise with the office of the Minister and the other proposed catchment councils for the purpose of making any necessary amendments to the draft Charter (which are not material in nature) for the purpose of satisfying any requirements of the Minister; 2.3 Co-ordinate with the Chief Executive Officers of the other proposed catchment Councils to ensure publication of a copy of the Charter in the Gazette in conjunction with the Minister's notice of approval to the establishment of the Regional Subsidiary; and 2.4 Notes that the Stormwater Management Authority has set 28 February 2018 as the date by which the Regional Subsidiary is to be established.	GM City Development	Refer Item 908 - completed.	Completed
27/11/17	1034	Kirinari School 1. Dara School be thanked for the deputation to the Council meeting and advised that Council intends to maintain the current lease arrangement with Kirinari School	Director Strategic Projects	Letters signed by CEO and posted/emailed to Dara, Kirinari and Gold Foundation on 01/12/17.	Completed
27/11/17	1028	Making Unley Road a Continuous Avenue of Trees 1. Council provide a report on the feasibility of planting trees on either or both sides of Unley Road.	GM City Development	- Investigation into the planting of trees and other vegetation along Unley Road has commenced and a report will be provided to Council in coming months.	TBA
27/11/17	1037	UNLEY CENTRAL UPDATE 1. The deadline for negotiation of a suitable Development Deed between Optage and Council be extended to 8 February 2018. 2. The CEO be authorised to negotiate the following elements of the Development Deed with Optage: • CPI increase. • Environmental warranty. With a report detailing the outcome of negotiations, and if possible a draft Development Deed for consideration, be presented to the February 2018 meeting of Council. 3. Administration to investigate strategies for provision of rate incentives for developments within the City of Unley with a report to be presented to Council for consideration.	Director Strategic Projects	- Report to be presented to February 2018 meeting of Council.	February 2018
11/12/17	1041	PETITION – RE Reinstatement of Trampolines – Katherine Street Reserve 2. Acknowledgment of the receipt be sent to the principal petitioner. 3. A report be prepared for presentation to the January 2018 Council meeting, addressing issues associated with the re-instatement of the Trampolines, including consideration of alternative locations. 4. The principal petitioner be notified of Council's proposed actions.	GM City Development	Report prepared for January Council meeting. Completed.	January 2018
11/12/17	1044	TREE POLICY 2. Council endorse and adopt the Tree Policy that forms Attachment 1 to this report (Item No. 1044, Council Meeting, 11/12/2017).	GM City Development	Completed.	Completed

COUNCIL ACTION REPORTS - ACTIONS TO DECEMBER 2017					
Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
11/12/17	1045	COMMUNITY ENGAGEMENT CHARTER AND GUIDE – CONSULTATION DRAFT – PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2. The submission contained in Attachment 3 (Item No. 1045, Council Meeting, 11/12/2017) be endorsed and forwarded to the State Planning Commission regarding the Community Engagement Charter and Guide prepared pursuant to the Planning Development and Infrastructure Act. 3. Council reinforces its position that the establishment and amendment of the development assessment public notification criteria through the relevant processes should be subject to the Charter and its principles.	GM City Development	- A draft submission was forwarded on 7/12/17 to meet the 8/12/17 DPTI deadline with the final submission forwarded, including edit to last paragraph on page 1 per Item 3 of council resolution on 11/12/17, on 12/12/17 in accord with agreed arrangement with DPTI.	Completed
11/12/17	1046	STORMWATER MANAGEMENT AUTHORITY STORMWATER REFERENCE GROUP – NOMINATION 2. Mr John Devine, General Manager City Development, be nominated as a Local Government representative on the Stormwater Management Authority's Stormwater Reference Group.	GM City Development	Completed.	Completed
11/12/17	1047	EXPRESSION OF INTEREST TO HOST A 2019 SANTOS TOUR DOWN UNDER STAGE START/FINISH ENDORSEMENT 2. The submission of an Expression of Interest to become an Official Host Council for a 2019 Tour Down Under Stage Start or Finish be endorsed.	GM City Services	Expression of Interest has been submitted to Events SA.	Completed
11/12/17	1048	CONSERVATION GRANTS 2. The Conservation Grants for 2017/2018 be funded as follows (pro rata allocation \$50k): <ul style="list-style-type: none"> • \$2,393.21 to 113 Cambridge Terrace, Malvern, for the re-tiling of the front verandah, restoration and painting of all external sash hung windows, carpentry, bluestone restoration, entry door leadlight. • \$2,649.83 to 19 Oxenbould Street, Parkside for repointing and repair of exterior stonework (support subject to DA approval). • \$2,789.29 to 22 Oxford Terrace, Unley, to replace aluminium windows with wooden windows. • \$2,789.29 to 62 Unley Road, Unley, for a verandah upgrade and painting (support subject to DA approval). • \$991.04 to 183 Unley Road, Unley, for repair of the Church gutter (support subject to further details regarding timber barge board repair and downpipe location and finish). • \$2,789.29 to 187 Unley Road, Unley, for conservation works including timber repair, remediation of corroded metal elements and painting. • \$828.70 to 10 Wooldridge Avenue, Millswood, for window and gate restoration works. • \$2,671.03 to 11 Musgrave Street, Goodwood to repoint brickwork front/side. • \$2,789.29 to 338 Unley Road, Hyde Park, for the restoration of entry gates (support subject to DA approval). • \$1,171.50 to 46 Frederick Street, Unley, for painting of the front facade. • \$669.43 to 51 King William Road, Unley for the restoration of façade and roof repairs. • \$2,789.29 to 41 St Ann's Place, Parkside, for the restoration of façade and verandah. • \$2,789.29 to 62 Alfred Street, Parkside, for salt damp repairs and verandah repairs. • \$571.80 to 9 Alfred Street, Parkside to restore gable barges. • \$2,713.14 to 21 St Ann's Place, Parkside, for roof repairs and verandah restoration. • \$2,789.29 to 58 Frederick Street, Unley, to restore chimney and remove paint to restore sandstone and brick façade (support subject to DA approval). • \$2,789.29 to 183 Young Street, Unley, for undersetting and salt damp treatment new verandah and main roof (support subject to DA approval). • \$2,789.29 to 185 Young Street, Unley, for undersetting and salt damp treatment new verandah and main roof (support subject to DA approval). • \$2,789.29 to 189 Young Street, Unley, for undersetting and salt damp treatment new verandah and main roof (support subject to DA approval). • \$2,789.29 to 193 Young Street, Unley, for undersetting and salt damp treatment new verandah and main roof (support subject to DA approval). • \$2,789.29 to 191 Young Street, Unley, for undersetting and salt damp treatment new verandah and main roof (support subject to DA approval). • \$1,868.83 to 2-4 Park Street, Hyde Park, for repointing. 	GM City Services	Applicants have been advised and funding is being allocated as endorsed.	Completed

