

NOTICE

of

ORDINARY COUNCIL MEETING

Pursuant to the provisions of Section 84(1) of the Local Government Act 1999

TO BE HELD IN

COUNCIL CHAMBERS PLAYFORD CIVIC CENTRE 10 PLAYFORD BOULEVARD, ELIZABETH

ON

TUESDAY, 27 FEBRUARY 2024 AT 7:00PM

THIS MEETING WILL ALSO BE VIEWABLE AT https://www.youtube.com/user/CityOfPlayford



SAM GREEN

CHIEF EXECUTIVE OFFICER

Issue Date: Thursday, 22 February 2024

MEMBERSHIP

MAYOR GLENN DOCHERTY - PRINCIPAL MEMBER

Cr Akram Arifi Cr Marilyn Baker Cr Zahra Bayani
Cr Andrew Craig Cr Shirley Halls Cr Chantelle Karlsen

Cr David Kerrison Cr Clint Marsh Cr Misty Norris

Cr Jane Onuzans Cr Peter Rentoulis Cr Gay Smallwood-Smith
Cr Tanya Smiljanic Cr Katrina Stroet Cr Rebecca Vandepeear

City of Playford Ordinary Council Meeting

AGENDA

TUESDAY, 27 FEBRUARY 2024 AT 7:00PM

1 /	ATT	END	ANC	E RE	CORD
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- 1.1 Present
- 1.2 Apologies
- 1.3 Not Present

2 CONFIRMATION OF MINUTES

RECOMMENDATION

The Minutes of the Ordinary Council Meeting held 23 January 2024 be confirmed as a true and accurate record of proceedings.

- 3 DECLARATIONS OF INTEREST
- 4 MAYOR'S REPORT
- 5 REPORTS OF REPRESENTATIVES OF COUNCIL ON OTHER ORGANISATIONS
- 6 REPORTS BY COUNCILLORS
- 6.1 Information Session Record of Attendance8
- 7 REPORTS OF REPRESENTATIVES (CONFERENCES & TRAINING PROGRAMS)
- 8 QUESTIONS WITHOUT NOTICE
- 9 QUESTIONS ON NOTICE

Cr Baker - European wasps and stray cats and dogs in the City of Playford

Question

There have been numerous sightings of European wasps and stray cats and dogs in Playford over the Christmas/New Year break. Could the Administration please inform the Council of the procedures and legislative requirements taken to address the following:

- 1. Actions taken when European wasps are reported
- 2. Actions taken when stray cats/dogs are reported
- 3. Playford's relationship with RSPCA and Animal Welfare.

Answer

1. Actions taken when European wasps are reported

If European wasps are reported in the public realm, City Operations will attend and identify the location of the nest. In some instances, if the wasps are posing a risk to community safety, pest controllers are engaged to implement a management strategy.

When reported on private property, it is the responsibility of the landowner/occupier to engage a pest controller. In the unlikely event that the wasps are being encouraged to nest on private property, Council may take enforcement action under the *Local Nuisance and Litter Control Act 2016*.

2. Actions taken when stray cats/dogs are reported

Stray dogs

During business hours (including weekend Officer times) Council patrols/responds to requests for wandering/stray dogs in public. The dog is either returned home when possible or impounded at a facility approved by the Dog and Cat Management Board (Animal Welfare League).

Outside of business hours (5.00pm to 11.00pm), Council will only attend to wandering/stray dogs if they are posing a risk to community safety, e.g. aggressive, on a main road or in close proximity to a community event etc. The dog is either returned home when possible or impounded at a facility approved by the Dog and Cat Management Board (Animal Welfare League).

Stray cats

If the complainant can identify the offending cat and it is causing a nuisance, Council may exercise its powers under the *Local Nuisance and Litter Control Act 2016* to investigate an offence and educate the cat owner. Given the nature of cats, this is often very difficult compared to dogs as traps are often required to catch cats.

If it is a stray/unowned cat, we refer our customers to the AWL who provides a cat trapping service (subject to capacity limits at Animal Welfare League).

3. Playford's relationship with RSPCA and Animal Welfare

Council has a strong working relationship with the Animal Welfare League and our staff communicate regularly with the Edinburgh North Shelter employees given our contract arrangements.

Council interactions with the RSPCA are infrequent due to different roles we play in relation to animal management. Council does engage with the RSPCA to gather information during investigations or to report animal cruelty matters.

10 PETITIONS

11 DEPUTATION / REPRESENTATIONS

11.1 Deputation - Making money for Council by improving Elizabeth - Mr Conrad Isterling

12 MOTIONS WITHOUT NOTICE

13 MOTIONS ON NOTICE

Nil

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Nil

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6.1 INFORMATION SESSION RECORD OF ATTENDANCE

Contact Person: Luke Culhane

Information Session Record of Attendance

• The Information Session Record of Attendance for February 2024 is provided below.

	Start:	uary 2024 7:49pm 9:45pm	20 February 2024 Start: 7:02pm Finish: 9:50pm		
	Attendance	Attendance Comment	Attendance	Attendance Comment	
Mayor Glenn Docherty	✓		✓		
Cr Akram Arifi	Аро	ology	✓		
Cr Andrew Craig	Аро	ology	✓		
Cr Chantelle Karlsen	Аро	ology	✓	Via Zoom	
Cr Clint Marsh	✓		✓		
Cr David Kerrison	Аро	ology	✓	Arrived at 7:06pm	
Cr Gay Smallwood-Smith	✓		Apo	logy	
Cr Jane Onuzans	✓	Arrived at 7:50pm	✓		
Cr Katrina Stroet	✓		✓		
Cr Marilyn Baker	✓		✓		
Cr Misty Norris	Аро	ology	✓		
Cr Peter Rentoulis	✓		✓		
Cr Rebecca Vandepeear	✓		✓	Via Zoom	
Cr Shirley Halls	✓		✓		
Cr Tanya Smiljanic	✓		✓		
Cr Zahra Bayani	✓	Arrived at 7:51pm	✓		

COMMITTEE REPORTS

POLICY REVIEW COMMITTEE

Matters which cannot be delegated to a Committee or Staff

14.1 INTERNAL REVIEW OF A COUNCIL DECISION PROCEDURE

Responsible Executive Manager: Luke Culhane

Report Author: Cheyanne Miller

Delegated Authority: Matters which cannot be delegated to a Committee or Staff

Attachments: 1. Proposed Internal Review of a Council Decision Procedure

21. Proposed Internal Review of a Council Decision Procedure -

Tracked Changes Version

PURPOSE

For Council to endorse the proposed Internal Review of a Council Decision Procedure (Attachment 1).

STAFF RECOMMENDATION

- 1. Council endorse the proposed Internal Review of a Council Decision Procedure (Attachment 1).
- 2. Council authorise the CEO to make further minor amendments to the Internal Review of a Council Decision Procedure (Attachment 1) that do not alter the intent of the document.

COMMITTEE RECOMMENDATION

5708

- 1. Council endorse the proposed Internal Review of a Council Decision Procedure (Attachment 1).
- 2. Council authorise the CEO to make further minor amendments to the Internal Review of a Council Decision Procedure (Attachment 1) that do not alter the intent of the document.

EXECUTIVE SUMMARY

The Internal Review of a Council Decision Procedure (Attachment 1) fulfils legislative requirements established by Section 270 of the *Local Government Act 1999* (the Act).

Legislative amendments made to the *Local Government Act 1999* (the Act) came into effect in May 2021 which introduced new requirements and parameters for the Internal Review of a Council Decision Procedure. This included the establishment of a 6-month timeframe for the submission of applications and a mandatory application fee set by the Government Gazette.

These amendments have been incorporated into the Internal Review of a Council Decision Procedure in conjunction with a full review of the document.

1. BACKGROUND

Section 270 of the *Local Government Act 1999* (the Act) requires Council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.

The Internal Review of a Council Decision Procedure was last reviewed in May 2021. However, with the introduction of the *Statutes Amendment (Local Government Review) Act 2021*, the *Local Government Act 1999* was amended with new legislative requirements and alterations to pre-existing ones. This included the establishment of a 6-month timeframe for the submission of applications and a mandatory application fee set by the Government Gazette.

In conjunction with a full review of the document, the Internal Review of a Council Decision Procedure has now been updated to incorporate these legislative amendments.

2. RELEVANCE TO STRATEGIC PLAN

<u>Decision-making filter</u>: We will ensure we meet our legislative requirements and legal obligations

This Procedure ensures compliance with Section 270(1) of the Act which requires council to establish procedures for the review of decisions of the council, employees of the council and other persons acting on behalf of the council.

Community Theme 3: Connecting with our community and each other

The proposed Internal Review of a Council Decision Procedure outlines Council's approach to reviewing a council decision. The Procedure is intended to enable responses to requests in a compliant and consistent manner, enhancing public confidence in Council.

3. PUBLIC CONSULTATION

There is no requirement to undertake public consultation on the Internal Review of a Council Decision Procedure.

4. DISCUSSION

- 4.1 The Internal Review of a Council Decision Procedure has legislative requirements established under the Act. This Procedure has a review schedule established as every four years, however, must be reviewed in order to reflect the relevant legislative amendments.
- 4.2 This Procedure fulfils the Organisation's requirements established under Section 270 of the Act in relation to procedures for review of decisions and requests for service. Section 270 of the Act was amended as a result of the Statutes Amendment (Local Government Review) Act 2021, which introduced additional obligations in relation to applications made for the review of council decisions.
- 4.3 These amendments included the mandatory introduction of a prescribed fee accompanying all Section 270 applications imposed by the operation of Section 270(3).
- 4.4 As determined by the Government Gazette dated 13 September 2021, the prescribed fee has been set as \$20.
- 4.5 Section 270(3a) provides authority for Council to reduce, waive or refund the prescribed fee 'as the Council sees fit'. This has been incorporated into section 4.3 of the Procedure in accordance with Council's Hardship Policy.

5. OPTIONS

Recommendation

- 1. Council endorse the proposed Internal Review of a Council Decision Procedure (Attachment 1).
- 2. Council authorise the CEO to make further minor amendments to the Internal Review of a Council Decision Procedure (Attachment 1) that do not alter the intent of the document.

Option 2

1.	Council	endorse	the	proposed	Internal	Review	of	а	Council	Decision	Procedure
	(Attachn	nent 1) su	bject	to the follow	ving amer	ndments:					

•			
•		 	
•			

2. Council authorise the CEO to make further minor amendments to the Internal Review of a Council Decision Procedure (attachment 1) that does not alter the intent of the document.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The recommendation will result in Council adopting the proposed Internal Review of a Council Decision Procedure (Attachment 1) and ensure legislative requirements established under the Act are fulfilled. Additionally, it will also ensure the practices employed by the Organisation when managing internal reviews are compliant with the legislative amendments and are consistently applied.

Risk Appetite

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

This decision will ensure compliance with Section 270(1) of the Act, which requires Council to establish procedures for the review of decisions of the council, employees of the council and other persons acting on behalf of the council.

6.1.2 Financial Implications

There are no financial or resource implications associated with the endorsement of the proposed Internal Review of a Council Decision Procedure.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

The Council may, when reviewing the proposed Internal Review of a Council Decision Procedure, choose to make amendments. Any amendments will be assessed to ensure compliance with relevant legislations and guidelines.

6.2.2 Financial Implications

Existing resources would be diverted to ensure the proposed Internal Review of a Council Decision Procedure is amended to incorporate any changes that endorsement is subject to, and confirm that these amendments are legislatively compliant. Any further financial implications associated with the endorsement of an amended Internal Review of a Council Decision Procedure will be dependent upon the amendments made.

Internal Review of a Council Decision Procedure



Proc	edure Author	General Manager – Corporate Services
Date	e of next review	November 2027

1. Purpose

The Council, including workers and other people acting on behalf of the Council, make decisions everyday which impact members of its community. It is imperative that these decisions are fair, objective and where appropriate, subject to review.

This Procedure relates to formal applications seeking a review of a decision made by the Council, employees and other persons acting on behalf of the Council and applies to all employees who may be involved in receiving an application for a review of a Council decision.

The Council has defined procedures for dealing with complaints and requests for service. As a general rule, Council will promote these procedures in the first instance as they offer the potential for immediate resolution.

This Internal Review of a Council Decision Procedure commences at the point that the Council receives an application for an internal review of a Council decision and covers the process for:

- Making an application.
- Receiving, managing, considering and determining an application.

The Council recognises the importance of transparency in Council decision-making where practicable and appropriate and the need to provide a fair, objective and consistent process for the review of Council decisions.

This Procedure is designed to ensure that:

- Every applicant has the opportunity to make an application for review of a decision covered by this Procedure.
- An unbiased assessment is undertaken.
- Decisions are based on sound evidence.
- Applicants receive information about the outcome of the review.

This Procedure will be widely accessible to ensure that customers are fully aware of their right to apply for a review of a decision and the process that will be followed.

While the Council prefers to work with its customers to resolve applications quickly and effectively, an applicant will always retain the right to seek other forms of resolution, such as contacting the Ombudsman, or taking legal action at any time.

1.1 Matters outside the scope of this Procedure

Some decisions fall outside the scope of this Procedure as an alternative statutory process for a review or appeal may exist in other legislation. Examples of other legislation containing statutory review or appeal processes include:

- Planning, Development and Infrastructure Act 2016
- Freedom of Information Act 1991
- Expiation of Offences Act 1996

Applicants seeking a review of a Council decision should check if any other legislation applies to the matter before proceeding with an application. The purpose of this Procedure is to fill the gaps in the law where there is no right of review available.

2. References and Supporting Documentation

This Procedure is to be read in conjunction with the Complaints Handling Policy.

Related documents include:

- Local Government Act 1999 Section 270
- Complaints Handling Procedure
- Request for Service Policy and Procedure
- · Hardship Policy and Procedure
- · City of Playford Global Glossary
- Ombudsman SA, Right of Review, An audit of Local Government Internal Review of Council Decisions Procedures, November 2016
- Report to the Minister for Local Government, Right of Review, An audit of Local Government Internal Review of Council Decisions Procedures, June 2017

3. Application

Chief Executive Officer	Ensure the Internal Review of a Council Decision Procedure is implemented in accordance with Section 270 of the Local Government Act 1999 and subject to periodic evaluation and review. Determine who will be the reviewer for a request for an internal review of a Council decision application.
Manager Governance	Undertake the role of Council's Internal Review Contact Officer (IRCO).
	Receive, acknowledge, and manage the process regarding Internal Review of a Council Decision applications.

4. Procedure

4.1 Internal Review Contact Officer

4.1.1 The Council's Internal Review Contact Officer (IRCO) is the initial point of contact for all applicants. The IRCO is the Manager Governance or their delegate. Contact with the IRCO can be made by emailing: governance@playford.sa.gov.au

4.1.2 The role of the IRCO is to:

- Explain this Procedure to the applicant and explore any alternative options to resolve the matter, such as alternative dispute resolution prior to an application being lodged or dealt with.
- b) Acknowledge the receipt of the application.
- c) Liaise with the CEO to determine who the reviewer will be.
- Maintain a register of all applications received and the outcomes of the applications.
- e) Outline the expected timeframes involved and the process that will be followed.
- f) Ensure, in conjunction with the officer who is dealing with the application, that the application is dealt with in accordance with this Procedure.
- g) Ensure the application is properly lodged and assigned.
- h) Keep the applicant informed at regular intervals, as appropriate, of the progress of the application.
- Ensure, in conjunction with the officer who is dealing with the application, that adequate records are maintained.

All applications are to be referred to the IRCO immediately.

4.2 Making an Application

- 4.2.1 An application for a review of a Council decision must:
 - Be in writing:
 - Be addressed to Manager Governance;
 - Provide full details of the decision for which the applicant is seeking a review (including
 how the decision impacts their rights and/or interests, and how they otherwise have an
 interest in the decision) and set out clearly and succinctly the reason for applying for
 the review;
 - Be lodged within 6 months of the decision being made; and
 - Be accompanied by the prescribed \$20 application fee.

- 4.2.2 Although the Council can be expected to have information and material relevant to the decision to which the application relates, an application may also include new, relevant information or evidence to support the application.
- 4.2.3 Applications that do not meet the criteria for making an application set out above, including applications that are lodged 6 months or longer after the decision was made, will not be accepted. However, the Chief Executive Officer (CEO) may determine under authorisation and with absolute discretion, having regard to such matters as considered appropriate, to accept an application notwithstanding that it does not meet the criteria for making an application.

4.3 Assisting with Application of Review

- 4.3.1 It is essential that no one is excluded from lodging an application because of any difficulties they may have representing themselves, or managing payment of the prescribed fee. All employees are expected to offer assistance where appropriate and provide it on request, including assistance in documenting the reasons for the application in writing when circumstances warrant.
- 4.3.2 If necessary, access to interpreters, aids and Council's Hardship Policy will be arranged to ensure that an applicant is treated equitably.

4.4 Acknowledgement and Expected Timeframes

- 4.4.1 Applications will be acknowledged within 10 business days of receipt of the application, and at that time, the applicant will also be advised of the expected timeframe for dealing with the matter.
- 4.4.2 Council will use its best endeavours to ensure that a review of the original decision will be completed within 30 business days. However, there are a number of factors that may prevent this timeframe from being met, including if the decision is to be reviewed by the Council, a committee, or if external assistance is to be provided to the Council in undertaking the review. In addition, complex cases may require more time for the review to be completed.

4.5 Applications for a Review of the impact of rates or service charges

4.5.1 If Council receives an application for a review of a decision relating to the impact that any declaration of Council rates or services charges may have had on the applicant, such applications will be given priority. In addition, such applications will, where appropriate, be addressed through the provision of relief or concessions, in line with the provisions of the *Local Government Act 1999*.

4.6 Undertaking a Review

4.6.1 Reviewer

- 4.6.1.1 The CEO may be the reviewer and deal with any application for a review of a Council decision, in accordance with this Procedure, except an application that relates to a decision of the CEO, the Council or a Council committee. In which case, the IRCO will refer the application to the elected body for the Council to be the reviewer, with such information as the IRCO considers relevant.
- 4.6.1.2 The CEO may refer an application for a review of a Council decision to any employee that the CEO considers appropriate to be the reviewer, to be dealt with in accordance

with this Procedure. The employee to whom the application has been referred must not be the same Council employee that made the original decision.

- 4.6.1.3 The elected body of Council will be the reviewer:
 - When the decision being reviewed was made by the elected body of the Council, a committee of the Council or the CEO;
 - b) When the decision relates to civic and ceremonial matters; or
 - In relation to other applications as determined by the CEO or by resolution of the Council.
- 4.6.1.4 Where the elected body of the Council is the reviewer, the CEO will ensure all necessary and appropriate information is prepared and presented to the Council to assist it with the review.
- 4.6.1.5 The reviewer may seek the assistance of such persons or bodies including persons and bodies external to the Council to assist the reviewer to undertake the review in accordance with this procedure.

4.6.2 Role of the Reviewer

- 4.6.2.1 The role of a reviewer is to review the decision to which the application relates, and determine if the original decision is the correct and preferable decision in the circumstances existing at the time of the application and having regard to the following matters:
 - The decision must be within a power properly conferred on the decision-maker under legislation.
 - b) A decision-maker must consider all matters which are relevant to the making of the decision and not take into account matters which are not relevant to the decision.
 - c) A decision-maker must not exercise a discretion power in bad faith, for an improper purpose or while subject to duress or the improper influence of another person.
 - d) A decision maker must not have a conflict of interest or actual or apprehended bias in the decision.
 - e) A decision-maker must ensure that findings of fact are based on evidence.
 - f) Decisions must be reasonable.
 - g) Those who may be affected by a decision must be accorded procedural fairness, which includes the principles of natural justice.
 - A decision-maker must properly consider any relevant legislation, policies and procedures.

4.6.3 Review Process

- 4.6.3.1 In carrying out a review of a decision, the reviewer will consider all the information and material that was before the original decision-maker and any additional relevant information or material available at the time of undertaking the review. The reviewer will 'stand in the shoes' of the original decision-maker and make the best decision available based on the evidence.
- 4.6.3.2 This means the reviewer will do more than simply consider whether the decision is legally correct. The reviewer will also undertake a merits review and consider whether a different decision would be better, based on the evidence.
- 4.6.3.3 The reviewer may determine that an application which relates to a decision that has already been implemented and therefore cannot be revoked, will not be the subject of a merits review and will only be subject to a process review. In such instances, the applicant will be advised of this as soon as possible.

4.6.4 Providing Procedural Fairness

- 4.6.4.1 Those that may be affected by a decision must be accorded procedural fairness, which includes the principles of natural justice.
- 4.6.4.2 As part of the review process, any party whose rights, interests or legitimate expectations will be affected by a decision, will have the opportunity to make a written submission.
- 4.6.4.3 'Procedural fairness' involves:
 - Giving a person a right to put their case forward. This will generally involve giving a person the opportunity to provide all relevant documentary evidence, rather than an oral hearing.
 - Ensuring that the reviewer does not have a personal interest in the outcome (is not biased).

4.6.5 Giving Reasons

- 4.6.5.1 The applicant will be informed in writing of the outcome of the review.
- 4.6.5.2 While there is no statutory requirement to provide justification for a decision, the Council will provide reasons for the decision of the reviewer where practicable.

4.6.6 Refusing an Application for Review

- 4.6.6.1 The Council, CEO or reviewer may refuse to consider an application for review if:
 - The application is made by an employee of the Council and relates to an issue concerning their employment.
 - b) It appears that the application is frivolous or vexatious.
 - c) The applicant does not have a sufficient interest in the matter.

4.6.7 Remedies

- 4.6.7.1 Where the outcome of a review of a decision is that the original decision is not the best decision, an appropriate remedy or response will be determined by the reviewer which is consistent and fair for both Council and applicant. The remedy may include:
 - · Varying the original decision.
 - Returning the situation to its original status.
 - · An explanation.
 - · Mediation.
 - · An apology.
 - A change to Council policy, procedure or practice.
 - · A correction to Council records.
- 4.6.7.2 The remedy or response may be one, or a combination of these actions. The chosen remedy will be proportionate and appropriate and take into account what the applicant is seeking as an outcome of the review.
- 4.6.7.3 When advising an applicant of the outcome of a review, information will also be provided about alternative remedies, including any rights of appeal and the right to make a complaint to an external agency such as the SA Ombudsman.

4.6.8 Reporting

- 4.6.8.1 All applications will be recorded in Council's records management system in such a way that the information can also be analysed for service improvement opportunities.
- 4.6.8.2 The IRCO records the following information about all applications for review:
 - a) The number of applications for review made,
 - b) The kinds of matters to which the applications relate,
 - c) The outcome of applications, and
 - d) Other matters as may be prescribed by the regulations.
- 4.6.8.3 In accordance with Section 270(8) of the Local Government Act 1999, the information specified in 4.6.8.2 will be included in Council's Annual Report.

5. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333

Administration use only

ECM document set no. 3978346

Version no. 3

Policy link Complaints Handling Policy

Procedure author General Manager – Corporate Services

Endorsed by Council

Resolution no.

Legal requirement Local Government Act 1999 – Section 270

Review schedule Every 4 years

Date of current version

Date of next review November 2027

Version history

Version no.	Approval date	Approval by	Change
1	22/03/2016	Ordinary Council Resolution No. 2519	New Procedure
2	25/05/2021	Ordinary Council Resolution No. 4629	Removed reference to tier system of complaints as an internal review does not constitute a complaint.
			Updated in accordance with sections of the Ombudsman SA's model policy and procedure
3		Ordinary Council Resolution No.	Scheduled review. Updated to include mandatory prescribed fee.
			100.



Internal Review of a Council Decision Procedure

Procedure Author	General Manager – Strategy & Corporate Corporate Services
Date of next review	November 2027 June 2023

1. Purpose

The Council, including employees-workers and other people acting on behalf of the Council, make decisions everyday which impact members of its community. It is imperative that these decisions are fair, objective and where appropriate, subject to review.

This Procedure relates to formal applications seeking a review of a decision made by the Council, employees and other persons acting on behalf of the Council and applies to all employees who may be involved in receiving an application for a review of a Council decision.

The Council also-has defined procedures for dealing with complaints and requests for service. As a general rule, Council will promote these procedures in the first instance as they offer the potential for immediate resolution.

This Internal Review of a Council Decision Procedure commences at the point that the Council-receives an application for an internal review of a Council decision and covers the process for:

- Mmaking an application: and
- Receiving, managing, considering and determining an application.

The Council recognises the importance of transparency in Council decision-making where practicable and appropriate and the need to provide a fair, objective and consistent process for the review of Council decisions.

This Procedure is designed to ensure that:

- Every applicant has the opportunity to make an application for review of a decision covered by this Procedure.
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- Decisions are based on sound evidence; and
 Applicants receive information about the outcome of the revi
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While the Council prefers to work with its customers to resolve applications quickly and effectively, an applicant will always retain the right to seek other forms of resolution, such as contacting the Ombudsman, or taking legal action at any time.

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- Expiation of Offences Act 1996

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Applicants <u>wanting seeking</u> a review of a Council decision should check if any other legislation applies to the matter before proceeding with an application. The purpose of this Procedure is to fill the gaps in the law where there is no right of review available.

References and Supporting Documentation

This Procedure is to be read in conjunction with the Complaints Handling Policy.

Related documents include: and Complaints Handling Procedure.

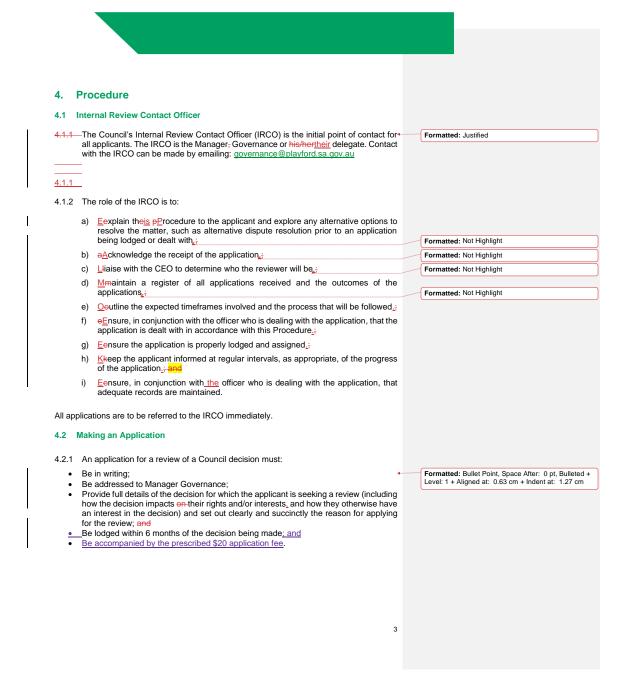
- Local Government Act 1999 Section 270
- Complaints Handling Procedure
- Request for Service Policy and Procedure

- Request for Service 1 City
 Hardship Policy and Procedure
 City of Playford Global Glossary
 Toward SA Right of Revie Ombudsman SA, Right of Review, An audit of Local Government Internal Review of Council Decisions Procedures, November 2016
- Report to the Minister for Local Government, Right of Review, An audit of Local Government Internal Review of Council Decisions Procedures, June 2017

3. Application

Chief Executive Officer	Ensure the Internal Review of a Council Decision Procedure is implemented in accordance with Section 270 of the <i>Local Government Act 1999</i> and subject to periodic evaluation and review. Determine who will be the reviewer for a request for an internal review of a Council decision application.
Manager Governance	Undertake the role of Council's Internal Review Contact Officer (IRCO).
	Receive, acknowledge, and manage the process regarding Internal Review of a Council Decision applications.

2



- 4.2.2 Although the Council can be expected to have information and material relevant to the decision to which the application relates, an application may also include new, relevant information or evidence to support the application.
- 4.2.3 Applications that do not meet the criteria for making an application set out above, including applications that are lodged 6 months or longer after the decision was made, will not be accepted. However, the Chief Executive Officer (CEO) may determine under authorisation and with _is_authorised and may determine at the CEO's_absolute discretion, having regard to such matters as considered appropriate, to accept an application notwithstanding that it does not meet the criteria for making an application.

4.2.3

4.3 Assisting with Application of Review

4.3.1 It is essential that no one is excluded from lodging an application because of any difficulties they may have representing themselves, or managing the prescribedpayment of the prescribed fee. All employees are expected to offer assistance where appropriate and provide it on request, including assistance in documenting the reasons for the application in writing when circumstances warrant.

—If necessary, access to interpreters_and aids and Council's Hardship Policy will be arranged, to ensure that an applicant is treated equitably.

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4.4 Acknowledgement and Expected Ttimeframes

- 4.4.1 Applications will be acknowledged within 10 business days of receipt of the application, and at that time, the applicant will also be advised of the expected timeframe for dealing with the matter.
- 4.4.2 Council will use its best endeavours to ensure that a review of the original decision will be completed within 30 business days. However, there are a number of factors that may prevent this timeframe from being met, including if the decision is to be reviewed by the Council, a committee, or if external assistance is to be provided to the Council in undertaking the review. In addition, complex cases may require more time for the review to be completed.

4.5 Applications for a Review of the impact of rates or service charges

4.5.1 If Council receives an application for a review of a decision relating to the impact that any declaration of Council rates or services charges may have had on the applicant, such applications will be given priority.— In addition, such applications will, where appropriate, be addressed through the provision of relief or concessions, in line with the provisions of the *Local Government Act 1999*.

4.6 Undertaking a Review

4.6.1 Reviewer

4.6.1.1 The CEO may be the reviewer and deal with any application for a review of a Council decision, in accordance with this Procedure, except an application that relates to a decision of the CEO, the Council or a Council Committee. In which case, the IRCO will refer the application to the elected body for the Council to be the reviewer, with such information as the IRCO considers relevant.

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- 4.6.1.2 The CEO may refer an application for a review of a Council decision to any employee that the CEO considers appropriate to be the reviewer, to be dealt with in accordance with this Procedure. The employee to whom the application has been referred must not be the same Council employee that made the original decision.
- 4.6.1.3 The elected body of Council will be the reviewer:
 - Wwhen the decision being reviewed was made by the elected body of the Council, a Committee of the Council or the CEO;
 - b) Wwhen the decision relates to civic and ceremonial matters; or
 - c) In relation to other applications as determined by the CEO or by resolution of the Council.
- 4.6.1.4 Where the elected body of the Council is the reviewer, the CEO will ensure all necessary and appropriate information is prepared and presented to the Council to assist it with the review.
- 4.6.1.5 The reviewer may seek the assistance of such persons or bodies including persons and bodies external to the Council to assist the reviewer to undertake the review in accordance with this procedure.

4.6.2 Role of the Reviewer

- 4.6.2.1 The role of a reviewer is to review the decision to which the application relates, and determine if the original decision is the correct and preferable decision in the circumstances existing at the time of the application and having regard to the following matters:
 - a) The decision must be within a power properly conferred on the decision-maker under legislation.
 - A decision-maker must consider all matters which are relevant to the making of the decision and not take into account matters which are not relevant to the decision.
 - A decision-maker must not exercise a discretion power in bad faith, effor an
 improper purpose or while subject to duress or the improper influence of another
 person.
 - A decision maker must not have a conflict of interest or actual or apprehended bias in the decision.
 - e) A decision-maker must ensure that findings of fact are based on evidence.
 - f) Decisions must be reasonable.
 - g) Those who may be affected by a decision must be accorded procedural fairness, which includes the principles of natural justice.
 - A decision-maker must properly consider any relevant legislation, policies and procedures.

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4.6.3 Review Process

- 4.6.3.1 In carrying out a review of a decision, the reviewer will consider all the information and material that was before the original decision-maker and any additional relevant information or material available at the time of undertaking the review. The reviewer will 'stand in the shoes' of the original decision-maker and make the best decision available based on the evidence.
- 4.6.3.2 This means the reviewer will do more than simply consider whether the decision is legally correct. The reviewer will also undertake a merits review and consider whether a different decision would be better, based on the evidence.
- 4.6.3.3 The reviewer may determine that an application, which relates to a decision that has already been implemented and therefore cannot be revoked, will not be the subject of a merits review and will only be subject to a process review, of the decision will be undertaken. In such instances, the applicant will be advised of his as soon as possible.

4.6.4 Providing Procedural Fairness

- 4.6.4.1 Those that may be affected by a decision must be accorded procedural fairness, which includes the principles of natural justice.
- 4.6.4.2 As part of the review process, any party whose rights, interests or legitimate expectations will be affected by a decision, will have the opportunity to make a written submission.
- 4.6.4.3 'Procedural fairness' involves:
 - a) Giving a person a right to put their case forward. This will generally involve giving a person the opportunity to provide all relevant documentary evidence, rather than an oral hearing.
 - Ensuring that the reviewer does not have a personal interest in the outcome (is not biased).

4.6.5 Giving Reasons

- 4.6.5.1 The applicant will be informed in writing of the outcome of the review.
- 4.6.5.2 While there is no statutory requirement to give reasons provide justification for a decision, the Council will provide reasons for the decision of the reviewer where practicable.

