

His Worship the Mayor
Councillors
CITY OF MARION



**NOTICE OF
GENERAL COUNCIL MEETING**

Notice is hereby given pursuant to the provisions under Section 83 of the Local Government Act 1999 that a General Council meeting will be held

Tuesday 9 February 2016

Commencing at 6.30 p.m.

In the Council Chamber

Council Administration Centre

245 Sturt Road, Sturt

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Council Chamber is via the main entrance to the Administration building on Sturt Road, Sturt.

A handwritten signature in blue ink, appearing to read "Adrian Skull", with a horizontal line extending from the end of the signature.

Adrian Skull
CHIEF EXECUTIVE OFFICER

4 February 2016

**CITY OF MARION
GENERAL COUNCIL AGENDA
FOR MEETING TO BE HELD ON
TUESDAY 9 FEBRUARY 2016
COMMENCING AT 6.30PM**



1. OPEN MEETING

2. KAURNA ACKNOWLEDGEMENT

We acknowledge the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.

3. DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

4. ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

5. CONFIRMATION OF MINUTES

Confirmation of the Minutes for the General Council meeting held on
19 January 20165

6. YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. COMMITTEE RECOMMENDATIONS

Nil

10. PRESENTATIONS

Nil

11. ADJOURNED ITEMS

Adjourned - Recommendations of the 8 September and 8 December 2015 CEO Review
Committee Meeting Minutes
GC090216R0124

Adjourned - Legal Expenditure
GC090216R0235

Adjourned - Corporate Performance Report- 1st Quarter 2015/16: July to September
2015
GC090216R0343

12. CORPORATE REPORTS FOR DECISION

George Street & Finniss Street Raised Pavement Treatment Consultation Outcomes
GC090216R0468

Reconciliation Action Plan 2016 – 2019
GC090216R0577

Community Grants Funding Program
GC090216R06108

Section 270 Review Reserve Street Dog Park
GC090216R07151

13. CORPORATE REPORTS FOR INFORMATION/NOTING

Nil

14. MATTERS RAISED BY MEMBERS

Questions with Notice

Southern Land for Major Sporting Hub
GC090216Q01164

Motions with Notice

Visibility of Cyclists
GC090216M01166

Questions without Notice

Motions without Notice

15. CONFIDENTIAL ITEMS

Nil

16. LATE ITEMS

17. MEETING CLOSURE

Council shall conclude on or before 9.30pm unless there is a specific motion adopted at the meeting to continue beyond that time.

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 19 JANUARY 2016**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jerome Appleby
Jason Veliskou

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Nick Kerry
Tim Pfeiffer

In Attendance

Mr Adrian Skull
Mr Vincent Mifsud
Ms Abby Dickson
Ms Kate McKenzie
Ms Jaimie Thwaites

CEO
General Manager Corporate Services
General Manager City Development
Manager Governance
Unit Manager Council Support

COMMENCEMENT

The meeting commenced at 6.30 pm.

KAURNA ACKNOWLEDGEMENT

We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

MEMBERS DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting and the following declaration was made:

- Councillors Crossland, Kerry and Hutchinson wished to declare a conflict of interest in the item 'Development Application 100/1816/2015 – 79 Finness Street, Marion' (GC190116P02) due to their positions on the Development Assessment Panel.
- Councillor Appleby wished to declare a conflict of interest in the item 'Section 270 Review - Kellett Reserve' (GC190116R03) due to his former position on the Development Assessment Panel.
- Councillor Pfeiffer wished to declare a conflict of interest in the item 'Castle Plaza DPA' (GC190116R07) as he had previously given a representation on the matter.
- Councillor Veliskou wished to acknowledge his involvement in the Telecommunication Tower Kellett Reserve decision in the course of undertaking his duties as an Elected Member. As the report (GC190116R03) seeks Council's instruction regarding the management of a Section 270 review process, Council Veliskou believed that there is no conflict of interest at this point in time.

CONFIRMATION OF MINUTES

Moved Councillor Hutchinson, Seconded Councillor Prior that the minutes of the General Council meeting held on 8 December 2015 be taken as read and confirmed.

Carried Unanimously

COMMUNICATION - HIS WORSHIP THE MAYOR

Report on Mayoral Activities for November and December 2015 and January 2016

Date	Event	Comment
19 November 15	International Men's Day Lunch	Attended
19 November 15	Marion Leisure & Fitness Centre Site Inspection	Attended
22 November 15	Marion Outdoor Swimming Centre Open Day	Attended and gave speech
22 November 15	Inclusive Playspace at Hendrie Street Reserve – Community Consultation	Attended
23 November 15	Hallett Cove Business Association	Attended
23 November 15	Mayor's Multicultural Forum	Attended
25 November 15	Junction Australia Housing Celebration – Mitchell Park Project	Attended and gave speech
26 November 15	Mayor's Business Christmas Function	Attended and gave speech
27 November 15	David Speirs MP Volunteers Christmas Garden Party	Attended

These Minutes are subject to confirmation at the General Council Meeting to be held on the 9 February 2016

27 November 15	Galleon Theatre Production	Attended
29 November 15	14 th Annual City of Marion Community Art Exhibition	Attend and officially launch event
30 November 15	Community Care Volunteer Christmas Thank you	Attended
30 November 15	SAC Precinct Business Meeting	Attended
2 December 15	Lord Mayor's Reception for supporters of Welcome to Australia	Attended
2 December 15	Glandore Carols in the Park 2015	Attended
2 December 15	Keith Harrison President Edwardstown Oval	Attended
3 December 15	Rob Winter re prayer breakfast proposal	Attended
3 December 15	Edwardstown Meals on Wheels Christmas Party	Attended
3 December 15	Westfield Precinct Business Meeting	Attended
4 December 15	Mayors Christmas Celebration 2015	Attended
8 December 15	CEO Review Committee Meeting	Attended
9 December 15	Active Elders Christmas Lunch	Attended
9 December 15	Graffiti Volunteers Celebration	Attended
9 December 15	Hamilton Secondary College Presentation Night	Attended and Presented Award
9 December 15	Community Preparation Survey Meeting	Attended
10 December 15	Marino Residents Association Christmas Drinks	Attended
11 December 15	Vietnam Veterans Federation Christmas Luncheon	Attended
12 December 15	Welcome to Australia Event	Attended
13 December 15	Multifaith Church Service	Attended
14 December 15	General Manager Shortlist Interviews	Attended
14 December 15	New Committee Interviews	Attended
16 December 15	Lord Mayor's 2015 Christmas Reception	Attended with Deputy Mayor Jason Veliskou
16 December 15	Trott Park Fencing Club	Attended
17 December 15	Cove Sports Christmas Drinks	Attended
18 December 15	Marion RSL Christmas Drinks and Introduction as Patron	Attended

20 December 15	Briefing on South Road upgrade by Transport Minister Stephen Mullighan	Attended
21 December 15	Meeting with South Adelaide Basketball New Facility Committee	Attended
24 December 15	Staff End of Year Celebration	Attended
10 January 15	Marion Gift Carnival	Attended and presented sash and prize money
14 January 15	Cove Sports AGM	Attended
In addition the Mayor has met with residents, MP's, Political candidates and also with the CEO and Council staff regarding various issues.		

Moved Councillor Gard, Seconded Councillor Byram that the report by the Mayor be received.

Carried Unanimously

COMMUNICATION – DEPUTY MAYOR

Report on Deputy Mayoral Activities for November and December 2015 and January 2016

Date	Event	Comment
14 November 15	Bioblitz Hallett Cove	Official opening on behalf of Mayor
22 November 15	Marion Outdoor Pool Open Day	Attended and assisted with fundraising BBQ
30 November 15	Marion Community Bus Volunteer Lunch	Attended
5 December 15	Southern Western Schools Ministries Inc Breakfast	Attended on behalf of Mayor, represented City of Marion
9 December 15	Marion Graffiti Volunteer Lunch	Attended
9 December 15	Cooinda Christmas Lunch	Attended
11 December 15	Hallett Cove Carols in the Park	Attended
16 December 15	Lord Mayors Christmas Reception	Attended along with the Mayor, representing City of Marion
24 December 15	City of Marion end of Year Christmas Lunch	Attended
2 December 15	Glandore Carols in the Park	Attended
2 December 15	Glengowrie Neighbourhood Watch Christmas meeting	Attended
29 November 15	Sing Australia Glenelg Concert	Attended on behalf of Mayor, represented City of Marion – invited in appreciation of the community grant provided by the City of Marion. The organisation operates within the council area.

28 December 15	City of Holdfast Bay 179 th Proclamation Day Commemoration Old Gum Tree	Attended on behalf of Mayor, represented City of Marion
25 November 15	Trott Park Community Mural Opening	

Moved Councillor Gard, Seconded Councillor Byram that the Deputy Mayoral Report be received.

Carried Unanimously

COMMUNICATION – ELECTED MEMBERS

Councillor Raelene Telfer
File No. 9.33.3.33

Date	Event	Comment
22 November 15	Marion Outdoor Pool	Open Day
23 November 15	Cosgrove Hall	Committee Meeting
25 November 15	Junction Australia Housing	Celebration
26 November 15	Coast FM	Presentation
29 November 15	Community Art Gallery M	Exhibition
30 November 15	Community Care Volunteers	Breakup
4 December 15	Mayor's Christmas Party	Short attendance
8 December 15	CEO Review	Committee Meeting
9 December 15	Graffiti Volunteers	Breakup
10 December 15	South Adelaide Basketball	Relocation meeting
12 December 15	Welcome to Australia	Information Sharing
13 December 15	Mitchell Park Sports and Community	Christmas Party
13 December 15	Dover Gardens Obedience & Kennel	Christmas Party
14 December 15	New Committees	Interviews
11 January 16	New Committees	Interviews
17 January 16	Dover Gardens Obedience & Kennel	Registration Day
19 January 16	New Committees	Interview

Moved Councillor Gard, Seconded Councillor Byram that the Elected Member Communication Reports be received.

Carried Unanimously

COMMUNICATION – CEO AND EXECUTIVE REPORTS

Report on CEO and Executive Activities for November and December 2015 and January 2016

Date	Activity	Attended by	Comments
25 November	Council Solutions Board Meeting	Adrian Skull	
30 November	SA Aquatic Precinct Business Meeting	Abby Dickson	
1 December	Meeting with Football Federation South Australia	Adrian Skull	
1 December	Indigenous Land Corporation Meeting	Adrian Skull Abby Dickson	
30 November	SA Aquatic Precinct Business Meeting	Abby Dickson	
3 December	Westfield Precinct Business Meeting	Abby Dickson	Attended with Mayor
7 December	SRWRA Board Meeting	Vincent Mifsud	
9 December	City of Marion Graffiti Removal Volunteer Christmas Celebration	Adrian Skull	Attended with Mayor
9 December	Tonsley Project Steering Committee Meeting	Adrian Skull	
10 December	Marino Resident's Association Christmas Function	Adrian Skull	Attended with Mayor
13 December	City of Marion Children's Christmas Party	Adrian Skull	
18 December	Meeting with Nicolle Flint – Liberal Candidate in Boothby	Adrian Skull	Attended with Mayor
20 December	South Road Darlington Press Conference – announcement of successful tenderer	Adrian Skull	Attended with Mayor
21 December	Department of Planning Transport and Infrastructure meeting with Cities of Mitcham and Marion	Adrian Skull	
21 December	Meeting with Trinity Bay Church	Adrian Skull	
21 December	Meeting with South Adelaide Basketball Club	Adrian Skull	

22 December	Meeting with Amanda Rishworth MP	Adrian Skull	
23 December	Meeting with Islamic Society of SA and Annabel Digance MP	Adrian Skull	
24 December	Meeting with David Speirs MP	Adrian Skull	
4 January 2016	Meeting with Hope Church	Adrian Skull	
14 January	Meeting with Southern Connections	Adrian Skull Abby Dickson	
15 January	MC at opening of Red House Group Exhibition	Adrian Skull	

Moved Councillor Gard, Seconded Councillor Byram that the report by the CEO and Executive be received.

Carried Unanimously

YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Nil

DEPUTATIONS

Nil

PETITIONS

6.36pm Petition – Barking Dog Clovelly Park Reference No: GC190116P01

Moved Councillor Telfer, Seconded Councillor Prior that:

1. Council undertakes a barking dog investigation and advise residents of the results.
2. A further report to be provided to Council once investigations have been completed.

Carried Unanimously

6.41pm Councillors Crossland, Kerry and Hutchinson left the meeting due to the conflict of interest declared at the beginning of the meeting.

**6.41pm Petition – Development Application No: 100/1816/2015 – 79 Finnis Street, Marion
Reference No: GC190116P02**

Moved Councillor Veliskou, Seconded Councillor Appleby that Council:

1. Note the petition.
2. Note that the head petitioner will be advised that he (and any other person who submitted a valid representation) will be provided with an opportunity to address the Development Assessment Panel, speak to his concerns with the proposal and respond to questions from the Development Assessment Panel.

Carried Unanimously

6.44pm Councillor Prior left the meeting

6.44pm Councillors Hutchinson, Crossland and Kerry re-entered the meeting

COMMITTEE RECOMMENDATIONS

6.44pm Councillor Prior re-entered the meeting

**6.44pm Finance and Audit Committee - Confirmation of Minutes of Meeting held on 15
December 2015
Report Reference: GC190116R01**

Moved Councillor Telfer, Seconded Councillor Gard that Council

1. Receive and note the minutes of the Finance and Audit Committee meeting of 15 December 2015 (Appendix 1).
2. Note that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

Carried Unanimously

**6.46pm Recommendations of the 8 September and 8 December 2015 CEO Review Committee
Meeting Minutes
Report Reference: GC190116R02**

Moved Councillor Crossland, Seconded Councillor Kerry that:

1. the matter be adjourned until the next General Council meeting (9 February 2016).