COUNCIL ACTION REPORTS - ACTIONS TO DECEMBER 2017

Meeting Date	Item #	Subject and Council Resolution	Responsible Exec.	Status/Progress	Expected Completion Date
11/12/17	1053	NOTICE OF MOTION FROM COUNCILLOR HEWITSON RE SHARED STREETS IN UNLEY 1. A report be prepared for presentation to the February 2018 Council meeting, identifying streets across Unley, potentially suited to shared-street classification. In identifying potential streets suited to shared-street classification, it is suggested that the following criteria be considered: <ul style="list-style-type: none"> • Current road classification • Lack of accessible footpath • Dead-end streets vs. through roads • Important pedestrian routes as identified in the Walking and Cycling Plan • Other factors that may impinge upon shared-street classification The report should also include consideration of the issues and alternative remedies to enable pedestrians to safely share the roadway with vehicles, throughout local streets across Unley.	GM City Development	As per Council direction, a report is scheduled to be presented at the February 2018 Council meeting.	February 2018
11/12/17	1054	The following Question on Notice was received from Councillor M Hudson at the Council Meeting 27 November 2017. 1. The percentage of properties on Unley Road that have verandahs. The answer will be provided by Administration at the Council Meeting scheduled for 29 January 2018.	GM City Development	Answers provided in the agenda. Completed 29/01/18.	Completed
11/12/17	1060	PROPERTY ACQUISITION OPPORTUNITY 1. The report be received.	Director Strategic Projects	Completed 13/12/17	Completed

MOTION OF WHICH NOTICE HAS BEEN GIVEN

TITLE: MOTION ON NOTICE
ITEM NUMBER: 1079
DATE OF MEETING: 29 JANUARY 2018
ATTACHMENTS: NIL

Councillor Salaman has given notice of intention to move the following motion at the Council meeting to be held on 29 January 2018:

MOTION

That Council Resolution 1014 of the Council meeting of 23 October 2017 be **varied** as follows (*strikethrough text to be deleted, bold text to be inserted*):

1. The report be received.
 2. The Civic Precinct Development Working Group be established to develop a precinct plan for the area bounded by Unley Road, Oxford Terrace, Rugby Street and Edmund Avenue, with the Working Group to commence activity from January 2018.
 3. Membership of the Civic Precinct Development Working Group consist of:
 - a) relevant City of Unley staff
 - ~~b) 3 Elected Members~~
 - be) 2** representatives from St Augustine's Parish, and
 - ~~cd) 6~~ **4** community members
 4. An expression of interest process be used to seek nominations for the ~~sixfour~~ **(64)** community members to be appointed to the Civic Precinct Development Working Group.
 - ~~5. That Councillors Boisvert, Hewitson and Lapidge are appointed as the Elected Members on the Civic Precinct Development Working Group.~~
-

Officers Comments

The Motion on Notice to vary a previous resolution of Council relating to the composition of the Civic Precinct Working Group is a valid motion for Council to consider, i.e. there are no legislative or process restrictions that prevent consideration.