4.6.6 Refusing an Application for Review

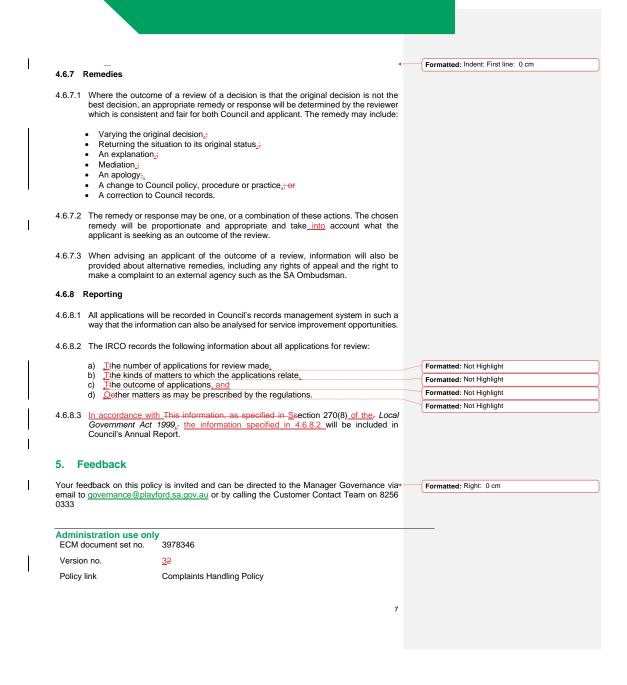
- 4.6.6.1 The Council, CEO or reviewer may refuse to consider an application for review if _____
 - a) <u>I</u>the application is made by an employee of the Council and relates to an issue concerning <u>his or hertheir</u> employment.
 - b) Lit appears that the application is frivolous or vexatious.
 - c) Ithe applicant does not have a sufficient interest in the matter.

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Procedure author General Manager - Strategy & Corporate General Manager -

Corporate Services

Endorsed by Council Resolution no. 4629

Legal requirement Local Government Act 1999 – Section 270

Review schedule Every 4 years or within 12 months of a general election

Date of current version May 2021

Date of next review November 2027 June 2023

Version history

Version no.	Approval date	Approval by	Change	
1	22 <u>/03/</u> March 2016	Ordinary Council Resolution No. 2519	New Procedure	
2	25/05/2021	Ordinary Council Resolution No. 4629	Removed reference to tier system of complaints as an internal review does not constitute a complaint.	Formatted Table
			Updated in accordance with sections of the Ombudsman SA's model policy and procedure	
<u>3</u>		Ordinary Council	Scheduled review.	
		Resolution No.	<u>Updated to include</u> <u>mandatory prescribed</u>	

fee.

8

14.2 COMPLAINTS HANDLING POLICY AND PROCEDURE

Responsible Executive Manager: Luke Culhane

Report Author: Cheyanne Miller

Delegated Authority: Matters which cannot be delegated to a Committee or Staff

Attachments: 1 ... Proposed Complaints Handling Policy

21. Proposed Complaints Handling Procedure

31. Proposed Complaints Handling Policy - Tracked Changes41. Proposed Complaints Handling Procedure - Tracked Changes

PURPOSE

For Council to endorse the proposed Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2).

STAFF RECOMMENDATION

- 1. Council endorse the proposed Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2).
- 2. Council authorise the CEO to make further minor amendments to the Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2) that do not alter the intent of the document.

COMMITTEE RECOMMENDATION

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- 1. Council endorse the proposed Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2).
- 2. Council authorise the CEO to make further minor amendments to the Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2) that do not alter the intent of the document.

EXECUTIVE SUMMARY

The Complaints Handling Policy and Procedure were developed to fulfil legislative requirements established under Section 270 (a1)(B) of the *Local Government Act 1999* (the Act). This requires Council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council.

Upon review, grammatical, terminological and formatting updates were implemented to ensure that the Complaints Handling Policy and Procedure are both consistent with the policy suite. This included grammatical corrections, introductory phases and formatting changes, and reference to the Organisation's Global Glossary.

Additionally, the Legislation and References section has been amended to reflect the revocation of the Code of Conduct for Council Members and subsequent introduction of the

Behavioural Standards for Council Members and the Behavioural Management Policy and Procedure.

1. BACKGROUND

The Complaints Handling Policy and Procedure were last endorsed in May 2021 (Council Resolution 4629). Since the May 2021 endorsement, the *Statutes Amendment (Local Government Review) Act 2021* introduced changes to Section 270 of the Act. However, as these changes predominantly relate to the Internal Review of a Council Decision Procedure, they have not altered the legislative requirements around the submission or management of complaints.

2. RELEVANCE TO STRATEGIC PLAN

<u>Decision-making filter</u>: We will ensure we meet our legislative requirements and legal obligations

Pursuant to Section 270 of the Act, it is a requirement for Council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.

Community Theme 3: Connecting with our community and each other

The proposed Complaints Handling Policy and Procedure establish Council's approach to handling complaints, outline how community members may make complaints, and specifies what assistance is available to do so.

3. PUBLIC CONSULTATION

There is no requirement to undertake public consultation on the Complaints Handling Policy and Procedure.

4. DISCUSSION

- 4.1 The Complaints Handling Policy and Procedure were last reviewed in May 2021 (Council Resolution 4629).
- 4.2 Section 270 (a1)(B) of the Act requires Council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council. The Complaints Handling Policy and Procedure addresses these requirements.
- 4.3 Since the last endorsement, amendments have been made to Section 270 of the Act. Upon review, these amendments did not significantly influence the content within the Complaints Handling Policy and Procedure.
- 4.4 The majority of amendments made to the Complaints Handling Policy and Procedure during this review were grammatical, formatting, or terminological in nature.
- 4.5 The Legislation and References section has also been updated to reflect the revocation of the Code of Conduct for Council Members and subsequent introduction of the Behavioural Standards for Council Members and the Behavioural Management Policy and Procedure.

5. OPTIONS

Recommendation

- 1. Council endorse the proposed Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2).
- 2. Council authorise the CEO to make further minor amendments to the Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2) that do not alter the intent of the document.

Option 2

1.	Council	endorse	the	proposed	Complaints	Handling	Policy	(Attachment	1)	and
	Complai	nts Handli	ng P	rocedure (A	Attachment 2)	subject to	the follo	wing amendm	ent	s:

•				
•				
•				

2. Council authorise the CEO to make further minor amendments to the Complaints Handling Policy (Attachment 1) and Complaints Handling Procedure (Attachment 2) that does not alter the intent of the document.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The recommendation will result in Council adopting the proposed Complaints Handling Policy (Attachment 1) and Procedure (Attachment 2) and ensure legislative requirements established under the Act are fulfilled.

The endorsement of the Complaints Handling Policy and Procedure also enables Council to respond to complaints in a timely and consistent manner while providing information that Council can use to inform service improvements.

Risk Appetite

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

This decision will ensure legislative compliance with Section 270 of the Act. This Section requires council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council.

6.1.2 Financial Implications

There are no financial or resource implications associated with the endorsement of the Complaints Handling Policy and Procedure.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

The Council may, when reviewing the proposed Complaints Handling Policy and Procedure, choose to make amendments. Any amendments will be assessed to ensure compliance with relevant legislation and guidelines.

6.2.2 Financial Implications

Existing resources would be diverted to ensure the proposed Complaints Handling Policy and Procedure are amended to incorporate any changes that endorsement is subject to, and confirm that these amendments are legislatively compliant. Any further financial implications associated with the endorsement of an amended Complaints Handling Policy and Procedure will be dependent upon the amendments made.



Complaints Handling Policy

Policy Author	General Manager Corporate Services
Date of next review	TBC

1. Statement of Intent

Council delivers an extensive range of services, programs, and infrastructure to the local community. Council welcomes complaints as an important part of continuous quality improvements in the delivery of services and customer experience.

Council is committed to handling and resolving complaints fairly, efficiently, and effectively and treating complainants equally and respectfully.

This Policy, together with the Complaints Handling Procedure, is intended to:

- enable Council to respond to complaints in a timely and consistent manner;
- enhance public confidence in the Council; and
- provide information that Council can use to inform service improvements.

Emphasis will be placed on resolving complaints as quickly as possible, however, where complaints cannot be settled in the first instance, Council will ensure that they are dealt with through the appropriate processes and procedures.

This Policy is based on five principles which are fundamental to the way Council approaches complaint handling.

Fairness

- Each complaint will be addressed with integrity and in an equitable and unbiased manner.
- Each complaint will be assessed on its merits.
- The person handling the complaint will be different to any staff member whose service, action
 or conduct is being complained about.
- Conflicts of interest will be managed in accordance with relevant legislation.

Accessibility

- Council will ensure this Policy is accessible on Council's website and a range of contact
 options are available to allow the public to make a complaint.
- Council will take all reasonable steps to ensure that no one making a complaint is adversely
 affected because a complaint has been made by them or on their behalf.
- There is no charge to make a complaint to the Council.
- Council accepts anonymous complaints where there is enough information provided to investigate the issue raised.

• If a person prefers or needs assistance in making and/or resolving their complaint, Council will communicate with them through their representative if that is their wish.

Responsiveness

- Council will acknowledge receipt of complaints promptly and is committed to managing people's expectations and keeping them informed as to the progress of their complaint, including when initial timeframes cannot be met.
- Complaints will be prioritised based on urgency and/or seriousness of the issue being complained about.
- Council will advise people as soon as possible if their complaint is unable to be dealt with and will provide advice as to where their complaint may be directed (if known and appropriate).

Efficiency

- Council will seek to resolve complaints promptly and with as little formality as possible.
- Where necessary and appropriate for the efficient and effective management of a complaint, integration of different areas of the Council will occur.

Confidentiality

 Council will protect the identity of people making complaints where this is practicable and appropriate.

2. Scope

This Policy applies to complaints from the public about the actions of the Council, employees of the Council and other persons acting on behalf of the Council, except where this Policy provides otherwise.

This Policy does not apply to matters that do not fall within Council's jurisdiction. Some complaints may fall outside the scope of this Policy as an alternative statutory process may exist in other legislation.

All employees who may be involved in receiving, processing, managing, considering or responding to a complaint in the course of their official functions and duties as an employee of the Council must abide by this Policy.

Staff grievances, code of conduct or Behavioural Standards complaints, requests for the provision of a service or the improvement of a service, requests for an internal review of a Council decision and disclosures of public interest information are dealt with through separate mechanisms.

3. Legislation and References

This Policy is to be read in conjunction with the Complaints Handling Procedure.

Related documents include:

- Local Government Act 1999 Section 270
- Independent Commission Against Corruption Act 2012 (ICAC Act)
- Ombudsman Act 1972
- Public Interest Disclosure Act 2018
- Behavioural Standards for Council Members

- Internal Review of a Council Decision Procedure
- · Request for Service Policy and Procedure
- Behavioural Management Policy and Procedure
- · Code of Conduct for Council Employees
- Public Interest Disclosure Procedure
- City of Playford Global Glossary

This Policy should not be considered as the only document that may relate to complaints handling, other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

Council	Adopt a Complaints Handling Policy.
Council Members	Ensure any complaints received are referred to an employee to process.
Chief Executive Officer	Ensure the Complaints Handling Policy is implemented and subject to periodic evaluation and review.
Employees	Ensure the Policy principles are applied when dealing with complaints and appropriately allocate and manage complaints as received.

5. Relevance to Risk Appetite Statement

Regulatory Compliance

The City of Playford has ZERO TOLERANCE for non-compliance with applicable legislation.

This Policy addresses this risk by ensuring compliance with Section 270 of the *Local Government Act 1999*, which requires Council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.

Service Delivery

The City of Playford has a **MODERATE** appetite for supporting and enhancing existing services and programs to improve the social, recreation and health and wellbeing outcomes for residents.

This Policy addresses this risk by ensuring that Council has procedures and processes in place to provide a fair, consistent and structured process for Council's customers if they are dissatisfied with a Council action, decision or service and wish to lodge a complaint.

Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation.

This Policy addresses the risk to reputation by ensuring appropriate procedures and processes to manage complaints are documented in policy and provides a structured, transparent and accountable complaints handling process for the community.

6. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no. 3978347

Version no. 5

Procedure link Complaints Handling Procedure
Policy author General Manager Corporate Services

Endorsed by Council

Resolution no.

Legal requirement Local Government Act 1999 – Section 270

Review schedule Every 4 years

Date of current version 2024

Date of next review TBC

Version history

version mst	лу		
Version no.	Approval date	Approval by	Change
1	23 March 2010	Ordinary Council Resolution No. 1555	New Policy
2	22 March 2016	Ordinary Council Resolution No. 2519	 New Corporate Template Change of Policy Name Entire Re-Structure Incorporation of additional elements as per section 270 of the Local Government Act 1999
3	28 February 2017	Ordinary Council Resolution No. 2805	 Addition of review timeframe for Tier 3 complaints – Internal review of a Council decision. Addition of the Rate Relief Policy under 5.5

4	25 May 2021	Ordinary Council	
		Resolution No. 4629	
5		Ordinary Council Resolution No.	Reference to Code of Conduct for Council Members substituted with Behavioural Management Policy and Procedure.



Complaints Handling Procedure

Procedure Author	General Manager Corporate Services
Date of next review	TBC

1. Purpose

This Procedure commences at the point that a complaint is received by the Council and covers the process for:

- · receiving, managing and resolving complaints;
- · using complaints to inform service improvements.

The aim of this Procedure is to ensure that the Council handles complaints fairly, effectively and efficiently. Council employees will act with integrity and impartiality, demonstrating good customer service and undertaking their responsibilities in an efficient and effective manner, using their judgement where necessary to ensure outcomes in accordance with the Complaints Handling Policy.

2. References and Supporting Documentation

This Procedure is to be read in conjunction with the Complaints Handling Policy.

3. Application

Council Members	Ensure any complaints received are referred to an employee to process.
Chief Executive Officer	Ensure the Complaints Handling Policy and Procedure are implemented and subject to periodic evaluation and review.
Employees	Ensure the Policy principles are applied when dealing with complaints and appropriately allocate and manage complaints received, in accordance with this Procedure.

4. Procedure

4.1 Making a Complaint

4.1.1 Complaints can be made in the following ways:

By phone: 8256 0333

Email: Playford@playford.sa.gov.au

In writing: 12 Bishopstone Road

Davoren Park SA 5113

In person: 10 Playford Boulevard Elizabeth SA 5112

- 4.1.2 It is essential that no one is excluded from making a complaint because of any difficulties they may have in doing so. All employees are expected to offer assistance where appropriate and upon request, including assistance with documenting the complaint in writing when circumstances warrant. If necessary, access to interpreters, aids or advocates will be arranged to ensure that everyone is treated equitably.
- 4.1.3 A person making a complaint will generally be required to:
 - · Identify the issue, and if applicable, who the subject of the complaint is;
 - Identify themselves by providing their name, address, contact number(s) and/or email address:
 - Be specific and provide as much information as possible relevant to the complaint and to assist with the assessment and/or investigation of the issue raised
- 4.1.4 A person making a verbal complaint will be encouraged to put their complaint in writing. If a person does not wish to put their complaint in writing, verbal complaints will be documented by the Council employee receiving the complaint. An employee receiving a verbal complaint may ask the person making the complaint to put it in writing, if the request is complex.
- 4.1.5 In accordance with the Behavioural Management Policy and Procedure, Complaints alleging a Council Member's breach of the Behavioural Standards must be made in writing.
- 4.2 Receiving, managing and resolving complaints
- 4.2.1 Complaints handling generally consists of two stages:

Stage 1 - Immediate response to resolve a complaint

It is preferable that complaints are dealt with promptly at the initial point of contact and at the appropriate officer level. Accordingly, all Council employees are empowered to handle and attempt to resolve complaints in the first instance. Dealing with a complaint at this level can include referral to another officer to deal with the complaint. This would be required in circumstances where the complaint relates to the conduct or actions of a Council employee, where a different employee is required to handle the complaint.

Stage 2 - Complaint escalated to a more senior officer

A complaint will be directed to a more senior employee of the Council where circumstances indicate that the complaint would be more appropriately handled at a more senior level. This may occur, for example, where an employee has been involved in the issue that is the subject of the complaint, where the complaint is about an issue that requires a decision to be made at a more senior level by an employee with authority to deal with the complaint, or where a complaint concerns a matter that ranges across more than one Council work area.

4.2.2 All complaints are to be recorded in Council's corporate records management system as soon as the complaint is received.

- 4.2.3 All complaints received in writing (such as letters, emails etc.) will be acknowledged within one business day of receipt. For requests made in person, by phone or via online services, these will be acknowledged at the time of receipt.
- 4.2.4 The identity of people making complaints will be protected where it is practicable and appropriate to do so.
- 4.2.5 Personal information about other persons relevant to a complaint, including any adverse findings or conclusions made about other persons, will not be disclosed to the complainant unless disclosure is required by law.
- 4.2.6 A Council Member who receives a complaint is required to refer the complaint to an employee to process.

4.3 Anonymous complaints

4.3.1 Anonymous complaints will be investigated by Council where there is enough information provided to investigate the matter.

4.4 Unreasonable conduct by a person making a complaint

4.4.1 A person(s) making a complaint has a responsibility to act in a reasonable manner towards employees. Unreasonable conduct including unreasonable demands, argumentative or aggressive behaviour by a person(s) making a complaint may result in no action being taken.

4.5 Assignment of complaints

- 4.5.1 Assignment of a complaint will include determining who will investigate and at what level the complaint should be dealt with in the first instance.
- 4.5.2 A complaint will not be dealt with by an employee whose conduct or actions are the subject of the complaint.
- 4.5.3 Wherever possible, complaints will be handled independently of the original decision-maker or employee involved in the matter that is the subject of the complaint.
- 4.5.4 Complaints that proceed to Stage 2 will be referred to a more senior employee who has the authority and expertise to deal with the complaint.
- 4.5.5 If the complaint relates to the conduct or actions of the Chief Executive Officer, it will be referred to the elected body of the Council and dealt with at the Stage 2 level. In that instance, the elected body may seek the assistance of external advisers to assist it in dealing with the complaint and administrative support will be provided to the elected body by the Manager Governance.

4.6 Representatives of person(s) making a complaint

- 4.6.1 If a person prefers or needs assistance in making and/or resolving their complaint, the Council employee dealing with the complaint will request that this be communicated to the Council in writing (and will assist the person to do so if required). Once this request has been received, all communication (or such communication as the person has requested) will be through their representative.
- 4.6.2 Where similar complaints are made by related parties, the Council employee dealing with the complaint will endeavour to arrange to communicate with a single representative of the group by requesting the related parties nominate a single representative in writing.

5. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333

Administration use only

ECM document set no. 3978344

Version no.

Policy link Complaints Handling Policy

Procedure author General Manager Corporate Services

Endorsed by Council

Resolution no.

Legal requirement Local Government Act 1999 – Section 270

Review schedule Every 4 years

Date of current version 2024

Date of next review TBC

Version history

Version no.	Approval date	Approval by	Change
1	22 March 2016	Ordinary Council Resolution No. 2519	New Procedure
2	1 June 2016	Governance	Added to 5.3
			Note: If a complaint is received (Tier 2 or 3) but not marked 'Confidential', City of Playford will

accept it as such and treat it confidentially.

3 25 May 2021

Ordinary Council

Resolution No. 4629

Comprehensive update. Process more concise. Removed sections that constituted work instructions or training material. Removed references to Internal Reviews of Council decisions as these do not constitute complaints.

COI

4

Ordinary Council
Resolution No.

Reference to Code of Conduct substituted with reference to Behavioural Management Policy

and Procedure.



Complaints Handling Policy

Policy Author	General Manager Strategy and Corporate Services
Date of next review	June <u>TBC 2023</u>

1. Statement of Intent

Council delivers an extensive range of services, programs, and infrastructure to the local community. The Council welcomes complaints as an important part of continuous quality improvements in the delivery of services and customer experience...

The Council is committed to handling and resolving complaints fairly, efficiently, and effectively and treating complainants equally and respectfully.

This pPolicy, together with the Complaints Handling Procedure, is intended to:

- enable the Council to respond to complaints in a timely and consistent manner;
- enhance public confidence in the Council; and
- provide information that the Council can use to inform service improvements.

Emphasis will be placed on resolving complaints as quickly as possible, however, where complaints cannot be settled in the first instance, Council will ensure that they are dealt with through the appropriate processes and procedures.

This $\underline{\underline{Po}}$ olicy is based on five principles which are fundamental to the way $\underline{\underline{the}}$ -Council approaches complaint handling.

Fairness

- Each complaint will be addressed with integrity and in an equitable and unbiased manner.
- Each complaint will be assessed on its merits.
- The person handling the complaint will be different to any staff member whose service, action
 or conduct is being complained about.
- Conflicts of interests will be managed in accordance with relevant legislation.

Accessibility

- The Council will ensure this Policy is accessible on Council's website and a range of contact
 options are available to allow the public to make a complaint.
- The Council will take all reasonable steps to ensure that no one making a complaint is adversely affected because a complaint has been made by them or on their behalf.
- There is no charge to make a complaint to the Council.
- The Council accepts anonymous complaints where there is enough information provided to investigate the issue raised.

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 If a person prefers or needs another person or organisation to assist themassistance in making and/or resolving their complaint, the Council will communicate with them through their representative if that is their wish.

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Responsiveness

- The Council will acknowledge receipt of complaints promptly, and promptly and is committed
 to managing people's expectations and keeping them informed as to the progress of their
 complaint, including when initial timeframes cannot be meet.
- Complaints will be prioritised based on urgency and/or seriousness of the issue being complained about.
- The-Council will advise people as soon as possible if their Council complaint is unable to be
 dealt with their complaint and will provide advice as to where their complaint may be directed
 (if known and appropriate).

Efficiency

- The Council will seek to resolve complaints promptly and with as little formality as possible.
- Where necessary and appropriate to—for the efficient and effective management of a complaint, integration of different areas of the Council will occur.

Confidentiality

The Council will protect the identity of people making complaints where this is practicable and appropriate.

2. Scope

This Policy applies to complaints from the public about the actions of the Council, employees of the Council and other persons acting on behalf of the Council, except where this Policy provides otherwise

This Policy does not apply to matters that do not fall within Council's jurisdiction. Some complaints may fall all-outside the scope of this Policy as an alternative statutory process may exist in other legislation.

All employees who may be involved in receiving, processing, managing, considering or responding to a complaint in the course of their official functions and duties as an employee of the Council must abide by this Policy.

Staff grievances, code of conduct or Behavioural Standards complaints, requests for the provision of a service or the improvement of a service, requests for an internal review of a Council decision and disclosures of public interest information are dealt with through separate mechanisms.

3. Legislation and References

This Policy is to be read in conjunction with the Complaints Handling Procedure.

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Related documents include:

- Local Government Act 1999 Section 270
- Independent Commissioner Against Corruption (ICAC) Act 2012 (ICAC Act) Ombudsman Act 1972
- Public Interest Disclosure Act 2018
- Behavioural Standards for Council Members
 Internal Review of a Council Decisions Procedure
- Request for Service Policy and Procedure
- Request for Service Procedure
 Code of Conduct for Council Members Behavioural Management Policy and Procedure
- Code of Conduct for Council Employees
- Code of Conduct for Council Member Complaints Handling Procedure
- Public Interest Disclosure Procedure
- City of Playford Global Glossary

This Policy should not be considered as the only document that may relate to complaints handling, other tiers of government, agencies or organisations may have legislation or policies that also apply.

Application

Council	Adopt aa Complaints Handling Policy.
Council Members	Ensure any complaints received are referred to an employee to process.
Chief Executive Officer	Ensure the Complaints Handling Policy is implemented and subject to periodic evaluation and review.
Employees	Ensure the Policy principles are applied when dealing with complaints and appropriately allocate and manage complaints as received.

5. Relevance to Risk Appetite Statement

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation.

This Policy addresses this risk by ensuring compliance with Section 270 of the Local Government-Act 1999, which requires Council to develop and maintain policies, practices and procedures for dealing with complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.

Service Delivery

The City of Playford has a MODERATE appetite for supporting and enhancing existing services and programs to improve the social, recreation and health and wellbeing outcomes for residents.

This Policy addresses this risk by ensuring that Council has procedures and processes in place to provide a fair, consistent and structured process for Council's customers if they are dissatisfied with a Council action, decision or service and wish to lodge a complaint.

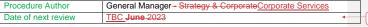
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				Local Government Act 1999
1	3	28 February 2017	Ordinary Council Resolution No. 2805	 Addition of review timeframe for Tier 3 complaints – Internal review of a Council decision. Addition of the Rate Relief Policy under 5.5
	4	25 May 2021	Ordinary Council	
			Resolution No. 4629	
	<u>5</u>		Ordinary Council	Reference to Code of
			Resolution No.	Conduct for Council Members substituted with
				Behavioural Management Policy and Procedure.
•				

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Complaints Handling Procedure



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1. Purpose

This Procedure commences at the point that a complaint is received by the Council and covers the process for:

- · receiving, managing and resolving complaints;
- using complaints to inform service improvements.

The aim of this Procedure is to ensure that the Council handles complaints fairly, effectively and efficiently. Council employees will act with integrity and impartiallity, demonstrating demonstrate good customer service and undertakinge their responsibilities in an efficient and effective manner, using their judgement where necessary to ensure outcomes in accordance with the Complaints Handling Policy.

2. References and Supporting Documentation

This Procedure is to be read in conjunction with the Complaints Handling Policy.

3. Application

Council Members	Ensure any complaints received are referred to an employee to process.
Chief Executive Officer	Ensure the Complaints Handling Policy and Procedure isare implemented and subject to periodic evaluation and review.
Employees	Ensure the Policy principles are applied when dealing with complaints and appropriately allocate and manage complaints received, in accordance with this Procedure.

4. Procedure

4.1 Making a Complaint

4.1.1 Complaints can be made in the following ways:

By phone: 8256 0333

Email: Playford@playford.sa.gov.au

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12 Bishopstone Road Davoren Park SA 5113 In writing: In person: 10 Playford Boulevard Elizabeth SA 5112 It is essential that no one is excluded from making a complaint because of any Formatted: Justified difficulties they may have in doing so. All employees are expected to offer assistance where appropriate and upon request, including assistance with documenting the complaint in writing when circumstances warrant. If necessary, access to interpreters, aids or advocates will be arranged to ensure that everyone is treated equitably. 4.1.3 A person making a complaint will generally be required to: Identify the issue, and if applicable, who is the subject of the complaint is; Identify themselves _by_providing their nName, aAddress, cContact*nNumber(s) and/or eEmail Aaddress; Formatted: Justified Be specific and provide as much information as possible relevant to the complaint and to assist with the assessment and/or investigation of the issue raised 4.1.4 A person making a verbal complaint will be encouraged to put their complaint in writing. If a person does not wish to put their complaint in writing, verbal complaints will be documented by the Council employee receiving the complaint. An employee receiving a verbal complaint may ask the person making the complaint to put it in writing, if the request is complex,, but will not be required to do so unless the request pertains to a relating to a Council Member. Code of Conduct matter relating to a Council Member. Formatted: Not Highlight Formatted: Normal, Left 4.1.44.1.5 In accordance with the Behavioural Management Policy and Procedure, Complaints alleging a Council Member's breach of the Behavioural StandardsCode of Conduct complaints relating to a Council Member must be made in writing., in accordance with the Code of Conduct for Council Members Complaints Handling 4.2.0 If a person does not wish to put their complaint in writing, verbal complaints will* Formatted: Justified, Indent: Left: 1.27 cm, No bullets be documented by the Council employee receiving the complaint. An employee receiving a verbal complaint may ask the person making the complaint to put it in writing, if the request is complex. Formatted: Justified Formatted: Justified, Indent: Left: 1.27 cm 4.34.2 Receiving, managing and resolving complaints Formatted: Justified Complaints handling generally consists of two stages: Stage 1 - Immediate response to resolve a complaint It is preferable that complaints are dealt with promptly at the initial point of contact and at the appropriate officer level. Accordingly, all Council employees are empowered to handle and attempt to resolve complaints in the first instance. Dealing with a complaint at this level can include referral to another officer to deal with the complaint. This would be required in circumstances where the complaint relates to the conduct or actions of a Council employee, where a different employee is required to handle the complaint. Stage 2 - Complaint escalated to a more senior officer 2

A complaint will be directed to a more senior employee of the Council, where circumstances indicate that the complaint would be more appropriately handled at a more senior level. This may occur, for example, where an employee has been involved in the issue that is the subject of the complaint, where the complaint is about an issue that requires a decision to be made at a more senior level by an employee with authority to deal with the complaint, or where a complaint concerns a matter that ranges across more than one Council work area.

- All complaints are to be recorded in Council's corporate records management 4.3.24.2.2 system as soon as the complaint is received.
- 2.3 All complaints received in writing (<u>such as letters_r_</u>-emails_etc.) will be acknowledged within one business day of receipt. For requests made in person, by phone or via online services, these will be acknowledged at the time of receipt.
- 4.2.4 The identity of people making complaints will be protected where it is practicable and appropriate to do so.
- 4.3.44.2.5 Personal information about other persons relevant to a complaint, including any adverse findings or conclusions made about other persons, will not be disclosed to the complainant unless disclosure is required by law.
- 4.3.54.2.6 A Council Member who receives a complaint is required to refer the complaint to an employee to process.

4.44.3 Anonymous complaints

_Anonymous complaints will be investigated by Council where there is enough information provided to investigate the matter.

4.54.4 Unreasonable conduct by a person making a complaint

4.4.1 A person(s) making a complaint has a responsibility to act in a reasonable manner towards employees. Unreasonable conduct including unreasonable demands, argumentative or aggressive behaviour by a person(s) making a complaint may result in no action being taken.

4.64.5 Assignment of complaints

- 5.1 Assignment of a complaint will include determining who will investigate and at what level the complaint should be dealt with in the first instance.
- _A complaint will not be dealt with by an employee whose conduct or actions 4.6.24.5.2 are the subject of the complaint.
- _Wherever possible, complaints will be handled independently of the original 4.6.34.5.3 decision-maker or employee involved in the matter that is the subject of the complaint.
- _Complaints that proceed to Stage 2 will be referred to a more senior employee who has the authority and expertise to deal with the complaint.

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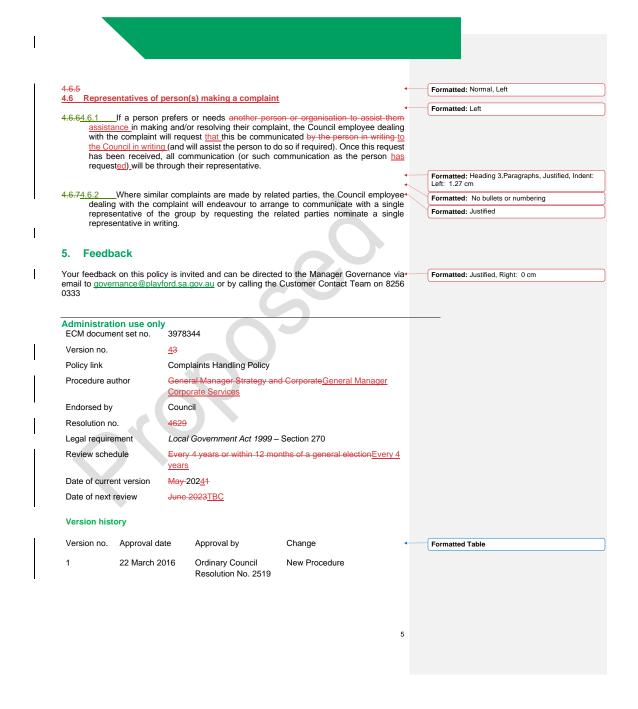
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4.5.5 If the complaint relates to the conduct or actions of the Chief Executive Officer, it will be referred to the elected body of the Council and dealt with at the Stage 2 level. In that instance, the elected body may seek the assistance of external advisers to assist it in dealing with the complaint and administrative support will be provided to the elected body by the Manager Governance.



	2	1 June 2016	Governance	Added to 5.3
!				Note: If a complaint is received (Tier 2 or 3) but not marked 'Confidential', City of Playford will accept it as such and treat it confidentially.
	3	25 May 2021	Ordinary Council	Comprehensive update. Process
			Resolution No. 4629	more concise. Removed sections that constituted work instructions or training material. Removed references to Internal Reviews of Council decisions as these do not constitute complaints.
	<u>4</u>		Ordinary Council Resolution No.	Reference to Code of Conduct substituted with reference to Behavioural Management Policy and Procedure.

14.3 BUILDING UPGRADE FINANCE (BUF) POLICY

Responsible Executive Manager: Sam Green

Report Author: Trisca Price

Delegated Authority: Matters which cannot be delegated to a Committee or Staff

Attachments: 14. Proposed Building Upgrade Finance Policy

2. Track Changes - Building Upgrade Finance Policy3. Building Upgrade Finance Endorsement Procedure

PURPOSE

For Council to endorse the proposed review of the Building Upgrade Finance (BUF) Policy (Attachment 1).

STAFF RECOMMENDATION

- 1. Council endorse the proposed Building Upgrade Finance (BUF) Policy (Attachment 1).
- 2. Council authorise the CEO to make further minor amendments to the Building Upgrade Finance Policy (Attachment 1) that do not alter the intent of the document.

COMMITTEE RECOMMENDATION

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- Council endorse the proposed Building Upgrade Finance (BUF) Policy (Attachment
 subject to the following amendments:
 - The building owner has no overdue debts to the Organisation, or its subsidiaries and is not in dispute with the Organisation or its subsidiaries regarding any matter.
- 2. Council authorise the CEO to make further minor amendments to the Building Upgrade Finance Policy (Attachment 1) that do not alter the intent of the document.

EXECUTIVE SUMMARY

The Building Upgrade Finance (BUF) Policy has been subject to a scheduled review since its implementation in 2019.

This review ensures that the Policy is reviewed in line with South Australia's BUF mechanism under the *Local Government Act 1999* (the Act) and the *Local Government (Building Upgrade Agreements) Regulations 2017*.