Carried

WORKSHOP / PRESENTATION ITEMS

Nil

ADJOURNED ITEMS

Nil

CORPORATE REPORTS FOR DECISION

6.52pm Councillor Appleby left the meeting due to the conflict of interest declared at the beginning of the meeting

6.52pm Section 270 Review – Phone Tower Kellett Reserve Report Reference: GC190116R03

Moved Councillor Crossland, Seconded Councillor Gard that:

1. Council notes the report and confirms the recommendations within the report.
2. The complainant and Telstra be advised of the outcome of the review.

Carried

Councillor Hull called for a division:

Those For: Councillors Pfeiffer, Kerry, Telfer, Hutchinson, Westwood, Byram, Veliskou, Gard and Crossland

Those Against: Councillors Prior and Hull

Carried

7.02pm Councillor Appleby re-entered the meeting

7.02pm Capella Drive Reserve Report Reference: GC190116R04

Moved Councillor Crossland, Seconded Councillor Gard that Council:

1. Note the report and the current status of the project.
2. Note that a further report will be brought for Councils consideration once the development approval process has been completed.

Carried Unanimously

7.03pm Tonsley Suburb Naming Report Reference: GC190116R05

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Supports, subject to appropriate consultation, the renaming of the southern portion of Clovelly Park including the Tonsley redevelopment site as shown on the attached plan as the suburb of Tonsley
2. Authorises the Chief Executive Officer to write to the Surveyor General advising that Council supports the renaming of the suburb, subject to appropriate consultation
3. Authorises the Chief Executive Officer to liaise with the Surveyor General and Renewal SA with regard to the consultation with residents and businesses impacted by the partial renaming of the suburb

Carried Unanimously

**7.05pm Asset Management Plan
Report Reference: GC190116R06**

Moved Councillor Telfer, Seconded Councillor Byram that Council:

1. Notes the feedback received through the Asset Management Plan Community consultation period.
2. Adopts the finalised Asset Management Plan (as attached in Appendix 1)

Amendment:

Moved Councillor Gard, Seconded Councillor Pfeiffer that Council:

1. Notes the feedback received through the Asset Management Plan Community consultation period.
2. Adopts the finalised Asset Management Plan (as attached in Appendix 1) providing clarification that the data provided is in Financial Years (not calendar years).

7.21pm Councillor Veliskou left the meeting

The amendment become the motion was **Carried**
The motion was **Carried**

7.22pm Councillor Pfeiffer left the meeting due to the conflict of interest declared at the beginning of the meeting

**7.22pm Castle Plaza Activity Centre Development Plan Amendment (DPA) – Final Draft for Ministerial Approval (Amended)
Report Reference: GC190116R07**

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Endorses the amendments made to the Castle Plaza Activity Centre Development Plan Amendment and forwards the document to the Minister.
2. Advises the Minister that the Castle Plaza Activity Centre Development Plan Amendment is at a stage suitable for the Minister's consideration, with the proviso that final Ministerial

authorisation (if considered appropriate) is subject to the endorsement of a report written by an accredited site contamination auditor, which confirms the suitability of the subject site for the intended uses outlined in the DPA.

- 7.23pm Councillor Veliskou re-entered the meeting
- 7.23pm Councillor Kerry left the meeting
- 7.29pm Councillor Crossland left the meeting
- 7.32pm Councillor Crossland re-entered the meeting
- 7.38pm Councillors Westwood and Appleby left the meeting
- 7.39pm Councillor Westwood re-entered the meeting
- 7.39pm Councillor Appleby re-entered the meeting
- 7.41pm Councillor Gard left the meeting

Carried Unanimously

7.42pm Councillors Pfeiffer, Kerry and Gard re-entered the meeting

7.42pm Risk Management Policy and Framework Review
Report Reference: GC190116R08

7.43pm Councillor Prior left the meeting

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Review and adopt the Risk Management Policy and Framework with the inclusion of amendments made by the Finance and Audit Committee

Carried Unanimously

7.45pm Councillor Prior re-entered the meeting

7.45pm Recruitment and Appointment of Expert Members to Section 41 Committees and Amendment to Committee Meeting Schedule 2016.
Reference No: GC190116R09

Moved Councillor Hull, Seconded Councillor Hutchinson that Council;

1. Offer to David Panter, the role of Expert Member to the People and Culture Committee until 31 January 2017 or until such time as the Committee is disbanded.
2. Offer to Damian Scanlon the role of Expert Member to the Strategy Committee until 31 January 2017 or until such time as the Committee is disbanded.
3. Offer to Christian Reynolds the role of Expert Member to the Infrastructure Committee until 31 January 2017 or until such time as the Committee is disbanded.

Carried Unanimously

Moved Councillor Veliskou, Seconded Councillor Westwood that Council:

1. Pursuant to Section 90(2) and (3)(a) of the Local Government Act, 1999 the Council orders that all persons present, with the exception of: Adrian Sku II, CEO, Vincent Mifsud, General Manager Corporate Services, Abby Dickson, General Manager City Development, Kate McKenzie, Manager Corporate Governance and Jaimie Thwaites, Unit Manager Council

Support be excluded from the meeting as the Committee considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Council will discuss the appointment of an expert member to the Urban Planning Committee.

Carried

7.55pm meeting went into confidence

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council

1. Offer to Bryan Moulds the role of Expert Member to the Urban Planning Committee until 31 January 2017 or until such time as the Committee is disbanded.

Councillor Pfeiffer declared a conflict of interest as he knew one of the people being discussed in the course of the debate and left the meeting while that person was being discussed.

8.05pm Councillor Pfeiffer left the meeting

8.10pm Councillor Pfeiffer re-entered the meeting

Carried

8.16pm meeting came out of confidence

**8.16pm Australia Day Council (SA) membership fees
Report Reference: GC190116R10**

8.17pm Councillor Telfer left the meeting

8.19pm Councillor Telfer re-entered the meeting

Moved Councillor Hull, Seconded Councillor Gard that Council:

1. Pay the current membership fees to the Australia Day Council (SA) and continue the City of Marion's involvement with the organisation.
2. Express it's concern back to the Australia Day Council that residents of the City of Marion would not be eligible to be nominated for Australia Day Awards if membership was not renewed.

Amendment:

Moved Councillor Crossland, Seconded Councillor Prior that Council:

1. Pay the current membership fees to the Australia Day Council (SA).
2. Commit to contain the City of Marion's involvement with the organisation and agree to ongoing renewal of our membership fees, subject to staff review, until membership renewal is requested in 2019.

The amendment to become the motion was **carried**
The motion was **Carried**

8.31pm Framework, Key Assumptions and Timeframes for the preparation of the 2016/17 ABP&B and LTFP
Report Reference: GC190116R11

Moved Councillor Crossland, Seconded Councillor Hull that Council:

1. Adopt the following framework for setting the Annual Business Plan and Budget 2016/17 and Long Term Financial Plan 2016/17 to 2025/26, subject to any changes proposed by Council:
 - Supports the achievement of the City of Marion’s Strategic Directions.
 - Addresses issues arising *and opportunities identified* from internal audit reviews, *service reviews* and business excellence assessments.
 - *Maintain an Operating Surplus ratio of between 0 – 5% over any five consecutive years, with a primary focus being on Cash Flow and Funding.*
 - Continue to improve the maintenance of assets in accordance with Council’s Asset Management Plans, with a priority on maintenance before renewal, and renewal before new when it is cost effective to do so.
 - Reviews existing services and assets to ensure they meet prioritised community needs.
 - Council only *approve* new Major Projects where it has the identified funding capacity to do so
 - Maintain Council’s position for an average residential rate which remains among the lower rating metropolitan councils
 - Implements responses for progressing liveable cities strategies and funding opportunities within Marion.
2. Considers the Key Assumptions to be used in the preparation of the Annual Business Plan and Budget 2016/17 and Long Term Financial Plan, noting the amendments that:
 - “Service delivery levels are maintained at current levels (any changes to current service levels are to be approved separately by Council subject to financial capacity).”
 - “Rates – an increase of 2.50% or 2.75% plus growth which is forecast at 1.0%. This assumption will continue to be monitored in light of global economic forecasts and the financial impact that those circumstances may have on Marion rate payers and their capacity to pay.”
3. Note the timeframes for the development of Council’s Annual Business Plan and Budget 2016/17 and Long Term Financial Plan.

Carried

8.41pm SRWRA Audit Committee Reappointment
Report Reference: GC190116R12

Moved Councillor Crossland, Seconded Councillor Prior that Council:

1. Reappoints Mr Greg Connor to the Southern Region Waste Resource Authority Audit Committee for a period of two years.

Carried Unanimously

8.42pm Southern Region Waste Resource Authority (SRWRA) Charter Review
Report Reference: GC190116R13

Moved Councillor Crossland, Seconded Councillor Hull that Council:

1. Provide the Southern Region Waste Resource Authority with feedback to inform the Regional Subsidiary Charter review.

Carried

9.01pm Legal Expenditure
Report Reference: GC190106R14

Moved Councillor Appleby, Seconded Councillor Crossland that Council:

1. Adjourn the item until the next General Council meeting (9 February 2016).

Carried

9.05pm Chief Executive Officer Performance Review
Report Reference: GC190116R15

Moved Councillor Veliskou, Seconded Councillor Kerry that:

1. Pursuant to Section 90(2) and (3)(a) of the Local Government Act, 1999 the Council orders that all persons present, with the exception of Adrian Skull, CEO and Jaimie Thwaites, Unit Manager Council Support be excluded from the meeting as the Committee considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Council will receive and consider a report dealing with a review of the Chief Executive Officer's performance review.

Carried

9.06pm meeting went into confidence

Moved Councillor Hutchinson, Seconded Councillor Hull that Council:

1. Notes the summary report on the Chief Executive Officer Performance Review 2015.

Carried Unanimously

9.11pm meeting came out of confidence

CORPORATE REPORTS FOR INFORMATION / NOTING

9.12pm Corporate Performance Report- 1st Quarter 2015/16: July to September 2015 Report Reference: GC190116R16

Moved Councillor Crossland, Seconded Councillor Westwood that Council:

1. Adjourn the item until the next General Council meeting.

Carried Unanimously

9.21pm Finance Report – December 2015 Report Reference: GC190116R17

Moved Councillor Hull, Seconded Councillor Westwood that Council:

1. Receive the report “Finance Report – December 2015”.

Meeting Extension

Moved Councillor Appleby, Seconded Councillor Veliskou that the meeting be extended for a period of 15 minutes.

Carried

9.30pm meeting extended

9.30pm Councillor Prior left the meeting

The motion was **Carried**

MATTERS RAISED BY MEMBERS

Questions with Notice

Tonsley Soil Piles Ref No: GC190116Q01

QUESTION: Councillor Telfer

1. What are the percentages of contaminants in the soil in piles to the north of the Tonsley site and when are they going to be removed?
2. What are the percentages of contaminants in the soil in piles to the south of the Tonsley site and when are they going to be removed?

COMMENTS: Vincent Mifsud, General Manager Corporate Services

Staff from the environmental team of Renewal SA, who work closely with and strictly in accordance with the EPA regulations and under EPA direction, have advised the following:

- All the stockpiles currently on the Tonsley site, both in the north and south, are suitable for re-use on the Tonsley site.
- It is envisaged that the development of the site will require fill material so all stockpiles remaining on site will be considered for re-use when civil works are undertaken in these areas.
- Only stockpiles that are in the way of the next civil works (currently out for tender) are planned to be removed.

Accident and Incident Data
Ref No: GC190116Q02

QUESTION: Councillor Gard

1. In the interests of our high priority strategic focus on 'Wellbeing', can management provide a statistical summary for reported road and general accidents and assaults in public places involving death or injury within the City of Marion, and if possible trends for the last five years?
2. In the case of road accidents, can a breakdown be provided for reported accidents on State administered roads versus local thoroughfares?
3. Are such statistics taken into account in our town and road planning and if so in what manner?

COMMENTS: Kate McKenzie, Manager Corporate Governance

No data is available for general accidents and assaults in public places involving death or injury within the City of Marion, however accidents and assaults reported within City of Marion owned sites are logged within our incident reporting system and investigated by our Risk Management team.

Our road maintenance programs are primarily informed by a program known as RAMMs development by ARRB (Australian Road Research Board) which look at the road condition and indicates which road should be resealed or reconstructed.

The State Government collates road crash data and forwards the details of any fatal crash that occurs in the City of Marion for information and/or consideration. However, it should be noted that the majority (in fact all in the three years) have occurred on arterial roads maintained by the DPTI and causative factors were not identified.

When the State Government calls on Councils to nominate projects for funding under the Blackspot Program, council reviews its road network and the associated accident data (only fatal and injury accidents are considered) to ascertain if there are any blackspots and if so developing a design to remedy the situation.