Administration does not have a view as to the preferred composition of the working group. The following information is provided to inform Council's consideration:

- The number of responses to the Expression of Interest process (17) suggests a high level of interest in the work of the group by members of the community - an increase to the number of community members would provide a greater opportunity for input from across the community.
- The working group does not have decision making authority, but will provide input/ideas that will then be further developed/determined by Council either at workshops or formal meetings.

- Administratively it is simpler to support a working group comprising community members, as there are no legislative requirements that need to be met.
- The inclusion of Elected Members on the working group activates the Informal Gathering provisions set out at s.90 of the Local Government Act 1999, which prescribes a range of requirements for notification, scheduling and access.

MOTION OF WHICH NOTICE HAS BEEN GIVEN

TITLE:	MOTION ON NOTICE
ITEM NUMBER:	1080
DATE OF MEETING:	29 JANUARY 2018
ATTACHMENTS:	NIL

Councillor Hudson has given notice of intention to move the following motion at the Council meeting to be held on 29 January 2018:

MOTION

That Council be provided with all relevant information from past consideration by Council of the number of sites in Unley suitable for the transformation of dead-end streets into “pocket parks”.

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QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

TITLE:	QUESTIONS ON NOTICE
ITEM NUMBER:	1081
DATE OF MEETING:	29 JANUARY 2018
ATTACHMENTS:	NIL

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

QUESTIONS

1. The percentage of properties on Unley Road that have verandahs.
-

There are 115 encroachments along Unley Road, consisting predominantly of verandahs.

Given that there are approximately 400 properties located along Unley Road, this informs us that the total number of properties with verandahs is approximately 25%.

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QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

TITLE: QUESTIONS ON NOTICE
ITEM NUMBER: 1082
DATE OF MEETING: 29 JANUARY 2018
ATTACHMENTS: NIL

The following Question on Notice has been received from Councillor Salaman and the answers are provided:

QUESTIONS

In a recent article published in the Advertiser Opposition local government spokesperson David Pisoni said a Liberal check of 19 metropolitan councils found that just one published details of travel in annual reports.

1. *Does the City of Unley currently publish information relating to Elected Member travel expenses?*
-

In accordance with the requirements of section 79 of the *Local Government Act 1999* the CEO must maintain a Register of Allowances and Benefits, which contains information relating to allowance payments, expense reimbursements and details of any other benefits paid or payable to a member of the Council. This Register must be made available for inspection by a person at the principal office of the Council during ordinary office hours without charge. A person is also entitled to an extract from the Register on payment of a fee fixed by Council.

The City of Unley Register is maintained in accordance with the requirements of the Act and includes expenses associated with training and development activities, which is generally where travel expenses are incurred. The Register is available for inspection in the reception area at the Civic Centre, 181 Unley Road. Whilst not a legislative requirement the Register is also published on the City of Unley website.

The Local Government Act also requires that details of training and development activities for members of the council are published in the Annual Report. Relevant information for the last financial year was set out on page 42 of the 2016/17 Annual Report.

A review of information available on ERA Council websites indicates that the Register of Allowances and Benefits information published by the City of Unley, is consistent with the information published by the City of Prospect and the City of Burnside.

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CORRESPONDENCE

TITLE: CORRESPONDENCE
ITEM NUMBER: 1083
DATE OF MEETING: 29 JANUARY 2019
ATTACHMENTS: 1. CORRESPONDENCE

The correspondence from:

- LGA Professionals – acknowledging support of the International Mentoring Program.
- DPTI – appreciation for staff collaborating on the Way2Go program.
- Lord Mayor – acknowledging City of Unley winning the SA CitySwitch 2017 New Signatory of the Year Award.
- Minister for Local Government – advising allocation of funding to City of Unley for Local Road Funding for 2017-2018.

be noted.

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Canberra Office
ANZ House
Level 4, 15 Moore Street
Canberra ACT 2601

www.lgprofessionalsaustralia.org.au

ABN 85 004 221 818

4 December 2017

Mr Peter Tsokas
181 Unley Road
UNLEY SA 5061

Re: Thank you for supporting the International Mentoring Program (IMP)

Dear Peter,

LG Professionals Australia, our member councils, the International Mentoring Program (IMP) team and mentees offer our sincere thanks to you for your invaluable contribution to the success of the IMP this year.

Thank you for being a part of this initiative to support young, emerging leaders in Cambodia and Nepal. The IMP is one of our key international initiatives. All of us are excited to see the outcomes of this year's projects and without your support, that would not be possible. Participation in the IMP has enhanced the confidence and project management capacity of the mentees, who will carry these skills with them for the rest of their lives.

We believe that we can make small changes in communities by working together. This year, we have made some significant changes so the program can better influence the lives of participants and also the communities it operates in. We are excited to launch IMP in Myanmar in 2018 and we sincerely hope we will have you with us to make this happen.