1. BACKGROUND

The Building Upgrade Finance (BUF) Policy was implemented in 2019 to allow Council to enter into a Building Upgrade Agreement (BUA) with eligible ratepayers in line with South Australia's mechanism under the Act and the *Local Government (Building Upgrade Agreements) Regulations 2017.*

This policy provides an innovative way to finance a building upgrade consistent with:

- improving the energy, water and environmental efficiency of buildings that are used primarily for non-residential purposes, constructed at least 2 years ago. This also includes:
 - works that prevent or reduce pollution or eliminate or reduce the discharges of wastes or other substances harmful to the environment; or
 - works that reduce the use of materials or enable the recovery or recycling of materials.
- heritage building: restoration, facilitating ongoing occupation; and compliance with the Building Rules or the *Disability Discrimination Act 1992* of the Commonwealth.

This policy also provides guidance to the parties of an agreement between a Building Owner, Finance Provider, Council and Developer (in some cases) for entering into a Building Upgrade Agreement consistent with South Australia's Building Upgrade Finance mechanism.

A Building Upgrade Agreement register is also maintained by Council in accordance with Section 13 of Schedule 1B of the *Local Government Act 199*9.

2. RELEVANCE TO STRATEGIC PLAN

Community Theme 4: Supporting business and local employment opportunities

The BUF Policy articulates the Council's strategies to effectively facilitate commercial and industrial growth and facilitate increased economic activity leading to a more sustainable economy.

3. PUBLIC CONSULTATION

There is no requirement for public consultation regarding the review of this Policy.

Once endorsed by Council, the updated Policy will be made available on Council's website.

4. DISCUSSION

- 4.1 The following amendments have been made to the proposed BUF Policy (Attachment 1):
 - Additional information to recognise potential for a Developer to be part of a BUA.
 - Alignment to a new Council Policy template and the Council's Strategic Plan 2020-24 including risk and responsibilities.
 - Inclusion of the requirement for BUA's to be endorsed by Council.

A track changes version has also been provided for further reference (Attachment 2).

4.2 The Building Upgrade Finance Enforcement Procedure referred to in section 3 of the Policy is included for your reference (Attachment 3). This document has not been updated as it is only a new procedure created and approved back in April 2022 and not due for review till April 2024.

5. OPTIONS

Recommendation

- 1. Council endorse the proposed Building Upgrade Finance (BUF) Policy (Attachment 1).
- 2. Council authorise the CEO to make further minor amendments to the Building Upgrade Finance Policy (Attachment 1) that do not alter the intent of the document.

Option 2

1.	Council endorse the proposubject to the following am		Upgrade	Finance	(BUF) Policy	(Attachment	I)
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2. Council authorise the CEO to make further minor amendments to the Building Upgrade Finance Policy (Attachment 1) that do not alter the intent of the document.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The recommendation to endorse the Building Upgrade Finance (BUF) Policy (Attachment 1) ensures the documentation is compliant with the BUA and legislative obligations.

Risk Appetite

Environmental Impact

Council has a low appetite for discretionary environmental impacts that may arise from its business strategies and operations. Council is committed to managing the environmental impact of its activities by seeking to develop solutions that reduce both environmental impacts and costs.

This decision will enable eligible business ratepayers to invest in environment upgrades which may not otherwise be viable due to lending restrictions from the traditional banking sector.

Financial Sustainability

Council has a low appetite for short-term financial risk that adversely impacts on the delivery of the long term financial plan and the Council's overall stability and sustainability.

This decision will ensure that any BUA is in accordance with the guiding legislative obligations which ensures low financial risk for Council.

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but

not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

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This decision will ensure the legislative compliance is maintained for the proposed policy.

6.1.2 Financial Implications

There are no financial or resource implications.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

Option 2 facilitates the endorsement of the Building Finance Upgrade Policy subject to any amendments. Any amendments made to the policy must be compliant with legislative requirements.

6.2.2 Financial Implications

Any financial implications associated with the endorsement of the proposed Building Finance Upgrade Policy with amendment, will be dependent on the amendments made.



Building Upgrade Finance (BUF) Policy

Policy Author	General Manager Strategy and Corporate
Date of next review	May 2027

1. Statement of Intent

Building Upgrade Finance (BUF) is a mechanism designed to help stimulate investment and jobs in South Australia, while also delivering environmental outcomes.

BUF is consistent with the objectives of the City of Playford's Strategic Plan 2020-2024 and in particular:

- Facilitating commercial and industrial growth
- Facilitating increased economic activity leading to a more sustainable economy.

Council will consider entering into a Building Upgrade Agreement (BUA) with eligible ratepayers consistent with South Australia's BUF mechanism under the *Local Government Act 1999* and the *Local Government (Building Upgrade Agreements) Regulations 2017*.

2. Scope

BUF involves three parties:

- The Building Owner, who wishes to uses the scheme to fund a building upgrade.
- A Finance Provider who agrees to lend the Building Owner Building Upgrade funds; and
- Council, who agrees to collect the loan repayment, through levying a Building Upgrade Charge (BUC) against the land on which the building is situated.

In some cases a Developer may also be included in a BUF arrangement so they can construct the works on behalf of the Building Owner.

A BUF arrangement is conducted under a Building Upgrade Agreement (BUA) which is completed by the Finance Provider and signed off by the Building Owner and Council (and Developer if necessary)

Council will only enter into a BUA if the following criteria are met:

Upgrade Works

 The proposed works are consistent with the relevant provisions of Schedule 1B of the Local Government Act 1999 and Local Government (Building Upgrade Agreements) Regulations 2017.

Building

- The building is located in the City of Playford, Local Government Area and was constructed at least 2 years ago.
- The building is a prescribed building under the *Local Government Act 1999*, used primarily for commercial, industrial or other non-residential purposes.
- There are no encumbrances noted or registered on the title for the Building which may impact on the Organisation exercising its enforcement rights.

Building Owner

- The Building Owner has successfully completed and submitted a BUA Application Form to the Organisation.
- The Building Owner has provided the Organisation with a Statutory Declaration that satisfies the Local Government Act 1999 Schedule 1B clause 2 (5) and (6) requirements.
- The Building Owner has no overdue debts to the Organisation and is not in dispute with Organisation regarding any matter.

Finance Provider

The Finance Provider acknowledges and agrees that it has undertaken a credit assessment
of the Building Owner and is satisfied that at the Commencement Date the Building Owner
is able to comply with its obligations under the BUA.

Council will:

- Issue billing notices to the Building Owner on a quarterly basis showing the Building Upgrade Charge (BUC) in accordance with the Agreed Repayment Arrangements
- · Only accept payment of a BUC via direct debit;
- Charge the Building Owner all applicable fees/charges (as defined in the BUA), including in the event that the Building Owner fails to pay the BUC on the Charge Payment Date
- Not be a party to any dispute that may arise between the Building Owner, a tenant or the Finance Provider as to any matter relating to a BUA.
- Only execute a BUA if endorsed by Council and executed by the Chief Executive Officer.
 Execution of a BUA cannot be delegated to another employee.

3. Legislation and References

- Building Upgrade Finance Enforcement Procedure
- Local Government Act 1999 Schedule 1B Building Upgrade Agreements
- Local Government (Building Upgrade Agreements) Regulations 2017

4. Application

Council	Endorse Chief Executive to enter into a Building Upgrade Agreement
Chief Executive Officer	Execute the Building Upgrade Agreement
Senior Manager Financial Services	Review BUA applications, finalise the BUA for endorsement and ensure policy and procedure is followed
Manager Rates	Issue quarterly instalment notices and collect funds via direct debit
Manager Finance	Remit funds to the Finance Provider

5. Relevance to Risk Appetite Statement

Environmental Impact

The City of Playford has a LOW appetite for discretionary environmental impacts.

This policy enables eligible business ratepayers to invest in environmental upgrades which may not otherwise be viable due to lending restrictions from the traditional banking sector.

Financial Sustainability

The City of Playford has a **LOW** appetite for short-term financial risk that adversely impacts.

This policy ensures that any BUA is in accordance with the guiding legislative obligations which ensures low financial risk for Council.

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation. Maintaining the policy and procedure ensures compliance is maintained.

6. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no. 4140112

Version no. 2

Procedure link Building Upgrade Finance Enforcement Procedure

Policy author General Manager – Strategy & Corporate

Endorsed by Council
Resolution no. xxxx

Legal requirement Schedule 1B of the Local Government Act 1999 and Local

Government (Building Upgrade Agreements) Regulations 2017

Review schedule Four Years

Date of current version May 2023

Date of next review May 2027

Version history

Version no. Approval date Approval by Change
1 28/05/2019 Council New Policy

2 Xxx Council Recognise potential for a

Developer to be part to a BUA, align to new Policy template and current Strategic Plan, include risks and responsibilities, require BUA's to be endorsed by Council.



Building Upgrade Finance (BUF) Policy

Policy Author	General Manager Strategy and Corporate
Date of next review	May 202 <u>7</u> 3

1. Statement of Intent

Building Upgrade Finance (BUF) is a mechanism designed to help stimulate investment and jobs in South Australia, while also delivering environmental outcomes.

BUF is consistent with the objectives of the City of Playford's Strategic Plan 2020-2024 and in particular:

- Facilitating commercial and industrial growth
- · Facilitating increased economic activity leading to a more sustainable economy.

Council will consider To set the guidelines for entering into a Building Upgrade Agreement (BUA) with eligible ratepayers consistent with South Australia's Building Upgrade Finance (BUF)BUF mechanism under the Local Government Act 1999, and the Local Government (Building Upgrade Agreements) Regulations 2017.

2. Scope

BUF involves three parties:

- The Building Oewner, who wishes to uses the scheme to fund a building upgrade.
- A <u>F</u>finance <u>P</u>provider who agrees to lend the <u>B</u>building <u>O</u>ewner, Building Upgrade funds;
 and
- Council, whoich agrees to collect the loan repayment, through levying a Building Upgrade Charge (BUC) against the land on which the building is situated.

In some cases a Developer may also be included in a BUF arrangement so they can construct the works on behalf of the Building Owner.

This three BUF party arrangement is conducted under a Building Upgrade Agreement (BUA) which is completed by the Finance Perovider and signed off by the Beuilding Oewner and Council (and Developer if necessary).

This policy will apply to all BUA involving the City of Playford.

The OrganisationCouncil will only enter into a BUA if the following criteria are met:

Upgrade Works

• The proposed works are consistent with the relevant provisions of Schedule 1B of the Local

Government Act 1999 and Local Government (Building Upgrade Agreements) Regulations 2017.

Building

- The building is located in the City of Playford, Local Government Area and was constructed at least 2 years ago.
- The building is a prescribed building under the Local Government Act 1999, used primarily for commercial, industrial or other non-residential purposes.
- There are no encumbrances noted or registered on the title for the Building which may impact on the Organisation exercising its enforcement rights.

Building Owner

- The Building Owner has successfully completed and submitted a BUA Application Form to the Organisation.
- The Building Owner has provided the Organisation with a Statutory Declaration that satisfies the Local Government Act 1999 Schedule 1B clause 2 (5) and (6) requirements.
- The Building Owner has no overdue debts to the Organisation and is not in dispute with Organisation regarding any matter.

Finance Provider

The Finance Provider acknowledges and agrees that it has undertaken a credit assessment
of the Building Owner and is satisfied that at the Commencement Date the Building Owner
is able to comply with its obligations under the BUA.

The Organisation Council will:

- Issue billing notices to the Building Owner on a monthly quarterly basis showing the Building Upgrade Charge (BUC) in accordance with the Agreed Repayment Arrangements
- Only accept payment of a BUC via direct debit;
- Charge the Building Owner all applicable fees/charges (as defined in the BUA), including in the event that the Building Owner fails to pay the BUC on the Charge Payment Date; and
- Not be a party to any dispute that may arise between the Building Owner, a tenant or the Finance Provider as to any matter relating to a BUA.

Only execute a BUA <u>if endorsed</u> by <u>Council and executed by the its</u>-Chief Executive Officer.
 Execution of a BUA cannot be delegated to another employee.

3. Legislation and References

- Building Upgrade Finance Enforcement Procedure
- Local Government Act 1999 Schedule 1B Building Upgrade Agreements
- Local Government (Building Upgrade Agreement) Amendment Act 2015
- Local Government (Building Upgrade Agreements) Regulations 2017

4. Application

Council	Endorse Chief Executive to enter into a Building Upgrade Agreement
Chief Executive Officer	Execute the Building Upgrade Agreement
Senior Manager Financial Services	Review BUA applications, finalise the BUA for endorsement and ensure policy and procedure is followed
Manager Rates	Issue quarterly instalment notices and collect funds via direct debit
Manager Finance	Remit funds to the Finance Provider

5. Relevance to Risk Appetite Statement

Environmental Impact

The City of Playford has a LOW appetite for discretionary environmental impacts.

This policy enables eligible business ratepayers to invest in environmental upgrades which may not otherwise be viable due to lending restrictions from the traditional banking sector.

Financial Sustainability

The City of Playford has a **LOW** appetite for short-term financial risk that adversely impacts_---

This policy ensures that any BUA is in accordance with the guiding legislative obligations which ensures low financial risk for Council.

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation. Maintaining the policy and procedure ensures compliance is maintained.

6. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no. 4140112

Version no. 2

Procedure link Building Upgrade Finance Enforcement Procedure

Policy author General Manager – Strategy & Corporate

Endorsed by Council
Resolution no. xxxx

Legal requirement Schedule 1B of the Local Government Act 1999 and Local

Government (Building Upgrade Agreements) Regulations 2017

Review schedule AnnuallyFour Years

Date of current version May 2023

Date of next review May 20274

Version history

Version no.	Approval date	Approval by	Change
1	28/05/2019	Council	New Policy

2 Xxx Council Annual

ReviewRecognise
potential for a Developer
to be part to a BUA, align
to new Policy template
and current Strategic
Plan, include risks and
responsibilities, require
BUA's to be endorsed by

Council.

Building Upgrade Finance Enforcement Procedure



Procedure Author	General Manager Strategy and Corporate
Date of next review	June 2024

1. Purpose

This Procedure sets out the process for collection of the Building Upgrade Charge (BUC). In line with the Building Upgrade Agreement (BUA), Council will use its best endeavours to apply this Procedure to recover the BUC and any other fees, fines, costs and interest.

Council will ensure that collection of debts is done so fairly and equitably.

2. References and Supporting Documentation

- This Building Upgrade Finance Enforcement Procedure should be read in conjunction with the Building Upgrade Finance Policy.
- Building Upgrade Finance Internal process.
- Local Government Act 1999, Schedule 1B.
- Local Government (Building Upgrade Agreements) Regulations 2017.

3. Application

Senior Manager Financial	Coordinate Building Upgrade Finance application and
Services	processes.
Manager Finance	Manage the financial functions.
Manager Rates	Manage the rating functions.
Rates Officer	Maintain assessment, invoice and collect the BUF charges.
Finance Partner	Oversee the financial functions and ensure payment transfer to finance provider.

4. Procedure

4.1 Issue of BUC Notice and Direct Debit

A BUC Notice will be issued to the building owner. The building owner must provide Council a completed and signed direct debit authority to ensure payment of the charges over the life of the BUA.

Council will process the direct debit on the quarterly BUC notice due dates.

4.2 Failure of Direct Debit

Upon notification that a building owner's direct debit has been unsuccessful, for whatever reason, or if any other payment required to be made by the building owner under the BUA has not been made, Council will notify the building owner and finance provider in writing. This notification (the notice from Council) will constitute a first and final demand to the building owner.

The finance provider will advise Council of any interest or other charges payable to the finance provider by the building owner no later than 3 business days of receipt of the Notice from Council. A late payment fee, in accordance with the BUA will be charged to the building owner by Council on each occasion that a payment has not been received by Council from the building owner in accordance with the BUA.

It is the building owner's responsibility to contact and agree with the Council an alternative payment arrangement for any overdue amounts. Council is not obliged to agree to any alternative payment arrangement but will consider any such a request on its merits. Where a building owner has not made contact with Council, and/or obtained an agreement from Council as to an alternative payment arrangement within 14 business days from receipt of the Notice from Council, Council may commence legal action in accordance with this Procedure.

4.3 Penalty Interest, fees, and charges

Where any overdue amount required to be paid by the building owner under the BUA remains unpaid, penalty interest, fees and charges will be applied in line with the BUA, and Council's Fees and Charges Schedule.

4.4 Legal Action

Any unpaid BUC including fees, interest, and other charges payable by the building owner to the Council or finance provider may be referred to an external debt collection agency or solicitor to initiate a formal debt recovery process which may include court action.

It is at Council's discretion, in consultation with the finance provider, as to what if any enforcement action Council will take in respect of any unpaid amounts.

Where an amount for which the building owner is liable in respect of a BUA remains unpaid for more than 3 years the Council may sell the land in accordance with the Local Government Act 1999 and Local Government (Building Upgrade Agreements) Regulations 2017.

4.5 Best Endeavours

The Council will be taken to have exhausted its best endeavours to recover an outstanding BUC if, the relevant BUC and all associated fees, costs and charges are paid in full, or the land which is the subject of the BUA is sold. Council will not take any further recovery action once the BUC ceases to be a charge on the land.

5. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no. 4172764

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COMMITTEE REPORTS

STRATEGY AND SERVICES COMMITTEE

Matters which cannot be delegated to a Committee or Staff

14.4 AMENDMENT TO DELEGATIONS REGISTER

Responsible Executive Manager: Luke Culhane

Report Author: Kiraly Gosnell

Delegated Authority: Matters which cannot be delegated to a Committee or Staff

Attachments: 1 ... Instrument of General Approval and Delegation to Council

PURPOSE

To provide Council with an opportunity to review an amendment to authorised persons pursuant to Clause A.7 of the General Approval to ensure it aligns with legislative requirements.

STAFF RECOMMENDATION

That Council makes the following amendments to its Delegations Register:

- 1. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'General Approval') (Attachment 1) the Council authorises the following persons pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such persons shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:
 - Najibullah Mozaffari
 - Susheel Chimnani
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Wahidullah Yousafzai
 - Aravinthan Udayak
 - Adithya Joshy
- 2. In accordance with Clause A.7 of the General Approval, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:
 - Najibullah Mozaffari
 - Susheel Chimnani
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Wahidullah Yousafzai
 - Aravinthan Udavak
 - Adithya Joshy
- 3. In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:

- Najibullah Mozaffari
- Susheel Chimnani
- Neil Langley
- Kean Fai Lau
- Kym Ashby
- Wahidullah Yousafzai
- Aravinthan Udayak
- Adithya Joshy
- 4. Council's previous authorisation to Derek Langman and Jason Yii pursuant to clause A.7 of the General Approval to endorse Traffic Impact Statements for the purpose of clause A of the General Approval is hereby revoked.

COMMITTEE RECOMMENDATION

5730

That Council makes the following amendments to its Delegations Register:

- 1. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'General Approval') (Attachment 1) the Council authorises the following persons pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such persons shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:
 - Najibullah Mozaffari
 - Susheel Chimnani
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Wahidullah Yousafzai
 - Aravinthan Udavak
 - Adithya Joshy
- 2. In accordance with Clause A.7 of the General Approval, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:
 - Najibullah Mozaffari
 - Susheel Chimnani
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Wahidullah Yousafzai
 - Aravinthan Udavak
 - Adithya Joshy
- 3. In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:
 - Najibullah Mozaffari
 - Susheel Chimnani
 - Neil Langley

- Kean Fai Lau
- Kym Ashby
- Wahidullah Yousafzai
- Aravinthan Udayak
- Adithya Joshy
- 4. Council's previous authorisation to Derek Langman and Jason Yii pursuant to clause A.7 of the General Approval to endorse Traffic Impact Statements for the purpose of clause A of the General Approval is hereby revoked.

EXECUTIVE SUMMARY

Quarterly amendments to the delegations provided for in the relevant Acts applicable to Local Government are released through the Local Government Association (LGA).

A review of delegations is required to be undertaken by Council in accordance with Section 44(6) of the *Local Government Act 1999* (Act) where there have been changes to relevant legislation. Amendments to the Delegations Register cannot be delegated to the Chief Executive Officer (CEO).

This quarter staff movements have resulted in changes to the delegations register, specifically an update to authorisations under the Instrument of General Approval and Delegation to Council.

1. BACKGROUND

Councils delegate their powers and functions under Section 44 of the Act to enable nominated positions to act on behalf of Council in relation to the specific matters delegated. Delegating powers facilitates the effective and efficient day to day operations and decision-making processes of the Council. Delegations do not remove the power of the Council as an elected (and governing) body to make decisions on the matters they choose to delegate.

While Council may choose to review its delegations at any time, from time-to-time legislation upon which Council's delegations are based may change. In turn this requires Council to review its relevant delegations. This report covers the latest amendment since the last review of delegations in September 2023.

2. RELEVANCE TO STRATEGIC PLAN

<u>Decision-making filter</u>: We will ensure that we meet our legislative requirements and legal obligations.

The amendment of Council's Delegations Register will ensure that we meet our legislative requirements and legal obligations providing a rigorous level of accountability.

3. PUBLIC CONSULTATION

There is no requirement to consult the public on this matter.

4. DISCUSSION

- 4.1 The Minister for Transport and Infrastructure granted delegations to the Council under the Instrument of General Approval and Delegation (dated 22 August 2013) (General Approval) (Attachment 1). The General Approval permits the Council to:
 - (a) sub-delegate the powers under Section 33(1) of the *Road Traffic Act 1961*; and
 - (b) authorise employees of the Council to exercise the powers under Sections 17 and 20 of the *Road Traffic Act 1961*.
- 4.2 The General Approval includes various conditions which apply to the exercise of the Council's power to install, maintain, alter, operate or remove any traffic control device as follows:
 - (a) Clause A.7 A Traffic Impact Statement must be prepared by a person who the Council considers is an experienced traffic engineering practitioner; and
 - (b) Clause A.7 The Traffic impact Statement must be endorsed by a person authorised by the Council.
- 4.3 The General Approval requires all traffic control devices for the purpose of an event other than those specified in Clause A.8 to be installed in accordance with a Traffic Management Plan prepared by a person who in the opinion of the Council has an appropriate level of knowledge and expertise in the preparation of traffic management plans (Clause E.2). The recommendation includes wording for Council to authorise staff under these requirements.

If Council resolves to grant the above authorisations, it will come into operation on 28 February 2024.

5. OPTIONS

Recommendation

That Council makes the following amendments to its Delegations Register:

- 1. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'General Approval') (Attachment 1) the Council authorises the following persons pursuant to Clause A.7 of the General Approval to endorse Traffic Impact Statements for the purposes of Clause A of the General Approval provided that such persons shall take into account the matters specified in Clause A.7 of the General Approval in respect of Traffic Impact Statements:
 - Najibullah Mozaffari
 - Susheel Chimnani
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Wahidullah Yousafzai
 - Aravinthan Udayak
 - Adithya Joshy
- 2. In accordance with Clause A.7 of the General Approval, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes

of preparing a Traffic Impact Statement as required by Clause A.7 of the General Approval:

- Najibullah Mozaffari
- Susheel Chimnani
- Neil Langley
- Kean Fai Lau
- Kym Ashby
- Wahidullah Yousafzai
- Aravinthan Udayak
- Adithya Joshy
- 3. In accordance with Clause E.2 of the General Approval, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:
 - Najibullah Mozaffari
 - Susheel Chimnani
 - Neil Langley
 - Kean Fai Lau
 - Kym Ashby
 - Wahidullah Yousafzai
 - Aravinthan Udayak
 - Adithya Joshy
- 4. Council's previous authorisation to Derek Langman and Jason Yii pursuant to clause A.7 of the General Approval to endorse Traffic Impact Statements for the purpose of clause A of the General Approval is hereby revoked.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

It is Council's decision as to whether it delegates any specific power under any legislation except where otherwise directed. Section 44(3) of the Act specifies Council decisions that cannot be delegated.

These authorisations ensure that staff have the appropriate powers to undertake their role.

Risk Appetite

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

This decision will enable risk mitigation through effective management of delegations, authorisation processes and ensuring staff are aware of their responsibilities.

6.1.2 Financial Implications

There are no financial or resource implications.

INSTRUMENT OF GENERAL APPROVAL AND DELEGATION TO COUNCIL

USE OF TRAFFIC CONTROL DEVICES, ROAD CLOSURE AND GRANTING OF EXEMPTIONS FOR EVENTS

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

MINISTER FOR TRANSPORT AND INFRASTRUCTURE

REVOCATION OF PREVIOUS INSTRUMENT

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

INSTRUMENT OF GENERAL APPROVAL

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

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

A. Traffic Control Devices

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

A.1 Authorisation of other Officers

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

A.2 Conformity with the Road Traffic Act

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

A.3 Conformity with the Australian Standards and the Code

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

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

A.4 Notification to adjoining Councils

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

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

A.5 Notification to the Commissioner of Highways

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

A.6 Consultation on traffic signals

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

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

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

A.7 Traffic Impact Statement

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

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

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

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

A.8 Traffic control devices requiring separate approval

General approval does not apply to those traffic control devices:

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

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

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

B. Speed Limits at Works on Roads

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

- a work area; or
- · a work site

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

B.1 Authorisation of other Officers

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

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B.3 Conformity with the Road Traffic Act

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

B.4 Conformity with the SA Standards

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

B.5 Persons who may act on behalf of Council

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

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

B.6 Training and Accreditation

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

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

B.7 Record Keeping

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

C. Traffic Control Devices at Works on Roads

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

C.1 Authorisation of other Officers

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

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

C.2 Conformity with the Road Traffic Act

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

C.3 Conformity with the Code, and SA Standards

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

C.4 Persons who may act on behalf of Council

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

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

C.5 Training and Accreditation

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

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

C.6 Record Keeping

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

D. Temporary Parking Controls

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

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D.1 Authorisation of other Officers

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

D.2 Conformity with the Act

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

D.3 Conformity with Australian Standards and the Code

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

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

D.4 Information on Signs

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

D.5 Limitation of Temporary Parking Controls

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

D.6 Records of Temporary Parking Controls

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

E. TRAFFIC CONTROL DEVICES FOR EVENTS

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

E.1. Conformity with the Road Traffic Act

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

Page 6 of 12

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

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

E.3. Notification to adjoining Councils

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

E.4 Notification to the Commissioner of Highways

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

INSTRUMENT OF DELEGATION

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

F. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY

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

F.1 Sub-Delegation and Authorisation to other Officers

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

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

F.2 Conformity with the Road Traffic Act

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

F.3 Conformity with the Australian Standards and the Code

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

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

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

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

F.5 Record Keeping

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

G. CLOSE ROADS AND GRANT EXEMPTIONS FOR EVENTS

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

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

G.1 Sub-Delegation to other Officers

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

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

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

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

G.3 Conformity with the Road Traffic Act

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

G.4 Exemption from Australian Road Rules

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

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

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

G.5 Conditions on Exemptions from Australian Road Rules

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

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

G.6 Notification to Commissioner of Highways

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

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

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

G.8 Notification to Traffic Management Centre, Metropolitan Region

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

G.9 Notification to Commissioner of Police

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

G.10 Agreement of Commissioner of Police

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

G.11 Use of Advance Warning Signs

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

G.12 Effect on Roadside Furniture

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

H. DEFINITION OF TERMS

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

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

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

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

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

Officer means Council employee

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

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

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

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

Hon Fom Koutsantonis MP
MINISTER FOR TRANSPORT AND INFRASTRUCTURE
Dated this 22 day of #V9 vs 7 2013

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14.5 STRATEGIC PLAN 2025-28 - COMMUNITY ENGAGEMENT PLAN

Responsible Executive Manager: Luke Culhane

Report Author: Bree Goodchild

Delegated Authority: Matters which cannot be delegated to a Committee or Staff

Attachments: 14. DRAFT Community Engagement Plan for Strategic Plan 2025-

2028

PURPOSE

Council to endorse the Community Engagement Plan for the development of the Strategic Plan 2025-2028. The purpose of the Community Engagement Plan is to provide clarity and transparency about the intended conversations with the community about their ability to input and influence the development of the Strategic Plan 2025-2028.

STAFF RECOMMENDATION

Council endorses the Draft Community Engagement Plan (included in Attachment 1) for the development of the Strategic Plan 2025-2028.

COMMITTEE RECOMMENDATION

5731

- 1. Council endorses the Draft Community Engagement Plan (included in Attachment 1) for the development of the Strategic Plan 2025-2028.
- 2. Council authorise the CEO to make further minor amendments to the submission that do not alter the intent of the document.

EXECUTIVE SUMMARY

The Council's Strategic Plan is one of the key directional documents of Council and an important element of Council's Strategic Management Framework. The development of a Strategic Plan must consider the longer-term aspirations of Council (provided within Council's Community Vision 2043 and 12 year Strategic Planning Horizon), Council's long term financial sustainability and capacity (reflected within Council's Long Term Financial Plan 2023-2032) and Council's existing commitments within Asset Management Plans and other Strategy and Planning documents.

The Local Government Act 1999 (The Act) requires under Section 122 a comprehensive review of a Council's Strategic Plan within two years of each general election of Council and that members of the public are given reasonable opportunity to be involved in the development of the Plan.

Seeking and understanding the interests, needs and sentiment of the community is essential to developing a meaningful Strategic Plan 2025-2028. This report provides a proposed Community Engagement Plan and schedule to inform and involve the community in the planning process in accordance with Council's Community Engagement Policy and Procedure.

Broad opportunities for people to participate will ensure a representative mix of our diverse community are involved in this engagement process. Attachment 1 to this report provides the detailed draft Community Engagement Plan. It is proposed that the engagement activities are

delivered across several phases between April and November 2024 and has been developed to maximise benefit from existing community relationships and groups, resources, networks and channels.

To support effective engagement, an assessment of existing data and information that has been gathered through previous planning, engagement and research activities will be conducted and shared with the community ahead of seeking their views about the future of the city.

The communities' views will be sought, and the insights gathered throughout the engagement process will be assessed and compiled into a What We Heard Report as one of the key inputs informing the development of the Draft Strategic Plan 2025-2028 for Council's consideration.

Once endorsed by Council, the Draft Strategic Plan 2025-2028 will be available for community consideration and feedback. Council will consider the engagement results, along with any proposed amendments to the Draft Plan as a result of the feedback, prior to adopting, sharing and implementing the Strategic Plan 2025-2028 in early 2025.

1. BACKGROUND

Council's Community Vision 2043 provides long term aspirations for our community. To achieve these aspirations, Council has defined a 12-year strategic planning horizon and determined three key focus areas for each of its Strategic Plans. Council's Strategic Plan 2020-2024 has provided direction and transparency for Council's decision making over the past four years with a key focus on **Community and City Foundations** - prioritising standards and consistency in the services we provide and in any new projects we deliver. Our community told us they wanted Council to focus on things that impact their everyday life, from having safe roads and neighbourhoods that look nice. They also want Council to have more conversations with them in order to make decisions that uses their money wisely.

This Strategic Plan 2025-28 will maintain and continue our important work on **Community and City Foundations** and bring into focus the foundation of **Connecting our People** to each other and their local community. Understanding the needs and desires of our diverse and growing community and the unique challenges and opportunities of our city is essential to ensuring **Community and City Foundations** and **Connecting our People** can be defined. Our existing services and proposed projects will be adjusted and refined to enhance city functionality, amenity and appearance as well as supporting and enhancing social connections and community wellbeing.

The Strategic Plan review is a meaningful opportunity for our community to have influence over the Council's direction over the next four years. Understanding our community's views and priorities throughout a strategic planning process will assist Council as it considers the opportunities and challenges of a diverse and growing community. It will also help inform the decision-making process at various points through the review.

2. RELEVANCE TO STRATEGIC PLAN

<u>Decision-making filter</u>: We will ensure that we meet our legislative requirements and legal obligations.

The Community Engagement Plan supports the development of Council's next Strategic Plan 2025-2028. Under Section 122(4)(b) of The Act, a comprehensive review of the Strategic Plan is required to be undertaken within two years after each general election of Council. Additionally, under Section 122(6) is the requirement to ensure that Council considers the community's priorities and needs over the next four years.

3. PUBLIC CONSULTATION

Section 122(6) of The Act stipulates the requirements related to Councils' strategic management plans (of which the Strategic Plan 2025-2028 is one).

Councils existing Community Engagement Policy and Procedure addresses Council's obligations under Section 50 of The Act. Additionally, The Community Engagement Policy requires that Council undertake a 28-day public consultation period for a plan of this nature to ensure the community is involved in its development (noting the legislative minimum of 21 days).

In relation to community engagement, the Act states that "a council must adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans…". The risk assessment within Council's Community Engagement Policy is useful to assist in determining what constitutes a "reasonable opportunity" for community involvement in this case.

4. DISCUSSION

Council values the involvement and contribution of the community in engagement and consultation processes. It is proposed that the objectives of the community engagement for the next Strategic Plan are to:

- Inform and remind the community about the 12-year strategic planning horizon, share the achievements so far and provide clarity on the aspirations and desired future state.
- Inform our community on the intention to revisit City and Community Foundations and define our next Plan, Connecting our People. In this objective we plan to get our community to think beyond a single Council term to plan more strategically.
- Involve our diverse community in defining what they consider Connecting our People is in such a way that their feedback can genuinely be factored into decision making on the final detail of the Strategic Plan 2025-28.
- Demonstrate Council's aspirations to genuinely involve the community in meaningful and high-quality community engagement, that goes beyond the minimum approach required by legislation.
- Be accessible and inclusive in our engagement and communication approach i.e., we
 proactively reach out to those who usually would not come into contact with Council such
 as those who are Culturally and Linguistically Diverse (CALD), Aboriginal & Torres Strait
 Islanders people, people living with disability, children and older people.
- Continue to build ongoing and strong relationships with the people who live, work and visit the City of Playford.