9.33pm Councillor Prior re-entered the meeting

NRM Levy and Funding
Ref No: GC190116Q03

QUESTION: Councillor Appleby

1. How much has the City of Marion collected from the NRM levy in the last:
 - a) 5 years
 - b) 10 years

and

2. How much NRM funding has the City of Marion received in the last:
 - a) 5 years
 - b) 10 years

COMMENTS: Ray Barnwell, Manager Finance

The NRM levy is a State Government Tax and Council is required under the Natural Resources Management Act to collect this tax on behalf of the Adelaide and Mt Lofty Ranges Natural Resources Management Board. Council does not retain any of the revenue collected for its own purposes.

1. The amount of revenue collected on behalf of the NRM Board in the last:
 - a) 5 years was \$ 6.949m
 - b) 10 years was \$ 11.069m
2. The amount of NRM funding received by the City of Marion in the last:
 - a) 5 years was \$3.815m (incl GST)
 - b) 10 years was \$4.008m (Incl GST)

NRM funding received either directly from NRM or via DEWNR has included funding for major projects including Oakland's Wetland (\$3.535m) and Waterfall Creek (\$ 0.321m) both amounts received in the last 5 years

Motions with Notice

**9.34pm Annual Business Plan and Budget Preparation
 Report Reference: GC190116M01**

Moved Councillor Crossland, Seconded Councillor Veliskou that Council,

1. In all future Annual Budget and Business Plans uses the "Operating Expenditure per residential Property" figure to compare the City of Marion with our neighbouring/bordering Councils in addition to the Average Residential Rates, with an appropriate explanation.
2. Prepares a report, before the next budget, detailing the disparity between our "Operating Expenditure per residential Property" figure and the rate in the dollar with those of our neighbouring councils and explain the reasons behind the disparity.
3. Includes in the report the options available that would reduce our current rate in the dollar and the impact, if any, on ratepayers with different asset values.

Carried

9.35pm Cove Sports Club Balcony
Report Reference: GC190116M02

Moved Councillor Crossland, Seconded Councillor Veliskou that Council:

1. Approve an allocation of up to \$30,000 from the Asset Sustainability Reserve - Community Facilities Partnership Program as a partnership contribution towards the development of a new balcony for the Cove Sports and Community club room; noting that the Club has committed \$5,000 towards the cost of the project and have also successfully obtained \$20,000 Federal Government grant funding towards the project.

Meeting Extension

Moved Councillor Byram, Seconded Councillor Pfeiffer that the meeting be extended until the conclusion of all remaining items.

Carried

9.45pm meeting extended

The motion was **Carried**.

9.54pm Utilisation of Vacant Commercial Properties
Ref No: GC190116M03

Moved Councillor Veliskou, Seconded Councillor Westwood that:

1. Council investigate options available to increase the utilization of vacant commercial properties.
2. The focus be on reducing the degradation of the local amenity when longer-term vacancies result in increased vandalism.
3. Council look at how community use could be incorporated during these periods of vacancy to reduce the instances of vandalism, increase the provision of facilities for community groups and prevent these areas turning into eyesores.

Carried

Questions without Notice

Nil

Motions without Notice

Nil

CONFIDENTIAL ITEMS

Nil

LATE ITEMS

9.59pm Nursery Operations
Report Reference: GC190116R18

Moved Councillor Westwood, Seconded Councillor Veliskou that Council:

1. Notes the update on the Nursery Operations Dispute and acknowledges that processes have been put in place to ensure that a constructive resolution to the matter is realised.

Amendment:

Moved Councillor Hull, Seconded Councillor Kerry that:

1. Notes the update on the Nursery Operations Dispute and acknowledges that processes have been put in place to ensure that a constructive resolution to the matter is realised.
2. The confidentiality order on the previous report relating to this matter be revoked.
3. Council offers an apology to the staff for the lack of appropriate consultation regarding the decision to close the nursery.

Councillor Hull with the consent of Councillor Kerry sought and was granted leave of the meeting to vary the motion as follows:

1. Notes the update on the Nursery Operations Dispute and acknowledges that processes have been put in place to ensure that a constructive resolution to the matter is realised.
2. The confidentiality order on the previous report relating to this matter be revoked.

The amendment become the motion was **Lost**
The original motion was **Carried Unanimously**

CLOSURE - Meeting Declared Closed at 10.17pm.

CONFIRMED THIS 9 February 2016

.....
CHAIRPERSON

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

ADJOURNED ITEM

Originating Officer: Rachel Read, Acting Manager Human Resources
CEO: Adrian Skull
Subject: Recommendations of the 8 September and 8 December 2015
CEO Review Committee Meeting Minutes
Report Reference: GC090216R01

The item '*Recommendations of the 8 September and 8 December 2015 CEO Review Committee Meeting Minutes*', GC190116R02 (attached as appendix 1) was adjourned at the 19 January 2016 General Council meeting to enable further clarification on the KPI number 10 - Asset Disposal. This is now amended to read "In the case of Community Land, Council's application for disposal should be sent to the Minister within 6 months. In the case of other assets, disposal of assets should occur within 6 months of a Council resolution to dispose of an asset."

The complete list of key performance indicators (as amended) are attached as appendix 2

In accordance with the *Local Government (Procedures at Meetings) Regulations*, the debate on an adjourned item will resume and continue at the point it was adjourned. The motion for this item is yet to be Moved or Seconded.

**RECOMMENDATION:
That Council:**

1. **Council receives and adopts the following recommendations of the Chief Executive Review Committee as detailed in the minutes dated 8 December 2015 (Appendix 1):** 9 Feb 2016
 - 1.1 **A report is to be prepared for the Council meeting on 19 January 2016, summarising and interpreting the results of the survey, and comparing Elected Member responses with the Chief Executive Officer's self assessment.**
 - 1.2 **Chief Executive Annual Performance reviews in the term of his contract are to be undertaken by the People and Culture Committee in November 2016 and 2017. The People and Culture Committee will also undertake an interim performance review of the CEO in May/June 2016, 2017 and 2018.**
 - 1.3 **The Chief Executive Officer provide Elected Members with a quarterly update at Elected Member Forums.**
 - 1.4 **The Chief Executive Performance Indicators are adopted subject to clarification of the legal requirements for disposal of Council land.**
2. **Note the revised Key Performance Indicators for the Chief Executive Officer as detailed in Appendix 2.**

**CITY OF MARION
GENERAL COUNCIL MEETING
19 January 2016**

Originating Officer: Rachel Read, Acting Manager Human Resources

Subject: Recommendations of the 8 September and 8 December 2015 CEO Review Committee Meeting Minutes

Reference No: GC190116R02

REPORT OBJECTIVES & EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's adoption of the CEO Review Committee recommendations from their meetings held on Tuesday 8 September and Tuesday 8 December 2015.

The Chief Executive Review Committee (the Committee) is a formally constituted Committee of Council pursuant to Section 41 of the Local Government Act 1999 and is responsible to Council. The Committee has no delegated authority, and accordingly refers all recommendations to Council for adoption.

To assist Council in this regard, attached to this report is a copy of the minutes (Appendix 1) from the 8 September 2015 meeting and the minutes (Appendix 2) from the 8 December 2015 meeting.

RECOMMENDATIONS:

That:

1. Council receives and adopts the following recommendations of the Chief Executive Review Committee as detailed in the minutes dated 8 December 2015 (Appendix 2):
 - 1.1 A report is to be prepared for the Council meeting on 19 January 2016, summarising and interpreting the results of the survey, and comparing Elected Member responses with the Chief Executive Officer's self assessment.
 - 1.2 Chief Executive Annual Performance reviews in the term of his contract are to be undertaken by the People and Culture Committee in November 2016 and 2017. The People and Culture Committee will also undertake an interim performance review of the CEO in May/June 2016, 2017 and 2018.
 - 1.3 The Chief Executive Officer provide Elected Members with a quarterly update at Elected Member Forums.
 - 1.4 The Chief Executive Performance Indicators are adopted subject to clarification of the legal requirements for disposal of Council land.

**MINUTES OF THE CHIEF EXECUTIVE REVIEW COMMITTEE
MEETING
HELD IN COMMITTEE ROOM 1, ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 8 SEPTEMBER 2015 AT 5.00PM**



PRESENT

His Worship the Mayor Kris Hanna (Chair)

Councillors

Councillor Hutchinson
Councillor Telfer

In Attendance

Adrian Skull
Kate McKenzie

Chief Executive Officer
Manager Governance

COMMENCEMENT

The meeting commenced at 5.03pm.

KAURNA ACKNOWLEDGEMENT

Mayor Hanna began the meeting by acknowledging the Kaurna people, the traditional custodians of this land and paid respect to their elders past and present.

MEMBER'S DECLARATION OF INTEREST (if any)

The Chair asked if any Member wished to disclose any interest in relation to any item being considered at the meeting.

No interests were declared.

CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Hutchinson that the Minutes of the Chief Executive Review Committee Meeting held 25 May 2015 be taken as read and confirmed.

Carried Unanimously

ITEMS FOR DISCUSSION

**Key Performance Indicators for the Chief Executive Officer
Report Reference: CRC080915R01**

This report was noted and a general discussion occurred regarding the key performance indicators for the Chief Executive Officer. The discussion included clarification on the following:

- **Human Resources:**
 - KPI 2.1 - To read CMG / Unit Manager and not CMG or Unit Manager.
 - KPI 2.3 - Lost Time Injury - notation added - "does not include sick leave".

- **Capital Works:**
 - KPI 3.4 (Capital Works - Completion of priority list of budgeted projects - 13). Action required from Elected Members to nominate projects. Confirmation was provided to the CEO that this KPI was established to monitor project management and delivery. The suggested criteria for Elected Members to select a project was:
 - Projects that are approved and included within the budget
 - Projects potentially at a ward briefing level
 - Projects that can be monitored by the delivery of key milestones.

- The next meeting of the CEO Review Committee to be tentatively booked for 8 December 2015 to discuss the next steps and progress against KPI's.

Action:

1. Manager Governance to email Elected Members requesting that information regarding their suggested project be brought to the Elected Member forum on the 15 September 2015. The list to be considered as part of the Elected Member session.
2. Next meeting to be tentatively booked for 8 December 2015 at 5pm
3. Manager Governance to review the Committee Membership and make recommendations to Council regarding Councillor Hutchinson and Councillor Telfer continuing on the Committee until the new section 41 Committees commence in 2016.

CONFIDENTIAL ITEMS

Nil

CLOSURE

The meeting was declared closed at 6.06 pm.

CONFIRMED

.....
CHAIRPERSON
...../...../.....

**MINUTES OF THE CHIEF EXECUTIVE REVIEW COMMITTEE
MEETING
HELD IN COMMITTEE ROOM 1, ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 8 December 2015 AT 5.00PM**



PRESENT

His Worship the Mayor Kris Hanna (Chair)

Councillors

Councillor Hutchinson
Councillor Telfer

In Attendance

Adrian Skull
Rachel Read

Chief Executive Officer
Acting Manager Human Resources

COMMENCEMENT

The meeting commenced at 5.45pm.

KAURNA ACKNOWLEDGEMENT

Mayor Hanna began the meeting by acknowledging the Kaurna people, the traditional custodians of this land and paid respect to their elders past and present.

MEMBER'S DECLARATION OF INTEREST (if any)

The Chair asked if any Member wished to disclose any interest in relation to any item being considered at the meeting.

No interests were declared.

CONFIRMATION OF MINUTES

Moved Councillor Telfer, Seconded Councillor Hutchinson that the Minutes of the Chief Executive Review Committee Meeting held 8 September 2015 be taken as read and confirmed.

Carried Unanimously

ITEMS FOR DISCUSSION

6. CEO Performance Review survey (CRC081215R01)

It is noted that discussion took place in regard to a number of questions in the survey. Information sharing amongst the Chief Executive Officer and Elected Members could improve and may be of benefit for the Chief Executive Officer to provide a quarterly progress report to Elected Members.

One on one meetings with Chief Executive Officer and Elected Members was discussed. It was noted that the Chief Executive Officer is happy to meet with Elected Members at any time with reasonable notice.

The next Chief Executive Officer Performance Review was discussed; a full review to take place with the relevant Committee and an interim review with the People and Culture Committee.

It is anticipated that the Elected Members will come to a view about the renewal of the Chief Executive Officer contract during February 2018. It is noted that the Chief Executive Officer is in agreement with these timeframes.

Moved Councillor Telfer, seconded by Councillor Hutchinson that:

1. A Report is to be prepared for the Council meeting on 19 January 2016, summarising and interpreting the results of the survey, and comparing Elected Member responses with the Chief Executive Officer's self-assessment.
2. (Noting the agreement of the Chief Executive Officer to this recommendation,) Chief Executive Annual Performance reviews (which shall include repeated Elected Member surveys) in the term of his contract are to be undertaken by the People and Culture Committee in about November 2016 and 2017. Consideration of CEO remuneration is consequential upon each review. The People and Culture Committee will also undertake an interim performance review of the CEO in May/June 2016, 2017 and 2018.
3. the Chief Executive Officer provide Elected Members with a quarterly update on Council Matters at Elected Member Forums.

Carried Unanimously

7. Other Business

Key Performance Indicators for the Chief Executive Officer

Discussion took place regarding the Chief Executive Officer Key Performance Indicators, appendix 1 to the minutes. The discussion included clarification on the following:

- **Capital Works:**
 - KPI 3.1 Will commence by March 2016.
 - KPI 3.2 Remain as is
 - KPI 3.3 Comment: 80% of facility leases will be renewed prior to their expiry date by 30 June 2016
 - KPI 3.4 Service review will be undertaken

- KPI 3.5 Remain as is
- KPI 3.6 Remain as is
- KPI 3.7 Remain as is
- KPI 3.8 Remain as is
- KPI 3.9 Remain as is
- KPI 3.10 legal requirements of Community Land revocation to be checked and
this KPI revised accordingly
- KPI 3.11 Remain as is
- KPI 3.12 Comment: An unexpected \$190,000 of storm water drainage works
required for George and Finnis Street.
- KPI 3.13 Comment: Effort is being made to reduce fees. The Chief Executive
officer agrees with the Key Performance Indicators.