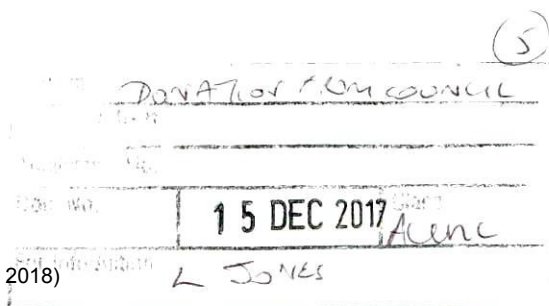
Yours sincerely,

A handwritten signature in blue ink, appearing to read "Lauren".

Lauren Oakey
Chief Executive Officer
LG Professionals Australia

A handwritten signature in blue ink, appearing to read "Shayne".

Dr Shayne Silcox
Program Director
International Mentor
Program, and
Chief Executive Officer
City of Melville





In reply please quote 2015/01608/01
Enquiries to Michelle Postill
Telephone 08 8343 2208

**PLANNING AND
DEVELOPMENT DIVISION**

77 Grenfell Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

Telephone: 08 8343 2222
Facsimile: 08 8343 2768

ABN 92 366 288 135

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

Dear Mayor Clyne,

WAY2GO

As part of the **Way2Go** partnership this year City of Unley and the School Community Partnerships Team from the Department of Planning Transport and Infrastructure's Living Neighbourhoods and Travel Behaviour Section have collaborated on projects at Black Forest and Goodwood Primary Schools that continue to develop school precincts to support safe and active travel for primary school students and their families.

We would like to express our appreciation of the work of Satyen Gandhi and Hayden Scharnberg.

During the **Way2Go Bike Ed** component of the program students from Goodwood and Parkside Primary Schools participated in practical sessions, led by expert instructors, to learn bike handling and maintenance skills, road rules knowledge and safe riding and responsible road use behaviours.

We would like to thank you for your Council's ongoing active commitment to the **Way2Go** partnership and we look forward to continuing this effective collaboration into the future.

Yours sincerely,

Margaret Howard
Manager, Living Neighbourhoods and Travel Behaviour

// December 2017

Subject: <i>Appreciation</i>	
Project/Street:	
Application No.:	
Doc. No.	14 DEC 2017
Class. <i>Am</i>	
For [Signature] <i>C. Cowland</i>	



OFFICE OF THE LORD MAYOR

Mayor Lachlan Clyne
City of Unley
181 Unley Road
Unley SA 5061

Dear Mayor Clyne

I write to congratulate the City of Unley on winning the *SA CitySwitch 2017 New Signatory of the Year Award*.

The City of Unley is commended for taking a comprehensive, whole of organisation approach to implementing CitySwitch initiatives. In doing this, the City of Unley has provided leadership to other councils and organisations by displaying a high level of staff engagement in sustainable practices.

The implementation of a sustainability mindset across the organisation is clear, with a wide variety of innovative measures taken, such as the mini-desk ecobins, lighting upgrades, KeepCups to all staff members and the purchase of two electric assist bicycles. This positive impact has spread beyond the City of Unley, sending a fantastic message to stakeholders and industry peers.

Thank you for your leadership, commitment and ongoing efforts to reduce carbon emissions in our state and active participation in the CitySwitch Green Office program in the City of Unley.

Yours sincerely

Martin Haese
LORD MAYOR

21 December 2017

Subject: <i>Congratulations</i>	
Property/Street:	
Application No.:	
Doc. No.	27 DEC 2017 Class. <i>Archive</i>
For info/Action	<i>C. Gowland</i>

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Government
of South Australia

COPY

eA183269

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

Dear Mayor *Lachlan Clyne*

As you would be aware, the 2017-2018 Federal Budget included measures to reinstate the Supplementary Local Road Funding program, providing \$20 million per year during 2017-2018 and 2018-2019 to local government in South Australia.

I am pleased to advise that the Federal Minister and I have signed a Funding Agreement for the provision of the Supplementary Local Road Funding program, and the 2017-2018 funding has been distributed to councils based on the recommendations of the South Australian Local Government Grants Commission. Payment was made on Tuesday 9 January 2018.

The Supplementary Local Road Funding program has been distributed in the same manner as the previous program, and in line with other road funding for South Australia. Eighty-five percent of the pool of funding has been distributed in the same proportions as the 2017-2018 Identified Local Road Funding and 15 percent has been allocated as part of the Special Local Roads Program.