Reaching our Community

To undertake meaningful community engagement, it is important to think specifically about the people who live, work and play in our city rather than referring to them as 'the community'.

Across our city, we have approximately 105,663 residents, likely to grow to 152,767 by 2041. Covering 345 square kilometre and as a fastest growing city, we have a unique blend of living – diverse communities in townships, rural, hills and urban areas. Our city is comprised of established suburbs through to neighbourhoods that are newly developed and built. Within these we have communities of people who have called City of Playford home for generations, new families moving into new estates and growth suburbs and newly arrived communities to Australia. We also have a large indigenous community in Playford.

Knowing we have a growing and diverse community; it is important we identify key stakeholder groups so we can focus engagement efforts on engaging with a broad and diverse community (often referred to as the *silent majority*) rather than hearing from the same people time and time again.

Having strong insights into our city and community helps us plan appropriate and relevant engagement activity with the right people that is relevant and accessible to everyone. Throughout the engagement process, we will strive to reach and engage with a representative mix of our community.

To achieve this, three phases of engagement will occur as provided in Attachment 1 to this report. A summary is below:

- Phase 1 will focus on shaping the Draft Strategic Plan 2025-2028 with our community.
- Phase 2 will focus on checking back in with our community and seeking their views once the Draft Strategic Plan 2025-2028 has been developed. The community engagement activities can be delivered within existing resources and budget.
- Phase 3 will close the loop with our community and share information about what we have heard and how the Strategic Plan will be implemented.

5. OPTIONS

Recommendation

Council endorses the Draft Community Engagement Plan (included in Attachment 1) for the development of the Strategic Plan 2025-2028.

Option 2

Council	endorses	the proposed	Community	Engagement	Plan for the	Strategic I	Plan 2	2025-28
with the	following	amendments:						

•	 	
•		
•		

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The original recommendation seeks to maintain and grow the Council's relationship with the community and the level of trust that has been established to make decisions. This recommendation can be delivered within existing Council resources.

Risk Appetite

Reputation

Council has a low appetite for negative perceptions that compromise its credibility and reputation, achievement of its long-term vision (Playford Community Vision 2043) and strategic objectives, or ability to maintain its status as a progressive and major growth Council.

This decision will further support the established community relationships and ideally maintain and grow the perception of trust in Council's decision making on behalf of the community.

This community engagement plan and associated activities supports Council's compliance with legislative responsibilities under the *Local Government Act 1999*.

Additional risk assessment and management have been provided within the attached draft Community Engagement Plan for the Strategic Plan 2025-2028.

6.1.2 Financial Implications

The draft Community Engagement Plan for the Strategic Plan 2025-28 can be delivered within existing resources and budget.

6.2 Option 2 Analysis

6.2.1 Analysis and Implications of Option 2

In accordance with Council's Community Engagement Policy and Procedure, the development of Council's next Strategic Plan 2025-28 is assessed as high risk and a higher level of community engagement is recommended to mitigate those risks.

Any amendment to the draft Community Engagement Plan for the Strategic Plan 2025-28 should ensure there is appropriate opportunity for the community to provide input and be involved. Any amendments will need to factor in the existing timeframes proposed.

6.2.2 Financial Implications of Option 2

Depending on scope, additional activities proposed may require additional funding where it is unable to be funded through existing budgets.



DRAFT

Community Engagement Plan Strategic Plan 2025-28

February 2024

Version 1

Community Engagement Plan - Strategic Plan 2025-2028

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Purpose of this plan

The purpose of this Community Engagement Plan is to define the objective, scope, and approach for engaging the community in the development of the Strategic Plan 2025-28.

Context

The Local Government Act 1999 says Council must have a Strategic Management Plan. It also states that a comprehensive review of the Plan must be undertaken within two years after each general election of Council, and a process to ensure that members of the public are given reasonable opportunity to be involved in the development of the Plan must be included.

Councils existing Community Engagement Policy and Procedure addresses Council's obligations under Section 50 of the *Local Government Act 1999*. Additionally, City of Playford's Community Engagement Policy requires Council will undertake a 28 day public consultation period for a plan of this nature to ensure the community is involved in its development (noting the legislative minimum of 21 days).

Council recognises community engagement on Council's next draft Strategic Plan presents an opportunity to involve the community in informing the decision making of Council, in a way that goes beyond the standard minimum approach required by legislation.

Background - The 12-Year Strategic Planning Horizon

Council's Community Vision 2043 provides long term aspirations for our community. To achieve these aspirations, Council has defined a 12-year strategic planning horizon, and determined three key focus areas for each of its Strategic Plans. Council's Strategic Plan 2020-24 has provided direction and transparency for Council's decision making over the past four years with a key focus on **Community and City Foundations** - prioritising standards and consistency in the services we provide and in any new projects we deliver. In 2020, our community told us it was about focusing on things that impact their everyday life, from having safe roads and a neighbourhood that looks nice to a Council that talks to them more and uses their money wisely.

This Strategic Plan 2025-28 will maintain and continue our important work on **Community and City Foundations** and bring into focus the foundation of **Connecting our People** to each other and their local community. Understanding the needs and desires of our diverse and growing community and the unique challenges and opportunities of our city is essential to ensuring **Community and City Foundations** and **Connecting our People** can be defined.

1. Why we are engaging and our engagement objectives

The development of a Strategic Plan is a relevant and meaningful opportunity for a community to have influence across its Council's direction over the next four years. Understanding a community's views and priorities through a strategic planning process should assist Council when considering the challenges of a diverse and growing community and help inform the decision-making process at various points through its development.

Our Playford Community Survey tells us each year what our community values and that they want to be more involved in our problem solving and decision making. Whilst we have recent success with engaging our community on specific projects, such as park upgrades and things like our Sport Facility Strategy, we know we can always improve the connections we have with our community and engage them better.

We believe this is a great opportunity to demonstrate our aspirations to improve in this area, whilst continuing the conversation we have been having with our community since the development of our first Strategic Plan (2020-24), **Community and City Foundations**.

The objectives of community engagement are to:

- Inform and educate our community on the intent to maintain and continue the important work on City and Community Foundations and bring focus into the foundation of Connecting our People.
- Involve our diverse community in defining what they consider 'Connecting our People' is in such a way that their feedback can genuinely be factored into decision making on the final detail of the Strategic Plan 2025-28.

As a Council, we also want to:

- Demonstrate Council's aspirations to genuinely involve the community in meaningful and high-quality community engagement, that goes beyond the minimum approach required by legislation.
- Be accessible and inclusive in our engagement and communication approach i.e.,
 we proactively reach out to those who usually would not come into contact with
 Council such as those who are Culturally and Linguistically Diverse (CALD), people
 living with disability, children and older people.
- Continue to build ongoing and strong relationships with the people who live, work and visit the City of Playford.

Community Engagement Plan - Strategic Plan 2025-2028

2. What do we mean by community engagement?

Our community has told us they want more opportunities to connect with Council and each other to have their ideas and experiences understood and listened to.

Meaningful community engagement is more than broadcasting a message or undertaking market research. It's about opening a transparent dialogue with the community we service and represent. It's an opportunity to test and shape ideas.

For us, community engagement is not a single process or set of activities. It is an ongoing process or conversation that builds trust and relationships. This is why we are committed to have meaningful conversations with our community to support Council decision making.

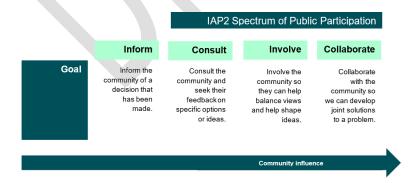
Council's Community Engagement Policy and Procedure clearly articulates our role in and what community engagement means to us which include:

- Communicating a clear objective
- · Understanding who our stakeholders are
- · Determining the level of engagement
- · Being flexible in our approach and using a variety of engagement techniques
- · Striving to be accessible and inclusive
- · Closing the loop
- · Considering the resources, capacity and expertise we have

These Policy principles will be followed in accordance with the delivery of this Engagement Plan.

2.1 Levels of engagement

We will be using the International Association of Public Participation (IAP2) to guide our practice in community engagement. The IAP2 Spectrum of Public Participation helps clarify the role of, and level of influence that the community has over planning or decision making.



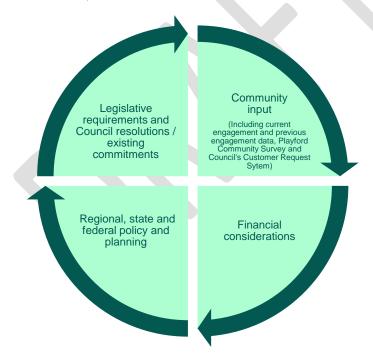
Each phase in our community engagement process has adopted different levels in the spectrum in order to manage Council and community expectations.

For this engagement, we are seeking to undertake a combination of inform, consult and involve with the people who live, work, visit and play in the City of Playford.

2.2 Decision Making Pie - a considered mix of insights

Community engagement is just one input to consider in our decision-making process for our strategic direction. As well as taking on board community feedback (which includes both input received through this process but also input via other activity, such as our Playford Community Survey, customer requests and previous community engagements), we must also consider other factors that influence our decision making, including, but not limited to:

- Legislative requirements (what services we are obliged to deliver)
- Existing Council resolutions and commitments
- Financial considerations (our budget and future funding opportunities)
- And regional, state and federal policy planning (where we fit in the broader public service context).



3. Who do we want to engage?

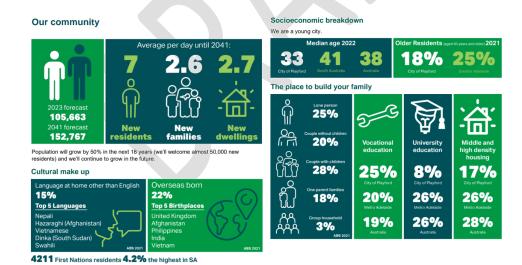
Given the Strategic Plan is a plan for our city, we must ensure we make all efforts to have a representative mix of our growing and diverse community involved in the engagement process.

Across our city, we have approximately 105,663 residents, likely to grow to 152,767 by 2041. Covering 345 square kilometre and as a fastest growing city, we have a unique blend of living – diverse communities in townships, rural, hills and urban areas. Our city is comprised of established suburbs through to neighbourhoods that are newly developed and built. Within these we have communities of people who have called City of Playford home for generations, new families moving into new estates and growth suburbs and newly arrived communities to Australia. Playford has the largest indigenous population in South Australia.

To undertake meaningful community engagement, it is important to think specifically about the people who live, work and play in our city rather than referring to them as 'the community'. Knowing we have a growing and diverse community, it is important we identify key stakeholder groups so we can focus engagement efforts on engaging with a broad and diverse community (often referred to as the *silent majority*) rather than hearing from the same people time and time again.

Having strong insights into our city and community helps us plan appropriate engagement activity with the right people that is relevant and accessible to everyone. Throughout the engagement process, we will strive to reach and engage with a representative mix of our community.

Some of the people who live, work and play in City of Playford



4. What are we engaging on?

Whilst Council has chosen to take the 12-year approach to planning, the current focus is on the next four years.

The development of the Strategic Plan 2020-24 – **Community and City Foundations** focused on ensuring we get the critical social and physical building blocks for success in place before we do anything else. This meant meeting the foundational needs of the community, in any new projects delivered through to the services provided.

The next Strategic Plan 2025-28 will maintain and continue our important work on **Community** and **City Foundations** and bring into focus the foundation of **Connecting our People** to each other and their local community.

Since 2021, Council has been gathering community input on the delivery of **Community and City Foundations** through the annual Playford Community Survey. This valuable feedback has meant we have been able to track community sentiment, perception, and opinion on how Council is delivering against themes within the Plan, as well as our how our community live and experience our city.

For this reason, community engagement activity will focus on informing and educating our community about Council's journey in **Community and City Foundations** and exploring **Connecting our People**. To do this, we would like to understand the following high level question themes from our community:

- Community and City Foundations what have we achieved?
- Community and City Foundations what do you want to see next?
- Connecting our People what does this mean to you and what work do you want to see?

4.1 What's not negotiable?

This engagement is very much about Council services and project delivery. We want to have conversations with people about Council's role, and whilst this might include reflecting on other levels of government, business or other organisation's roles in our community, we will be keen to remain focused on discussing Council's operations over the next four years.

Items out of scope from this engagement include:

- Strategic Planning Horizon: We are not seeking input into the design of the long term 12-year strategic planning approach that we have been taking and will build upon what is already developed.
- Community Vision: We are also not seeking input on the overall goals and aspirations of our City. Our Community Vision 2043 was developed in 2013 based on extensive community engagement and reflects and longer-term aspirations of the community, organised under the goals of prosperity, liveability and happiness.

Community Engagement Plan - Strategic Plan 2025-2028

- Annual Business Planning: We are not seeking input on annual projects and associated budget and rate rise. This will occur in the Annual Business Planning community engagement process separately.
- Council Services (day to day): Feedback on day-to-day operations and services.

5. How we will engage?

It is proposed the community engagement is delivered in 3 phases, with phase 1 occurring in April 2024, phase 2 in October/November 2024 and phase 3 in January/February 2025.

Phase 1 is inclusive of a city-wide exploratory engagement to help shape development of the Plan. Phase 2 will be a 'check in' point with the community to ensure we have interpreted feedback correctly and further refine elements in a proposed draft Plan. In phase 3, we will 'close the loop' and inform our community of the Plan once endorsed by Council.

The diagram below provides an overview of the flow of community input/data and how it will shape the development of the next Strategic Plan 2025-28. Levels of the IAP2 spectrum have also been included to show the level of community influence.



The engagement proposed approach has been developed to maximise the benefit of existing resources, networks and channels. The insights we gather will be used and relevant for the next four years and the activities we undertake will provide a meaningful opportunity to strengthen Council's relationship with the community and continue the discussion around our 12-year strategic plan horizon.

Community Engagement Plan - Strategic Plan 2025-2028

By including a variety of engagement methods, and tracking who we engage, we will get better reach across our diverse community including the traditionally harder to reach groups and communities.

A breakdown of phase 1, 2 and 3 is below.

5.1 Phase 1: Shaping the plan with our diverse community

In Phase 1 we will aim for city-wide promotion of Council's intent to develop the next Strategic Plan. A Review of the delivery of the 2020-2024 Strategic Plan will provide community members an opportunity to see what has been achieved and any aspects still to be met, before we facilitate a discussion to seek community feedback on the future state they are seeking. Informing and sharing with the community the current context of **Community and City Foundations** and opportunities to shape **Connecting our People** is an essential part of engaging the community on what they believe are important considerations for the future. The campaign's call to action will be to get involved and register to take part in upcoming engagement activities.

At the same time, targeted communication and stakeholder engagement will occur via existing community database(s) and group networks. We will monitor this input to ensure we can retarget groups and segments of our community and aim for a diverse representation of views.

Phase objectives	 Create interest and excitement about Council's next Strategic Plan. Inform the community about Council's direction and work to date in Community and City Foundations – what has been achieved and what we are still working on Involve the community by seeking their ideas around Connecting our People and what priorities should be in Council's next Strategic Plan 2025-28 Identify and develop key relationships with community groups and individuals. Engage with a diverse group and individuals not traditionally engaged in Council for reasons such as cultural background, age, or mobility.

Level of engagement	Involve - to work with our community to ensure ideas, aspirations and concerns are considered and understood

Methods	Description
Marketing Campaign	A cross-channel campaign to create interest, excitement and educate our community about how to get involved.

Community Engagement Plan - Strategic Plan 2025-2028

	Community Summits (x2) will be larger scale community engagement events held in a community location.
	The format will involve facilitated group discussions occurring simultaneously in one room under the control of a main facilitator/host.
	It will provide an opportunity for our community to have a deeper dialogue with us around Connecting our People, their aspirations, experiences and priorities in this space.
Community	A high-level summary of what will be explored includes:
Summit/s	 Community and City Foundations – what have we achieved? Community and City Foundations – what do you want to see next? Connecting our People – what does this mean to you and what work do you want to see?
	The event will be promoted, along with all other community engagement activity, via the associated marketing campaign.
	Community members will be asked to register their interest by a date in order to monitor levels of interest, demographics and attendance numbers.
	Approximately x5 scheduled and pre-promoted Pop Up engagements will occur across our city as a mechanism to reach our diverse community.
Pop Ups	The pop ups will have interactive displays manned by staff and provide an opportunity for community members to drop in, have conversations with staff, provide information in a self-led manner, or take information away.
	The location and timing of these Pop ups will be coordinated in locations across the City where our community congregate, such as markets, libraries, venues, clubs, and facilities – the intention being to meet them where they already go.
	The survey will be an opportunity to garner quantitative and qualitative feedback throughout the engagement. It will be used to measure the scale of common themes and priorities.
Survey	The survey will ask our community demographic details so we can track city representation throughout the first phase.
	Easy English version available for CALD communities and those with an intellectual disability.
Engagement Hub	Dedicated online listing which is a central location for all engagement information.
Emails	Community members will also be invited to share additional feedback to Council's generic community engagement email - connected@playford.sa.gov.au.
What We Heard Report	Report containing what we asked, what we heard and next steps. Data and information will inform the development of the draft Strategic Plan.

Timeframes

Community Engagement Plan - Strategic Plan 2025-2028

5.2 Phase 2: Checking in with our community

October / November 2024

In Phase 2 we will be reaching back out to our community and asking if the draft Strategic Plan 2025-28 is reflective of their collective priorities and aspirations. This phase will include targeted communication back to those who were involved in Phase 1 as well as educating our broader community about our journey.

Phase objectives	 Inform and educate the community about the draft Strategic Plan 2025-28. Consult our community by asking 'have we got it right?' and refine the draft Plan where relevant. Garner broader levels of support.
Level of engagement	Consult – consult the community and seek their feedback on specific options or ideas. Consult has been identified as we are keeping our community informed whilst listening and acknowledging feedback.

Methods	Description
Marketing Campaign	A cross-channel campaign to create interest, excitement and educate our community about the draft Plan our community helped shape.
Survey	This will be a different and shorter survey to phase 1. It will seek level of support for the draft Plan and any other items Council needs to consider when finalising. Online and hard copy surveys to seek level of support and general feedback. Easy English version available for CALD communities and those with an intellectual disability.
Direct mail	Direct communication with those who wanted to stay in the loop will be contacted with a copy of the draft Plan and short survey.
Engagement Hub	Dedicated online listing which is a central location for all engagement information.
Council Site Information	A copy of the draft Plan and promotional material will be available at main customer service sites to ensure people who wish to engage with us in this manner are accommodated to.
Written submissions	Whilst written submissions are a very traditional method of engagement, and limit opportunity for dialogue, some people within the community prefer this simple method of written communication. We will therefore welcome written submissions by letter or email.
What We Heard Report	Report containing what we asked, what we heard and next steps. Data and information will inform Elected Members considerations when making final endorsement.

Community Engagement Plan - Strategic Plan 2025-2028

5.3 Phase 3: Closing the loop

In this phase we will be rounding back to the community after Council endorsement of the new Strategic Plan. It is a chance to thank all involved for their time and participation.

Phase objectives	 Enhance knowledge and understanding of Council's new strategic for and direction through promotion of the newly endorsed Strategic Plar Thank community members for their time and participation over the course of the project. 	
Level of engagement Inform – informing the community of a decision that has been made. has been chosen as the Strategic Plan has been endorsed and there no influence for the community to change elements.		
Timeframes	March 2025	

Methods	Description
Marketing Campaign	A cross-channel campaign to create interest, excitement and educate our community about the final Plan and what this means for the next 4 years.
Direct mail	Thanking those who took part in the engagement.
Publication of Plan	To be made available on Council's website.
Engagement Hub	Dedicated online listing which is a central location for all engagement information.

Monitoring the engagement program

As engagement activity is happening, we will be evaluating its delivery and outcomes. By performing regular check ins, specific parts of the engagement approach can be identified and adjusted. Here we will be analysing whether the engagement is reaching who it needs to, if the data being produced is relevant and levels of community interest and engagement.

Community Engagement Plan - Strategic Plan 2025-2028

6. When we will engage?

Date	Activity
13 February 2024	Council endorse draft Community Engagement Plan for the development of the Strategic Plan 2025-28
April 2024	Phase 1: Shaping the Plan with our diverse community (28 days)
May / June 2024	Collate feedback and What We Heard Report
July – September 2024	Write the Draft Strategic Plan 2025-28 Council endorse Draft Strategic Plan 2025-28 for public consultation
October / November 2024	Phase 2: Checking in with the community (28 days)
January / February 2025	Council considers community feedback and adopts the final Strategic Plan 2025-28
March 2025	Phase 3: Closing the loop – Sharing the Strategic Plan with our community

7. Communication Plan

This engagement process will need to have clear messaging in place with the aim to:

- · Provide clear context on what we are doing.
- Inform and educate the community about Council's longer-term approach to strategic planning, the journey so far in City and Community Foundations and focus to explore Connecting our People in community engagement activity.
- Create interest and excitement about the opportunity to be involved.
- Promote ways the community can get involved in the conversation.

A marketing campaign will run alongside the engagement with the intent to move beyond online and social media posts and will utilise a wide variety of methods to reach people where they are.

8. Collating data and reporting

The planned engagement process will result in City of Playford receiving input from the community that is largely qualitative in nature, rather than quantitative, particularly in phase 1. In other words, Council will receive words, ideas, comments, aspirations, and suggestion as opposed to numbers, polls and numerical data.

Community Engagement Plan - Strategic Plan 2025-2028

When asking our community about **Connecting our People**, it will be a process of sorting and theming input as it comes in. The themes derived from the qualitative input will not be predetermined and will evolve as we hear from the community.

In phase 2 we will be seeking more quantitative information, asking for our community's overall level of support on a scale of agreeance. There will be the opportunity for written feedback, and this will be themed in order to refine any items in the draft Plan where necessary.

A **What We Heard Report** will be developed to summarise what we asked, how we asked it, what we heard and next steps at the end of both phase 1 and phase 2.

9. Risk analysis

It is important to identify any risks associated with taking our chosen engagement approach, and how we can reduce the likelihood of these occurring.

The engagement risk assessment identifies the following risks (what might go wrong?) and mitigations (how can we reduce the likelihood of this happening?)

Risk What might go wrong?	Mitigation How can we reduce the likelihood of this happening?
Community confusion about what Council is engaging on	This is about us being clear about our engagement objectives and what we are asking in every phase and in every engagement activity. The accompanying marketing campaign will also outline key messages for each phase to manage expectation and confusion. Frequently Asked Questions will also be available for community members on our Engagement Hub page – which will act as a 'central source of truth' for all engagement information.
Distrust in overall process	There will be an approved process that the community can be confident to take part in. This will be a coordinated approach that everyone involved (Elected Members, staff) will follow. We also need to show we are listening (noting we may not agree with everything we hear) throughout the engagement and after.
Digital divide / computer literacy	Community engagement activity and associated marketing campaign will encapsulate a mix of online and traditional methods to ensure we are inclusive and accessible.
Community engagement fatigue	We will keep messaging and how people can engage with us simple and clear across all our engagements. As part of the engagement planning process, we also identify key segments of community to ensure we are clear on the impact or influence decisions may have on them. Our Engagement Hub project website provides a one stop shop to view all engagement activity occurring so our community can engage with us on topics and matters relevant to them.

Community Engagement Plan - Strategic Plan 2025-2028

Disrespectful, malicious, inflammatory, obscene, intolerant, inappropriate or illegal conversations	We will set clear ground rules and expectations in relation to community engagement up front. Any unacceptable comments received will be removed from official feedback. As is reasonably practicable undesirable/inappropriate behaviour(s) and communications will be managed in accordance with The City of Playford's (Council's) Integrated Risk Management Framework and from a Work Health and Safety perspective the WHS Preventing and Responding to Work Related Violence and Aggression Procedure.
Confusion with concurrent Council consultation on 2024/25 Annual Business Plans – scheduled for 30 April – 28 May 2024	The Strategic Plan engagement process is starting in April 2024 with the Business Plans consultation scheduled directly after in May 2024. The look and feel of each campaign will purposely look different to minimise confusion. There may be opportunity to cross promote each plan across both engagements and educate our community about what each plan does.
Delivering an engagement process that lacks diverse representation of the community	Harnessing internal and external networks to reach specific cohorts and groups of the community will be utilised to ensure we seek diverse representation. We will also be tracking participant demographics as input is received so we can target any segments accordingly. We do this same approach each year with the Playford Community Survey.
Concerns around privacy and confidentiality in responses	Council is a member of <i>The Research Society</i> and adheres to codes and guidelines in best practice when conducting community engagement and research activities. A privacy statement will be available on Engagement Hub project page and when participants complete their details and information in any format.
Segments of our community not feeling comfortable in engaging	We will work with our internal and external connections to make sure the needs of these segment groups are met and that we understand how best to support their attendance and their involvement. We will also offer a variety of ways to provide feedback if attending in person is not a preferred method.
Resource availability and cost	We will balance what we can deliver with the resources we have available – and this means being realistic and upfront in our planning. We will ensure back up options will be available should we be understaffed during community engagement activity and monitor risk throughout each phase of delivery.
Inability to attract people to community engagement events	We will develop a recruitment plan which will align to a marketing campaign and use our internal and external networks to target people to be involved. One large network we can harness is our Connected Community database which contains over 2,500 engaged community members. We will ensure our recruitment process includes both broad city-wide promotion as well as targeting specific demographics.
Large interest in Community Summits – disenfranchising people who express interest but cannot be included due to capacity.	We will be transparent from the outset on how many people can attend events along with a deadline to RSVP. For those who may miss out, we will highlight upcoming opportunities to be involved in other Council engagement activity.

Community Engagement Plan - Strategic Plan 2025-2028

Placing large emphasis on the Community Summits rather than other opportunities for community to get involved A separate risk analysis will be conducted as part of the event planning process including the mitigation of resources. Marketing and promotion will also be promoting all avenues for community members to get involved so it does not look like engagement has been restricted or promoted as just the Community Summit/s.

10.Measuring success

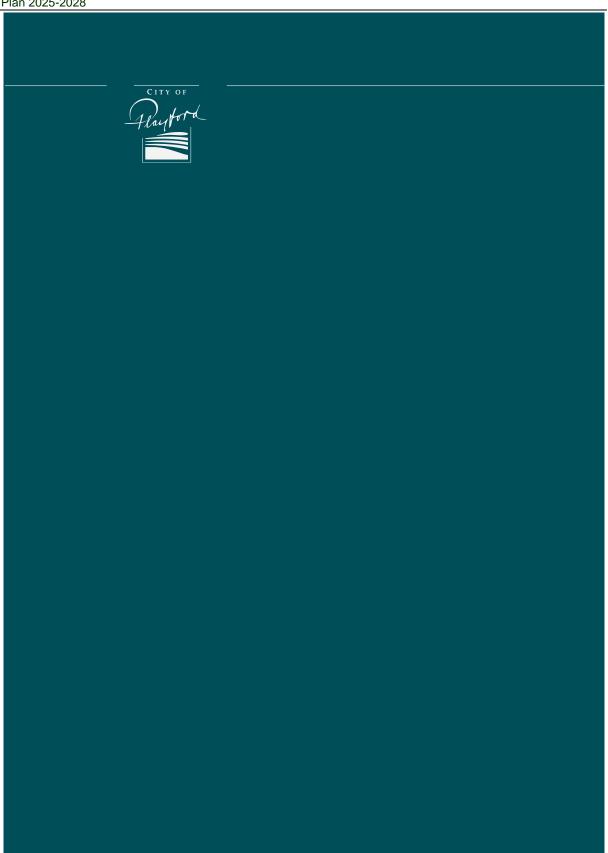
We will be tracking how we are going each step of the way.

To summarise our success and performance, two What We Heard Reports will be developed for phase 1 (shaping the Plan) and phase 2 (checking in on the draft Plan). Both reports will outline the level of participation, including how many people were aware of the engagement, informed, and engaged. These will be great indicators of success.

Other indicators include the below.

Indicator What we see/feel	Measure How we show evidence of it
Elected Members receive a broad range of views to consider in their decision making	Final report includes a wealth of input, different opinions and a range of themes.
The engagement process attracts a diverse representation of our community – across genders, ages, suburbs, cultural diversity, disability and labour force	Diversity 'checkers' will be incorporated into our planning and we will monitor these after each engagement activity.
At the end of the process people hope to be involved again in the future	Positive feedback received and noted in final report – including comments via online channels and evaluation of each engagement activity. This can also be measured by the number of participants who signed up to Council's Connected Community database.
Feedback received is useful and relevant to shaping the Strategic Plan 2025-28.	Council's corporate planners can easily translate themes of feedback and measures into the report's development.

Once the engagement has concluded, we will conduct an evaluation of the program overall to ensure it has met desired objectives, and lessons learned are identified for future community engagement practice.



COMMITTEE REPORTS

STRATEGY AND SERVICES COMMITTEE

Matters which can be delegated to a Committee or Staff but the Council has decided not to delegate them

14.6 STATE-WIDE BUSHFIRE HAZARDS OVERLAY CODE AMENDMENT

Responsible Executive Manager: Sam Green

Report Author: Leif Burdon

Delegated Authority: Matters which can be delegated to a Committee or Staff but the

Council has decided not to delegate them

Attachments: 11. City of Playford – Submission – State-wide Bushfire Hazard

Overlays Code Amendment

21. Current and Proposed Bushfire Overlays Maps

PURPOSE

This report is before Council due to the importance of the State-Wide Bushfire Hazard Overlay Code Amendment (the Code Amendment) has for the City of Playford and potential impacts to future development outcomes, in particular growth areas.

STAFF RECOMMENDATION

That Council endorse:

- 1. The City of Playford's submission provided as Attachment 1 that responds to the State-Wide Bushfire Hazard Overlay Code Amendment out on consultation.
- 2. Council authorise the CEO to make further minor amendments to the submission that do not alter the intent of the document.

COMMITTEE RECOMMENDATION

5732

That Council endorse:

- 1. The City of Playford's submission provided as Attachment 1 that responds to the State-Wide Bushfire Hazard Overlay Code Amendment out on consultation.
- 2. Council authorise the CEO to make further minor amendments to the submission that do not alter the intent of the document.

EXECUTIVE SUMMARY

The State Planning Commission (the Commission) released the Code Amendment on 23 November 2023 for public consultation.

The Code Amendment seeks to update the spatial application of the Bushfire Hazards Overlays and review the policy within the Planning and Design Code (the Code) to improve the assessment of development within bushfire prone areas.

Updating the bushfire hazard mapping has been undertaken across the whole State with the application of 'high', 'medium' and 'general' bushfire risk categories.

Full details of the Code Amendment, inclusive of the proposed bushfire mapping, can be found on the Plan SA consultation page (https://plan.sa.gov.au/have_your_say/code-amendments/on-consultation).

With the significant amount of growth anticipated within the City of Playford it is imperative that the Code's policies, in particular bushfire hazard area mapping, are relevant and appropriate along with having the flexibility to be amended as the on-ground conditions change from development.

Generally, administration is supportive of efforts to better protect current and future residents from the risk of bushfire events through planning policy.

However, the spatial application of the overlay may result in unintended consequences to housing supply, housing affordability, construction and approval timeframes. The submission primarily focusses on the spatial application of the bushfire overlays and how this should be improved.

A submission that responds to the Code Amendment is provided in Attachment 1.

1. BACKGROUND

The Commission initiated the Code Amendment by writing to the Minister for Planning on 4 February 2021 advising of their intention to commence investigations with the aim of reviewing and updating the application of the suite of six Hazard (Bushfire Risk) Overlays contained in the Code.

Under Section 73 (2)(a) of the *Planning, Infrastructure and Development Act 2016* (the Act) the Commission can initiate a Code Amendment on its own initiative.

On the 23 November 2023, the Commission released the Code Amendment for public consultation for a three-month public consultation period (ending 8 March 2024).

The Code Amendment seeks to update the spatial application of the bushfire hazard overlays to reflect recent bushfire hazard mapping, and review the policy contained in each of the overlays. The Code Amendment also proposes to apply new bushfire hazard mapping where the level of bushfire hazard had not previously been mapped.

2. RELEVANCE TO STRATEGIC PLAN

The Code Amendment and Council's response relate to Community Theme 1 Council's Strategic Plan:

Community Theme 1: Improving safety and accessibility.

This theme is focused on planning for future growth, which includes advocating to the State on key matters.

As part of the development application process, Council acts as a regulator to ensure that the appropriate building and engineering standards are met.

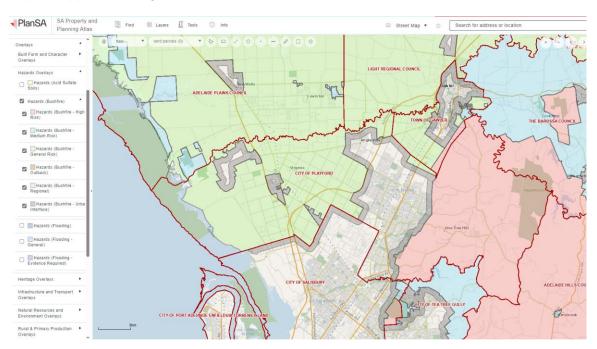
3. PUBLIC CONSULTATION

This is a State-led consultation and is open to everyone in the community to engage with. It does not trigger Council's Community Engagement Policy.