Moved Councillor Telfer, Seconded Councillor Hutchinson that the Chief Executive Officer Key Performance Indicators are adopted subject to clarification of the legal requirements for disposal of Council land.

Carried Unanimously

CONFIDENTIAL ITEMS

Nil

CLOSURE

The meeting was declared closed at 6.20pm.

CONFIRMED

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CHAIRPERSON

...../...../.....

KEY PERFORMANCE INDICATORS for CEO 2016

Based on no substantial cuts to existing services provided to community (unless by Council resolution) and applying level of rate increase as set by Council (2.9%).

1. Financial (Council of Marion Measures)

<u>KPI</u>	<u>Measure/Range</u>	<u>Rating</u>	<u>Weighted Scoring</u>
2015/16 end of year operating surplus ratio (less extraordinary items)	0-3 % based on current budget (not using a 5 year average)	Exceptional	5%
	>3 but < 6 %	Acceptable	
	<0 or > 6 %	Unacceptable	
Asset sustainability ratio (5 year average)	>90%	Exceptional	5%
	>80-90%	Acceptable	
	<80%	Unacceptable	
Net Financial Liabilities Ratio (* Council definition)	20-40%	Exceptional	
	0 - 20% or 40-50%	Acceptable	5%
	>50%	Unacceptable	

* Net Financial Liabilities (Total liabilities – Non equity financial assets)
Council Own Source Revenue

Target Range – Between 0% and 50% over a rolling five year period.

This is a variation of the LGA's ratio which uses total operating income as the denominator. Total income will include for instance tied grant income for specific projects or programs which will not be available for repayment of debt. It is therefore not appropriate to use total income as the denominator in this instance.

When considering non-equity financial assets we also exclude any cash holding allocated to carryover projects, unexpected grants or retimed works as this is committed and again unavailable to reduce debt.

2. Human Resources

<u>KPI</u>	<u>Measure/Range</u>	<u>Rating</u>	<u>Weighted Scoring</u>
Change in CMG / Unit Manager staff (FTE)	Reduce by 5-10 %	Exceptional	15%
	Reduce by 1- 5 %	Good	
	No reduction	Unacceptable	
Total expenditure on Staff Costs and Agency Costs *	At least 2% less than the 2014/15 total	Exceptional	10%
	Decrease from 2014/15 total by 1.4 – 2%	Acceptable	
	Decrease from 2014/15 total of less than 1.4%	Unacceptable	
Lost Employee Time due to staff absence (i.e. worker's compensation) (not sick leave)	Reduce by 1% (using average of last 5 years)	Exceptional	5%
	Equal to or Less than 1% reduction (using average of last 5 years)	Acceptable	
	Any increase when compared with average of last 5 years	Unacceptable	
Employee retention	88-92%	Exceptional	5%
	Greater than 92%	Acceptable	
	Less than 88%	Unacceptable	

* Note Definitions:

- **'Staff costs'** being wages & salaries (paid through our payroll) for our own employees e.g direct employment
- **'Agency costs'** being wages & salaries (paid through our payroll) for employees hired through a 3rd party employment agency e.g indirect employment

3. Capital Works

<u>KPI</u>	<u>Measure/Range</u>	<u>Rating</u>	<u>Weighted Scoring</u>
Major Capital works (>\$4m)	Strictly on time and on budget (or better)	Exceptional	10%
	Substantially on time and on budget (within 4 months & 102% budget)	Acceptable	
	Any case of substantially over time/ over budget (>4 months or 102% budget)	Unacceptable	
Number of Major Capital Works approved by Council resolution	2+	Exceptional	5%
	1	Acceptable	
	0	Unacceptable	
Council's cash contribution in respect of each Major Capital Work	< 35%	Exceptional	5%
	< 50%	Acceptable	
	> 50%	Unacceptable	
Completion of Priority List of Budgeted Projects (13)* 2016	All 13 completed	Exceptional	15%
<ol style="list-style-type: none"> 1. Glandore Laneways in public ownership 2. Commencement of LED lighting in streets 3. All facility leases up to date by end of May 2016 including Club Marion post-2016 lease (subject to negotiation with Club Marion and The Cove) 4. A study to come to council on rationalisation of the libraries to reduce costs 5. Commence implementation of an approved streetscaping plan for the whole of the city (budget to be approved) 6. Commence implementation of an approved marketing plan for all neighbourhood centres 7. Result of Stakeholder Survey re Land and Property interaction at least 80% Satisfactory 8. Development of a plan for protection of remnant (pre-colonial) vegetation in our reserves 9. Strenuous effort to obtain commitment from University of Adelaide or State Government that Glenthorne will be opened up for community benefit 10. Disposal of assets: Community Land - Council's application for disposal will be sent to the Minister within 6 months. In the case of other assets, Disposal of assets to occur within 6 months of a Council resolution to dispose of an asset. 11. Replacement of Lotus Notes within 12 months 12. Traffic treatment of George and Finnis street completed 13. Reduction in legal fees by at least 10% compared to the previous 12 months 			
	11 or 12 completed	Acceptable	
	Less than 11 completed	Unacceptable	

* Anticipating that each Member of Council will identify a Budgeted Project for completion (milestone or completion achievable within 12 months).

4. Elected Members' Assessment

<u>KPI</u>	<u>Measure/Range</u>	<u>Rating</u>	<u>Weighted Scoring</u>
Rating by Elected Members	Exceeded expectations	Exceptional	10%
	Met expectations	Acceptable	
	Did not meet expectations	Unacceptable	
Alignment throughout administration to the Community and Council Plans (as developed by Elected Members)	High level of alignment	Exceptional	5%
	Moderate level of alignment	Acceptable	
	Low level of alignment	Unacceptable	

Assessment and Result

Average rating (to nearest whole number)	Outcome Description
5	Exceptional
4	Commendable
3	Acceptable
2	Requires Improvement
1	Unacceptable

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

ADJOURNED ITEM

Originating Officer: Sherie Walczak, Acting Manager Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Legal Expenditure
Report Reference: GC090206R02

The item '*Legal Expenditure of the 19 January 2016*', GC190116R14 (attached as Appendix 1) was adjourned at the 19 January 2016 General Council meeting until the City of Marion's Legal Providers' Hourly Rates and Retainers was provided to Members. As this is commercially sensitive information of a confidential nature, it was provided to Members separately via email on the 28th January 2016.

In accordance with the Local Government (Procedures at Meetings) Regulations, the debate on an adjourned item will resume and continue at the point it was adjourned. The motion for this item is yet to be Moved or Seconded.

RECOMMENDATIONS (1)

DUE DATES

That Council authorises the CEO to determine and implement the most practical and cost effective means of receiving legal advice for the City of Marion in the future, including considering the option and viability of employing a part-time lawyer in development law.

**09 February
2016**

**CITY OF MARION
GENERAL COUNCIL MEETING
19 January 2016**

Originating Officer: Deborah Horton, Unit Manager Executive Support
Corporate Manager: Kate McKenzie, Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Legal Expenditure
Report Reference: GC190106R14

REPORT OBJECTIVES:

The purpose of this report is to provide Council with an overview of:

- The current arrangements for legal advice
- Procurement of legal advice
- Council's legal expenses over the past three financial years
- Options regarding future arrangements for seeking legal advice.

EXECUTIVE SUMMARY:

The City of Marion operates in a complex environment and requires legal advice or assistance in various specialist areas. The current G6 Legal Services Contract is the primary means by which staff would engage a lawyer on behalf of the City of Marion. There are a total of six legal firms engaged under this agreement with 92% of Council's legal work being procured through these contracts in 2014/15.

The benefit of this arrangement is:

- The total legal expenditure across all participating Councils is accumulated and discount rates apply when certain thresholds are reached.
- Council is provided with the ability to contact a number of different law firms at a reduced rate, with additional service benefits which has proven to satisfy Council's need for legal services during the life of the contract.

This report explores other potential options for legal advice and recommends that a further detailed analysis of the G6 contract could be undertaken via a service review in order to determine if there is a need to change current legal expenditure practices to reduce legal costs. It further recommends that the Chief Executive Officer determines and implements the most practical and cost effective procedure of obtaining legal advice for the future.

RECOMMENDATIONS (1)

That Council authorises the CEO to determine and implement the most practical and cost effective means of receiving legal advice for the City of Marion for the future.

DUE DATES

19 Jan 2016

BACKGROUND

At its meeting on the 10 November 2015, the Council unanimously resolved that:

Administration provide a report on the engagement of lawyers and their fees and include:

- *Which law firms/ lawyers are used for different issues? Eg. planning, employment etc.*
- *What is the hourly rate or retainer in each case?*
- *How were the lawyers chosen? To what extent are lawyers selected on the basis of who staff feel comfortable consulting?*
- *What is the breakdown of lawyers selected from the panel relative to those who are not?*
- *Is there a database in any sense of legal advice received?*
- *Are there budgets ever imposed for legal matters? Is there a threshold legal expenditure figure at which matters are referred to the elected body?*
- *Evaluation of the practicality and value of sharing legal opinions (or extracts) with other councils on common issues, including at least the G6.*
- *Evaluation of the value of employing one or more lawyers, not necessarily fulltime.*

ANALYSIS:

The City of Marion procures the majority of its legal services via the 'G6 Legal Services Contracts' which is managed at a high level by Council Solutions. Council Solutions is a joint initiative of the Cities of Adelaide, Charles Sturt, Marion, Onkaparinga, Salisbury and Tea Tree Gully (Constituent Councils). Established as a Regional Authority in December 2012 in accordance with the Local Government Act 1999 (SA), its purpose is to optimise the financial sustainability of its constituent councils through the benefits of collaborative strategic procurement and contract negotiation and management. Council Solutions is governed by a Board of Management comprising an independent Chairperson and the Chief Executive.

The G6 Legal Services Contract was last tendered in 2013 via the Law Society Bulletin and SA Tenders and Contracts website. The tender was seeking interested legal firms to be considered for a legal panel contract for the constituent Councils within Council Solutions. Legal firms were requested to register on a non-exclusive panel to provide a variety of legal services in the form of a five year contract from 2013/14 – 2018/19. The specialist areas included;

- Commercial Law
- Employment Law
- Environment Law
- General Litigation
- Local Government Act, Regulations and Administrative Law
- Property Law
- Planning Law

17 tenders were submitted, all underwent extensive evaluation by a panel contract development team consisting of representatives from each Council, overseen by a procurement leader group.

The tenders were evaluated on capacity, service delivery and value added contributions initially by individual panel members taking into consideration the firms identified experience and knowledge including an understanding of Local Government Services (or similar) and previous experience in providing similar services (if relevant).

The individual comments and scores were then collated into a data base which was reassessed by the panel members as a collective. The collective results were overseen by a procurement leader group and finally approved by a procurement directorate. A copy of the weighted criteria used is provided attached (**Appendix 1**). This process resulted in the six legal firms below entering into contracts with member councils in April 2014.

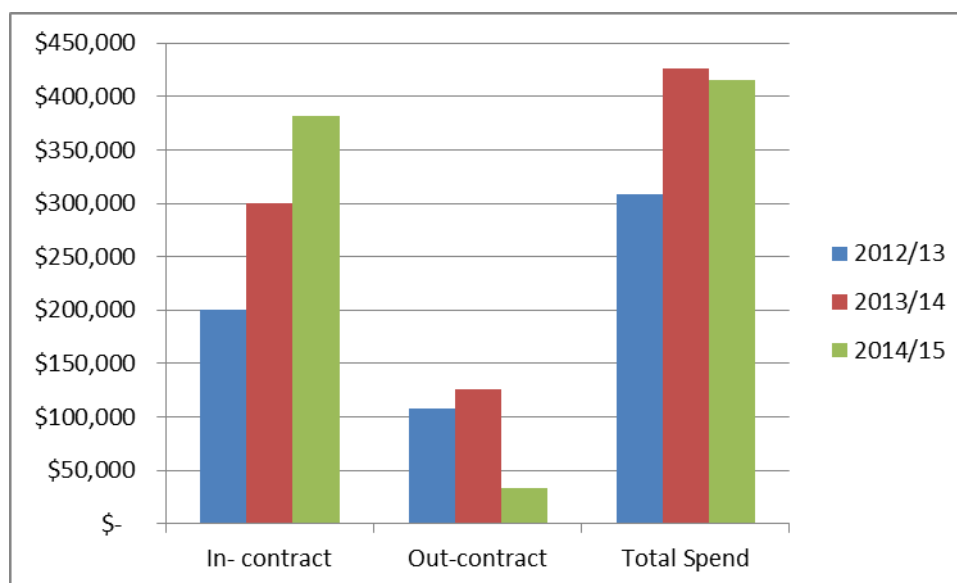
	Norman Waterhouse	Minter Ellison	Mellor Olsson	Kelley Jones	HWL Ebsworth	Cowell Clarke
Commercial Law	✓	✓	✓			
Employment Law	✓	✓		✓	✓	
Property Law	✓	✓	✓		✓	✓
Environment Law	✓	✓				✓
General Litigation	✓	✓	✓	✓		
Local Gov Act Regs & Admin	✓	✓		✓	✓	
Planning Law	✓	✓	✓	✓		

Council Solutions monitor the legal spend of each councils (cumulatively) to ensure fees are charged correctly and that volume discounts are applied along with other minor administrative duties.