The Supplementary Local Road Funding has been paid in one lump sum for the 2017-2018 financial year. Allocation of the funding to the Unley Council for 2017-2018 comprises:

Formulae Funding	\$	190,610
Special Local Roads Program	\$	*
Total Supplementary Local Road Funding for 2017-2018	\$	190,610

* *Monies provided under the Special Local Roads Program (Supplementary Local Road Funding Program) have been allocated for work on the following project:*

Minister for Regional Development
Minister for Local Government

Level 17, 25 Grenfell Street Adelaide SA 5000 | GPO Box 2557 Adelaide SA 5001 DX 667
Tel 08 8226 1300 | Fax 08 8226 0316 | pirlsa.MinisterBrock@sa.gov.au



(This is page 181 of Council Agenda 29 January 2018)

It would be appreciated if you could forward this information to your relevant council officers.

As you would be aware, local government in South Australia maintains approximately 11.8 percent of the national local road network, and has 7.06 percent of the national population, but receives only 5.5 percent of the national pool of Identified Local Road funding.

I am therefore pleased that the Supplementary Local Road Funding program has been reinstated to at least partly address this inequity. I will continue to work with the South Australian local government sector to ensure the continued provision of this program and to address the inequity of our road funding over the longer term.

Should you have any queries regarding your council's Supplementary Local Road Funding, please contact Mr Peter Ilee, the Local Government Grants Commission's Executive Officer, on telephone 7109 7148 or via email to grants.commission@sa.gov.au.

Yours sincerely



Hon Geoff Brock MP
MINISTER FOR REGIONAL DEVELOPMENT
MINISTER FOR LOCAL GOVERNMENT

 12 January 2018

cc: Mr Peter Tsokas, Chief Executive Officer

7-41-1

Local Road Grant	
16 JAN 2018	
L. Tsokas	

MAYOR'S REPORT

REPORT TITLE: MAYOR'S REPORT FOR MONTH OF JANUARY 2018
ITEM NUMBER: 1084
DATE OF MEETING: 29 JANUARY 2018
ATTACHMENTS: 1. REPORT

1. RECOMMENDATION

MOVED:
SECONDED:

That:

1. The report be received.
-

MAYOR'S FUNCTIONS ATTENDED
24 NOVEMBER 2017 – 28 JANUARY 2018

MONTH	DATE	FUNCTION
November		
	24	• Opening Ceremony – French Market
	27	• Concordia Year 8 Students
	29	• Concordia Year 8 Students
December		
	1	• RDA Board Meeting • Goody Christmas Cheer
	5	• Unley Road Christmas Function
	7	• Greek Pensioners Christmas Lunch
	8	• Walford Speech Day • Elected Member Christmas Dinner
	9	• Concordia College Cocktail Party
	11	• Council Meeting
January		
	8	• Opening Ceremony Millswood Croquet Club
	16	• Unley Gourmet Gala
	17	• Stage 2 Start Tour Down Under
	26	• Citizenship Ceremony and Australia Day Awards
<p>In addition to attending the above functions, I also met with various members of the community.</p> <p>I would like to thank the Deputy Mayor and other Elected Members who have represented me at various functions during the month, where I have been unable to attend.</p>		

MAYOR'S REPORT – JANUARY 2018

In my last Mayor's Report I would like to take the opportunity to thank the community, the Councillors and the staff of Unley.

For the past seven years it has been a wonderful experience to represent this Council and to chair the meetings of Council. I relinquish this role to one of the Councillors who should hold the position until at least the Council elections in November this year. I wish this Councillor every success whilst Acting-Mayor and also wish success to whoever is elected Mayor in November. Can I encourage everyone to continue to work collaboratively to this end.

Can I start by thanking those who voted back in November 2010 for trusting me to be Mayor and for the community for enabling me to stand unopposed for a second term. Can I thank, the CEO Peter Tsokas for the wonderful leadership he has given the senior executive and staff for the majority of my time as Mayor as well as Ray Pincombe who retired shortly after I became Mayor. Carol Gowland who similarly has provided great assistance in keeping me on the straight and narrow for most of my time as Mayor as well as Julie Kerr, Lara Jones, Mara Atterton, Deb Washington and Dee King Leong who have all assisted.

To the Deputy Mayors Bob Schnell, Michael Rabbitt and most recently Don Palmer for your advice, guidance and especially for representing Council so well on so many occasions. To my former co-Councillor Rob Sangster and all the Councillors from 2010 until now; Anthony Lapidge, John Koumi, Peter Hughes, Mike Hudson, Jennie Boisvert, Luke Smolucha, Rufus Salaman, Michael Hewitson, Denise Tipper and Michael Saies.

Can I thank all the staff in each of the departments for their goodwill in engaging with me when necessary to get good outcomes in their respective fields.

Can I thank the public committee members who involved themselves in the aspirations of Unley by giving their exceedingly good opinions in matters that they were experts in.

The progressive steps forward this Council have taken have been made because of the enthusiasm and good will of people who are committed to making improvements in our community.

With all that is going on in my personal and professional life right now I find myself having been unable to carve out enough time to reflect on a number of points that I would have like to raise. In good time I will put pen to paper and offer my reflections to the Unley museum.