4. DISCUSSION

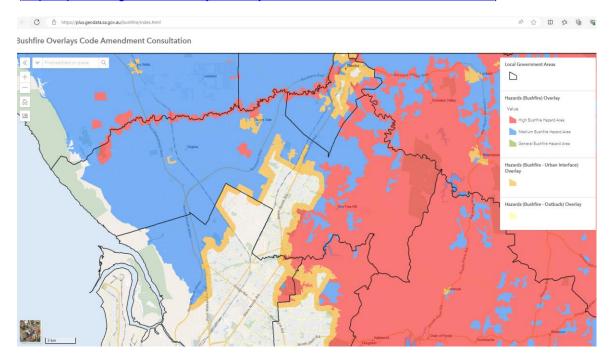
- 4.1 The Code Amendment seeks to modify the Bushfire Hazard Overlays by updating the spatial application and review of policy to improve the assessment of development within bushfire prone areas.
- 4.2 The proposed bushfire mapping has been remodelled for the entire State. The refined mapping incorporates:
 - more current vegetation (2015) data into the hazard modelling;
 - more recent grassfire fuel modelling to that used in creating the previous Bushfire Protection Area spatial layers with fuel load variation data, which is now based on farming cropping, grazing and potential grass fuel; and
 - amended forest modelling to identify small scale spatial data that considers patch sizes, patch shape and contiguous/disparate vegetation to allow for a more accurate reflection of the bushfire hazard risk.
- 4.3 Comparison of the current and proposed spatial application of the bushfire overlay (see Attachment 2 for larger maps).

Current Bushfire Overlay application (Code version 2024.1) – https://sappa.plan.sa.gov.au/



Proposed Bushfire Overlays – found on Plan SA consultation page –

(https://plan.sa.gov.au/have_your_say/code-amendments/on-consultation)



Noteworthy changes include:

- In key growth areas inclusive of Riverlea, Virginia, Angle Vale, Playford North Extension, Eyre changes from no bushfire designation (with the urban interface designation) to a Medium Bushfire Hazard Area designation.
- Increase Bushfire Hazard Area designation from Low to Medium across the horticultural lands of Virginia, Buckland Park, Waterloo Corner and Penfield Gardens.

4.4 Proposed changes to bushfire Code policy include:

- New policy criteria requiring a slope of no more than 6 degrees (1-in-9.5 crossfall) for the siting of habitable buildings, tourist accommodation and buildings used for at risk communities (nursing home, childcare etc).
- Policy requiring the provision of an area capable of accommodating a
 dedicated water supply and the necessary sized water tank (in litres), and
 where fire-fittings are required the provision of an all-weather hardstand
 area, capable of supporting a fire-fighting vehicle.
- Refinement of existing policy criteria to enable ancillary structures such as carports and verandahs to be constructed adjacent to, or attached to, a dwelling or habitable building.
- New provisions allowing for less than the default policy criteria if supported by the provision of a certified Bushfire Attack Level Declaration.
- Policy improvements to enable a deemed-to-satisfy pathway for new dwellings, dwelling additions, and ancillary accommodation outside of High-Risk Areas.
- Changes to Part 1 of the Code are proposed to provide a function for Bushfire Hazard Overlays to be updated from time to time under section 71(e) of the Act.

- 4.5 Additional to the changes to the Code, there are updates proposed to multiple policies and regulations that will occur concurrently with the Code Amendment process. These are summarised below:
 - Proposed changes to Ministerial Building Standard (MBS 008) changes to the Bushfire Attack Level rating for identified areas, classes of buildings and including buildings that house at risk communities.
 - Community engagement on and approval of the draft proposed changes to MBS 008 will be conducted as a separate process to the Code Amendment.
 - Proposed Changes to Planning Development and Infrastructure Regulations 2017 – these include requirements for applications to have a Bushfire Attack Level assessment undertaken by the Country Fire Service of South Australia (CFS) or a person accredited by the CFS, changes to definition of development for tree damaging activity and referrals to the CFS for land division located within 100m of a High Bushfire Risk Area.
 - Proposed Changes to Practice Direction 12 Conditions amend Practice
 Direction 12 to include a suite of standard conditions that can be applied to
 development approvals in bushfire prone areas.

Where appropriate, comments on these additional changes have been included in the submission or await further engagement.

4.6 Council's response is provided in Attachment 1 and broadly covers the following matters:

• Growth Areas

 With the significant amount of growth anticipated in the Council area, it is imperative that the Code policies, in particular bushfire hazard area mapping, are relevant and appropriate.

Planning Consideration and Impacts

- Generally supportive of efforts to better protect current and future residents from the risk of bushfire events through planning policy. The wording in the Code Amendment achieves this outcome.
- Concerns arise from the spatial application of the overlays which may result in unintended consequences to housing supply, housing affordability and construction and approval timeframes.
- Council's position for the spatial application of the overlays in growth areas is:
 - the removal of the Hazard Bushfire Overlay within the identified Master Planned Neighbourhood and Master Planned Township Zones

and

the application of the Hazards (Bushfire - Urban Interface)
 Overlay is applied to urban neighbourhoods that adjoin areas of General, Medium and High Bushfire Risk.

- If the Commission forms the view that the assessment against the Bushfire Hazards Overlay is required in these zones, then:
 - An alternative approach is recommended to updating and removing bushfire overlays following the approval of land division. This ensures the additional bushfire building requirement costs are not required of homeowners.
 - Recommend further ground truthing into recent land divisions (post 2015 – mapping data source), land clearing and subsequent residential development and amend the bushfire overlays accordingly.

Building Consideration and Impacts

 The changes to the Bushfire Hazard Area designation where it increases in the risk rating will warrant additional bushfire construction requirements.

If this policy is applied in our growth areas, this will have significant cost implications which we predict to be a notable barrier to development given the already significant increases to building costs over recent years.

- It is likely that developers and contractors may not be familiar with the construction requirements and the extent of documentation required. It is expected this will result in delays at the assessment/approval stage as well as increased rates of defective building work during construction, causing strain on development assessment and compliance sectors of the industry.
- At this time, commercial, industrial, horticultural, and other Building Class 2 to 9 developments will, for the most part, not be impacted by this change.
- Another key consideration will be Council's obligations under Practice Direction 9 (Council Inspections 2020).

Bushfire construction is a highly important part of the construction of a building in a bushfire area. As such there would be a need to inspect such construction which presents as a change to common inspection practices. This may necessitate the need to increase minimum inspection requirements under the Practice Direction.

Employment Lands

 Suggest the Commission review the Bushfire Hazards Overlay application over the SCT logistics intermodal.

5. OPTIONS

Recommendation

That Council endorse:

- 1. The City of Playford's submission provided as Attachment 1 that responds to the State-Wide Bushfire Hazard Overlay Code Amendment out on consultation.
- 2. Council authorise the CEO to make further minor amendments to the submission that do not alter the intent of the document

Option 2

That Council endorse:

1.	The City of Playford's sub	mission provid	led as Attachme	ent 1 that	responds to th	e State-
	Wide Bushfire Hazard O	verlay Code A	Amendment out	on cons	ultation subjec	t to the
	following amendments:					

•	
•	

2. Council authorise the CEO to make minor amendments to the submission that do not alter the intent of the document.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The Code Amendment updates the spatial application of the Bushfire Hazards Overlays and reviews policy contained within to improve the assessment of development within bushfire prone areas. It is therefore important that Council provides feedback on the Code Amendment to ensure Playford's interests are considered prior to the implementation and changes to the Code.

Council's submission reflects the potential issues and concerns for the City of Playford and provides suggestions to the Commission to ensure an appropriate planning policy position is achieved.

Risk Appetite

Reputation

Council has a low appetite for negative perceptions that compromise its credibility and reputation, achievement of its long term vision (Playford Community Vision 2043) and strategic objectives, or ability to maintain its status as a progressive and major growth Council.

In maintaining Council's reputation, it is important that Council responds and advocates on behalf of our community to the State Government on key strategies and changes in policy that will impact the community. Responding to the Code Amendment maintains our status as a progressive and a major growth Council.

6.1.2 Financial Implications

There are no financial or resource implications.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

The implications of Option 2 are the same as for Option 1, subject to any amendments to the submission that the Council might wish to make.

6.2.2 Financial Implications

There are no financial or resource implications.



City of Playford – Submission State-wide Bushfire Hazard Overlays Code Amendment

March 2024

Submission - State-wide Bushfire Hazard Overlays Code Amendment

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Submission - State-wide Bushfire Hazard Overlays Code Amendment

Introduction

The City of Playford recognises the work undertaken by the State Planning Commission (the Commission) in the State-wide Bushfire Hazard Overlays Code Amendment (Code Amendment) to update the Bushfire Hazards Area mapping and related policies within the Planning and Design Code (the Code).

The City of Playford in partnership with City of Salisbury developed their Adapting Northern Adelaide Climate Change Plan (2016) which identifies the priority actions and adaptation pathways that will help local government, communities and businesses adapt to climate-related risks across short, medium, and long-term time frames. This plan identifies an increase of severe fire danger days for Northern Adelaide (incorporating the severe, extreme, and catastrophic CFS fire ban day classifications). General fire weather danger is projected to increase by 13% by 2030, and by 29% by 2090. Longer dry periods leading into and throughout the fire danger season are also likely to cause drier vegetation that will create an additional risk on severe fire danger days.

The 30-Year Plan for greater Adelaide (2010) identified significant new land supply for urban growth in the City of Playford which resulted in the City experiencing intense greenfield residential development, with farmland rapidly transforming into housing estates. It is anticipated that around 25,000 new homes will be built over the next 25 years. The City of Playford's currently population is around 105,000 which is projected to reached 153,00 by 2041, equating to seven people a day moving into our community.

The City of Playford is integral in meeting the need for new housing in Greater Adelaide. The City of Playford currently has land zoned for residential development in multiple key growth areas, including:

- Playford Alive
- Blakes Crossing
- Virginia
- Angle Vale
- Playford North Extension
- Riverlea
- Eyre

At present, the Hazard Bushfire Overlay does not apply to these growth areas. Except for the standard application of the Hazards (Bushfire - Urban Interface) Overlay to urban neighbourhoods that adjoin areas of General, Medium and High Bushfire Risk. This acknowledges, that there may be a bushfire risk in these growth areas which have yet been developed, that will be reduce once the land is developed.

The City of Playford welcomes the opportunity to work with the State Planning Commission, Planning and Land Use Services (PLUS), State Government, key agencies, and developers to achieves the best possible outcomes for our community. We ask to be involved in any ongoing work and changes made to the Code Amendment which have an impact to our community.

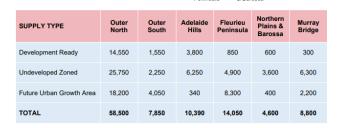
Submission - State-wide Bushfire Hazard Overlays Code Amendment

Growth Areas

The Land Supply Report for Greater Adelaide – Residential (July 2023), identifies the high proportion of zoned greenfield land supply in the Outer North compared to the other Greater Adelaide regions.

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Figure 6: Greenfield land supply potential by region, June 2022



The Outer North region has the largest stock of greenfield land in Greater Adelaide, with 16 development fronts, of which 9 areas are within the City of Playford.

DEVELOPMENT READY UNDEVELOPED ZONED FUTURE URBAN GROWTH 14,550 lots Estimated lots Estimated lots Concordia Virginia Two Wells Playford Alive Gawler East Eyre Munno Para Evanston Gardens Gawler South Undeveloped zoned Evanston South Munno Para West ■ Future growth

2,000

4,000

6,000

8,000

10,000

12,000

14,000

GREENFIELD LAND SUPPLY, JUNE 2022

Submission - State-wide Bushfire Hazard Overlays Code Amendment

With the significant amount of growth anticipated for the City of Playford in the coming years it is imperative that Code policies, in particular Bushfire Hazard Area mapping, are relevant and appropriate along with having the flexibility to be amended as the on-ground conditions change from development.

Planning Consideration and Impacts

Recommendation

That for Master Planned Neighbourhood and Master Planned Township zones the application of the Hazards (Bushfire - Urban Interface) Overlay is applied to urban neighbourhoods that adjoin areas of General, Medium and High Bushfire Risk.

Council is supportive of the changes in planning policy to protect current and future residents from the risk of bushfire events. However, the spatial application of the policy requires consideration, especially in the Master Planned Neighbourhood (MPN) and Master Planned Township Zones (MPT).

The inclusion of land within these zones in the Bushfire Hazard Area medium designation, will impose higher levels bushfire grading for new homes built in these areas, that do not align to the actual risk of bushfires within a new urban environment. This is likely to result in additional cost to the homebuilder and increase complexity and time of assessment.

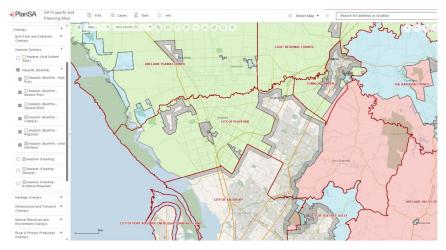
If the Commission forms the view that the assessment against the Bushfire Hazards Overlay is required in these zones, this should occur at the land division stage and a process is developed for the Minister, using s71 to update the bushfire overlay following land development assessment, to reduce the requirements of homebuilders to address bushfire risks.

Hazards (Bushfire - Urban Interface)

Council considers that current application of Hazards (Bushfire – Urban Interface) is appropriate for growth areas which are currently under construction or development, and it is consistent with the approach for development on the urban fringe for Greater Adelaide.

Current spatial application of Bushfire Overlays in SAPPA.

Submission - State-wide Bushfire Hazard Overlays Code Amendment



The implementation of the Bushfire Hazard Overlay will impose additional constraints to existing approvals and be inconsistent with general planning policies. Wherein the policy at the time of lodgement is the relevant policy for the assessment of the application in totality. This is critical to ensure that consistent assessment is maintained for the dwellings within the state and to avoid later stages of a development having a separate set of constraints than dwellings approved in earlier stages.

From review, the proposed changes may result in unintentional impacts on future growth within current and emerging growth areas as additional constraints may result in negative outcomes to housing supply due to affordability considerations.

Given wider housing pressures and the importance of providing affordable housing, greater consideration of this is warranted. A practical solution to this matter is the removal of the Hazard Bushfire Overlay within the identified MPN and MPT zones in the Councils growth areas.

This would reflect the previous bushfire overlays, so this change would maintain the status quo within growth areas.

Bushfire Hazard Overlay

Recommendation

If the Commission forms the view that the assessment against the Bushfire Hazards Overlay is required in these zones, then:

- An alternative approach is recommended to updating and removing bushfire overlays following the approval of land division. This ensures the additional bushfire building requirement costs are not required of homeowners.
- Recommend further ground truthing into recent land divisions (post 2015 mapping data source), land clearing and subsequent residential development and amend the bushfire overlays accordingly.

Submission - State-wide Bushfire Hazard Overlays Code Amendment

Council is of the view that if an assessment against the Bushfire Hazards Overlay is required in these growth areas, this should occur at the land division stage to ensure that impacts can be considered across the entire site, rather than unnecessarily passing this cost through to home builders.

Upon a development approval being issued for a major land division, Council would be supportive of the mechanism for the Bushfire Hazards Overlay mapping being removed from the subject site.

Council considers this could be a developer led process, wherein once a development approval has been issued, they would be able to consult with the Minister (through the team at PLUS) to have overlay rescinded from the relevant portion of land. Suggest that PLUS and CFS consider what information would need to be provided to remove the mapping for the subject site.

For clarity, it would assist to have a specific guide/checklist that the developer can follow to ensure that the mapping is removed efficiently post land division approval.

The current proposed policy changes would enable the overlay to be rescinded when a new plan of division is deposited in the Land Titles Office or in stages as the development is issued Section 138 clearance. In practical terms this is seen to offer limited tangible benefit. As experienced in Council's growth areas, Section 138 clearance is generally immediately followed by lodgement of most dwellings for a stage. Given potential time constraints to rescind portions of an overlay, by the time this occurred most dwellings would have been lodged, assessed against bushfire policies, and approved locking in the additional cost to homeowners.

As part of the consideration for removing the Bushfire Hazard Overlay upon development approval being issued, it is suggested that a possible referral to CFS could be part of the land division assessment. As part of the referral, CFS may provide acceptance of the land division to reduce the medium bushfire level to general or not applicable.

The assessment by the CFS could be supported by the provision of a guideline on the general information that would be required from developers for their assessment of a major land division? It is noted that this option may result in the need to change relevant referral triggers within the overlay of the Code.

Recommendation on Amendments to Spatial Application via s71

Council suggests the below amendment to the proposed amendment within Part 1 – Rules of Interpretation for both the Hazards (Bushfire) and Hazards (Bushfire - Urban Interface) Overlays.

Amending the Bushfire Overlays at the land division approval stage would give sufficient time for the developer to lodge the request and the Minister to make a determination, pursuant to section 71(e) of the Act.

While acknowledging there is a slight risk should the overlay be amended/removed, and the land not be developed. Council considers this is relatively low risk given the experience in our growth areas and the current demand for housing. To alleviate concerns around this, should the land division not be actioned further, or new plan of division not deposited in the Land Titles Office within a certain period, the overlay could be reapplied to the subject area.

Overlay	Nature of Updates

Submission - State-wide Bushfire Hazard Overlays Code Amendment

Hazards (Bushfire)	The overlay may be updated due to:
	(a) a change in vegetation hazard, as applied in accordance with the <i>Bushfire Hazard Mapping Methodology</i> published on the SA planning portal by the Chief Executive; or
	(b) issuing development approval for land division that a new plan of division deposited in the Land Titles Office that creates 10 or more additional allotments in the overlay and the land division application is consistent with all the criteria published on the SA Planning Portal by the Chief Executive.
Hazards (Bushfire - Urban Interface)	The overlay may be updated due to a change in vegetation hazard, as applied in accordance with the Bushfire Hazard Mapping Methodology published on the SA planning portal by the Chief Executive.
	The overlay may be updated due to:
	(a) a change in vegetation hazard, as applied in accordance with the <i>Bushfire Hazard Mapping Methodology</i> published on the SA planning portal by the Chief Executive; or
	(b) issuing development approval for land division that creates 10 or more additional allotments in the overlay and the land division application is consistent with all the criteria published on the SA Planning Portal by the Chief Executive.

Should the Commission consider the above as not the most appropriate timing to amend the bushfire overlays across the State. Then an alternative option could be to allow this approach to the MPN and MPT zones. Given their identification for development growth and ability for a coordinated approach when compared with other zones in the Code.

Review of the Overlay application within Playford's Growth Areas

The updated modelling and mapping for bushfires has allocated a Bushfire Hazard Areas designation to undeveloped lands within these growth areas. It is acknowledged that these areas, prior to development, could pose a bushfire risk considering the dry grassland or farming.

However, these growth areas are being developed rapidly and certain areas have been developed since the mapping data source of 2015. It is recommended that the Commission undertake further ground truthing into recent land divisions, land clearing and subsequent development.

Council considers that numerous locations within the growth areas with the spatial application of the High Bushfire Hazard Area or Medium Bushfire Hazard Area designation is not warranted and does meet the Bushfire Mapping Methodology contained within Attachment F of the Code Amendment. See below the growth areas for review.

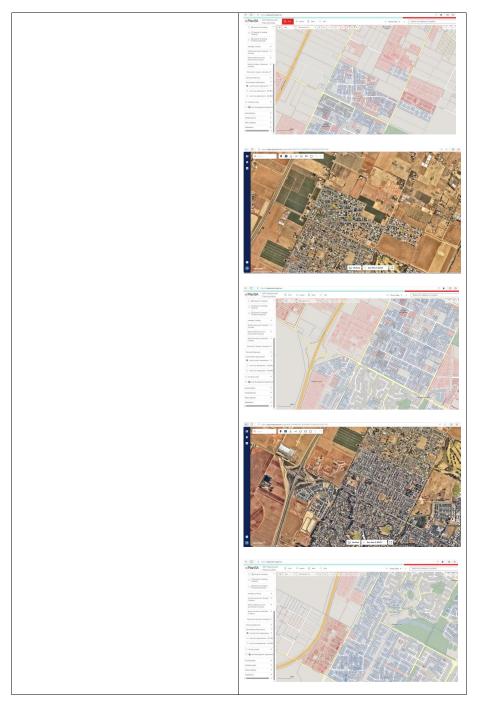
Submission - State-wide Bushfire Hazard Overlays Code Amendment

Submission - State-wide Bushfire Hazard Overlays Code Amendment

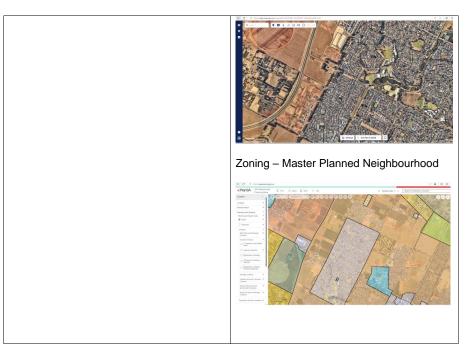
 Playford Alive and Playford North Extension (Munno Para, Munno Para West, Munno Para Downs, Andrews Farm)



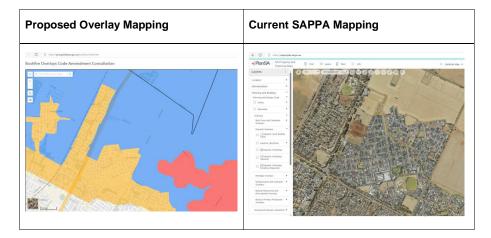
Submission - State-wide Bushfire Hazard Overlays Code Amendment



Submission - State-wide Bushfire Hazard Overlays Code Amendment



• Blakes Crossing (Blakeview)



Submission - State-wide Bushfire Hazard Overlays Code Amendment



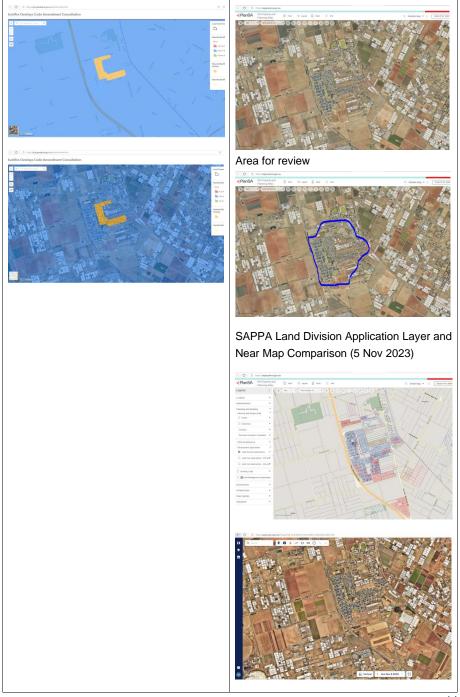
Submission - State-wide Bushfire Hazard Overlays Code Amendment



Virginia

Proposed Overlay Mapping	Current SAPPA Mapping
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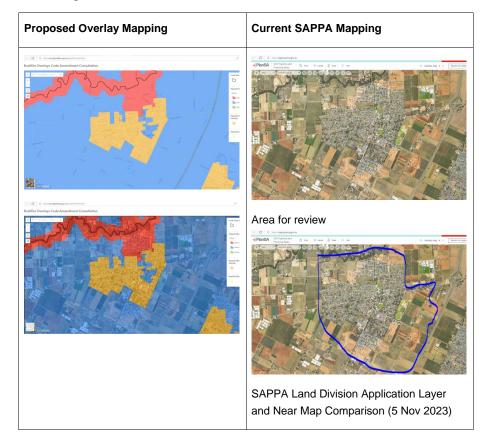
Submission - State-wide Bushfire Hazard Overlays Code Amendment



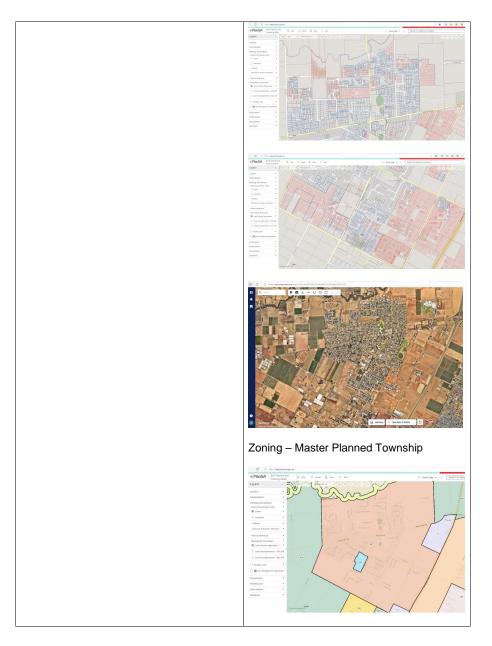
Submission - State-wide Bushfire Hazard Overlays Code Amendment



• Angle Vale



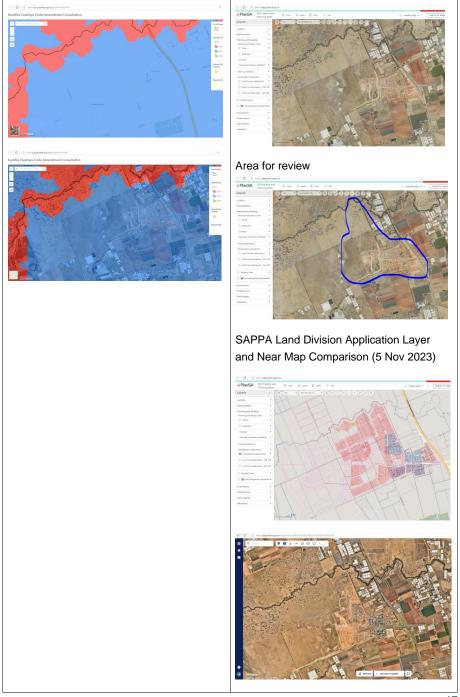
Submission - State-wide Bushfire Hazard Overlays Code Amendment



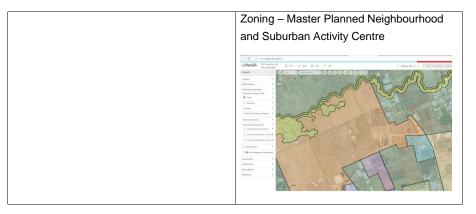
Riverlea

Proposed Overlay Mapping Current SAPPA Mapping
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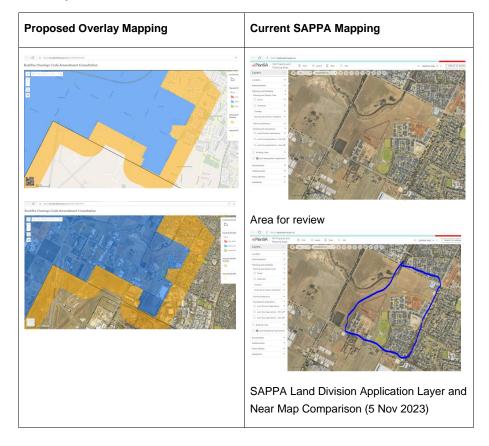
Submission - State-wide Bushfire Hazard Overlays Code Amendment



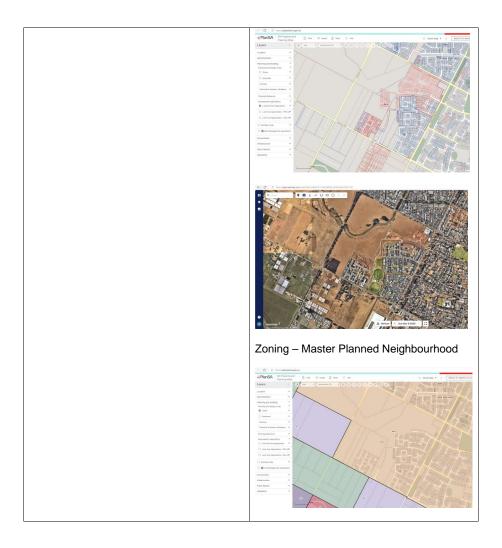
Submission - State-wide Bushfire Hazard Overlays Code Amendment



• Eyre



Submission - State-wide Bushfire Hazard Overlays Code Amendment



Submission - State-wide Bushfire Hazard Overlays Code Amendment

Building Considerations and Impacts

This section outlines the impact of the Code Amendment from a building perspective, through the Building Rules Assessment stage to construction and post construction events.

Fundamentally, the most apparent impact that the proposed Code Amendment will have is that upon its adoption, all Class 1a and 10a developments zones which move from no bushfire overlay/rating or some areas having the Bushfire - Urban Interface Overlay to a Medium Bushfire Hazard Area and will be required to comply with BAL12.5 construction requirements as specified by AS3959. The impost of those requirements is explored in summary below.

It is worth noting at this time that commercial, industrial, horticultural, and other Building Class 2 to 9 developments will, for the most part, not be impacted by this change.

The additional bushfire construction requirements will have significant cost implications which we perceive to be a notable barrier to development given the already significant increases to building costs over recent years.

Further, for developers and contractors who are not familiar with the construction requirements of AS3959, the extent of documentation required and the approval pathways, we expect that this will result in delays at the assessment/approval stage as well as increased rates of defective building work during construction. Causing strain on development assessment and compliance sectors of the industry.

In the several growth areas within the Playford Council area, we expect that were deemed to satisfy construction requirements are not demonstrated initially, either a Certified Bushfire Attack Level (BAL) Declaration or a Performance Solution would be prepared to negate the additional construction requirements. Given that upon detailed assessment, dwellings within these areas will likely require a lower BAL (if any) due to the impact of adjacent development on the actual BAL applicable to a site.

This would result in significant demand for accredited consultants to assess and provide BAL Declarations, a discipline which is already incredibly difficult to find qualified and available consultants for and will increase the onus on Building Certifiers to assess and determine Performance Solutions; all of which would effectively present as red tape to the approval process.

If development applications do not subvert these additional requirements and bushfire construction is in fact required for developments within these growth areas, another key consideration will be Council's obligations under Practice Direction 9. PD9 requires Councils to inspect 66% of Class 1 developments at one stage giving due consideration to the critical elements of the development.

Bushfire construction is a highly important part of the construction of a building in a bushfire area and as such there would be a need to inspect such construction which presents as a change to common inspection practices for most growth area Councils, particularly the City of Playford and may give cause to the need to increase minimum inspection requirements under the Practice Direction.

It is noteworthy also that in already established growth areas, all minor structures such as domestic outbuildings, verandahs, carports, and other ancillary structures, will require higher levels of construction to meet the BAL requirements than the main dwelling to which they are associated. With potentially, homeowners required to build to a Medium Bushfire Hazard

Submission - State-wide Bushfire Hazard Overlays Code Amendment

Area risk standard for a verandah within an established residential area, when their house and all other surrounding buildings were not required to do so.

It is for these reasons it is further highlighted the importance of removing/amending the spatial application of the overlays prior to implementation of the Code Amendment. Along with a suitable process for ongoing updates to the mapping to ensure that any unreasonable cost imposes are not placed on a homeowner.

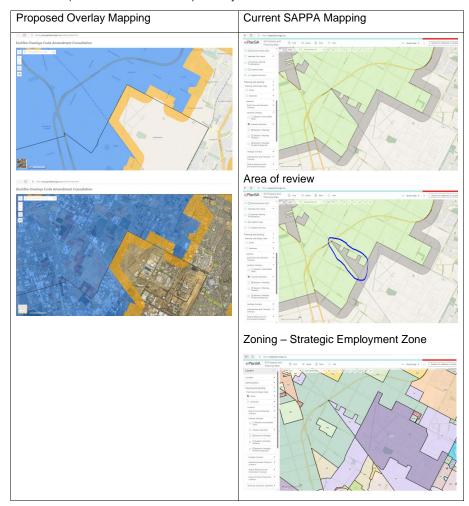
Council can provide further information and details, if necessary, to demonstrate the impacts these changes will have for development, in particular the growth areas.

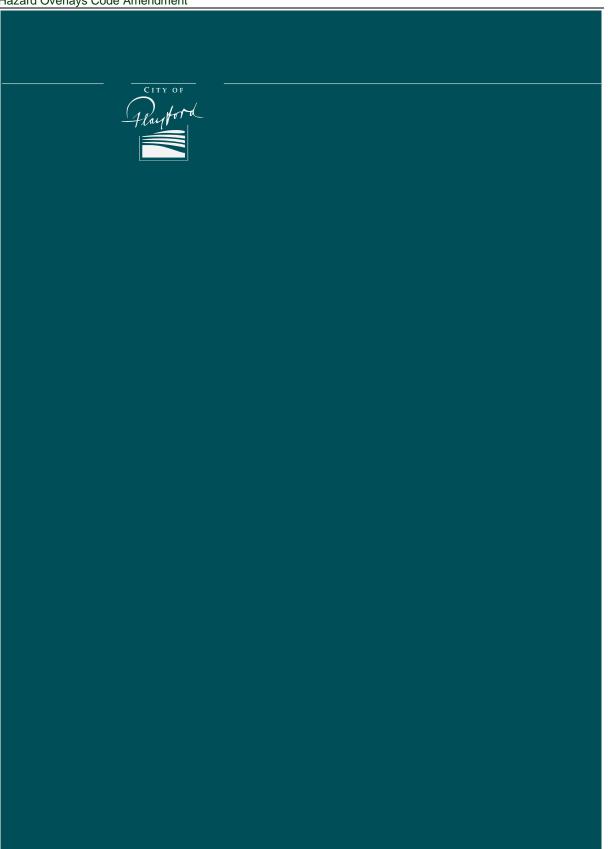
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Employment Lands

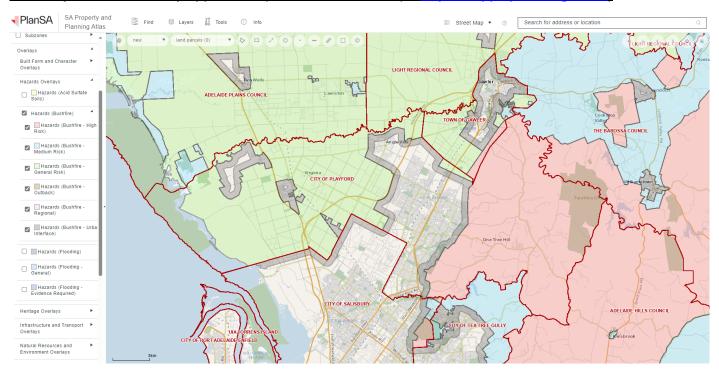
SCT - Strategic Employment Zone

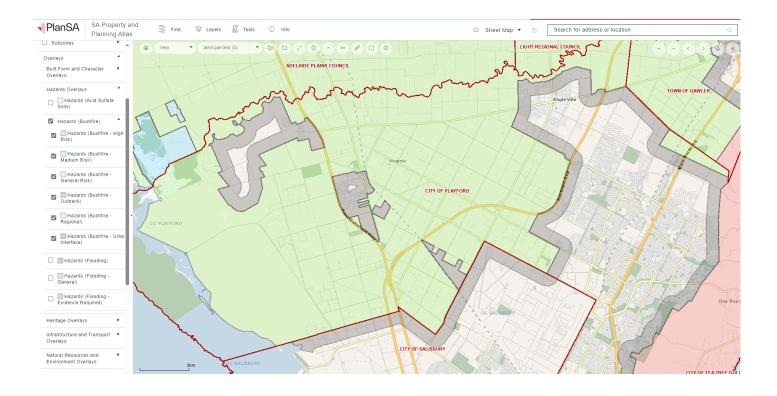
This area has been largely cleared with the development of the SCT logistics intermodal. Although as mentioned above that commercial, industrial, horticultural, and other Building Class 2 to 9 developments will for the most part, not be impacted by the changes in the Code Amendment, it is worth consideration of this identified area being reviewed to retain the Hazard (Bushfire Urban Interface) Overlay.