Legal expenditure – City of Marion

As the panel is non-exclusive, other legal firms can be engaged at the Council's discretion. Where possible, expenditure is encouraged within the panel however it is acknowledged that some matters may require expertise outside of the contract, if it is in the best interests of the Council (for example, an historical issue may be raised which would require the firm whom gave advice initially to be contacted – and that particular firm is no longer a panel provider).

The following table identifies the legal expenditure within and outside of the panel by the City of Marion over three financial years.



Year	In- contract	Out-contract	Total Spend
2012/13	\$ 200,350	\$ 108,020	\$ 308,370
2013/14	\$ 300,000	\$ 126,000	\$ 426,000
2014/15	\$ 381,857	\$ 33,599	\$ 415,456

Hourly rates and retainers have not been provided within this report as the information is considered commercial information pursuant to section 90(3)(d) of the Local Government Act 1999.

Each department is responsible for the management of their legal costs within their budgets. Departments predict as best they can given the circumstances at the time the appropriate budget for the upcoming financial year.

At the time of writing this report, legal expenditure for 2015/16 financial year is \$207,000. There are a number of matters which have required legal advice, with majority being due to external factors outside of direct control measures.

Significant impacts on legal expenditure budgets include:

Department	Nature of advice
Governance	Investigations and reviews, codes of conduct, conflict of interests.
Development Services	Two significant court actions. It is expected that in one matter significant funds will be reimbursed in the near future after the Council successfully won an appeal.
Property Management	Marion Holiday Park, Glandore Laneways, Marion Leisure and Fitness Centre and subsequent YMCA Management Agreement, lease renewals
Human Resources	Staff investigations, disciplinary matters
Community Safety Inspectorate	Members of the public electing to be prosecuted rather than paying an expiation fee, dealing with complex dog attacks and prosecution.

G6 Legal contract - Sharing legal advice

The G6 Councils have previously shared a database called the 'Legal Opinion Knowledge Base (LOKB)'. The database was used by the Councils and legal firms to request and receive legal opinions. Council's had the options of sharing the advice with all Councils or keeping the advice confidential. It was hosted by the Adelaide City Council IT systems. The database ceased around 2008 after lack of use, out of date information and administrative costs.

Currently, monthly reports are provided to the participating councils from the panel on the matters for which it has sought legal advice. These are not shared amongst the councils as disclosure may waive the individual council's legal privilege.

Legal firms do provide newsletters and alerts via email on topics relevant to local government as a whole. Some firms have also provided seminars on topical issues. Newsletters and email alerts give examples on legislative changes or precedents set by the High Court on relevant case law pertinent to local government. This service provides up-to-date and consistent advice to the participating councils without compromising legal privilege.

Council Solutions will be facilitating a meeting in early 2016 to discuss and implement opportunities to reduce any duplication in advice sought by the group.

City of Marion Legal Services policy

Prior to seeking legal advice, the organisation has a procedure which applies to all staff prior to accessing legal advice. This policy requires the staff member to consult a checklist and seek General Manager approval with the exception of governance matters required by the Manager Corporate Governance and planning/development matters required by the Manager Development and Regulatory Services.

Whilst no specific threshold is set for legal expenditure which would require the organisation to refer to the Elected Members, the officer must ensure they are authorising legal advice within their delegated authority both from a monetary and hierarchical perspective.

Legal Advice Options/Models

Different potential options are available with regard to the future provision of legal advice including (but not limiting to):

Option 1 - City of Marion employing an in house lawyer

A brief was provided to Council at its meeting on 28 January 2014 – GC280114M01 (**Appendix 2**) to consider an in house lawyer. In summary, the brief states that the legal issues before Council are diverse, complex and advice is sought across a broad spectrum of business areas. Due to this, an in-house lawyer would require a high level of skill, knowledge and experience in multi discipline areas of legal practice.

There are a number of different options that Council could consider such as employing an in house lawyer in the areas of the highest spend such as administrative law or planning. This could be a full time or part time arrangement.

The research previously undertaken suggests that a remuneration package required to attract and retain a lawyer of sufficient levels of skills, knowledge and experience would be in the vicinity of \$180,000 to \$200,000, to which on-costs would result in a total employment cost in the range of \$219,000 to \$243,000.

The Hudson Salary Guide (Legal) for 2015 does not provide data specifically for South Australia, however it suggests the following salary ranges for different states which can be used as a guide:

- NSW – In house (Corporate) Legal 6 years+ (\$135k - \$220k)
- NSW – In house (Corporate) Deputy General Council (\$150k - \$280k)
- VIC – In house (Resources & Utilities) 6 years+ (\$135k - \$200k)
- VIC – In house (Resources & Utilities) Deputy General Council (\$165k - \$247k)
- QLD – In house 6 years+ (\$140k – \$180k)
- QLD – In house Deputy General Council (\$155k – \$250k)
- WA – In house (Corporate) Legal 6 years+ (\$135k - \$250k)
- WA – In house (Corporate) Deputy General Council (\$165k - \$350k)

The full report can be obtained from <http://au.hudson.com/latest-thinking/salary-guides>

Further considerations:

If this option was to be further explored, the following should be considered:

- The type of skills, knowledge and experience required
- The employment arrangements
- A full cost benefit analysis
- Conflict of interests and independence of advice
- Professional indemnity insurance
- Impact on current G6 legal services contract
- On-going training and development to ensure skills and knowledge are up to date.

Option 2 – Shared Services with Other Councils

Further enquires could be made with surrounding Councils to determine if an in house lawyer could be shared amongst Councils. For example, Council could share a resource with two or three other Councils and have access to an in house lawyer 1 or 2 days per week. This would require one Council to be the 'host' Council which would require the administrative requirements of the role (such as payroll, IT support, mobile phone, etc).

To date no enquires have been made with other Councils.

This approach was trialled at the Local Government Association (LGA) and ceased recently due to the lack of interest.

Option 3 – Agreement with legal firm to supply in-house legal

This option may require negotiation with a legal firm to supply a lawyer to the Council at an agreed fee (retainer) for an agreed amount of time. For example, one day per week. This would enable staff to seek legal advice on matters regularly without having to use the G6 Legal Services Contract.

Further considerations:

If this option was to be further explored, the following should be considered:

- The wide variety and complexity of legal advice required in Local Government
- Service agreement to be entered into
- Number of hours/costs
- Impact of the City of Marion's current G6 legal services contract
- Procurement requirements
- Cost benefit analysis
- Potential conflicts between preliminary advice given with one legal firm as opposed to other legal advice given when more details are known by a different firm (if the matter escalates).

G6 Legal Services Evaluation

Regardless of the options listed above, it is prudent for current legal service provisions, via the G6 legal arrangement to be evaluated to determine if the service as it is currently offered is cost effective, including the way in which the service is utilised by the City of Marion.

Once this data is obtained via Council Solutions, it can be measured against other potential legal service options to predict the most beneficial outcome for the provision of legal services in the future.

Given the organisation is currently undertaking service reviews across a number of departments, it would be prudent that the provision of future legal services be incorporated into current organisational service reviews to determine the most beneficial and cost effective service provision. This offers impartiality and a level of business acumen in order to produce an approach to legal cost savings that also eliminates any associated risks in doing so.

CONCLUSION:

The City of Marion operates in a complex environment and will from time to time require legal advice or assistance in various specialist areas. An evaluation of the current G6 legal service providers and the way in which these services are currently accessed by the City of Marion is prudent in order to determine if there is a future need to alter current processes regarding the seeking of legal advice.

Appendix 1

CRITERIA	Wtgs
Pricing	30%
Price & costing for the service is comprehensive of value, and takes into account all aspects of the service requirements and the Contract, including detailed costing of the service specification.	30%
Capacity	35%
Experience, knowledge and good past performance in providing the Generalist & Specialist services including an understanding of Local Government Services (or similar) and previous experience in providing similar services.	15%
Evidence of strong commercial and financial viability of the Tenderer demonstrating ability to deliver the service and meet the requirements of the Contract, including provision of company financial records, annual reports for the last two years where applicable and other relevant documentation.	10%
Strong human resource capacity demonstrating ability to meet the requirements of the Contract, teams having worked successfully together in the past providing a similar service, ability to ensure availability of resources required to meet timeframes, and ability to respond to the Principals urgent instructions and requests.	10%
Service Delivery	25%
Demonstrated ability to deliver a quality solutions focussed Service to meet the requirements of the Contract with evidence of strong customer service focus.	10%
Account management approach including systems for business, finance and reporting.	5%
Corporate Culture – sensitive to the needs of Council. Understanding of needs/requirements and ability to communicate in a positive collaborative manner.	10%
Value Added	10%
Evidence of a proactive, innovative approach to service delivery, initiatives employed, an ability to address emerging issues.	10%
Total Rating	100%

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

ADJOURNED ITEM

Originating Officer: **Catrin Johnson, Strategy Partner**

Corporate Manager: **Kate McKenzie, Manager Corporate Governance**

General Manager: **Vincent Mifsud, General Manager Corporate Services**

Subject: **Corporate Performance Report-
1st Quarter 2015/16: July to September 2015**

Report Reference: **GC090216R03**

This item was adjourned at the 19 January 2016 General Council meeting.

Appendix 1 contains the original report as presented on 19 January 2016.

Appendix 2 contains an updated and corrected Corporate Performance Report.

In accordance with the Local Government (Procedures at Meetings) Regulations, the debate on an adjourned item will resume and continue at the point it was adjourned. Councillor Telfer has asked a Question and the Motion is yet to be Moved or Seconded.

At the 19 January 2016 meeting Council sought clarification on the following points:

- KPI 1 – clarification of the forecast Operating Surplus Ratio (18% or 9.1%) – 9.1% is correct.
- KPI 2 – clarification of the forecast reduction in Employee Costs (17% or 1.7%) – a reduction of 1.7% is correct.
- KPI 4 – clarification that this KPI only relates to individual Major Capital Works projects that are each > \$4 million – this is confirmed.
- KPI 5 – a couple of typographic errors existed in the commentary for point 4 – these have been amended.
- KPI 6 & 7 – need to be assessed and reported against the previously adopted Council Plan – these have been revised accordingly.
- RED Lights – an appropriate explanation needs to be provided where a RED Light occurs – this has been provided where relevant.

In relation to KPI's 6 and 7, further consideration of the Council's suite of strategic management plans has progressed, and it is proposed to simplify the plans to support community understanding and strong alignment across the organisation.

The proposed changes are:

- Rename the Community Plan – towards 2040 to the Strategic Plan – towards 2040
- Rename the Annual Business Plan and Budget to the Annual Business Plan
- Develop a 3 year (2016/17-2018/19) Business Plan that, once adopted, will replace the 2010-2020 Strategic Plan.

RECOMMENDATIONS (2):

That Council:

1. Note the Corporate Performance Report – First Quarter 2015/16: February 2016
July to September 2015, as provided in Appendix 2.
2. Adopts the following changes to Council's plans: February 2016
 - Rename the 'Community Plan – towards 2040' to the 'Strategic Plan – towards 2040'
 - Rename the 'Annual Business Plan and Budget' to the 'Annual Business Plan'
 - Develop a 3 year (2016/17-2018/19) Business Plan that, once adopted by Council, will replace the 2010-2020 Strategic Plan.

**CITY OF MARION
GENERAL COUNCIL MEETING
19 January 2016**

Originating Officer: Catrin Johnson, Strategy Partner

Corporate Manager: Kate McKenzie, Manager Corporate Governance

General Manager: Vincent Mifsud, General Manager Corporate Services

Subject: Corporate Performance Report- 1st Quarter 2015/16: July to September 2015

Report Reference: GC190116R16

REPORT OBJECTIVES AND EXECUTIVE SUMMARY:

This report provides Council with the first quarter status report on Corporate Performance Measures adopted in the 2015/16 Annual Business Plan and Budget (**Appendix 1**). It forms part of the regular Corporate Performance Reporting to Council, in conjunction with the quarterly budget review reporting.

The Corporate Performance reporting process provides Council with regular status updates on the key governing systems in place to support delivery of outcomes for the Community.

The report shows good performance for the quarter with four of Council's five available measures performing within their target range.

RECOMMENDATIONS (1)**DUE DATES****That Council:**

- | | |
|--|-------------|
| 1. Note the Corporate Performance Report – First Quarter 2015/16: July to September 2015, as provided in Appendix 1. | 19 Jan 2016 |
|--|-------------|

BACKGROUND

The City of Marion's governance framework is comprised of key systems and processes to support robust decision making and delivery of outcomes to the Community. Monitoring performance of these systems is conducted through a range of mechanisms at a number of levels to ensure there is clear line of sight for managing performance at the organisation, council and community level.

The suite of KPIs contained within the Corporate Performance Report (**Appendix 1**) was adopted in the 2015/16 Annual Business Plan and Budget. Quarterly KPI reporting enables council and the community to track and assess progress and performance at regular intervals throughout the year. It also provides key information for decisions and actions to be taken to address any performance gaps or opportunities for improvement.

ANALYSIS:

The first quarter report shows good performance for all KPIs throughout the period July-September 2015. Four of the five measures with data available exceeded, met their targets or were within the target range.