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DEPUTY MAYOR'S REPORT

REPORT TITLE: DEPUTY MAYOR'S REPORT FOR MONTH OF JANUARY
ITEM NUMBER: 1085
DATE OF MEETING: 29 JANUARY 2018
ATTACHMENTS: 1. REPORT

1. RECOMMENDATION

MOVED:
SECONDED:

That:

1. The report be received.
-

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REPORT OF DEPUTY MAYOR

(a) Items of particular interest, concern or urgency

Thank you, your Worship

With the resignation of our Mayor to advance his opportunities elsewhere I would like, on behalf of all elected members, to thank him for his service to The City of Unley.

We wish you well Lachlan, in whatever the future holds for you.

Leadership Leading up to 2018 elections

This Council can be proud of what it has achieved in its first three years following on from the establishment of the previous Council's 2033 Community Plan. After painstakingly master planning of the various components we have, and certainly in the more recent of times, implemented many of the plan's initiatives.

That said, and as I announced at the end of the September Council meeting, I believe this Council must continue to recognise that we (each of us and collectively and whomever is at the helm) still have a leadership role to play.

We must continue to navigate the ship rather than allow it to dock for the time being before the new Council is formed in November. We owe it to our community and to the new Council to complete our work and leave a legacy we can be proud of.

There remain many initiatives, challenges, opportunities if you like we need to deliver to leave the legacy we would want to leave. I again encourage us to accept the position of leadership bestowed upon us to

- continue to visualise the future of Unley via our community plan
- to paint that picture to our community and engage with them
- make the necessary decisions to implement the plan for the benefit of the current and future communities.

Initiatives we still have before us include (but not limited to):

1. Establish a Precinct Plan for the Village Green.
2. Ensure the Goodwood Oval Grandstand construction is commenced.
3. Develop final designs for the new Millswood Croquet Club new clubrooms.
4. Completion of the King William Road masterplan.
5. Unley Oval grandstand construction commenced, and next stages determined.
6. Develop the Street Lighting Project.
7. Work with ERA to build on the Resilient East.
8. Brownhill Creek implementation.
9. Develop with the City of Mitcham the future Centennial Park.
10. Establish our Business & Outdoor Dining Policy.
11. Likewise, our On-Street parking policy.
12. Implementing Smart technology as part of Heywood Park improvements.

Whoever is at the helm of the ship let us all not lose focus on the job we have at hand.

(b) **Functions attended** (up to the time of writing this report)

These functions/events are in excess of those I would normally attend.

22, 23 Nov	Ageing Well Revolution seminar
24 Nov	ARTiculate celebration Checked out street issues at Greer Street with Crs Rabbitt & Sangster. Goodwood Oval Grandstand Celebration
25 Nov	ETSY French Markets
27 Nov	Active Ageing Conference Debrief with Cr Rabbitt, and Megan Bergius and Mandy Smith
28 Nov	Neighbourhood Watch Millswood and Clarence Park
29 Nov	Aged Alliance Committee meeting with Crs Boisvert and Rabbitt
30 Nov	Carol's Farewell
1 Dec	Trevor's Farewell Clarence Park Community Centre Christmas Drinks
3 Dec	Gold Foundation Open Day
5 Dec	Unley Business Breakfast Met with Chair of Gold Foundation Unley Road Association Christmas Drinks
7 Dec	Judging of Goodwood Road Christmas Decorations.
8 Dec	Discussed relocation of Forestville Hockey Club with Peter Schembri Elected member Christmas dinner
15 Dec	Unley Community Centre Christmas Staff Christmas Party Goodwood Road Traders Christmas Drinks
16 Dec	Bangladeshi Victory Day celebrations
17 Dec	Met with Bhartiya Hindu International Malayalee Association Carols at the Rotunda
19 Dec	Discussed Australia Day nominations with crs Boisvert & Hughes Lunch with CEO and Crs Boisvert, Schnell & Smolucha
20 Dec	Centennial Park Owners & Executive meeting
21 Dec	Goodwood Oval Turf inspection with Cricket Club and Council staff
8 Jan	Millswood Croquet Club Light Ceremony
9 Jan	World Tennis Challenge Legends' Lunch
15 Jan	Guest Mentoring for Change Makers program. Tourrific Prospect
16 Jan	Unley Gourmet Gala
17 Jan	TDU race start Mayors Lunch @ Port Adelaide MLGG
19 Jan	Australia Day Luncheon Opening of Dymocks, Hyde Park
20 Jan	Ministerial DPA celebration at Winchester Street
23 Jan	Council Assessment Panel

I also had one on one conversations with many elected members, and a number with the CEO and Administration. I also assisted a higher number of ratepayers with concerns than usual.