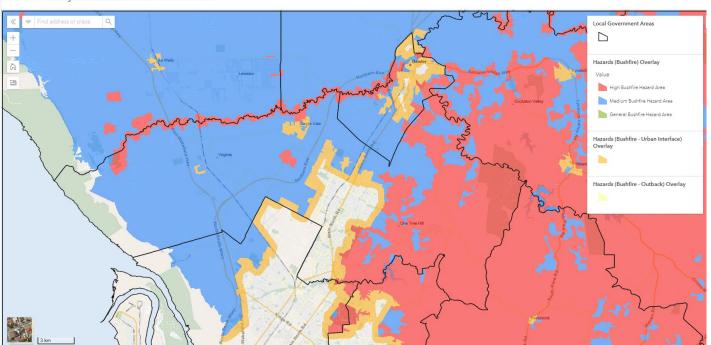
Currently Bushfire Overlay application (Code version 2024.1) - https://sappa.plan.sa.gov.au/)



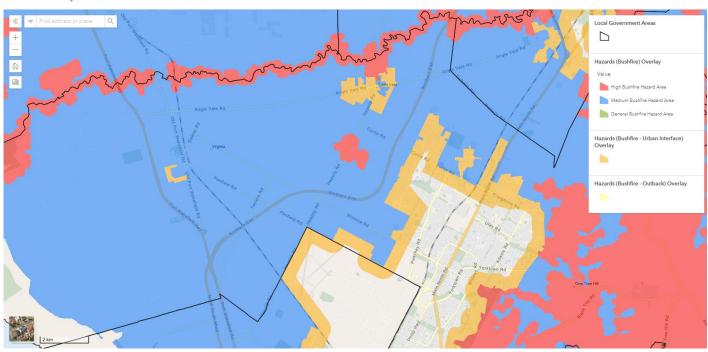


<u>Proposed Bushfire Overlays – mapping found on Plan SA consultation page – (https://plan.sa.gov.au/have_your_say/code-amendments/on-consultation)</u>





Bushfire Overlays Code Amendment Consultation



STAFF REPORTS

Matters which cannot be delegated to a Committee or Staff

15.1 CORPORATE GOVERNANCE COMMITTEE - INDEPENDENT MEMBER APPOINTMENT

Responsible Executive Manager: Luke Culhane

Report Author: Sarah Schutz

Delegated Authority: Matters which cannot be delegated to a Committee or Staff

Attachments: 1<u>J</u>. Corporate Governance Committee Charter

PURPOSE

For Council to consider the reappointment of Mr Mark Labaz and Mr Martin White as Independent Member representatives on the Corporate Governance Committee from 1 April 2024 to 31 March 2026.

STAFF RECOMMENDATION

Council reappoints Mr Mark Labaz and Mr Martin White as Independent Member representatives on the Corporate Governance Committee for a two-year term commencing 1 April 2024 until 31 March 2026.

EXECUTIVE SUMMARY

The current appointment to the Corporate Governance Committee for Mr Mark Labaz and Mr Martin White ceases on 31 March 2024. Reappointing Mr Mark Labaz and Mr Martin White for a two-year term will provide continuity in membership and retain the required skills, knowledge, and experience relevant to the functions of the Committee.

1. BACKGROUND

The Corporate Governance Committee (the Committee) has been established to fulfil Council's obligations under Section 126 of the *Local Government Act 1999* to have an audit and risk committee.

Under the *Local Government Act 1999*, the following provisions apply to the membership of a Council audit and risk committee:

- a) The majority of members of the committee must be persons who are not members of any council
- b) The members of the committee (when considered as a whole) must have skills, knowledge and experience relevant to the functions of the committee, including in financial management, risk management, governance and any other prescribed matter
- c) The membership of the committee:
 - i. may not include an employee of the council (although an employee may attend a meeting of the committee if appropriate);
 - ii. may include, or be comprised of, members of another council audit and risk committee or a regional audit and risk committee; and

iii. must otherwise be determined in accordance with the requirements of the regulations.

The Committee Charter (Attachment 1) states that the Committee shall be comprised of five (5) members, consisting of the Mayor and one (1) Council Member and three (3) Independent Members.

A summary of the current Committee members and terms of office is provided in the below table.

Member	Date of appointment	Expiry date of current term	
Mr Mark Labaz	22 February 2022	31 March 2024	
Mr Martin White	22 February 2022	31 March 2024	
Mr Peter Brass	24 January 2023	31 March 2025	
Mayor Glenn Docherty	29 November 2022	30 November 2024	
Cr Shirley Halls	29 November 2022	30 November 2024	
Cr Jane Onuzans (Deputy)	29 November 2022	30 November 2024	

Appointments to the Committee are structured in a way that continuity of membership and knowledge is balanced with the opportunity to refresh the membership.

Mr Labaz was first appointed to the Committee in April 2020. In 2021, Mr Labaz was appointed by the Committee as the Presiding Member, a role he still holds.

Mr White was first appointed to the Committee in February 2007 and has been the Committee's longest serving member. During this time, Mr White has held the role of Presiding Member for multiple terms. His knowledge and understanding of Council's audit history has greatly contributed to discussions during Committee meetings.

2. RELEVANCE TO STRATEGIC PLAN

<u>Decision-making filter</u>: We will ensure that we meet our legislative requirements and legal obligations.

The Corporate Governance Committee is a requirement under Section 126 of the *Local Government Act 1999*.

3. PUBLIC CONSULTATION

There is no requirement to consult the community on this matter.

4. DISCUSSION

4.1 Mr Labaz currently serves as an Independent Member on the Corporate Governance Committee. Mr Labaz's term of appointment expires on 31 March 2024. Mr Labaz was first appointed to the Committee in April 2020. In 2021, Mr

Labaz was appointed by the Committee as the Presiding Member, a role he still holds

- 4.2 Mr White currently serves as an Independent Member on the Corporate Governance Committee. Mr White's term of appointment expires on 31 March 2024. Mr White was first appointed to the Committee in February 2007 and has been the Committee's longest serving member. During this time, Mr White has previously held the role of Presiding Member for multiple terms. In addition to the skills and experience Mr White holds, his knowledge and understanding of Council's audit history has greatly contributed to discussions during Committee meetings.
- 4.3 The Committee currently has a diversity of skills, knowledge and experience relevant to the functions of the committee, including in financial management, risk management, governance and asset management.
- 4.4 The Corporate Governance Committee Charter (Attachment 1) states that the Committee shall be comprised of five (5) members, consisting of the Mayor and one (1) Council Member and three (3) Independent Members.
- 4.5 Reappointing both Mr Labaz and Mr White maintains the current membership of the Committee, ensuring that specific knowledge and relevant expertise to the functions of the committee is not lost.

5. OPTIONS

Recommendation

Council reappoints Mr Mark Labaz and Mr Martin White as Independent Member representatives on the Corporate Governance Committee for a two-year term commencing 1 April 2024 until 31 March 2026.

Option 2

- 1. Council reappoint Mr Mark Labaz and Mr Martin White as Independent Members on the Corporate Governance Committee for a period of six months commencing on 1 April 2024 and concluding on 31 October 2024.
- 2. An expression of Interest process for two Independent Member positions on the Corporate Governance Committee be commenced with a report to be presented to Council at a future meeting to appoint two Independent Members to commence on the Corporate Governance Committee from 1 November 2024.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The recommendation provides for continued membership of two current Independent Members of the Committee, ensuring continuity in membership and retaining the required skills, knowledge, and experience relevant to the functions of the Committee.

Risk Appetite

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commission Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

This decision will maintain Council adherence to the requirements under the *Local Government Act 1999* for Council to have an audit and risk committee. The Committee's membership is formed under requirements of the Act.

6.1.2 Financial Implications

There are no financial or resource implications relating to this decision as the sitting fees for two Independent Members is already included in the existing budget.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

Option 2 may result in new members offering different skills, knowledge and experience. The new members will be required to undertake a tailored training program which may include meeting procedure training and knowledge of Council's strategic and governance objectives. This option will result in the need for a new Presiding Member to be appointed by the Committee who may lack the skills, knowledge and experience required to effectively chair the meetings.

6.2.2 Financial Implications

Option 2 will result in additional time and costs associated with running an expression of interest and selection process however these can be managed within the existing budget.

CORPORATE GOVERNANCE COMMITTEE CHARTER



1 Purpose and Functions

The Purpose of the Corporate Governance Committee (the 'Committee') is to provide independent assurance and advice to Council on accounting, financial management, internal controls, risk management and governance matters.

The Committees functions are;

- 1.1 Fulfil the role of the Council's audit committee as required in Section 126 of the Local Government Act 1999.
- 1.2 Review Council's annual financial statements to ensure that they present fairly the state of affairs of the Council.
- **1.3** Proposing, and providing information relevant to review of the Council's strategic management plans and annual business plans.
- 1.4 Monitoring the responsiveness of the Council to recommendations for improvement based on previous audits and risk assessments, including those raised by Council's External and Internal Auditors.
- 1.5 Proposing, and reviewing the exercise of powers under Section 130A Other Investigations of the Local Government Act 1999.
- 1.6 Liaising with Council's External Auditor.
- 1.7 Reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of Council on a regular basis.
- 1.8 Providing oversight of the Internal Audit function in planning and scoping of the Internal Audit Work Plan.
- 1.9 Reviewing and commenting on the Internal Auditor's Reports on a quarterly basis.
- 1.10 Reviewing and evaluating the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management, and review of strategic, financial, and operational risks on a regular basis.
- **1.11** Reviewing any report obtained by Council that addresses prudential issues of a project as per Section 48 (1) of the *Local Government Act 1999*.
- **1.12** Performing any other function determined by Council or prescribed by regulations.

CITY OF				
Hayford	ECM Document Set No.:	3577290	Initial Date of Adoption:	28 Sep 2008
	Authorised by:	Council Resolution No. 5209	Date of Current Version:	29 Nov 2022
	Document Maintained by:	Governance	Next Review Date:	Nov 2024

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2 Terms of Reference

The Committee's terms of reference are to consider all matters outlined in section 126(4) of the *Local Government Act 1999* being the functions of an audit committee.

2.1 Financial Reporting

The Committee shall review the Council's Annual Financial Statements to ensure that they present fairly the state of affairs of the Council and review significant financial reporting issues and judgements which they contain.

The Committee shall review and challenge where necessary:

- a) The consistency of, and any changes to, accounting policies on a year-on-year basis;
- The methods used to account for significant or unusual transactions where different approaches are possible;
- Whether the Council has followed appropriate accounting standards and made appropriate estimates and judgements, taking into account the views of the external auditor;
- The clarity of disclosure in the Council's financial reports and the context in which statements are made: and
- All material information presented with the financial statements, such as the operating and financial review and the External Auditor statement (insofar as it relates to the audit and risk management).

2.2 <u>Strategic Management Plans and Annual Business Plans</u>

The Committee shall propose and provide information relevant to, a review of the Council's strategic management plans including the Annual Business Plan, and review and provide recommendations on the sustainability of Council's financial performance giving consideration to Council's financial indicators.

2.3 Monitor Auditor Recommendations

The Committee shall:

- a) Review management responses to External and Internal Auditors recommendations.
- b) Monitor the timeliness of response.

2.4 Other Investigations or Evaluations

- a) The Committee shall, when necessary, propose and review the exercise of Council's powers under Section 130A of the Local Government Act 1999, in relation to the conduct of efficiency and economy Audits in relation to any matter relating to financial management or the efficiency and economy with which Council manages or uses its resources to achieve its objectives, that would not otherwise be addressed or included as part of an annual external audit and that is considered by Council to be of such significance as to justify examination.
- A Report under Section 130A is to be provided to the principal member of Council and the Committee.

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c) The Committee may review and consider reports or recommendations from external agencies where an investigation or evaluation relates to the role of the committee.

2.5 Council's External Auditor

The Committee shall:

- Provide input and make recommendation to Council on the appointment of the External Auditor.
- b) Meet with the External Auditor, as needed.
- Meet with the External Auditor at least once a year, on a confidential basis where the majority of members of the committee are present and without staff or other elected members being present, to discuss their remit and any issues arising from the External Audit
- d) Annually review the performance of the External Auditor.

2.6 Accounting, Internal Control, Reporting and other Financial Management Systems

The Committee shall:

- a) Review the policies, practices, and procedures of internal control.
- b) Keep under review the effectiveness of the Council's internal controls systems.
- Review and recommend the approval, where appropriate, of statements to be included in the annual report concerning internal controls.

2.7 Internal Audit Function

The CEO shall consult with the Committee before the appointment or assignment of an internal auditor.

The Committee shall:

- a) Oversee the planning and scoping of the Internal Audit Work Plan.
- Receive a report annually from the Chief Executive Officer on Council's internal audit processes.
- Directly receive any reports from the Internal Auditor.
- d) Review and comment on the Internal Auditor's reports on a quarterly basis.
- e) Review management's response to audits.
- g) Consider and make recommendations on the adequacy of resources and access to information to enable the internal audit program to perform its function effectively and in accordance with the relevant professional standards.

2.8 Risk Management

The Committee shall:

a) Review and evaluate the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring,

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Document Set ID: 3577290 Version: 15, Version Date: 30/11/2023 management, and review of strategic, financial, and operational risks on a regular basis.

- b) Review and recommend the approval, where appropriate of statements to be included in the annual report concerning risk management.
- c) Receive and review strategic risk reports.

2.9 Prudential Reports

The Committee shall review all Prudential Reports as per Section 48(1) of the *Local Government Act 1999*.

2.10 Public Interest Disclosures

The Committee shall review the Council's arrangements for its employees to raise concerns, in confidence, about possible wrongdoings in financial reporting, fraud and corruption and other matters.

The Committee shall ensure these arrangements allow for independent investigations where appropriate and appropriate follow-up action.

3 Definitions

Act for the purpose of this policy means the Local Government Act 1999.

Chief Executive Officer (CEO) means the Chief Executive Officer of a council and includes a deputy or other person acting in the officer of Chief Executive Officer.

Council Member means the Principal Member, or a Councillor elected by the electors of a particular ward, as a representative of the ward in the City of Playford.

Electronic Means includes a telephone, computer or other electronic device used for communication.

Executive Officer is a staff member appointed by the Chief Executive Officer to support a Section 41 Committee, other committee or advisory group.

Independent Members are members on a committee or panel who are not elected but have been appointed by the Council to undertake a similar role as Councillors on Council's Section 41 Committees or the Council Assessment Panel. They are external appointees.

Mayor is the person elected as the Principal Member of the Council to represent the local government area as a whole.

Staff includes Council staff, contractors, volunteers, and all others who perform work on behalf of Council.

Strategic Management Plans are defined as Council's Long Term Financial Plan, Council's Strategic Plan, Council's Asset Management Plan, and the Council's Annual Business Plan.

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4 Delegations

- 4.1 The Committee has delegation for the following:
 - a) Approve Committee's Minutes as a true and accurate record of proceedings.
 - b) Develop and approve the Committee's Work Plan.
 - c) Appoint a Presiding Member from within the Committee.
- 4.2 Any other business referred to the Committee in accordance with its Purpose and Functions, and Terms of Reference, or where the Committee does not hold the delegated authority, this business may be debated with a recommendation referred to the next Ordinary Council Meeting for consideration.
- 4.3 The Executive Officer in consultation with the Presiding Member may approve a deputation request for business that falls in-line with the Committee's Purpose and Functions, and Terms of Reference. The Committee may resolve to seek further information on the business of a deputation; although no further resolution may be passed for the business of a deputation at the meeting the deputation was provided.
- 4.4 Petitions are not delegated to the Committee and are only to be presented to Council.

5 Meetings

- 5.1 The Committee Meeting will be held on the first Tuesday of the month, starting at 5:00pm. The Committee will meet a minimum of six (6) times per annum. The Committee will determine an annual schedule of meetings. Meetings must occur at least quarterly.
- **5.2** The Chief Executive Officer, in consultation with the Presiding Member may determine on reasonable grounds that a meeting is not required to take place where there:
 - Are insufficient items for consideration by the Committee to warrant a meeting being held:
 - There are unforeseeable, unusual or emergency circumstances for the meeting not being held.
- 5.3 The Committee Meeting will be hosted in the Committee Room at the Playford Civic Centre, 10 Playford Boulevard, Elizabeth, unless otherwise determined by the Committee prior to the meeting.
- **5.4** Meetings may either wholly or in part be held via electronic means.

A member of the Council participating in a Council meeting by electronic means is taken to be present at the meeting provided that the member:

- a) can hear all other members present at the meeting;
- b) can be heard by all other members present at the meeting; and
- c) can be heard by the person recording the minutes of the meeting.

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- 5.5 The agenda will be prepared and distributed to all Committee Members at least three clear days before the date of the meeting, with the preference being to distribute electronically.
- 5.6 Special Meetings of the Committee may be necessary from time to time and may be called in accordance with Section 82 of the Local Government Act 1999. Notice of a Special Committee Meeting may be at a minimum of four (4) hours' notice, due to the urgency of the matters on the agenda.

6 Membership

6.1 Term rules:

- a) The Committee shall comprise five (5) members consisting of the Mayor and one (1)
 Council Member and three (3) Independent Members.
- b) The term of the Council Member appointment will be for a period determined by Council but not exceeding the next General Election.
- Independent Members who are appointed to the Committee may carry over past an election term.
- d) The Presiding Member must be an Independent Member and will be determined by the Committee for a period of two years, after which they may stand for re-election.
- e) The Council may appoint a Deputy Member for the purpose of attending meetings where the Mayor or appointed Council Member are unable to attend a meeting. A Deputy Member is not permitted to attend a meeting in place of an Independent Member.
- f) Unless the context otherwise requires, a reference to a CGC Member in this document includes a Deputy Member.
- 6.2 The members of the Committee (when considered as a whole) must have skills, knowledge, and experience relevant to the functions of the committee, including in financial management, risk management, governance, and asset management.
- 6.3 A table providing a summary of current CGC members and terms of office will be made available on a website determined by the Chief Executive Officer.

7 Role of the Presiding Member

- 7.1 Oversee the conduct of Committee Meetings in accordance with the Local Government Act 1999 and Code of Practice for Council and Committee Meetings.
- **7.2** Ensure all Committee Members have the opportunity to participate in debate and discussions in an open and encouraging manner.
- 7.3 Where a matter has been debated significantly and no new information is being discussed the Presiding Member may call the meeting to order and ask for the debate to be finalised and a motion be put forward.

8 Role of Committee Members

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- **8.1** Actively participate in debate and discussion as a representative of Council in a professional manner at all times.
- 8.2 Ensure the Member is prepared and informed of meeting matters prior to the meeting.
- 8.3 Utilise the skills and experience of the Committee Members to effectively carry out the Committee's role.

9 Independent Member Support

Remuneration

- 9.1 Sitting fees are established by Council and will be reviewed biennially.
- 9.2 Independent Members will be paid per meeting, upon receipt of an invoice.
- 9.3 Independent Members who are required to attend an Ordinary Council meeting, other Committee meetings or mandatory training are entitled to 50% of the sitting fee.
- 9.4 If an Independent Member is also the Presiding Member of a Committee, they will receive 125% of the sitting fee.

Sitting fee	50%	125%
\$550	\$275	\$687.50

Training

- 9.5 A tailored induction and training program will be provided to members joining the committee based on the skills, knowledge and experience of the member.
- 9.6 Independent Members may be offered to undertake training relevant to their role on the Committee. This may include mandatory training required of Council Members and Council and Committee Meeting Procedure training.

Insurance / Liability

- 9.6 Whilst acting in their capacity as an Independent Member, for any honest act or omission, Members will be provided indemnity for civil liability claims under the Local Government Association Mutual Liability Scheme.
- 9.7 Whilst acting in their capacity as an Independent Member, personal accident coverage will be provided to Independent Members. Note that under the *Private Health Act 2007* and the rules attached to that Act, the personal accident policy may not cover medical expenses and Independent Members are responsible for their own medical expenses.

Submission of Returns

9.8 Council has determined that Division 2 – Register of Interests of the *Local Government Act 1999* applies to the Corporate Governance Committee.

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- 9.9 Independent Members are required to submit a Primary Return within 30 days of initial appointment to the Committee. Ordinary Returns will be required within 60 days after 30 June each year.
- **9.10** Failure to supply a return before the expiration of one month from the period outlined in 9.9 will result in a vacancy.

10 Role of the Executive Officer and Administrative Support

- **10.1** The Executive Officer is appointed by the CEO to support the administration and operation of the Committee.
- 10.2 The Executive Officer and relevant staff may provide advice during the meeting in order to aid informed decision making.
- 10.3 The Committee is appointed a Minute Taker.
- 10.4 Governance will liaise with Independent Members to process remuneration and returns.

11 Reporting and Review

- 11.1 The Committee will undertake an annual self-assessment (in the election year this will be incorporated into the external review) to assess the on-going role and effectiveness of the Committee and report any recommendations to Council as required.
- 11.2 In the year leading up to a Council Election the Committee will undertake an external review of the Committee's effectiveness. Any relevant recommendations will be provided to the Council to assist with the on-going structure of the Committee.
- **11.3** The Committee will provide an annual report to the Council on the work of the Committee and this report will be included in Council's Annual Report.
- 11.4 The Committee will communicate with Council following each meeting. Communication may be in the form of meeting minutes, a presentation from the Presiding Member or Executive Officer, a written memo, or Council Report.
- 11.5 Council may invite independent members of the Corporate Governance Committee to workshops with Council to discuss relevant topics as needed.

12 Supporting Documentation

- Local Government Act 1999
- Local Government (Financial Management) Regulations 2011
- · Code of Practice for Council and Committee Meetings
- Code of Practice for Public Access to Meetings and Associated Meeting Documents
- Code of Conduct for Council Members

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13 Approval and Change History

Approval Date	Approval by	Change
27 Nov 2018	Council Resolution No. 3336	Appointment of Members: Mayor Glenn Docherty and Cr Jane Onuzans
		Removal of cancellation clause.
26 Feb 2019	Council Resolution No. 3419	Reappointment of Independent Member: Ms Merridie Martin
		Removal of reference to the Annual Report as a document for the Committee to monitor as it is the Committee's role to consider the Financial Statements that are included in the Annual Report, not the Annual Report itself.
27 Aug 2019	Council Resolution No. 3707	Whistleblower provisions removed and replaced with provisions regarding Public Interest Disclosures, and the inclusion of reference to fraud and corruption.
		Inclusion of the Committee to provide input into the appointment of the External Auditor.
		Minor, administrative wording changes also made.
24 Sep 2019	Council Resolution No. 3746	Reappointment of Members: Cr Jane Onuzans and Mr Martin White
24 Sep 2019	Council Nesolution No. 3740	Extension of appointment: Mr Damian Pulgies.
26 Nov 2019	Council Resolution No. 3848	Appointment of Independent Member: Mr Peter Brass
24 Mar 2020	Council Resolution No. 3981	Appointment of Independent Member: Mr Mark Labaz
07 Apr 2020	Council Resolution No. 3983	Definition of <i>Electronic Means</i> added in line with the new capability of electronic meetings.
25 May 2021	Council Resolution No. 4621	Inclusion of Independent Member Support
24 August 2021	Council Resolution No. 4731	Meeting Commencement time amended from 4:30pm to 5:00pm
26 October 2021	Council Resolution No. 4790	Appointment of Member: Cr Shirley Halls
22 February 2022	Council Resolution No. 4915	Reappointment of Members: Mr Martin White and Mr Mark Labaz
29 November 2022	Council Resolution No. 5209	Appointment of Members: Cr Shirley Halls reappointed with Cr Jane Onuzans appointed as a Deputy Council Member to the Corporate Governance Committee.

15.2 REPRESENTATIVES FOR THE 2024 LGA AND ALGA MEETINGS

Responsible Executive Manager : Luke Culhane

Report Author: Sarah Schutz

Delegated Authority: Matters which cannot be delegated to a Committee or Staff

PURPOSE

To determine Council attendance and the voting delegate to the Local Government Association of South Australia (LGA) and Australian Local Government Association (ALGA) meetings to be held throughout 2024.

STAFF RECOMMENDATION
Decision 1
Local Government Association Ordinary General Meeting, 23 – 24 May 2024.
1. Council appoints the Mayor, Cr and Cr as Council's attendees at the LGA Ordinary General Meeting to be held in Adelaide from 23 – 24 May 2024.
If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.
2. The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.
Decision 2
Australian Local Government Association National General Assembly, 2 – 4 July 2024
1. Council appoints the Mayor, Cr and Cr as Council's attendees at the ALGA National General Assembly to be held in Canberra from 2 – 4 July 2024.
If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.
2. The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.
Decision 3
Local Government Association Annual General Meeting, 21 – 22 November 2024.
Council appoints the Mayor, Cr and Cr as Council's attendees at the LGA Annual General Meeting to be held in Adelaide from 21 – 22 November 2024.
If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.

2. The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.

EXECUTIVE SUMMARY

Council is presented the opportunity to appoint the voting delegate and attendees to the 2024 ALGA National General Assembly, the LGA Ordinary General Meeting (OGM) and the LGA Annual General Meeting (AGM).

The ALGA National General Assembly is an annual event, providing councils with the opportunity to come together, share ideas, debate motions and further build on the relationship between local government and the Australian Government.

Held annually, the LGA Ordinary General Meeting and LGA Annual General Meeting offers Council Members the opportunity to liaise with other council representatives and to discuss and consider challenges, opportunities, policy, and decision-making facing the local government sector to improve the delivery of services to the community.

In accordance with the Council Member Training and Development Procedure, Council may appoint the Mayor and a maximum of two Council Members to attend these events. For previous events, the Mayor has been appointed as the Council's voting delegate. Additional Council Members may attend using their individual training and development budget.

The meetings are scheduled as follows:

- LGA Ordinary General Meeting 23 to 24 May 2024
- ALGA National General Assembly 2 to 4 July 2024
- LGA Annual General Meeting 21 to 22 November 2024.

It is recommended that Council appoint two Council Members to attend each event along with the Mayor as the voting delegate.

1. BACKGROUND

City of Playford Council Members have participated annually in the ALGA National General Assembly, LGA OGM and LGA AGM Conference.

The Council Member Training and Development Procedure states that the Mayor and a maximum of two other Council Members can attend the ALGA National General Assembly, LGA AGM and LGA OGM.

Whilst the Procedure provides for the allocation of budget for the Mayor and a maximum of two Council Members to attend each of these events, Council are required to determine which Members will attend. Additional Council Members who are not selected can make an application to attend to the Mayor and Chief Executive Officer, utilising funding through their individual training and development budget.

2. RELEVANCE TO STRATEGIC PLAN

The agendas for ALGA National General Assembly, LGA AGM and LGA OGM include themes and topics that relate to the delivery of Council's Strategic Plan.

3. PUBLIC CONSULTATION

There is no requirement to consult with the community as part of this decision.

4. DISCUSSION

Australian Local Government Association

- 4.1 The ALGA National General Assembly provides an opportunity for the local government sector to engage directly with the Federal Government, to develop national policy and influence the future direction of councils and our communities. The theme for the 2024 ALGA National General Assembly is 'Building Community Trust'.
- 4.2 The 2024 ALGA National General Assembly is scheduled to be held in Canberra from 2 to 4 July 2024.
- 4.3 As part of the event, voting delegates will vote to support or not support motions put forward for consideration by Council's from around Australia. The business paper will be available to Council's voting delegate prior to the event.
- 4.4 The Procedure allows for the Mayor and a maximum of two Councillors to attend the ALGA National General Assembly.

Local Government Association

- 4.5 The LGA Ordinary General Meeting (OGM) is scheduled to be held from 23 24 May 2024 in Adelaide (location to be confirmed).
- 4.6 The OGM Conference will commence on the evening of Thursday 23 May 2024 and run for the day on Friday 24 May 2024.
- 4.7 The LGA Annual General Meeting (AGM) is scheduled to be held from 21 22 November 2024 in Adelaide (location to be confirmed).
- 4.8 Voting delegates will vote to support or not support motions put forward by Council's around South Australia. Once the motions are finalised and included in the association agenda, Council staff will prepare a position paper for Council to determine a position on each motion. The position papers will be available to Council's voting delegate prior to the events.
- 4.9 The LGA OGM and AGM are the two major decision-making and policy setting forums for the LGA. The events also provide important networking opportunities for local government representatives.
- 4.10 The Procedure allows for the Mayor and a maximum of two Councillors to attend the LGA AGM and the LGA OGM respectively.
- 4.11 Where an appointed representative is unable to attend the event, a substitute Council Member can be appointed by Committee or Council resolution to attend in their absence. In accordance with the Procedure, in the event that a Council or Committee meeting is not scheduled in time to resolve an alternate representative, the CEO in collaboration with the Mayor may determine an appropriate mechanism to select an alternate attendee.
- 4.12 Council may also determine to not appoint any Council members to attend the event(s) with only the Mayor attending as Council's voting delegate.

5. OPTIONS

Recommendation

D	ecision 1
Lo	ocal Government Association Ordinary General Meeting, 23 – 24 May 2024.
1.	Council appoints the Mayor, Cr and Cr as Council's attendees at the LGA Ordinary General Meeting to be held in Adelaide from 23 – 24 May 2024.
	If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.
2.	The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.
D	ecision 2
A	ustralian Local Government Association National General Assembly, 2 – 4 July 2024
1.	Council appoints the Mayor, Cr and Cr as Council's attendees at the ALGA National General Assembly to be held in Canberra from 2 – 4 July 2024.
	If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.
2.	The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.
D	ecision 3
Lo	ocal Government Association Annual General Meeting, 21 – 22 November 2024.
1.	Council appoints the Mayor, Cr and Cr as Council's attendees at the LGA Annual General Meeting to be held in Adelaide from 21 – 22 November 2024.
	If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.

Option 2

unable to attend.

Council appoints the Mayor as Councils representative and voting delegate to the LGA OGM – 23 to 24 May 2024, the ALGA National General Assembly 2 to 4 July 2024 and the LGA AGM, scheduled for 21-22 November 2024.

2. The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The recommendation is consistent with past practice whereby the Mayor and two Council Members are provided the opportunity to attend these events in accordance with the Council Member Training and Development Procedure.

This option seeks Council's resolution of Council Members to attend these events in addition to the Mayor being appointed to attend as Council's voting delegate.

Risk Appetite

Service Delivery

Council has a moderate appetite for supporting and enhancing existing services and programs to improve the social, recreation and health and wellbeing outcomes for residents; and driving social and economic transformation through a number of major projects and Council initiatives, which will create jobs and act as a catalyst for private investment into Northern Adelaide to support the growing population.

This decision will provide the Mayor and Council Members the opportunity to liaise with other council representatives and to consider challenges, opportunities, policy, and decision-making facing the local government sector to improve the delivery of services to the community.

6.1.2 Financial Implications

Attendance of the Mayor and two Council Members to the LGA OGM, LGA AGM and ALGA National General Assembly are funded within existing budgets.

The table below outlines the costs associated with the appointment of the Mayor and two Council Members to attend the ALGA National General Assembly (including flights, accommodation, registration and taxi charges), and the cost for the Mayor to attend the LGA OGM and LGA AGM in 2023 as resolved by Council.

	LGA OGM 13-14 April 2023	ALGA NGA 13-15 June 2023	LGA AGM 26-27 October 2023	Total
2023 total cost of attendance: Mayor and two Council Members	Nil*	\$9,195.64	Nil*	\$9,195.64

^{*}No costs involved with the Mayor only attending the OGM and AGM, and not the full conference.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

Council may determine that no additional attendees are required to attend the events and only the Mayor attends as Council's voting delegate. It is not a requirement that two Council Members attend the ALGA National General Assembly, LGA OGM, and/or the LGA AGM.