No data was available for the following measures:

- KPI6 Achieving goals of (10 year) Council Plan
- KPI7 Alignment throughout administration to Community and Council Plans (as developed by Elected Members)

Highlights for the 1st Quarter:

Employee costs have been reduced by 17% against the prior year budget to date - KPI2 Total employee costs (staff plus agency)

To date in 2015/16 there have been no accepted claims reported in the Local Government Association Workers Compensation Scheme - KPI3 Lost employee time due to injury

Cove Civic Centre opened on 27 July 2015, original program was March 2015. Approved budget \$13.4m, final cost is subject to review and audit commencing in November - KPI4 Major Capital Works (>\$4m)

City Services Redevelopment expected completion date 20 November 2015, original completion date 15 December 2015 (inclusive of EOT's). Project likely to be in the order of \$150-\$230k under budget - KPI4 Major Capital Works (>\$4m)

A costed concept plan is being developed for Edwardstown Oval. Targeting Federal funding application for January 2016 - KPI5 Number of specific Major Capital Works proposals ready for approval by Council

CONCLUSION:

The Corporate Performance Report demonstrates Council's commitment to tracking progress and delivering outcomes consistent with the 2015/16 Annual Business Plan and Budget. It also demonstrates Council's commitment to ensuring a robust and transparent planning process and fulfilling its role in delivering the practice of good governance.

Corporate Performance Report
1st Quarter Report 2015/16: Jul 2015 - Sep 2015



This Performance Report provides both an overall dashboard view and a progress update for each of the measures.

Dashboard Status icons




	Target rating = Exceptional
	Target rating = Acceptable
	Target rating = Unacceptable
	No target set

Measure		Target	Quarter Results	
FINANCIAL				
1	Actual operating surplus ratio for 2015-16 (adjusted for extraordinary items)	0 – 6%	18%	
2	Total employee costs (staff plus agency)	Decrease by 1.4 – 2.0%, in dollar terms, over the previous year's adopted budget	-17%	
3	Lost employee time due to injury	Reduction compared to average of last 5 years	0	
4	Major Capital Works (>\$4m)	Completed strictly on time and on budget (or better)	Substantially on time and on budget	
5	Number of specific Major Capital Works proposals ready for approval by Council	2	1	
6	Achieving goals of (10 year) Council Plan	High level of achievement	N/A	-
7	Alignment throughout administration to Community and Council Plans (as developed by Elected Members)	Moderate to high level of alignment	N/A	-

KEY PERFORMANCE INDICATOR 1:

Actual operating surplus ratio for 2015-16 (adjusted for extraordinary items)

TARGET:

	Exceptional	0 – 3%
	Acceptable	> 3 but > 6%\$
	Unacceptable	< 0 or > 6%

PERFORMANCE:

Unacceptable (quarter result)

Background

This ratio expresses the operating surplus / (deficit) as a percentage of general and other rates, net of rebates.

Performance




At the first quarter Budget Review for 2015/16 this result was 9.1%.

A quarterly result may not be representative as it assumes that all sources of revenue and expense are evenly divided across the four quarters. Quarterly analysis of this ratio may not indicate a trend that would predict the annual result.

KEY PERFORMANCE INDICATOR 2:

Total employee costs (staff plus agency)

TARGET:

	Exceptional	Reduce by 5 – 10%
	Acceptable	Reduce by 1 – 5%
	Unacceptable	No reduction

PERFORMANCE:  Acceptable (quarter result)

Background

Employee costs include salaries and wages paid through the City of Marion's payroll system for direct employees.

Agency costs include salaries and wages paid through the City of Marion's payroll system for employees hired through a third party employment agency.

Performance




At the first quarter Budget Review for 2015/16 employee costs have been reduced by 1.7% against the prior year adopted budget to date.

This result is not comparative of a full year result as the prior year budget does not account for the timing of actual pay periods in the current year.

KEY PERFORMANCE INDICATOR 3:

Lost employee time due to injury (frequency rate)

TARGET:

	Exceptional	Reduce by 1% (using average of last 5 years of 22.4)
	Acceptable	Equal to or < 1% reduction (using average of last 5 years of 22.4)
	Unacceptable	Any increase when compared to the average of last 5 years (of 22.4)

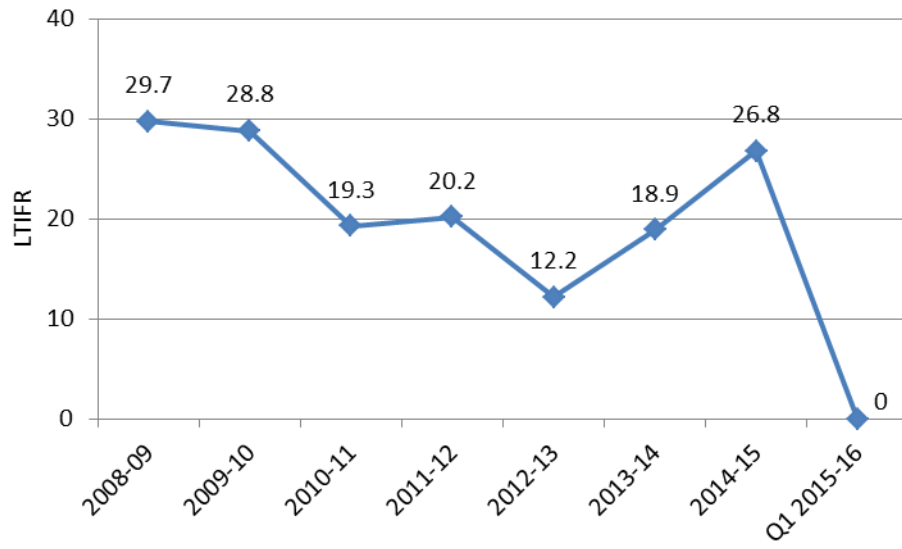
PERFORMANCE:  Exceptional (quarter result)

Background

Lost Time Injury Frequency Rates (LTIFR) is a widely used lag performance indicator that measures injury management performance and is calculated as per the Australian Standard 1885.1: 'Total number of Lost Time Injuries/Total Hours Worked)*1,000,000'.

Performance




The graph below tracks Council's LTIFR performance for the past seven years as reported by the Local Government Association Worker's Compensation Scheme (LGAWCS). To date in 2015-16 there have been no accepted claims reported in the LGAWCS data.



KEY PERFORMANCE INDICATOR 4:

Major Capital Works (>\$4m)

TARGET:

	Exceptional	Strictly on time and on budget (or better)
	Acceptable	Substantially on time and on budget (within 4 months and 102% budget)
	Unacceptable	Any case of substantially over time / over budget (>4 months or 102% budget)

This measure represents a combined score of the progress towards delivering two key Council Major Capital Works that exceed \$4m:

1. Cove Civic Centre
2. City Services Redevelopment

All data in the composite is evenly weighted.

PERFORMANCE:

Substantially on time and on budget
(quarter result)

Background

The City of Marion undertakes or facilitates major projects which support the development of services and facilities for the community and enhance the environmental sustainability of the area. A project is formally considered a Major Capital Works based on the level of investment, scale and/or the dependency on the partnering support and commitment from key strategic partners, from both the public and private sectors.

Specifically Major Capital Works have the following characteristics:

- an investment by Council of over \$4 million
- more than 12 months to deliver the project
- generally involves a project partner(s)




Performance

1. Cove Civic Centre - Opened on 27 July 2015, original completion date was 15 December 2014. Approved budget \$13.4m, final cost is subject to review and audit commencing in November.
2. City Services Redevelopment - Expected completion date 20 November 2015, original completion date 15 December 2015 (inclusive of EOT's). Project likely to be in the order of \$150-\$230k under budget.

KEY PERFORMANCE INDICATOR 5:

Number of specific Major Capital Works proposals ready for approval by Council

TARGET:

	Exceptional	2 +
	Acceptable	1
	Unacceptable	0

This measure represents a combined score of the following Major Capital Works Proposals:

1. Edwardstown Oval
2. BMX track
3. Soccer pitches
4. Indoor basketball stadium

All data in the composite is evenly weighted.




PERFORMANCE:  1 (quarter result)

1. Edwardstown Oval – Costed concept plan being developed. Targeting Federal funding application for January 2016.
2. BMX Track – Funding received from ORS for feasibility study to commence soon.
3. Soccer Pitches – Draft business case developed with FFSA, sites being investigated.
4. Indoor Basketball Stadium – Draft business case developed with FFSA, sites being investigated

KEY PERFORMANCE INDICATOR 6:

Achieving goals of (10 year) Council Plan

TARGET:

	Exceptional	High level of achievement
	Acceptable	Moderate level of achievement
	Unacceptable	Low level of achievement

PERFORMANCE: N/A




Background

The Council Plan has not been adopted by Council.

KEY PERFORMANCE INDICATOR 7:

Alignment throughout administration to the Community Plan and the Council Plan

TARGET:

	Exceptional	High level of alignment
	Acceptable	Moderate level of alignment
	Unacceptable	Low level of alignment

PERFORMANCE: N/A

Background

The Council Plan has not been adopted by Council.

Corporate Performance Report
1st Quarter Report 2015/16:
Jul 2015 - Sep 2015



This Performance Report provides both an overall dashboard view and a progress update for each of the measures with updated information.

Measure		Target	Quarter Results	
FINANCIAL				
1	Actual operating surplus ratio for 2015-16 (adjusted for extraordinary items)	0 – 6%	9.1%	
2	Total employee costs (staff plus agency)	Decrease by 1.4 – 2.0%, in dollar terms, over the previous year's adopted budget	-1.7%	
3	Lost employee time due to injury	Reduction compared to average of last 5 years	0	
4	Major Capital Works (>\$4m each project)	Completed strictly on time and on budget (or better)	Substantially on time and on budget	
5	Number of specific Major Capital Works proposals ready for approval by Council	2	0	
6	Achieving goals of (10 year) Council Plan	High level of achievement	All strategies and projects within the 2010-2020 Strategic Plan are complete or progressing, with the exception of CWSP1.4 2015/16 Work Area Plans were completed by all 59 teams by 31 July 2015, aligned to the City Of Marion Community Plan – Towards 2040	-
7	Alignment throughout administration to Community and Council Plans (as developed by Elected Members)	Moderate to high level of alignment	There is misalignment between the six themes of the Community Plan and the four pillars of the 2010-2020 Strategic Plan. A medium term (3 year) action-oriented council Business Plan, based on the six themes of the Community Plan will strengthen the alignment throughout administration to the Community Plan and Business Plan.	-




Dashboard Status icons

	Target rating = Exceptional		No target set
	Target rating = Acceptable	-	No data available
	Target rating = Target not Met		

KEY PERFORMANCE INDICATOR 1:

Actual operating surplus ratio for 2015-16 (adjusted for extraordinary items)

TARGET:

	Exceptional	0 – 3%
	Acceptable	> 3 but < 6%
	Target not Met	< 0 or > 6%

PERFORMANCE:

Target not Met (quarter result)

Background

This ratio expresses the operating surplus / (deficit) as a percentage of general and other rates, net of rebates.

Performance

At the first quarter Budget Review for 2015/16 this result was 9.1%.




A quarterly result may not be representative as it assumes that all sources of revenue and expense are evenly divided across the four quarters. Quarterly analysis of this ratio may not indicate a trend that would predict the annual result.

The Operating Surplus Ratio is forecast to exceed the currently adopted 5 year average target. This is primarily as a result of substantial gross operational savings of \$3.2m being achieved in 2015/16 which has had a significant impact on the operating surplus ratio, bringing the current quarter figure to 9.1%. Any future operating savings identified will further increase the operating surplus ratio. Council's operating profit result provides the basis to fund normal day to day community services for both (1) provision of community services, and (2) capital renewal of existing infrastructure.

KEY PERFORMANCE INDICATOR 2:

Total employee costs (staff plus agency)

TARGET:

	Exceptional	Reduce by 5 – 10%
	Acceptable	Reduce by 1 – 5%
	Target not Met	No reduction

PERFORMANCE:

Acceptable (quarter result)

Background

Employee costs include salaries and wages paid through the City of Marion's payroll system for direct employees.

Agency costs include salaries and wages paid through the City of Marion's payroll system for employees hired through a third party employment agency.

Performance

At the first quarter Budget Review for 2015/16 employee costs have been reduced by 1.7% against the prior year adopted budget to date.

This result is not comparative of a full year result as the prior year budget does not account for the timing of actual pay periods in the current year.