REPORTS OF MEMBERS

REPORT TITLE: REPORTS OF MEMBERS
ITEM NUMBER: 1086
DATE OF MEETING: 29 JANUARY 2018
ATTACHMENTS: 1. REPORTS

Council to note the attached reports from Members:

1. Councillor Rabbitt.
 2. Councillor Hughes.
 3. Councillor Hewitson.
-

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REPORTS OF MEMBERS

REPORT TITLE: REPORT FROM COUNCILLOR RABBITT

Inner & Middle Metropolitan Corridor DPAs

On 19 December, the Inner and Middle Metropolitan Corridor (Sites) and (Design) Development Plan Amendments were approved by the Minister for Planning.

I have received numerous appreciative comments from residents in the vicinity of Site 7 (Unley Road Malvern). Removal of this site from the DPA was considered a most favourable outcome for residents and Council.

Residents are still concerned about

- (a) the poor Community Consultation undertaken by the State Government in regard to the DPAs; and
- (b) the possibility that there may be further locations for spot rezoning.

Heywood Park – Smart City Precinct and Mini Ninja Obstacle Course

Several residents have contacted me to congratulate Council on these projects and they look forward to the enhancements to this very popular park.

Functions Attended

15 December

- *Unley Community Centre Christmas Lunch*

Although I did not attend the lunch itself, I called in to the Community Centre to meet / catch up with some of our community members. All seemed to appreciate the opportunity for a Christmas get-together and as usual, our staff and volunteers made this a particularly special event.

- *Staff Christmas Party*

This was a great opportunity to enjoy a meal with staff and talk on topics other than work related matters.

- *Two Sisters Food & Wine Street Party*

The weather was perfect for this event (after the previously scheduled party was postponed). The Deputy Mayor was there and we talked to a number of residents about the upgrade of the Goodwood Road Precinct and the benefits of small events where people can meet and socialise.

22 December

- *Unley Carol Singers*

I attended the final performance of the Carol Singers for 2017 at the Civic Centre. About 20 residents attended and staff took the opportunity for a short break to listen to part of the excellent performance.

16 January

- *Unley Gourmet Gala*

The organising team made improvements to the layout and format of the event, based on feedback from 2017. Initial comments from traders seem to indicate that they were pleased with the promotional opportunities and I look forward to the formal 'post UGG' report.

17 January

- *Tour Down Under Stage 2 Start*

The 'Start' location by Bloomsbury Street worked well again this year, with a good crowd in attendance.

22 January

- *Change Makers*

I attended Workshop 2 and spoke about issues relating to customer relationships, working outside your 'comfort zone', creating value for customers and working to your strengths.

I think the programme is an excellent one and I am sure attendees will receive a significant benefit from their participation.

REPORTS OF MEMBERS

TITLE: JANUARY 2018

REPORT FROM COUNCILLOR HUGHES

(a) Items of particular interest, concern or urgency

In late December and early January I have responded to many residents who have raised multiple concerns about 2 developments on Fullarton Road. Their concerns include the minimal number of residents captured in the official consultation area, the fact that the views of so few of the potentially affected residents can be heard, the tight time frame within which to respond leading up to Xmas and the number of aspects of the first project that are at variance.

(b) Functions Attended

.21st Nov. Attended the Gourmet Gala Working Group meeting. Very focussed and engaging.

24th Nov. Participated in a whole day inspection tour of Funeral industry sites with the Centennial Park Authority Board. A valuable experience for all board members.

24th Nov. Attended the French Market annual event in the Soldiers Memorial Gardens – an ideal site. This is now a very well established event with a large following.

30th Nov. Participated in the Arts in Your Space working group to shortlist applicants for grants that will lead to major public art being installed within Unley. Our Matthew Ives would have to be guiding us through an industry leading process on this exercise.

30th Nov. Attended a Centennial Park Cemetery board meeting.

1st Dec. Attended the Fullarton Park Xmas function for users, volunteers and the community. Excellent entertainment once again with a traditional Xmas theme including Carols and excellent catering. Congratulations to our staff and volunteers.

10th Dec. Attended the Fern Ave Community Garden AGM. A strong band of volunteers and members are continuing to expand and promote the activities.

13th Dec. Attended the final Gourmet Gala Working Group meeting. All is in hand for a successful event.

14th Dec. Attended the final Centennial Park Board meeting for the year held at Living Choice, Fisher Street.

16th Dec. Attended the Fullarton Markets Xmas Fair. The Market is now set back into the grounds and provides a very attractive setting on the irrigated lawns and among the shady trees.

17th Dec. Accepted an invitation to attend the Scammell Reserve Dog Owners' Xmas function. It was a large gathering (35 people) of residents who have really appreciated the improvements put in place during 2017.

16th Jan. Attended the Gourmet Gala. Very successful once again. More traders appeared to be reaching out to visitors. I appreciated the opportunity to invite Community Leaders and in turn introduce them to others.

19th Jan. Attended the Australia Day Lunch at the Entertainment Centre and had dialogue with some Unley Community Leaders.