The Council Member Training and Development Procedure provides for the Mayor and a maximum of two Council Members to attend the ALGA National General Assembly, LGA OGM and AGM. Council Members who wish to attend may still do so using their individual training and development budget.

6.2.2 Financial Implications

The table below outlines the cost for each event in 2023, for the Mayor's attendance only.

	LGA OGM 13-14 April 2023	ALGA NGA 13-15 June 2023	LGA AGM 26-27 October 2023	Total
2023 total cost of attendance: Mayor	Nil*	\$3,929.19	Nil*	\$3,929.19

^{*}No costs involved with the Mayor only attending the OGM and AGM, and not the full conference.

STAFF REPORTS

Matters which have been delegated to staff but they have decided not to exercise their delegation

15.3 NORTHERN ADELAIDE TRANSPORT STUDY (DIT) - COUNCIL SUBMISSION

Responsible Executive Manager: Luke Culhane

Report Author: Jordan Ward

Delegated Authority: Matters which have been delegated to staff but they have decided not

to exercise their delegation

Attachments: 1<u>U</u>. Northern Adelaide Transport Study Fact Sheet (DIT)

2<u>1</u>. Playford Submission to DIT Northern Adelaide Transport Study

PURPOSE

To present City of Playford's submission on the Department for Infrastructure and Transport (DIT) 'Northern Adelaide Transport Study' for Council Endorsement.

STAFF RECOMMENDATION

That Council endorse:

- 1. The submission provided at Attachment 2 that responds to the Department for Infrastructure and Transport (DIT) request for a Council response to the Northern Adelaide Transport Study.
- 2. Council authorise the CEO to make further minor amendments to the submission that do not alter the intent of the document.

EXECUTIVE SUMMARY

The Department for Infrastructure and Transport (DIT) announced that they are completing a transport study for Northern Adelaide.

The study area encompasses all of the City of Playford, along with seven other Councils (including partial Council areas). The study area ranges from Prospect to Roseworthy and Buckland Park to Humbug Scrub. The DIT project fact sheet, including study extents is provided in Attachment 1.

Council was invited to provide a submission in response to the transport study to provide key insights for transport issues and opportunities in the region.

Council's submission in response to the transport study is provided in Attachment 2. The submission focusses on supporting liveability and population / economic growth for the City of Playford through best practice transport planning.

1. BACKGROUND

DIT announced that they are completing a Transport Study for Northern Adelaide because of strong projected population growth in the outer northern suburbs, and the need to ensure safe and efficient connectivity within these areas. The study will also inform the Greater Adelaide Regional Plan (GARP), which Council provided a submission, in October 2023. Consistent messaging is provided across both the GARP and Transport Study submissions.

To inform the City of Playford response, an Elected Member Information session was held on the 13th of February 2024.

Consultation and stakeholder engagement for the Transport Study closes on the 3rd of March 2024.

2. RELEVANCE TO STRATEGIC PLAN

Community Theme 1: Improving safety and accessibility

This theme is focused on planning for future growth, which includes advocating to the State on matters such as public transport and transport networks.

Community Theme 4: Supporting business and local employment opportunities

This theme is focused on economic growth and generation of local jobs, especially within the Elizabeth CBD, Lyell McEwin Health and Wellbeing Precinct, Greater Edinburgh Parks, Defence and Aerospace Precinct and horticultural areas.

3. PUBLIC CONSULTATION

This is a State-led consultation and is open to everyone in the community to engage with. It does not trigger Council's Community Engagement Policy.

The City of Playford has promoted the Transport Study and community survey on our social media platforms.

4. DISCUSSION

- 4.1 DIT are seeking community and stakeholder feedback for the Northern Adelaide Transport Study. This Study will also inform the GARP and will consolidate projects and other planning studies (i.e. Curtis Road and Dalkeith Road) currently underway within the region.
- 4.2 To inform the study, DIT are seeking local insights on the current experiences and preferences of the community travelling throughout and within the study area. The City of Playford submission advocates for transport planning and infrastructure investment to support liveability and population / economic growth.
- 4.3 The City of Playford is experiencing the phenomenon of 'induced demand'. When a new road is built (i.e. Northern Expressway) in an area where roads are already congested and are not upgraded (i.e. Womma Road, Curtis Road and Dalkeith Road), more traffic tries to enter the new road, resulting in more traffic and congestion across the network. This coupled with population growth, with the car used as the primary mode of transport, is causing high levels of traffic congestion. It is recognised that building new roads, or widening existing roads creates traffic congestion, rather than solves it, due to the 'induced demand' phenomenon.
- 4.4 The response has been developed based upon best practise transport planning which recognises the need to provide for a sustainable transport network and improving the serviceability of other modes of transport (walking, cycling and public transport) as these serve to reduce congestion, rather than create it (induced demand).
- 4.5 Council's response is provided at Attachment 2 and broadly covers the following matters:

- Population Growth
- Economic Growth
- Live Locally
- Active transport (Walking, cycling and public transport)
- Network management
- Infrastructure upgrades.

5. OPTIONS

Recommendation

That Council endorse:

- 1. The submission provided at Attachment 2 that responds to the Department for Infrastructure and Transport (DIT) request for a Council response to the Northern Adelaide Transport Study.
- 2. The CEO is delegated to make minor amendments to the submission that do not change its intent.

Option 2

1.	The submission provided at Attachment 2 that responds to the Department for
	Infrastructure and Transport (DIT) request for a Council response to the Northern
	Adelaide Transport Study, subject to the following amendments:

•				
_				
•				

2. Council authorise the CEO to make further minor amendments to the submission that do not alter the intent of the document.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

This Transport Study outcomes will be key in guiding transport infrastructure investment in the Northern region by the State Government. This submission ensures that Playford's interests are considered for as part of this study.

Council's submission reflects our Community Vision and recommends that modern transport planning practices are applied to the Study.

Risk Appetite

Reputation

Council has a low appetite for negative perceptions that compromise its credibility and reputation, achievement of its long-term vision (Playford Community Vision 2043) and strategic objectives, or ability to maintain its status as a progressive and major growth Council.

This decision will maintain Council's reputation, it is important that Council responds and advocates on behalf of our community to the State Government on key strategies that will impact the community.

6.1.2 Financial Implications

There are no financial or resource implications.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

The implications of Option 2 are the same as for Option 1, subject to any amendments to the submission that the Council might wish to make.

6.2.2 Financial Implications

There are no financial or resource implications.

Northern Adelaide Transport Study

Project overview - January 2024

We are undertaking a transport study for the Northern Adelaide inner and outer suburbs to inform future transport planning and investment in the region.

The South Australian and Australian governments are investing in improving the transport network, now and in the future. We are committed to improving accessibility, connectivity, and safety as the population grows and demand rises.

This document outlines some key information we already know about the study area and how you can share your insights about transport in the region. Feedback we receive will be used to help inform the study.

What is the transport study?

We are undertaking a transport study to look at the northern area holistically (in addition to already funded projects) to identify and inform potential transport improvements in the region.

The study will consider key issues and opportunities to support population growth, economic growth, liveability, public transport, active transport, and the safety, reliability and resilience of our strategic road corridors.

The study area is shown in Figure 1.

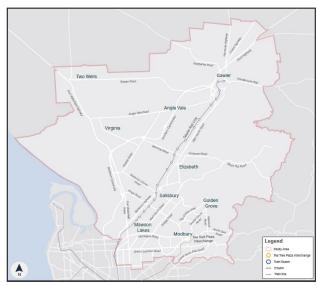


Figure 1 Study area



Why is the study needed?

There is strong current and projected population growth in the inner and outer northern suburbs of Adelaide, as shown in figure 2.

An effective and efficient transport network within Northern Adelaide plays an important role in the State's economy and supply chain. The region is home to major logistic hubs, defence precincts and employment hubs.

The transport study will also inform the South Australian government's Greater Adelaide Regional Plan currently being developed.

Transport Infrastructure investment in the Adelaide northern suburbs

This study will build on and consolidate projects and current planning studies underway by the Government in the region. The study will also inform the Greater Adelaide Regional Plan. Current projects are shown in figure 3.

- Wynn Vale Drive Upgrades
- Wynn Vale Drive and Bridge Road Junction Upgrade
- 3 Curtis and Dalkeith Roads Planning Study
- Main North Road and Regency Road Intersection Planning Study
- 5 Neison Road Road Management Plan
- 6 Northern Suburbs Local Roads Upgrades
- John Rice Avenue and Haydown Road junction Upgrade
- 8 Yorktown Road and Adams Road roundabout
- Mawson Lakes Road Management Plan
- 10 Heaslip Road and Curtis Road Intersection Upgrade
- 11 High Productivity Vehicle Network Project Sturt Highway
- Cormack Road Level Crossing Removal Planning Program Kings Road Level Crossing Removal Planning Program
- Kings Road Corridor Study
- B Park Terrace Level Crossing Removal Planning Program
- 16 Elder Smith Road widening Angle Vale Infrastructure Deed
- Virginia Infrastructure Deed
- Playford Infrastructure Deed
- Two Wells Infrastructure Deed

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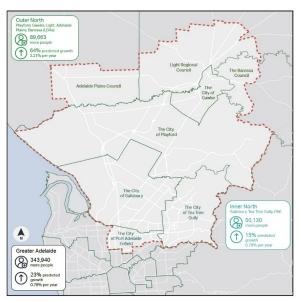


Figure 2 Population Projections for South Australia and Regions - 2021 to 2041

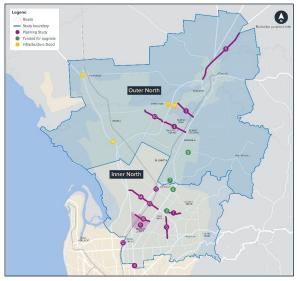


Figure 3 Currently funded projects, planning studies and infrastructure deed locations in the study area



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Key considerations and what we already know about the region

The study will seek to build on what we already know about the region from previous studies and data sources. Key considerations of the study and an overview of what we already know about the region are summarised below.



Population growth

In 2021, the outer north region had a population of 139,452. It increased by 10% over the five years prior, with an additional 13,000 people. In 2021, the inner north region had a population of 321,850. It increased by 5% over the five years prior, with an additional 18,000 people.

The region has the highest projected population increase in South Australia from 2021-2041, with 89,663 additional people projected in the outer north and 50,130 additional people in the inner north.

40% of Greater Adelaide's projected population growth by 2041 will take place in Northern Adelaide.



Population and aging

The northern region has a lower median age of 37.2 years compared to that of Greater Adelaide, which is 39 years. The proportion of people aged over 60 years is growing in the area, increasing from 19% in 2011 to 21.8% in 2021. This is consistent with the overall trend of an increasing aging population in Greater Adelaide.

The increase in the ageing population is a consideration for transport planning in the region. It is important the transport network can support minority groups and those with physical impairments and mobility challenges.



Supporting population growth

Numerous residential developments within the region, including Riverlea, Playford North Expansion, Angle Vale, Blakeview and Roseworthy, along with future developments in Dry Creek, Concordia and Virgina will support population growth in the region. There is also potential for new housing infill within areas including Kilburn, Blair Athol, Enfield, Modbury, Salisbury, Elizabeth and

The high proportion of available land in the region will support future growth, both residential and employment growth. Over 22,000 dwellings can be accommodated at Riverlea and Concordia.



Supporting economic and employment growth

Northern Adelaide plays an important role in the State's supply chain, supporting both interstate and intrastate transport connections. Major logistic hubs are located within the area, as well as major national defence and employment precincts in Mawson Lakes and Edinburgh. The high proportion of land supply in the region highlights the substantial room to accommodate employment growth.

The number of businesses in the northern area has been steadily increasing. They increased from 22,331 businesses in 2018 to 27,629 in 2022.

The eight Council areas in the region are estimated to have a combined Gross Regional Product that contributes 27% of the state's Gross State Product and 25% of the State's employment with 230,634 jobs.

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How people travel

Car ownership per household is on average slightly higher at 93% in the region compared to that of Greater Adelaide at 92.4%.

A slightly higher proportion of people in the region travel to work in a car, compared to Greater Adelaide. Slightly less people use public transport, walk only, or work from home.



Public transport

Areas near fast, frequent and reliable public transport facilities (i.e., the O-Bahn, and Go Zones) recorded a higher proportion of people using public transport to travel to work.

5.7% of people in the Adelaide North catch public transport to work, slightly less than the Greater Adelaide average of 6.4%



Active transport

Across the region, there is very low uptake of people cycling to work. Cycling to work is more common (but still a low overall uptake) in Highbury - Dernancourt (0.5%) and Salisbury North

(0.7%)

Increasing the amount of people walking, cycling and using personal mobility devices has many benefits. Benefits to the individual and the wider community can include reduced road traffic congestion, reduced vehicle running costs, reduced emissions, and increased physical and mental wellbeing.



Freight

Northern Adelaide's relatively flat topography, proximity to logistic hubs, and well-connected transport network supports the efficient movement of freight. The region contains strategic major routes which services Greater Adelaide including Main North Road, Port Wakefield

Road, Northern Connector, Northern Expressway, the Sturt Highway, Grand Junction Road, Angle Vale Road, Curtis Road. As demand for freight grows, greater pressure will be placed on these key roads.



Key local places and destinations

The area has significant retail and commercial centres (Elizabeth, Munno Para, Gawler, Tea Tree Plaza); health precincts (Lyell McEwin, Modbury and Gawler Hospitals); industrial employment zones (Elizabeth, Edinburgh); Defence (RAAF base at Edinburgh); and is a rich agricultural region (Virginia, Roseworthy). There are five higher education campuses within the study area; two university campuses and three TAFE SA campuses. The northern Adelaide is also the gateway to the adjacent wine region of the Barossa Valley.



Existing road network

The region is well connected for north-south movements including the Northern Connector/ Northern Expressway / Sturt Highway, Main North Road, North East Road, Salisbury Highway and Port Wakefield Road. These movements are supported by east-west corridors including Grand Junction Road, Montague Road, Kings Road / McIntyre Road, Curtis Road, Womma Road, Angle Vale Road and Gawler Road).

Previous community feedback has raised opportunities for improvement on the east-west corridors.

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Environment

Environmental factors such as Aboriginal heritage, topography, tree canopy cover, waterways, parks and wildlife need to be considered alongside social and economic needs of a region to provide a balanced transport network.

The region is at risk of both bushfires and flooding.

The study area is located within the lands of the Kaurna and Ngadjuri people and is known to contain a number of Aboriginal heritage sites, objects, and remains.

Net zero emissions



The South Australian Government has targets to reduce net greenhouse gas emissions by more than 50% by 2030, and to achieve net zero emissions by 2050. These targets will be embedded in transport planning and investment frameworks to ensure decision making

considers emissions reduction goals.

The transport study will consider how transport infrastructure could contribute to reducing the impacts of transport on greenhouse gas emissions, for example by supporting electric vehicle usage.

Community and stakeholder feedback

Stakeholder and community feedback is important to ensure the transport study is informed by local insights from those who know the region best – those that live, work, and travel in the region.

From previous engagement in the northern area, we understand the key opportunities for improvement at a local level within the area include addressing congestion, travel time delay/reliability, user safety and east/west movements.

We are undertaking consultation with the community and other key stakeholders to further understand local insights and key issues across the broader area to inform the study.

We invite you to share your insights by Sunday 3 March via an online survey or face-to-face at one of the local listening posts.

Please scan the QR code or visit the project website to complete the survey and find out the dates and locations of the listening posts.

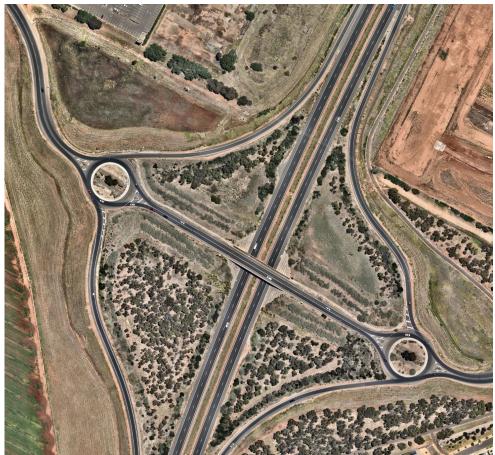
If you have any questions or would like to register to receive project updates, please:

- visit the website https://dit.sa.gov.au/adelaide-north-transport-study
- email <u>DIT.Engagement@sa.gov.au</u>
- telephone 1300 794 880



OFFICIAL





Northern Adelaide Transport Study

City of Playford Submission **February 2024**

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1 Introduction

Community Vision 2043: "Playford is the City of Opportunity, supporting the community's hopes and aspirations to be vibrant, thriving and sustainable. It provides an enviable lifestyle that is connected, healthy, happy, ambitious and proud, where each individual can take advantage of the many opportunities offered, making the City prosperous, liveable and happy"

The Playford Community Vision 2043 reflects our community's aspirations for a vibrant, sustainable, connected, healthy and prosperous lifestyle. This is consistent with key State Planning Documents such as the Greater Adelaide Regional Plan (GARP) Discussion Paper.

Through various engagements, the Community has told us "I want the City of Playford to be easy to get around and safe'. Roads, traffic, infrastructure and planning is the most talked about critical issue raised by the community during our engagement processes. In response, the City of Playford established this as Community Theme 1 in our Strategic Plan 2020-2024 – 'Improving Safety and Accessibility' which has been a foundation for Council.

The GARP Discussion Paper also advocates for the concept of 'Living Locally' where housing, jobs and services are located closer together so people can meet most of their daily needs within a comfortable walk, ride or public transport journey from home. The 'Live Locally' concept is embraced by the City of Playford.

Careful and thorough transport planning in Northern Adelaide is critical in achieving these as tangible 'outcomes' for our City, rather than just 'aspirations'. Realising this vision requires a substantial investment in the transportation network, including the prioritisation of active and public transport modes.

In parallel to this study, the City of Playford is developing our 'City Wide Integrated Transport Strategy' to inform and guide investment across the City. This presents a valuable opportunity for DIT and City of Playford to work collaboratively, and with transparency, as we both develop our strategic transport planning documentation for Northern Adelaide.

The City of Playford welcomes the opportunity to work together with DIT and other key agencies to inform and shape the outcomes of the planning study for our Community.

Playford is the City of Opportunity, supporting the community's hopes and aspirations to be vibrant, thriving and sustainable. It provides an enviable lifestyle that is connected, healthy, happy, ambitious and proud, where each individual can take advantage of the many opportunities offered, making the City prosperous, liveable and happy."



2 Transport needs and issues

The transport network needs to be safe and efficient. Investment in the system will underpin the liveability and economic development of northern Adelaide. The network needs to evolve from simply moving cars, to one that moves people. Sustainable and active transport modes need to be prioritised to reduce car dependency, especially in the outer north and growth areas.

There are strong drivers for population and economic growth in the Northern region, which will be constrained by infrastructure, unless we plan now for a modern and safe transport network.

Investment to provide for a reliable transport network in the North is needed to unlock commercial activity, job creation, and overall economic prosperity. This investment is also key in realising population growth and increased residential dwellings forecasts.



2.1 Population Growth

The City of Playford plays a significant role in supporting the State's growth targets for Greater Adelaide. The City of Playford is home to 110,000 residents (2024) and the population is forecast to grow to 183,894 by 2046. This represents a 67% increase in the Playford Population over the next 22 years.

The City is facing significant challenges in supporting growth areas, in particular the provision of adequate planning and infrastructure in line with the Community's expectations.

The Virginia, Angle Vale and Playford North Extension growth areas have deeds for Stormwater, Transport and Social Infrastructure, which the State, Council and Developers contribute towards.

However, there are several issues with these deeds, with major 'transport issues' being:

- Currently the Department for Infrastructure and Transport does not debt-fund transport improvements, meaning the implementation of road infrastructure is lagging well behind the need and community demand, as it is reliant on collecting contributions that cover the entire costs of the upgrades before works are undertaken.
- The indexation stipulated in the deeds is not keeping up with inflation.

Simply put, there is a significant short fall in 'money collected' vs 'cost to deliver' which is placing significant pressure on the Playford community. Adding to this is the inhibitive costs required in upgrading existing DIT assets, prior to implementation of deed interventions.

The lack of staging has created islands of urban development that are disconnected by rural roads which do not provide footpaths or cycle infrastructure. These roads are also not designed to accommodate the higher volumes of traffic they are now experiencing. Excluding Riverlea, no consideration has been made for public transport. As such, new cardependent communities are being created, which goes against the philosophies of the GARP.

If the City of Playford is to continue to play a significant role in supporting Greater Adelaide's growth targets, the current systems, including funding pathways, needs to be reviewed to ensure we provide for <u>connected</u>, vibrant and liveable communities. With a commitment from the State Government needed to support the current population growth before supporting future growth.

Detailed planning and the above learnings also need to be applied to Concordia and Two Wells, which sits outside of the City of Playford. However, these new community will be reliant on services provided within Playford.





2.2 Economic Growth

2.2.1 Greater Edinburgh Parks

Greater Edinburgh Parks (GEP) is identified as employment land that is ready for development subject to rezoning and provision of infrastructure. When fully developed, GEP has the capability to host over 37,000 jobs in industries such as advanced manufacturing, logistics and warehousing.

Playford and the City of Salisbury have undertaken investigations into the infrastructure requirements for GEP and the key constraints preventing development is the lack of a suitable road network and regional stormwater infrastructure. Work to date will be shared with DIT to inform this planning study.

The region will generate significant traffic generation and distribution in Northern Adelaide, with significant transport planning and infrastructure investment required. This will need to be considered in detail as part of the Adelaide North Planning study.

Full details of the impacted roads and intersections, along with recommendations, are documented in our preliminary traffic assessment for GEP, which will be shared with DIT to inform this study.



2.2.2 North-West Economic Corridor

The City of Playford and the City of Salisbury have identified the North-West Economic Corridor as a strategic employment area, located between (and adjacent to) the Northern Expressway and Northern Connector. The corridor is bookended by future residential growth hubs at Dry Creek in the City of Salisbury and Riverlea, which is in its early days of establishment.

This corridor when developed, will generate significant traffic generation and distribution in Northern Adelaide, with significant transport planning and infrastructure investment required. This will need to be considered in detail as part of the Adelaide North Planning study.

The Northern Connector and Pt Wakefield Road will form the 'spine' for heavy vehicle movements, however significant planning and infrastructure investment is still required to address 'last mile' infrastructure concerns. The surrounding local road network has been designed and constructed to rural road standard, which is not sufficient for larger vehicle combinations.



2.2.3 Elizabeth Centre

The Elizabeth CBD is important for residents and communities in regional SA, providing a northern centre of commercial and cultural activity, without having to travel into the capital city. The vision for the Elizabeth Centre is to support the northern region's growing population as the central service centre.

There is a further opportunity to 're-imagine' the Elizabeth Centre and redevelop this precinct as a Transit Oriented Development (TOD). This would include undergrounding the rail line and station to maximise land development opportunities, along with improving permeability to the Renewal SA land to the east of the railway line. It is acknowledged that this would require significant capital investment, however this would be offset in part with the increase in land yields and values. The creation of a Community that isn't reliant on 'car' transport will provide significant economic benefit to the broader transport network through reduced congestion.

The City of Playford is currently reshaping the Elizabeth CBD into a thriving retail, sports, business, community and entertainment precinct, providing a destination in the North.

Playford and the private sector is making significant investment in the Elizabeth Centre to achieve this vision. This further enhances the opportunity to create a TOD in Northern Adelaide

Data provided by Elizabeth City Centre reveals that 66% of customers come from outside of Playford with 49% coming from northern locations in Gawler, Adelaide Plains, Barossa and Light Council areas.

The Elizabeth Centre creates significant traffic generation in Northern Adelaide, which needs to be considered in the Planning Study, especially with the regional distribution of trips.



2.2.4 Lyell McEwin Health Precinct

The Lyell McEwin Health Precinct currently serves over 400,000 people and is strategically situated to serve the regional population well beyond Adelaide's northern suburbs.

Council developed the vision for the health precinct over 10 years ago, identifying the opportunity for an interconnected zone of complementary businesses and services featuring tertiary training, research capability, allied health facilities and residential accommodation to provide high quality health services for not only for our own growing community, but more broadly for northern Adelaide and into regional South Australia.

Providing a safe and efficient transport network, catering for all modes of transport is core. Improving public transport options to the Health Precinct will support staff and patients. To date, staff have been working closely with DIT for improved public transport outcomes, including 'super-stops' on John Rice Ave to support the Community in accessing health services.



2.2.5 Horticulture

The Northern Adelaide Plains, including the suburbs of Angle Vale and Virginia, is positioned to become a global leader in intensive food production, and Australia's largest under cover cropping region. This zone generates over one-third of South Australia's horticulture production, approximately 170,000 tonnes of fresh produce, valued at over \$555 million farm gate value per year.

We are seeing a trend in intensification with the construction of new glass house facilities and other intensive growing practices. Increase production equates to increased transport and freight movements.

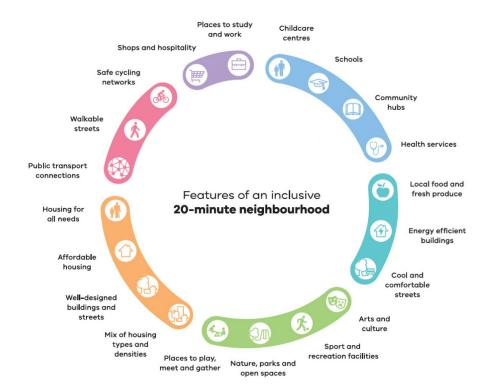
2.3 Live Locally

The City of Playford embraces the 'Live Locally' principles which creates 'liveable' communities, but also offers substantial transport benefits.

By creating a community that can 'live locally', with meaningful employment, social and educational opportunities, these shorter trips are more likely to be completed by active modes. Embracing the '20 minute City' concept will provide significant benefits for the transport network, with reduced traffic congestion and travel times.

Increasing density is key to achieving this outcome. Low density urban sprawl will continue to place strain on the transport network and will create car dependant communities.

The Adelaide North Transport Study needs to review and provide a transport network that supports the 'live locally' philosophy in alignment with the Greater Adelaide Regional Plan Discussion Paper.



2.4 Walking and Cycling

Walking and Cycling improves the liveability of Communities. Councils, including Playford have struggled to deliver the 'network overhaul' that is required to facilitate higher uptake of these modes. Specifically, the construction of separate cycling paths and safe crossing points to capture the '8-80' year olds and target the 'interested but concerned' user group. Again, major investment and State Support in 'cycling' infrastructure is needed to enable this mode choice, which will provide significant benefits to the broader transport network.

The Adelaide North Transport Study needs to review options to improve 'walking and cycling' as a meaningful mode choice for the Community.



2.5 Public Transport

Public transport uptake in Greater Adelaide is generally low, and even lower within Playford. The majority of the existing public transport network is radial to and from the City. This network structure services those near/along the transit corridor(s) and with a destination along the that route. From ABS data, only 8% of Playford Residents travel to the City for work. The 'Blue Collar' workforce and employment lands are typically under serviced by public transport, resulting in car dependency.

DIT have identified in the 'Project Overview Fact Sheet' that there is higher uptake of public transport near fast, frequent, and reliable public transport facilities (i.e., the O-Bahn, and Go Zones). These principles need to be adopted more broadly across Greater Adelaide, especially in low socio economic communities, such as the City of Playford, who would receive the greatest benefit of a public transport network that is 'Convenient, connected, and high frequency'.

The provision of a high frequency 'orbital' public transport structure that connects people to key destinations across Adelaide would better serve the Community and their travel patterns. Public transport travel times need to be akin with alternate modes (i.e. Car) to shift travel patterns. Completing a trip via public transport can often result in multiple transfers and a significant time multiplier when compared to trips via car.

All elements of the public transport system need to be considered. This includes: affordability, station/stop amenity including bus shelters, safety, park and ride capacity, along with core elements of frequency and route options.



2.6 Travel Demand Management

Travel Demand Management (TDM) is the application of a focused, data-led strategy that seeks to change demand on transport networks by redistributing journeys to other modes, times, routes, or by removing the journey altogether. It is most effectively applied when there is an impetus or catalyst for behaviour change.

A Travel Plan is a management strategy for delivering long-term behavioural change and sustainable travel patterns across an organisation or precinct. It is about understanding how people make their transport decisions and using this to influence behaviours that lead to better customer outcomes, while reducing adverse impacts such as congestion.

This planning study should investigate meaningful options to manage travel demand. Transport for NSW has developed a Travel Plan Toolkit. These resources can be reviewed and applied to South Australia - Travel Demand Management | nsw.

2.7 Transport Modelling

This planning study needs to be a living document. Creating a dynamic and adaptable plan that evolves over time to reflect changing needs and priorities will best serve the Community.

Underpinning this concept is agile transport modelling that can respond to changes in population & economic growth.

3 Infrastructure upgrades and service improvements and opportunities

The timely upgrade of existing transport infrastructure (roads and intersections) is required to reduce the 'growing pains' the City of Playford is facing.

Significant State support is required to realise the growth opportunities that are both identified in the Greater Adelaide Regional Plan Discussion Paper and Playford's growth projections. Along with supporting economic growth, so new communities have meaningful employment in the North to enable the 'Live locally' principles.

Focus should also be given to establishing clear services standards for existing DIT assets for greater transparency with the Public.

3.1 GEP and North-West Economic corridor

Significant infrastructure planning is required to realise this as a major economic catalyst for Greater Adelaide, and more broadly the State.

Preliminary planning studies by Playford/Salisbury will be shared with DIT which show the minimum infrastructure interventions, such as intersection upgrades and road duplication projects to enable development to proceed.

However, looking beyond just the minimum requirements, we have vision for the transport network of the future. A bridge across the Port River and Barker inlet, linking the North-West Economic Corridor to the existing employment lands on the Le Fevre Peninsular. This direct freight link with Flinders Port, Defence, and existing key industries, would have considerable benefits for the freight task and business synergy.

Planning also needs to be afforded to alternate fuel sources, especially for heavy vehicles, for these precincts. The heavy vehicle industry has raised concerns with electric vehicles, due to the additional weight of the battery. Simply put, electric trucks are unable to carry the same amount of load as a standard diesel truck, while adhering to industry standard load limits. This means more trucks are needed to deliver the same amount of goods, increasing freight tasks. Hydrogen fuel cells are one the current solutions Government and Industry is investing in.

3.2 Mass transit corridor

Due to the residential growth occurring at Riverlea, Virginia, Angle Vale and Two Wells (the latter being in Adelaide Plains Council) and future growth earmarked south of Riverlea and for Dry Creek in the City of Salisbury – combined with future employment growth at GEP and within the North-West Economic Corridor – there is a need to identify a suitable future rapid mass transit corridor that is separate to the road network.

This mass transit corridor review should be visionary with a view not only to connect the outer north growth areas, but to connect with regional South Australia with a 'fast train connection'. This would link major regional centres (Port Pirie, Port Augusta and Whyalla) to Greater Adelaide and new strategic employment lands. This will support the regional economic centres and the hydrogen industry with employment and the liveability that Northern Adelaide has to offer.

It is therefore important that investigations are undertaken now to identify a suitable mass transit option to service future residents and workers of South Australia and ensure that the required land corridor is protected.

3.3 Public Transport

3.3.1 Gawler Railway Line / Interchanges

Transport initiatives that leverage the existing Electrified Gawler Railway as a key spine to the northern transport network. This can include:

- Re-imagine the Elizabeth Centre as a TOD with the undergrounding of the existing station to achieve this vision.
- Increase the capacity of the Park and Ride facility at Elizabeth Station. Currently the
 park and ride car park reaches capacity at circa 7.00-7.30am on weekdays. The
 community have expressed desire to utilise this facility, however are unable to due to
 the high demand. This should be reviewed holistically in line with the TOD vision for
 the Elizabeth Centre.
- The Elizabeth Bus interchange is currently located on land owned by Vicinity (shopping centre). While shelters are provided, these are maintained to a poor standard. Improving the function and amenity of this bus interchange will enhance the public service offering to the community.
- Review of 'park and ride' facilities along the line. Playford's 'State of Play' document identified higher utilisation of stations that provide an interchange service with connecting bus routes. Along with safe off-street parking facilities. Improving bus/train connectivity will promote higher public transport utilisation.
- Currently there is the lack of grade separation of the Gawler Line and the road network. The removal of level crossings will improve the safety and efficiency of the entire transport network.
- Extension of the Gawler Line to the Barossa. This will enable better connection to the
 outer north and will provide direct connection to the Elizabeth Centre as the 'CBD of
 the North'.

3.3.2 Bus stops

To enable higher uptake of public transport, the following supporting infrastructure is required, in addition to improved route options and service frequency:

- Indented bus bays
- Bus shelters
- · Safe crossing points are paired bus stops

3.4 East-West connections

Curtis Rd

- Womma Rd
- Dalkeith Rd

These east-west transport corridors provide the community with direct access to the Northern Expressway. These corridors are currently experiencing congestion and poor travel times. This contributes to increased road crashes, placing further stress on the road network. This congestion is also resulting in traffic queues from the off-ramps extending back onto the Northern Expressway, which is a major safety concern.

Congestion along these east-west routes is a combination of 'induced demand' generated by the Northern Expressway, coupled with population growth.

These corridors need to be reviewed to improve capacity, including options for level crossing removal with the Gawler Line and improved traffic signal phasing at major intersections, such as Main North Road.

It is understood that DIT have commenced corridor studies for these roads.



3.5 Angle Vale Road

Traffic volumes are increasing on Angle Vale Road due to population growth including traffic generated by the new Riverbanks College super school. This increased east-west movement is a result of multiple growth fronts, including Riverlea using this link.