KEY PERFORMANCE INDICATOR 3:

Lost employee time due to injury (frequency rate)

TARGET:

	Exceptional	Reduce by 1% (using average of last 5 years of 22.4)
	Acceptable	Equal to or < 1% reduction (using average of last 5 years of 22.4)
	Target not Met	Any increase when compared to the average of last 5 years (of 22.4)

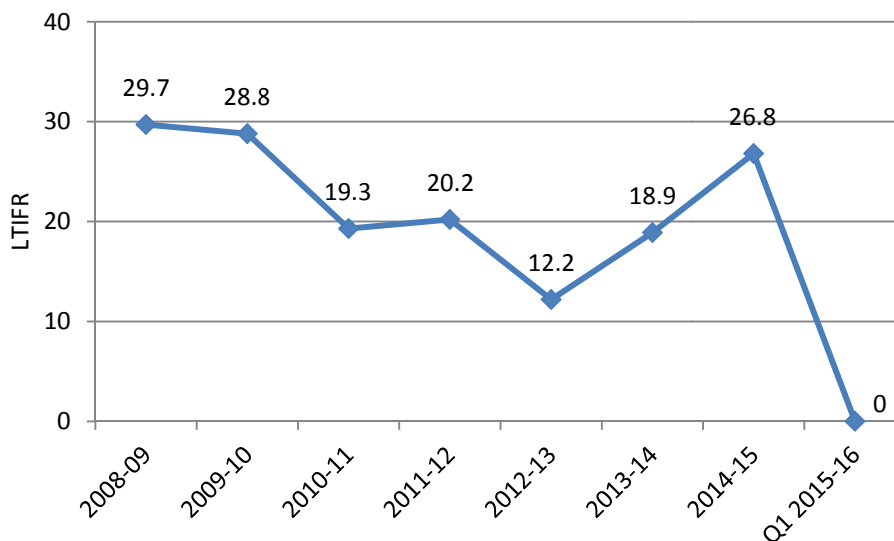
PERFORMANCE: Exceptional (quarter result)

Background

Lost Time Injury Frequency Rates (LTIFR) is a widely used lag performance indicator that measures injury management performance and is calculated as per the Australian Standard 1885.1: 'Total number of Lost Time Injuries/Total Hours Worked)*1,000,000'.

Performance




The graph below tracks Council's LTIFR performance for the past seven years as reported by the Local Government Association Worker's Compensation Scheme (LGAWCS). To date in 2015-16 there have been no accepted claims reported in the LGAWCS data.



KEY PERFORMANCE INDICATOR 4:

Major Capital Works (>\$4m each project)

TARGET:

	Exceptional	Strictly on time and on budget (or better)
	Acceptable	Substantially on time and on budget (within 4 months and 102% budget)
	Target not Met	Any case of substantially over time / over budget (>4 months or 102% budget)

This measure represents a combined score of the progress towards delivering two key Council Major Capital Works that exceed \$4m per project:

1. Cove Civic Centre
2. City Services Redevelopment

All data in the composite is evenly weighted.

PERFORMANCE:

Substantially on time and on budget
(quarter result)

Background

The City of Marion undertakes or facilitates major projects which support the development of services and facilities for the community and enhance the environmental sustainability of the area. A project is formally considered a Major Capital Works based on the level of investment, scale and/or the dependency on the partnering support and commitment from key strategic partners, from both the public and private sectors.

Specifically Major Capital Works have the following characteristics:

- an investment by Council of over \$4 million
- more than 12 months to deliver the project
- generally involves a project partner(s)

Performance




1. Cove Civic Centre – Construction was completed on 18 June 2015 and then occupied and made ready for opening to the public on 27 July 2015. Original construction finish date was 15 December 2014, with approved contractually valid extensions of time, the revised construction finish date was 6 February 2015 with an opening date of 13 March 2015. The project will be approximately \$600,000 under the original budget, subject to the final cost reconciliation and audit.

2. City Services Redevelopment – The stores, workshop, office and amenities were occupied on 31 August 2015. The balance of construction (fleet vehicle parking area) was completed on 20 November 2015, original completion date was 15 December 2015 (inclusive of approved contractually valid extensions of time). The project will be approximately \$1 00,000 to \$150,000 under the original budget, subject to the final cost reconciliation and audit.

KEY PERFORMANCE INDICATOR 5:

Number of specific Major Capital Works proposals ready for approval by Council

TARGET:

	Exceptional	2 +
	Acceptable	1
	Target not Met	0

This measure represents a combined score of the following Major Capital Works Proposals:

1. Edwardstown Oval
2. BMX track
3. Soccer pitches
4. Indoor Multipurpose Stadium

All data in the composite is evenly weighted.

PERFORMANCE:




0 (quarter result)

1. Edwardstown Oval – Costed concept plan being developed. Targeting Federal funding application for March 2016.
2. BMX Track – Funding received from ORS for feasibility study to commence soon.
3. Soccer Pitches – Draft business case developed with FFSA, sites being investigated.
4. Indoor Multipurpose Stadium – Draft business case being developed, concept designs and costings being developed for Mitchell Park site

KEY PERFORMANCE INDICATOR 6:

Achieving goals of (10 year) Council Plan

TARGET:

	Exceptional	High level of achievement
	Acceptable	Moderate level of achievement
	Target not Met	Low level of achievement

PERFORMANCE:

Moderate level of achievement

Performance

Council has adopted a long term Community Plan - Towards 2040 and a Strategic Plan 2010-2020. Drafting of a medium term business plan 2016-2019 has begun and is scheduled to be completed for implementation from July 2016.

All strategies and projects within the 2010-2020 Strategic Plan are complete or progressing, with the exception of CWSP1.4 Facilitate improved access and infrastructure for the Warradale Shopping Precinct. While some minor work has been completed to improve pedestrian access, this project is closely linked to the Oaklands Crossing which will be the focus of a campaign led by Council kicking off in April 2016.

Considering the suite of plans provides an opportunity to streamline and simplify some plans. It is proposed to simplify the terminology of the plans to support community understanding and strong alignment across the organisation.

The proposed changes are:




- Rename the Community Plan – towards 2040 to the Strategic Plan – towards 2040
- Rename the Annual Business Plan and Budget the Annual Business Plan
- Develop a 3 year (2016-2019) Business Plan that, once adopted, will replace the 2010-2020 Strategic Plan.

2015/16 Work Area Plans were completed by all 59 teams by 31 July 2015, aligned to the City of Marion Community Plan - Towards 2040.

KEY PERFORMANCE INDICATOR 7:

Alignment throughout administration to the Community Plan and the Council Plan

TARGET:

	Exceptional	High level of alignment
	Acceptable	Moderate level of alignment
	Target not Met	Low level of alignment

PERFORMANCE:  Low level of alignment

Background

The City of Marion's Strategic Management Framework (SMF) sets out the overarching framework for Council's strategic and business plans. The focus of the SMF is to ensure that the key elements of the strategic planning and management systems and processes are aligned and integrated to ensure that Council can effectively pursue the Community's aspirations over the next 25 years. The SMF is underpinned by a series of processes to support decision making, resource allocation, service delivery and performance monitoring.

Currently the City of Marion has a number of adopted plans that form its suite of strategic management plans:

- 25 Year Community Plan- Towards 2040 (adopted in 2013)
- 10 Year Strategic Plan 2010-2020 (adopted in 2010 and refined in 2011)
- 10 Year Long Term Financial Plan (reviewed and adopted annually)
- 10 Year Asset Management Plan (adopted in January 2016)
- Medium Term Strategic Directions Report (strategic urban development priorities) (adopted in 2013)

Short term business plans, policies and strategies have been developed to implement the suite of strategic plans.

Performance

A review of the Strategic Management Framework in 2011/12 recommended that a long term (30 year) Community Plan and a separate medium term (10 year) Council Plan be developed to provide further clarity and simplicity for the community and organisation. Based on this recommendation a Community Plan – Towards 2040 was adopted by Council in 2013. However there is now misalignment between the six themes of the Community Plan and the four pillars of the 2010-2020 Strategic Plan. Consideration of a medium term (3 year) action-oriented Business Plan, based on the six themes of the Community Plan will strengthen the alignment throughout administration to the Community Plan and Business Plan.

The recent adoption of the Asset Management Plan enables alignment between this Plan and the Long Term Financial Plan to proceed.

Considering the suite of plans provides an opportunity to streamline and simplify some plans. It is proposed to simplify the terminology of the plans to support community understanding and strong alignment across the organisation.

The proposed changes are:

- Rename the Community Plan – towards 2040 to the Strategic Plan – towards 2040
- Rename the Annual Business Plan and Budget the Annual Business Plan
- Develop a 3 year (2016-2019) Business Plan that, once adopted, will replace the 2010-2020 Strategic Plan.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

Originating Officer: Mark Griffin, Unit Manager Engineering
Manager: Mathew Allen, Manager Infrastructure
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: George Street & Finniss Street Raised Pavement Treatment Consultation Outcomes
Reference No: GC090216R04

REPORT OBJECTIVE AND EXECUTIVE SUMMARY:

In the report dated 26 May 2015 (GC260515R11), Council resolved the following in an attempt to address the traffic concerns along George Street and Dwyer Road:

1. *Council endorses Community Consultation for the development of three raised pavement sections along George Street, Dwyer Road and Crew Street to discourage through traffic and enhance pedestrian movements.*
2. *A report be brought back to Council detailing the outcomes of the consultation.*
3. *Council note funding of \$120,000 to allow for design, consultation and installation, for one raised pavement section to be installed at the junction of Finniss Street and George Street, Marion has been incorporated into the 2015/16 draft Traffic Capital works budget.*
4. *Council refer the remaining raised pavement sections for inclusion in subsequent traffic capital works budgets*
5. *Six months after the completion of the three raised pavement sections, a review of traffic impacts on neighbouring streets be brought back to Council.*

Consequently, this report is to advise Council of the outcomes of community consultation and provide an update on the required funding to complete the raised pavement treatment at the intersection of George Street and Finniss Street.

RECOMMENDATIONS (2):

DUE DATES

That Council:

- | | |
|---|-------------------|
| 1. Notes the report. | 9 Feb 2016 |
| 2. Approve funding of up to an additional \$370,000 by re-prioritising works within the existing 2015/16 Capital Works budget, noting that \$60,000 of this required funding will be sourced from identified savings achieved within the existing 2015/16 Drainage Capital Works budget. | 9 Feb 2016 |

OR

- 2. Given the significant increase in cost for the development of the three raised pavement sections, Council go through a select tender process to seek possible new designs solutions (including details of all costs) from three Consulting Engineers. A report be brought back to council on the alternative solutions provided (including details of all costs).**

BACKGROUND:

In 2013 as a result of community concerns Council undertook a Local Area Traffic Management (LATM) study of the area bounded by Marion Road, Sturt Road, Diagonal Road, the rail corridor and the Sturt River. While the LATM study concluded that traffic volumes were higher than expected on the collector roads, treatment options were rejected by the community and an additional option of “Do Nothing” was suggested and favoured by a majority of residents.

Following this study residents of George Street and Dwyer Road presented a petition to Council (consisting of 123 signatories) requesting the installation of a 40 km/h speed zone in the area and “Local Traffic Only” signs at all logical entry points. The Local Traffic Only signs were installed; however, the majority of the community did not support the provision of a 40 km/h area speed limit.

In 2015 Council requested a report summarising the various treatments that could be implemented along George Street and Dwyer Road. As a result of the subsequent report Council resolved to implement 3 raised pavement sections at the following locations:

- George Street and Finnis Street, intersection;
- George Street Boyle Street and Dwyer Road intersection; and
- Diagonal Way and Crew Street junction.

It was considered that these raised pavement sections would contribute to achieving several objectives, these being a reduction of through traffic along both George Street / Dwyer Road, slow traffic, not transferring traffic to other roads in the local network and maintaining access for local residents.

For details of the design of the George Street and Finnis Street raised pavement section refer Appendix 1.

For details of the previous traffic control alternatives considered by Council refer to Appendix 2.

DISCUSSION:

The community consultation in regards to the raised pavement section at the intersection of George Street and Finniss Street has been summarised below.

Survey Details

Scope of Survey	- In the immediate vicinity of the treatment (19 properties) - The Marion Historic Village project group (1) - Those residents who indicated that they wished to be consulted in the future (10).	
Total Number of surveys	30	100%
Number of surveys returned	11	36%

Responses

Questions	Yes	No	Not Sure
Do you support the installation of the raised pavement treatment at the intersection of George Street and Finniss Street?	8 (73%)	3 (27%)	0
Do you have any other comments? (these comments are related to the 'No' responses)	<ul style="list-style-type: none"> I have no problems driving through the area. It is too restrictive. The potential loss of income during the construction period (raised by a Finniss Street business) 		

In relation to the community survey it should be noted that:

- The scope of the consultation was discussed with the Ward Councillors of both the Warracowie and Warriparinga Wards.
- The majority of the 'No' responses (2 out of 3) were from residents who did not live adjacent to the proposed treatment.

EXTERNAL ANALYSIS:

Consultation:

Extensive community consultation has been undertaken within the Oaklands Park/Marion area, as detailed below:

- The Local Area Traffic Management study (2012);
- The Workshop (2014);
- Residents survey in regards to the 40 km/h area speed limit (2015); and
- A survey in relation to the raised pavement section (Nov 2015), as per above.

INTERNAL ANALYSIS:

Financial Implications

The 2015/2016 traffic capital works budget includes an initial estimated budget of \$120,000 to allow for design, consultation and installation, for the raised pavement section at the intersection of Finniss Street and George Street.

However, during the design process it became evident that a number of issues needed to be addressed to facilitate the construction of the raised pavement section at this intersection. These issues were the provision of a heavy duty pavement, a change in surface treatment, the relocation of services, and the replacement of an existing under-sized drainage pipe (to prevent pooling and localised flooding).

As a consequence of the above it is now estimated that the cost of further works required to facilitate this treatment, including \$180,000 for drainage installation and a revised estimate of up to \$310,000 for the raised pavement section, will bring the total project cost to \$490,000.

CONCLUSION:

It is considered that implementation of a raised pavement section at the intersection of George Street and Dwyer Street will contribute to achieving several objectives, these being the reduction of through traffic along both George Street / Dwyer Road, slowing down traffic, not transferring traffic to other roads in the local network and maintaining access for local residents.

The consultation revealed that generally the community were supportive of the implementation of the raised pavement treatment.