19th Jan. Very pleased to attend Dymock Books Opening Event on King William Road. Their move here is a very interesting one and a big win for KWR. There will be increased foot traffic for other businesses to entertain.

REPORTS OF MEMBERS**REPORT TITLE:** REPORT FROM COUNCILLOR HEWITSON

Trees on Private Property

On Saturday 30 December 2017, Councillor Mike Hudson accompanied me to visit Jaffrey Street and meet the residents to see firsthand the destruction of 12 large trees. All were just under significant tree size.

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Where have all the trees gone?

January 2018 Report to Council

On Saturday December 30th Cr Mike Hudson invited me to visit Jaffrey Street and meet the residents and see firsthand the destruction of 12 large trees. All were just under significant tree size.

Should Council share the blame for this destruction? Pre-significant magnificent trees are being cut down across Unley and have been for years. I have copied a July 2008 newsletter showing pictures at the Abbey on King William Road and as a Council we have acted to have a clear Tree strategy with measurable targets. **I believe Council shares responsibility for this destruction.** It is our failure to provide INCENTIVES for owners of private properties to retain large trees. I made suggestions in 2008 and my second one is now Council practice and policy! We have failed to make any change at all on private property!

The Solution

Cr Michael Hewitson AM



Cr Mike with Carolyn and Shirley looking at the last tree in a stand of similar trees cut down on Jaffrey Street.

We have lost from private property along the front and back boundaries over a dozen big trees with just one left...also marked for destruction.



Sylvia wrote ***“Any enhancement that all the trees offered to the streetscape and carpark has now been destroyed as the photos indicate. There is no continuity in street planting down the remainder of the streets and, that which exists, is poorly maintained***

unless by residents.” The photos of the trees being cut down are Sylvia’s.

The Solution

Until private individual landowners are better off financially we can expect the continued destruction of these trees. If all new developments were required to have half of the overall city target of 26% tree canopy cover then these trees would have had commercial value! The trees along the back boundary shown in my picture would be of low land value due to our 30 degree 3 metre height limit for rebuilding. These trees were already in place throwing a huge canopy area of shade! They would have allowed a free hand for the rest of the site. Realising that all our planning rules have weasel words with no teeth to drive any developer to plant any trees, four Councillors sought to work with State Government to drive a change. We did this with our 30 degree rule limiting high rise near boundaries.... This rule means all residents will have 4 hours of winter sunlight.... As against NONE.



This Year 2017 I moved ITEM 566 MOTION ON NOTICE FROM COUNCILLOR HEWITSON RE FUTURE GREENING MOVED. The MOTION was put and LOST DIVISION

A Division was called. Those voting in the affirmative Councillors Smolucha, Palmer, Hewitson and Hughes. If our 2018 review of tree canopy cover across Unley is not greater than 26% then I will re-put the motion.

Unley Council should be part of the solution and not the problem.

We have our excellent **Tree Strategy** [Tree Strategy](#) with measurable targets.

We are implementing planting on public land and losing the battle on private land. We all win with 26% summer shade and evaporative cooling and new developments in my opinion should pay a penalty if they do not achieve their share, or pay a penalty. Perhaps achieve a 15% tree canopy cover or pay the percentage gap in higher rates!

Where have all the trees gone South Australia?

http://2020vision.com.au/media/72935/wsattg_sa_fa3_lr.pdf

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION FOR ITEM 1088 –
MINUTES OF STRATEGIC PROPERTY COMMITTEE
29 NOVEMBER 2017

ITEM NUMBER: 1087

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: LARA JONES

JOB TITLE: EXECUTIVE ASSISTANT OFFICE OF THE CEO

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds set out below.

1. **RECOMMENDATION**

MOVED:
SECONDED:

That:

1. Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to information the disclosure of which:
 - could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - would, on balance, be contrary to the public interest.
 2. In weighing up the factors related to disclosure,
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations
 - non-disclosure of this item at this time will protect information the disclosure of which could prejudice the commercial position of Council in relation to consideration of property acquisition.

On that basis, the public's interest is best served by not disclosing item 1088 - Minutes of Strategic Property Committee 29 November 2017 item and discussion at this point in time.
 3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance.
-

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DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION TO REMAIN IN
CONFIDENCE ITEM 1088 – MINUTES OF
STRATEGIC PROPERTY COMMITTEE
29 NOVEMBER 2017

ITEM NUMBER: 1089

DATE OF MEETING: 29 JANUARY 2018

AUTHOR: LARA JONES

JOB TITLE: EXECUTIVE ASSISTANT OFFICE OF THE CEO

1. RECOMMENDATION

MOVED:
SECONDED:

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*:
 - 2.1 The following elements of Item 1088 – Minutes of the Strategic Property Committee 29 November 2017, considered at the Council Meeting on 29 January 2018:
 - ☒ Minutes
 - ☒ Report
- remain confidential and not available for public inspection until 27 January 2023 on the basis that the documents contain information that could 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.
2. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.
-

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