Planning and investigations should also be given to pedestrian and cyclist connectivity on Angle Vale Road, across the Northern Connector. This is particularly important to ensure that students can choose active transport modes to and from school.

A detailed review of this corridor is required.

3.6 Main North Road

Main North Road is a major commuter route within the Study area carrying +50,000 vehicles per day.

Opportunities to improve Main North Road includes:

- Establish a cycling corridor along this alignment (separated cycle or shared use path, including use of low volume service roads)
- · Indented bus bays for entire corridor (indents already provided at some stops)
- Review 'permeability' across Main North Road for cycling and walking trips the current corridor severs community movements by active transport modes. The provision of safe and convenient crossing points is key.
- Reduce the speed limit to minimum 60km/hr near the Elizabeth Centre
- Provide for 3 consistent travel lanes in each direction from Gepps Cross through to Dalkeith Rd
- Review grade separation and signal co-ordination of major east-west intersecting roads with Main North Road.



3.7 Riverlea

A signalised intersection has been installed at the intersection with Port Wakefield Road, Riverlea Boulevard and Angle Vale Road as the main access into and out of Riverlea. In the long term, grade separation of this intersection will be required. However, it still is insufficient to have just one primary access into a development that will accommodate 12,000 households and 30,000+ people.

Therefore, a second access point will be required to service Precincts 3 and 4 of the Riverlea development. Moreover, it is imprudent to have just one main access into a development the size of Riverlea, particularly in the event of an accident that restricts movements through the existing intersection.

The 30 Year Plan for Greater Adelaide identified future residential growth south of Riverlea. Further expansion of residential development has been identified in the GARP discussion paper. Planning for a second entry for the Riverlea development needs to take into account the future residential growth with appropriate service provision for access on Port Wakefield Road. Furthermore, the care and control mechanisms relevant to Riverlea Boulevard requires further review, acknowledging this will serve an arterial road function, which is beyond the capacity and capability of Council to manage.



3.8 Walking and Cycling Infrastructure

Increasing cycling uptake across our City "unambiguously" entails creating networks of off-road cycling path and safe road crossing points.

Major State investment is needed for cycle planning and infrastructure to improve mode share.

3.9 Intelligent Transport System and Wayfinding

Northern Adelaide is lacking base infrastructure of an Intelligent Transport system, specifically 'Variable Message Sign' (VMS), which have been installed at other locations across Greater Adelaide.

These signs display real-time information on travel time, traffic conditions, detours, incidents, and weather. VMS provide near real-time information that empowers our Community to make informed route decisions and increase the safety and efficiency of the road network.

This system could also highlight the travel times benefits of the Gawler Train Line, compared to car travel along Main North Road to encourage mode shift.

The community, especially with our aging population in the City of Playford have expressed concerns with 'Wayfinding' on the road network. Particularly, the forward warning provided for off-ramps and trap lanes on the Northern Expressway. Review of wayfinding is recommended to support our aging population.



4 Appendix A List of Supporting Documents

City Wide Integrated Transport Strategy - State of Play

Submission on the Greater Adelaide Regional Plan Discussion Paper

Greater Edinburgh Parks Investigation Documents (various)

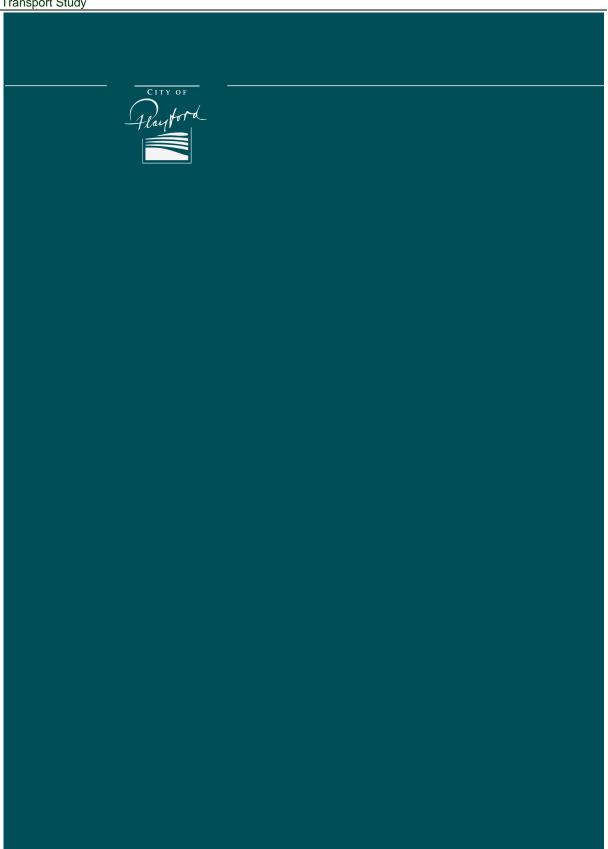
North-west economic corridor - Structure plan

City of Playford growth estimates and staging plans

City Maps - Land use, reserves, and 'place'

Urban Transport Systems Report August 2023 (engineersaustralia.org.au)

Home | City of Playford | Population forecast (id.com.au)



STAFF REPORTS

Matters for Information

15.4 CORPORATE GOVERNANCE COMMITTEE COMMUNIQUE - FEBRUARY 2024

Responsible Executive Manager: Luke Culhane

Report Author: Sarah Schutz

Delegated Authority : Matters for Information

Attachments: 1 ... Corporate Governance Committee Communique - February

2024

Purpose

To provide the Council with an update from the Corporate Governance Committee concerning matters discussed at the most recent meeting, held on 6 February 2024.

STAFF RECOMMENDATION

The Council notes the Communique (Attachment 1) provided by the Corporate Governance Committee for the February 2024 meeting.

RELEVANCE TO STRATEGIC PLAN

<u>Decision-making filter</u>: We will ensure that we meet our legislative requirements and legal obligations.

The Corporate Governance Committee is a requirement under Section 126 of the *Local Government Act 1999* (the Act), the Charter details how the Committee fulfils these obligations. Section 126(8)(a) of the Act states the audit and risk committee of a Council must provide a report to the Council after each meeting summarising the work of the Committee during the period preceding the meeting and the outcomes of the meeting. This is in addition to the provision of Committee minutes and the annual report.

RELEVANCE TO COMMUNITY ENGAGEMENT POLICY

There is no requirement to undertake public consultation as part of this report.

BACKGROUND

On the 30 November 2023, amendments to Section 126 of the Act regarding audit and risk committees commenced. Section 126(8)(a) of the Act included additional reporting requirements for Council's Corporate Governance Committee with a report to the Council after each meeting of the Committee. This report has been prepared following the most recent meeting of the Corporate Governance Committee.

CURRENT SITUATION

The Corporate Governance Committee Communique for February 2024 is provided in Attachment 1.

FUTURE ACTION

The Council will receive a report from the Corporate Governance Committee regarding matters discussed following each meeting of the Committee.

Communique

Corporate Governance Committee - February 2024

At the February Corporate Governance Committee (Committee) meeting held on 6 February 2024, the Committee considered eight (8) items, comprising of Staff Reports and updates for review by the Committee with recommendations to be referred to Council for consideration and matters, through Staff Reports and Information Updates, for consideration by the Committee only.

These topics ranged from:

- Review of the Committee meeting schedule and work plan for 2024.
- Consulted on the review of the Public Interest Disclosure Procedure
- Endorsed the External Auditor Draft Audit Plan 2023/24
- Explored items of the internal assessment undertaken by the Committee where there
 were divergent views, through a workshop facilitated by the Administration.

Three (3) matters were considered by the Committee in confidence in relation to:

- Long Term Financial Plan 24/25
- Revaluation of Assets
- · Kalara Reserve Prudential Report.

The Committee provides the following overview of key and material areas of interest and discussion below for Council's information.

External Auditor Draft Audit Plan 2023/24

The Committee considered the external auditors draft audit plan 2023/24. As part of this item, the Committee met with the External Auditor and provided feedback in relation to the timelines, in particular the importance of the External Auditor meeting milestones as highlighted in the Plan and discussed the term materiality as defined within the plan.

Committee Meeting Schedule and Workplan 2024

The Committee considered and endorsed the annual schedule of committee meetings, which included the workplan. The Committee amended the staff recommendation to bring forward the External Audit Interim Report to the April or May 2024 Committee meeting, following discussion with the External Auditor so as to have the opportunity to discuss any material matters of interest or findings as a result of the audit with External Audit and the Administration prior the Report finalisation.

Public Interest Disclosure Procedure

The Committee had a substantial discussion on the proposed amendments to the Public Interest Disclosure Procedure. Feedback was provided to administration to further define the reporting mechanisms in place should the disclosure relate to the CEO, investigate if relevant terms and/or positions are required to be referenced in the procedure and a suggestion to amend wording to reference "if possible", where the Responsible Officer will provide information to newly appointed Responsible Officer as a handover process should the Responsible Officer leave Council employment.

playford.sa.gov.au/stayconnected

Presentation on Internal Assessment Findings

Through a workshop process facilitated by the Manager Governance, the Committee reviewed and discussed the findings of the Committee's Internal Assessment. The Committee provided feedback to be considered in the next internal Assessment, which included the use of a 'Not Applicable' option within the survey, so as to avoid potential skewed results, as well as the consideration of a 360 review, to also include management and Council feedback on the performance of the Committee.

Kalara Reserve Prudential Report

The Committee considered in confidence the Karala Reserve Prudential Report and provided feedback. Further, the Committee commented that it anticipates there will be an increase in such project prudential reporting given the increase in costs of undertaking such traditional projects which are considered routine but will now trigger a prudential review process given value thresholds. For such projects Council Administration may wish to consider undertaking an overarching prudential report, which could be amended as each project progresses. Such prudential project reviews could be undertaken internally with prudential reviews and reports for commercial type projects, not routinely undertaken by Council, being conducted by an external service provider.

15.5 BUDGET UPDATE REPORT

Responsible Executive Manager: Luke Culhane

Report Author: Trisca Price

Delegated Authority: Matters for Information

Purpose

To inform Council on the organisation's financial performance to the end of January 2024.

STAFF RECOMMENDATION

Council notes the Budget Update report for the period ending 31 January 2024.

RELEVANCE TO STRATEGIC PLAN

This item ensures Council meets its legislative requirements under the *Local Government* (Financial Management) Regulations 2011 and Section 123(13) of the *Local Government Act* 1999. It also provides transparent financial reporting to the community by illustrating how our Finance Strategy is achieving long term financial sustainability.

RELEVANCE TO COMMUNITY ENGAGEMENT POLICY

There is no requirement to consult the public on this matter.

BACKGROUND

Council has responsibility under the *Local Government Financial Management Regulations* 2011 and Section 123(13) of the *Local Government Act 1999* to consider financial reports on the Council's financial performance and budget position.

CURRENT SITUATION

Budget Position

A Revised Budget was adopted by Council on 24 October 2023 following the First Budget Review. There was an increase of \$2.2M to the overall operating surplus to \$10.0M, with a Structural Surplus increase of \$0.6M to \$2.1M. Favourable movements included increased Federal Assistance Grant allocation for 2023/24, increased grant funding for Supplementary Local Roads (SLR) and Special Local Roads (Kinkaid), and savings in interest costs. These were offset by increased operating costs associated with approved capital costs and other minor expenses not included in the Annual Business Plan.

The table below summarises the impact of budget review:

Operating Position 2023/24	Operating \$000's (Unfav)/Fav	Structural \$000's
Original Budget	7,805	1,462
Grant Funding (Financial Assistance Grant)	888	888
Grant Funding (Supplementary Local Rd)	688	-
Grant Funding (Special Local Rd)	930	-
Additional operating costs associated with increased capital	(224)	(224)
Other minor changes	(65)	(65)
Total Value of Changes	2,217	599
Revised Budget Surplus	10,022	2,061

The Net Capital budget increased in the First Budget Review by \$17M to \$63.3M as detailed in the table below.

Capital Budget 2023/24	Revenue \$000's	Expense \$000's	Net Capital \$000's
Original Budget	15,961	62,224	46,263
Approved Projects via Resolution	-	2,295	2,295
Realignment of project budgets	4,135	14,279	10,144
New Grant Funded Projects	70	1,000	930
Additional Scope	-	179	179
Additional budget request on existing projects	-	5,386	5,386
Projects not being delivered	-	(1,928)	(1,928)
Other Minor Project variations	-	42	42
Total Value of Changes	4,205	21,253	17,048
Revised Capital Budget	20,166	83,477	63,311

Operating Position

Year to Date

The result as at 31 January 2024 is an operating surplus of \$1.4M compared with a budgeted surplus of \$0.3M.

The structural deficit result of \$1.3M compares with a budgeted structural deficit of \$2.5M. The structural surplus excludes the one-off operating grants/contributions which will fund future infrastructure projects and other one-off non recurrent items.

Full Year Forecast

As at 31 January 2024, the forecast is an operating deficit of \$4.1M compared with a budgeted operating surplus of \$10.0M, unfavourable by \$14.1M and structural deficit of \$11.6M compared with a budgeted structural surplus of \$2.1M. This largely reflects the reduced forecasted FA Grant's income due to brought forward payment of \$15.3M (93% of the 2023/24 allocation) last financial year.

Capital Position

The *full year* net capital forecast of \$41.6M is \$21.7M less than the net capital budget of \$63.3M.

This reflects a retiming of capital expenditure due to multiyear projects that will be carried out as they continue into 2024/25. Further detail in relation to this Budget Update Report can be found in Attachment 1.

Debt Position

On 27 June 2023 Council adopted the 2023/24 Annual Business Plan and Budget and approved in accordance with Section 134 of the *Local Government Act 1999*, a maximum debt facility of \$150 million. No change was made to the approved facility as part of Budget Review 1.

Actual borrowings as at 31 January 2024 were \$95.4 million, well below the approved maximum debt facility.

FUTURE ACTION

Further updates to be provided on a monthly basis.

Budget Update Report January 2024

YTD Result as at January 2024

The table below shows the year to date position for income and expense with a year to date net Deficit of \$1.3M (excluding non-structural items) which is favourable to YTD Budget by \$1.2M.

			Variance		
	YTD Actual \$'000	YTD Budget \$'000	Fav/(Unfav) \$'000	%	Explanation of variance where considered material
Income					
RATES REVENUES	59,577	59,429	148	0%	
STATUTORY CHARGES	1,993	1,916	77	4%	Additional application fees and Section 7 Searches
USER CHARGES	3,242	2,992	250	8%	Additional Internal ASR water revenue
INVESTMENT INCOME	46	29	17	59%	Additional interest income due to higher interest rates
REIMBURSEMENTS	496	276	220	80%	Additional Aquadome and tree services reimbursements
OTHER INCOME	269	172	97	56%	Additional event sponsorship and LGFA bonus
GRANTS, SUBSIDIES, CONTRIBUTIONS	6,471	6,122	349	6%	Additional grants
Total Income	72,094	70,936	1,158	2%	
Expense					
EMPLOYEE COSTS	25,923	26,478	555	2%	Staff vacancies
MATERIALS CONTRACTS OTHER EXPENSES	25,952	24,863	(1,089)	(4%)	Cost pressures in electricity with additional legal costs and increased Internal ASR water expense
FINANCE COSTS	2,234	2,414	180	7%	Lower debt balance
DEPRECIATION, AMORTISATION & IMPAIRMENT	16,597	16,880	283	2%	
Total Expense	70,706	70,635	(71)	(0%)	
Net Surplus/(Deficit)	1,388	301	1,087		
Non-Structural Items ¹	2,659	2,801	(142)		
Net Structural Surplus/(Deficit)	(1,271)	(2,500)	1,229		

Notes:

1. Developer contributions, operating grants used for capital projects, reserves & one off investment decisions not part of recurrent base budget or for future use on infrastructure projects

Budget Update Report January 2024

Full Year Forecast Result as at January 2024

The table below shows the full year forecasted result for income and expense with a net Deficit of \$11.6M (excluding non-structural items) which is unfavourable to Budget by \$13.6M.

	Full Year Forecast	Full Year Budget \$'000	Variance Fav/(Unfav) \$'000	%	Explanation of variance where considered material
Income	\$'000	\$'000	\$.000		
RATES REVENUES	102,198	102,004	194	0%	
STATUTORY CHARGES	3,029	2,888	141	5%	Additional application fees and Section 7 Searches
USER CHARGES	6.290	6.047	243	4%	Additional Internal ASR water revenue
INVESTMENT INCOME	82	52	30	58%	Additional interest income due to higher interest rates
REIMBURSEMENTS	839	637	202	32%	Additional Aquadome and tree services reimbursements
OTHER INCOME	224	177	47	27%	Additional event sponsorship and LGFA bonus
GRANTS, SUBSIDIES, CONTRIBUTIONS	13.691	30,156	(16,465)		Financial assistance grants prepaid in 2022-23, part LRCI grant to
GRANTS, SUBSIDIES, CONTRIBUTIONS	13,031	30,130	(10,403)	(3370)	be claimed in FY24 offset by higher developer contributions and additional grants
Total Income	126,353	141,961	(15,608)	(11%)	
Expense					
EMPLOYEE COSTS	46,717	47,785	1,068	2%	Staff vacancies
MATERIALS CONTRACTS OTHER EXPENSES	48,365	48,181	(184)	(0%)	Cost pressures in electricity with additional legal costs and increased Internal ASR water expense offset by operating costs associated with delayed capital spend
FINANCE COSTS	4.404	4.793	389	8%	Delay in capital spend
DEPRECIATION, AMORTISATION & IMPAIRMENT	30,509	30,595	86	0%	., ., ., ., ., .
NET LOSS- JOINT VENTURES & ASSOCIATES	446	585	139	24%	NAWMA revised deficit following BR1
Total Expense	130,441	131,939	1,498	1%	
Net Surplus/(Deficit)	(4,088)	10,022	(14,110)		
Non-Structural Items ¹	7,490	7,961	(471)		
Net Structural Surplus/(Deficit)	(11,578)	2,061	(13,639)		
For comparative purposes only Adjustment for advance payment of FA Grants Adjusted Net Structural Surplus/(Deficit)	15,345 3,767	2,061	15,345 1,706		

Notes:

^{1.} Developer contributions, operating grants used for capital projects, reserves & one off investment decisions not part of recurrent base budget or for future use on infrastructure projects

Budget Update Report January 2024

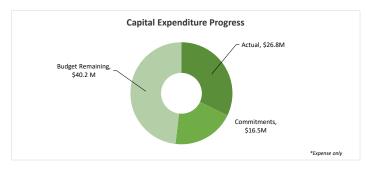
Capital Full Year Movement (2023-2024)

The table below shows the full year forecasted net capital expenditure of \$41.6M which is less than Budget by \$21.7M.

	Full Year Forecast	Full Year Budget	Variance Less/ (Greater)	Explanation of variance where considered material
Revenue	(8,396)	(20,166)	,	Grants deferred until construction for Park Road Drainage, McGilp Reserve Redevelopment, Virgo St Reserve and Barrow St Reserve Upgrades, Munno Para Sportsground Stage 1, Kalara Reserve Upgrades, Argana Park Shared Change Facilities, Blackspot Stebonheath/Dalkeith Rd Intersection, Curtis Rd/Frisby Rd Intersection Upgrade and Argana Park Oval Lighting.
Expenses	50,037	83,477		Deferred construction for above projects as well as deferred works in AMP buildings, AMP Kerbs and Reseal and delay in delivery of AMP Fleet vehicles.
Total Net Capital Expenditure	41,641	63,311	21,670	

	Full Year Forecast \$'000	Full Year Budget \$'000	Variance Less/ (Greater) \$'000	Explanation of variance where considered material
Desitation and	4 404	2.240	740	Deferral of ATCO Transportable renewal.
Buildings Fleet	1,491 3.861	2,210 4,972		Delay in delivery of vehicles offset by plant being bought forward.
IT	1,166	1,213	47	belay in delivery of vehicles offset by plant being bought forward.
Northern CBD	218	1,451		NCBD development costs incurred in FY25, Prince Charles Street construction to continue in FY25.
Other	1,994	5,050	3,056	Development costs under negotiation with developers and Munno Para West Reserve (Peerless Rd) construction to continue in FY25.
Playford Alive	682	885	203	PA Open Space Upgrade (Pete Smith) construction to continue in FY25.
Parks	4,218	8,739	4,521	McGilp Reserve Redevelopment, Kalara Reserve-Andrews Farm Soccer Upgrades, Argana Park - Shared Change Facilities and McEvoy Rd Mega Basin and Culvert Upgrade in design stage.
Stormwater	631	1,711	1,080	Park Rd Drainage construction in FY25.
Streetscapes	9,961	10,311	350	ACH Verge works incurred in FY24.
Transport	17,025	26,375	9,350	Argana Park - Car Parking, Munno Para Sportsground Stage 1 and AMP -Sheedy Rd in design stage, Traffic Management Minor Works and Curtis Rd/Frisby Rd Upgrade to continue in FY25 and AMP Kerbs and Reseal works on hold or not progressing.
Wetlands	394	394	-	
Total Net Capital Expenditure	41,641	63,311	21,670	

Capital Expenditure Progress as at January



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Item 15.5 - Attachment 1

Budget Update Report January 2024

Borrowings/Investment Summary (2023/2024)

Debt Mix:

Budget Update Report

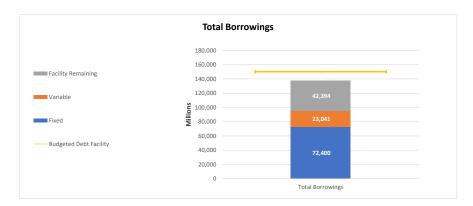
As at January 2024 the balance of Council's short-term investments is \$0.3M.

Council's total borrowings as at the end of January 2024 are \$95.4M, comprising \$72.4M in fixed rate borrowings and \$23.0M of variable rate borrowings; total facilities accumulate to \$137.8M.

Total borrowings, net of repayments, have increased \$2.4M from \$93.0M the prior month. This is consistent with Council's capital spend timing and receipts.

The LTFP has a budgeted debt facility of \$150.0M based on the assumption of full delivery of capital programs and an allowance for Treasury cash flow management. These borrowings fall within the approved budget, Council's adopted financial indicators and the LTFP.

Forecasted Debt as at 30 June 2024 is \$110.0M.



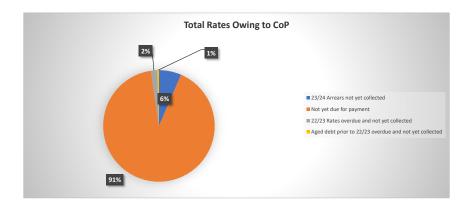
Rates Recovery:

Rates recovery has a direct impact on positive cash flow which then correlates to borrowings. By maximising cashflows, less borrowings are required to fund operational expenditure.

Total rates owing of \$43.9M (41.6%) as at January 2024 is the same as 41.6% owing at January 2023.

6.3% of ratepayers are proactively utilising Councils bill smoothing options including direct debit and centrepay.

0.4% of councils ratepayers have arrangements in place under councils hardship policy.



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Budget Update Report

Reserves

January 2024

The reserves are a collation of developer contributions received over a number of periods and are managed as a cash offset against our debt. Under legislation we are required to apply interest income to the balance in reserves using the RBA average cash rate.

The forecasted balance of reserves as at 30 June 2024 is \$15.3M.

Below is a summary of the forecasted contributions, expenditure and estimated interest as at January 2024.

Reserve	Opening Balance	Forecasted Developer Contributions & State Govt Grants	Forecasted Expenditure	Estimated Interest	Forecasted Closing balance
	\$'000	\$'000	\$'000	\$'000	23/24
Open Space Reserve	9,563	1,709	(3,890)	312	7,694
Stormwater Infrastructure Deed - Virginia	(157)	-	(145)	(13)	(315)
Stormwater Infrastructure Deed - Angle Vale	505	1,664	(2)	92	2,259
Stormwater Infrastructure Deed - Playford North Extention	(609)	-	-	(26)	(635)
Social Infrastructure Deed - Virginia	159	44	-	9	212
Social Infrastructure Deed - Angle Vale	1,493	141	-	-	1,634
Social Infrastructure Deed - PNE	379	194	0	24	597
Supplementary Local Roads	2,721	688	(1,068)	99	2,440
Playford Alive Initiative Fund	147	208	(175)	8	188
Urban fund tree	23	5	-	1	29
Gawler Rail Vegetation Offset	232	-	(87)	6	151
Other one-off Reserves	1,485	-	(434)	43	1,094
	15,941	4,653	(5,801)	555	15,348

Budget Update Report January 2024

Financial Indicators

Financial sustainability is achieved when Council can deliver the services it provides to the community at an agreed and consistent standard across a long period, without the need for significant rate increases or significant service reductions, whilst maintaining

Financial sustainability enables Council to:

- Deliver and maintain intergenerational equity
 Maintain a solid and healthy financial position
- Maintain a degree of stability and predictability for future rate increases
 Manage its debt levels

Council has six financial indicators used to measure its financial sustainability.

Financial Indicator	Explanation	Target	Foreca	st Adjusted Forecast	Budget	Points to note on indicators outside of target range
Operating Surplus Ratio	Gives an indication of Councils ability to service its operations from expected income, while maintaining long term financial sustainability.	Between 1% and 10%	× -3.2%	⊘ 7.9%	⊘ 7.1%	Adjusted for prepayment of 23/24 FA Grants in 22/23 and part LRCI grant to be claimed in FY24
Structural Surplus Ratio	Operating Surplus Ratio excluding one off grants, contributions, reserves and investments	Between 1% and 4%	× -9.7%	2.7 %	② 1.5%	Adjusted for prepayment of 23/24 FA Grants in 22/23
Cash Flow from Operations Ratio*	Measures whether Council is generating enough cash from its operations to cover the replacement of assets over time.	Between 90% and 110%	⊗ 42.8%	0 105.2%	② 105.2%	Adjusted for prepayment of 23/24 FA Grants in 22/23
Asset Renewal Funding Ratio	Shows whether or not Council is replacing assets at the rate as required in the Asset Management Plan.	Between 90% and 110%	X 141.39	6 & 141.3%	⊗ 172.9%	Above target as a result of deferred AMP Program from 2022/23 carried over to 2023/24
Net Financial Liabilities Ratio**	Shows the extent to which Council is managing its debt.	Between 50% and 160%	74.2 %	66.1%	84.3%	
Interest Expense Ratio	Shows how much discretionary income is used to pay interest on borrowings	Between 4% and 8%	9 4.3%		4.7%	

^{*}Note that the Cashflow from Operation Ratio Forecast is only updated at BR1, Mid Year, BR2

**Note that forecast for Net Financial Libailities Ratio is based on current period balance

Adjusted Forecast corrects the distortion created due to accounting treatment of the advance payment of FA Grants allocation, and creates a more accurate basis for comparison.

COMMITTEE REPORTS

STRATEGY AND SERVICES COMMITTEE

Confidential Matters which cannot be delegated to a Committee or Staff

17.1 ANGLE VALE (SOUTH) GROWTH AREA FINAL STORMWATER INFRASTRUCTURE DEED

Contact Person: Tina Hudson

Why is this matter before the Council or Committee?

Matters which cannot be delegated to a Committee or Staff

Purpose

For Council to make a determination on whether to deal with this matter in confidence.

A. COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

STAFF RECOMMENDATION

Pursuant to Section 90(2) of the *Local Government Act 1999* an order is made that the public be excluded from attendance at the meeting, with the exception of:

- Chief Executive Officer;
- General Manager City Assets;
- General Manager City Services;
- General Manager Corporate Services;
- Executive Strategic Advisor;
- Senior Manager Assets and Delivery;
- Senior Manager City and Corporate Plans;
- Senior Manager City Property;
- Senior Manager Community Engagement and Experience;
- Senior Manager Development Services;
- Senior Manager Families and Young People;
- Senior Manager Financial Services;
- Manager Governance;
- Senior Manager Information, Technology and Governance;
- Manager Planning Services
- Growth and Infrastructure Coordinator
- Governance Support;
- ICT Support;
- Minute Taker;

in order to consider in confidence agenda item 17.1 under Section 90(3)(b) of the *Local Government Act 1999* on the basis that:

- (b) information the disclosure of which
 - i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - ii) would, on balance, be contrary to the public interest.

This matter is Confidential because it is considered to prejudice the commercial position of Council in negotiations with third parties .

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Committee consider it necessary to consider this matter in confidence.

Section B below to be discussed in the confidential section of the agenda once the meeting moves into confidence for each item.

- B. The Matters as per item 17.1
- C. COMMITTEE TO DECIDE HOW LONG ITEM 17.1 IS TO BE KEPT IN CONFIDENCE

PURPOSE

To resolve how long agenda item 17.1 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Committee orders that the following aspects of Item 17.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to *Section 90(3)(b)* of the *Local Government Act 1999*:

- Report for Item 17.1
- Attachment 17.1

Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order at any time and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

This order will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the *Local Government Act 1999*.

COMMITTEE RESOLUTION

5737

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3)(b) of the Local Government Act 1999:

- Report for Item 8.1
- Attachment 8.1

Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order at any time and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

This order will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the *Local Government Act 1999*.

17.2 PLAYFORD AND GAWLER BOUNDARY REALIGNMENT

Contact Person: Dale Welsh

Why is this matter before the Council or Committee?

Matters which cannot be delegated to a Committee or Staff

Purpose

For Council to make a determination on whether to deal with this matter in confidence.

A. COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

STAFF RECOMMENDATION

Pursuant to Section 90(2) of the *Local Government Act 1999* an order is made that the public be excluded from attendance at the meeting, with the exception of:

- Chief Executive Officer:
- General Manager City Assets;
- General Manager City Services;
- General Manager Corporate Services;
- Executive Strategic Advisor;
- Senior Manager Assets and Delivery;
- Senior Manager City and Corporate Plans;
- Senior Manager City Property;
- Senior Manager Community Engagement and Experience;
- Senior Manager Development Services;
- Senior Manager Families and Young People;
- Senior Manager Financial Services;
- Manager Governance;
- Senior Manager Information, Technology and Governance;
- Governance Support;
- ICT Support;
- Minute Taker;

in order to consider in confidence agenda item 17.2 under Section 90(3)(b) of the *Local Government Act 1999* on the basis that:

- (b) information the disclosure of which
 - i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - ii) would, on balance, be contrary to the public interest.

This matter is confidential because Council is currently undertaking commercial negotiations with the Town of Gawler regarding the Playford and Gawler boundary.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Committee consider it necessary to consider this matter in confidence.

Section B below to be discussed in the confidential section of the agenda once the meeting moves into confidence for each item.

B. The Matters as per item 17.2

C. COMMITTEE TO DECIDE HOW LONG ITEM 17.2 IS TO BE KEPT IN CONFIDENCE

PURPOSE

To resolve how long agenda item 17.2 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Committee orders that the following aspects of Item 17.2 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3)(b) of the *Local Government Act 1999*:

- Report for Item 17.2
- Minutes for Item 17.2

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.

The Chief Executive Officer may revoke the minutes for Item 17.2 upon the submission of a joint application to the Boundaries Commission. The Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

COMMITTEE RESOLUTION

5740

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Committee orders that the following aspects of Item 8.2 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3)(b) of the *Local Government Act 1999*:

- Report for Item 8.2
- Minutes for Item 8.2

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.

The Chief Executive Officer may revoke the minutes for Item 8.2 upon the submission of a joint application to the Boundaries Commission. The Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

17.3 KALARA RESERVE PRUDENTIAL REPORT

Contact Person: Luke Culhane

Why is this matter before the Council or Committee?

Matters which cannot be delegated to a Committee or Staff

Purpose

For the Committee to make a determination on whether to deal with this matter in confidence.

A. COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

STAFF RECOMMENDATION

Pursuant to Section 90(2) of the *Local Government Act 1999* an order is made that the public be excluded from attendance at the meeting, with the exception of:

- Chief Executive Officer;
- General Manager Corporate Services;
- General Manager City Services;
- General Manager City Assets;
- Executive Strategic Advisor;
- Senior Manager Assets and Delivery;
- Senior Manager City and Corporate Plans;
- Senior Manager Community Engagement and Experience;
- Senior Manager Development Services;
- Senior Manager Financial Services;
- Senior Manager Families & Young People
- Manager Governance;
- Senior Manager Information, Technology and Governance;
- Sport and Recreation Planner;
- Governance Support;
- ICT Support;
- Minute Taker;

in order to consider in confidence agenda item 17.3 under Section 90(3)(b) of the *Local Government Act 1999* on the basis that:

- (b) information the disclosure of which
 - i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - ii) would, on balance, be contrary to the public interest.

This matter is Confidential Subject to an order pursuant to Section 90(3)(b) of the *Local Government Act 1999*, this matter is confidential because it involves a commercial process in the open market and the disclosure of information may affect negotiations.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Committee consider it necessary to consider this matter in confidence.

Section B below to be discussed in the confidential section of the agenda once the meeting moves into confidence for each item.

- B. The Matters as per item 17.3
- C. COMMITTEE TO DECIDE HOW LONG ITEM 17.3 IS TO BE KEPT IN CONFIDENCE

PURPOSE

To resolve how long agenda item 17.3 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Committee orders that the following aspects of Item 17.3 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to *Section 90(3)(b)* of the *Local Government Act 1999*:

- Report for Item 17.3
- Attachment(s) for Item 17.3
- Minutes for Item 17.3

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the *Local Government Act 1999*.

COMMITTEE RESOLUTION

5743

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Committee orders that the following aspects of Item 8.3 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90(3)(b) of the Local Government Act 1999:

- Report for Item 8.3
- Attachment(s) for Item 8.3
- Minutes for Item 8.3

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the *Local Government Act 1999*.