Sawcut and demolish existing kerbs, traffic medians and spoon drains within the area indicated by the green dashed line. Excavate and reconstruct pavement as a Raised Plateau at the offset 4 way junction.
 Finished Surface level for the raised plateau is to be flush with the top of plinth as indicated in Section A - A on sheet XX.
 Areas behind the concrete plinth is to be abut the top of plinth and batter back to the property boundary.
 Concrete Entry Ramps at each junction are to be poured as 1 homogenous entity with the abutting concrete plinth as indicated in Section B - B on sheet XX.
 If necessary, re-construct a ramp to facilitate entry to the local shops.
 Bollard location is typically placed at 2.5m centres, offset from Back of Plinth by 0.5m - however alteration to the bollard location is permitted in the event of a conflict with underground infrastructure.
 Refer to Sheet XX for Bollard detail.

Existing concrete Kerb Ramps are to be demolished and reconstructed as shown.
 The Eastern edge of the wings are to match the toe of the concrete up ramp to the raised pavement.
 Typical for both ramps.
 Refer to sheet XXX for setout detail.

Kerb Ramps within the Raised Pavement design area are to be demolished and reinstated as pavement.

Construct Contraction Joint
 Typical for all concrete ramps and inserts
 Refer to Sheet XX for detail

Existing Radiating Directional Pavement Marking is to be relocated and extended from the property boundary to the new eastern concrete plinth as shown. Refer to sheet XX for detail.

Remove Hitching Rail.

Remove and relocate the plaque to a new location within the new radiating Directional Pavement Marking.

Relocate existing Parking Sign to a location adjacent to the new Indented Parking Bay.


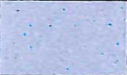

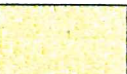


Existing Side Entry Pit is to be demolished and reinstated as pavement.

Construct Contraction Joint
 Typical for all concrete ramps and inserts
 Refer to Sheet XX for detail

Refer to Sheet XX for drainage details.

Install Driveway Invert in accordance with Marion Standard Drawing SD-13
 Match existing Crossover Levels

INDEX TO SURFACE TREATMENTS

	
ASPHALT AC10	CLAY BRICK PAVING
	
CLAY BRICK PAVING	EXPOSED AGGREGATE CONCRETE COLOUR - SAND
	
ASPHALT AC10	35MPa PORTLAND GREY CONCRETE

NOT FOR CONSTRUCTION

GEOMETRIC LAYOUT

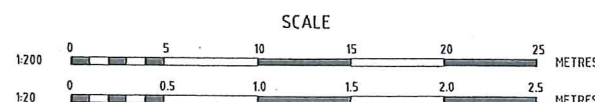
NOTES

- As part of road works, existing paved driveway crossovers are to be altered to meet the new kerb alignment. Driveway Crossovers are to match existing heights at the property boundary.
- Existing inverts in use are to be replaced at the new kerb alignment.
- Individual service connections to allotments for gas, water, ETSA and Telstra are not shown on this plan and should be located prior to construction.
- In liaison with the relevant service authorities, it is the Contractor's responsibility to adjust service mains and domestic connections where necessary to facilitate installation of the stormwater system.
- Footpaths to be extended to meet new pram ramps at the proposed locations.
- Brick Paved Footpath construction on the Western side of Finnis Street is to match the existing 'random' pattern located on both sides of the western arm of George Street.
- Refer to Sheet XX for horizontal and vertical alignment details.
- Refer to Sheet XX for Pedestrian/Traffic Control Details and Shared Path detail.

STATION No.	Easting	Northing	R.L.
PM1 (6627884.3)	276896.171	6123228.292	27.694
PM1 (6627884.4)	276925.113	6123226.948	27.910
ST1	276922.878	6123227.501	27.825



REVISION	AMENDMENTS	APPROVED	DATE



SCALE: 1:200 HORIZ 1:20 VERT	SHEET SIZE: A1
SURVEYED: J.R./K.L.T	SURVEY DATE: 20/05/2014
DESIGNED: T.J.W.	DRAWN: T.J.W.
CHECKED: A.M.D.	CHECK DATE: 00/00/2013
APPROVED:	DATE:

THE CORPORATION OF THE CITY OF MARION	
Project No. To Be Advised	
FINNISS STREET, MARION	
RAISED PAVEMENT/DRAINAGE CONSTRUCTION	
ELECTRONIC FILENAMES: Finnis St 2D.dgn FINNISS ST FINAL 20 MAY 2014_V6.ccd	PROJECT No. To Be Advised
SHEET No. 1 of 1	REVISION 1

Appendix 2

Consideration of Traffic Control Devices George Street and Dwyer Road

Raised Pavement - is a section of roadway ramped up from the normal level of the street by approximately 90-100mm and extending for at least 6metres. It can be located either mid -block or across the apron of an intersection and usually installed in a series.

Along George Street and Dwyer Road, these devices could be used to enhance the amenity of the area and encourage pedestrian movements. There is possibly 3 raised pavement sections that could be implemented; (1) at George Street & Finnis Street (to enhance the Marion Historic Village), (2) at the 'S' bend at Boyle Street, (3) at Diagonal Way & Crew Street, to facilitate safe movement of pedestrians to the Oaklands Railway Station.

Advantages:

- ◆ Will reduce traffic speeds
- ◆ May reduce traffic volumes, including through traffic
- ◆ Possible landscaping opportunities, (depending on road width)
- ◆ The possible provision of WSUD treatments
- ◆ Can be used to enhance pedestrian movements
- ◆ Improve the amenity of the area

Disadvantages:

- ◆ May increase in noise level due to braking and accelerating
- ◆ May result in a reduction of on-street parking (depending on road width and design)
- ◆ Possible minor diversion of traffic to other streets

Speed Cushions – these are similar to road humps however they occupy only part of the road way, usually in the centre of the driving lane. They are installed in a series, generally at 90 metre intervals.

On George Street and Dwyer Road, this would mean some 16 sets along the route (excluding Finnis Street). This treatment is unlikely to be supported by residents due to the previous installation of road humps in George Street, which were subsequently removed.

Advantages:

- ◆ A reduction of vehicle speeds to or just below the speed limit
- ◆ They are sympathetic to cyclist, buses and emergency vehicles

Disadvantages:

- ◆ An increase in traffic noise level around the cushion
- ◆ Not effective in reducing motorbike speeds
- ◆ Drivers can reduce the effect of the devices by straddling the cushion
- ◆ Unlikely to reduce traffic volumes
- ◆ Likely to result in a transfer of traffic to other streets

Roundabouts – these devices are installed at intersections or junctions to control vehicles movements and improve safety.

There are 2 existing roundabouts along the route, possible further 3 locations could be; (1) the junction of Crew Street & Dwyer Road; (2) the junction of Boyle Street & Dwyer Road; (3) the intersection of George Street & Finniss Street.

The provision of a roundabout at the intersection of George Street & Finniss Street may adversely affect any future development of the Marion Historic Village in this location.

Advantages:

- ◆ A reduction in vehicles speeds at the device (50 metres prior to and after)
- ◆ A reduction in conflict
- ◆ Assist turning movements

Disadvantages:

- ◆ Increase in noise level due to braking and accelerating
- ◆ A reduction in on-street parking
- ◆ May require the purchase of land to accommodate the provision of the device
- ◆ Possible diversion of traffic to other streets
- ◆ May enhance traffic movements as they give priority to turning vehicles
- ◆ Limit access to those properties immediately adjacent to the roundabout
- ◆ Cyclists have difficulties safely negotiating a roundabout
- ◆ Costly to install

Angled Slow Points - (either single or two-way) - consist of triangular shaped islands on either side of the road which force drivers to undertake an 'S' movement. These devices are generally installed in lower volumes streets (local roads). They are installed in a series, at 80 to 120 metre intervals.

On George Street and Dwyer Road, this would mean the provision of some 15 sets along the route (excluding Finniss Street).

Advantages of Angled Slow Points include:

- ◆ Will reduce traffic speeds
- ◆ May reduce traffic volumes
- ◆ Minor landscaping opportunities (including WSUD)

Disadvantages of Angled Slow Points include:

- ◆ Increase in noise level due to braking and accelerating
- ◆ Minor restriction for emergency vehicles
- ◆ Will reduce on-street parking in the vicinity of devices
- ◆ Diversion of traffic to other streets
- ◆ Difficult for larger vehicles (trucks & buses) to negotiate
- ◆ Not suitable for narrow streets
- ◆ May relocate traffic to other streets
- ◆ High maintenance requirements

Driveway Links - is a single lane two-way raised meandering path extending over two or more properties. The aim of the driveway link is to give the appearance of a closed road with a heavy reliance on the form and depth of the landscaping.

In this case, it is considered that at least three devices would be needed, on George Street east of Seccafien Ave, in the 'S' bend on Boyle Street and Dwyer Road west of Johnstone Road.

Advantages:

- ◆ A reduction in vehicle speed
- ◆ Discourage through traffic
- ◆ Visually enhanced street scape

Disadvantages:

- ◆ May restrict emergency vehicles
- ◆ Will reduce amount of on-street parking
- ◆ Minor inconvenience to local residents
- ◆ Possible increase in traffic noise due to braking and accelerating
- ◆ Confrontation between opposing drivers may occur and it may be unclear as to who gives way
- ◆ Difficulties can be experienced accessing the private driveways within the devices
- ◆ Not desirable on high traffic volumes roads, due to the on-way flows
- ◆ High level of maintenance required
- ◆ May relocate traffic to other streets
- ◆ Can restrict stormwater flows, resulting in water pooling

Entry Statements – these are installed at intersections or junctions abutting a main road to provide a visual and tactile cue to drivers of entry into a residential environment.

This type of device would need installed at all main entry points – in this situation, possibility 7 locations (Finniss Street, Township Road, Pemberton Street, Lambton Street, Kelmscott Street, Trott Grove and Crew Street).

Advantages:

- ◆ Control turning movements into the street
- ◆ Improve appearance entering the area

Disadvantages:

- ◆ Generally there is minimal effect of driver behavior
- ◆ No evident that the devices reduce traffic volumes and/or speeds
- ◆ The amount of on-street parking will be reduced
- ◆ May effect property access in the vicinity of the device
- ◆ Can be mistaken as a pedestrian crossing – possibility hazardous as pedestrians may believe they have 'right of way' which they do not

NOTE:

- The estimated costs do not include the possible relocation of services, which in some incidences could double the costs. Detailed project cost can be established during the design process.
- The following treatments were excluded from consideration:
 - **Speed Humps** – as these were previously installed in George Street in the 1990's which resulted in a transfer of traffic to Nixon Street and/or Oliphant Avenue. Subsequently at the request residents in those streets, the humps were removed.
 - **Road Closures** (both full and part) – as these were proposed as part of the LATM study conducted in the area, however these treatments were rejected by the Community.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

Originating Officer: Marg Edgecombe, Unit Manager Community Cultural Development

Corporate Manager: Liz Byrne, Community & Cultural Services

General Manager: Abby Dickson, City Development

Subject: Reconciliation Action Plan 2016 - 2019

Report Reference: GC090216R05

REPORT OBJECTIVES:

This report is to seek Council endorsement of the Reconciliation Action Plan (RAP) 2016 - 2019 for the City of Marion. The report also includes a summary of actions undertaken in the 2014 - 2015 RAP.

EXECUTIVE SUMMARY:

The City of Marion 2016-2019 RAP builds on Council's commitment to reconciliation principles as expressed in the two previous City of Marion RAPs: 2013-2014, endorsed at the General Council meeting on 12 March 2013 (GC120313R04) and 2014-2015 endorsed at General Council meeting on 27 May 2014 (GC270514R03). The 2016-2019 RAP identifies actions focusing on respect, relationships and opportunities as outlined by Reconciliation Australia's national RAP program.

The RAP demonstrates Council's commitment to supporting reconciliation, in which better relationships are built between the wider Australian community and Aboriginal and Torres Strait Islander peoples for the benefit of all Australians. The 2016-2019 RAP articulates Council's commitment to this principle. Actions within the 2016-2019 RAP supports Council to contribute to building a nation that understands its Aboriginal and Torres Strait Islander cultural roots, creates an environment in which Aboriginal and Torres Strait Islander people and other Australians can work together, and celebrates and enables Australia's First Nation peoples to have their voices heard.

The actions in the 2016-2019 RAP will be delivered through existing operational budgets set by the Annual Business Plan and Budgeting processes throughout the life of the RAP.

This report also provides Council with information on the progress of actions undertaken in the 2014-2015 RAP.

RECOMMENDATIONS (1)

DUE DATES

That Council:

- | | |
|---|------------------------|
| 1. Endorse the 2016-2019 Reconciliation Action Plan (Appendix 1) and the Plan's registration with Reconciliation Australia | 9 February 2016 |
|---|------------------------|

BACKGROUND

The Reconciliation Action Plan (RAP) program was developed by Reconciliation Australia, the peak national organisation building and promoting reconciliation between Indigenous and non-Indigenous Australians. Reconciliation Australia is dedicated to closing the unacceptable life expectancy gap between Aboriginal and non-Aboriginal Australians. One of the key strategies in achieving that ambition is to support and encourage organisations to sign up to their own tailored Reconciliation Action Plan (RAP). The RAP program turns 'good intentions into action' by encouraging and supporting organisations, large and small, to engage within their sphere of influence in the national effort to 'close the gap'.

The City of Marion has been an active participant in the Reconciliation process over a number of years being one of the first South Australian Councils to fly the Aboriginal and Torres Strait Islander Flags. Council has supported the development and maintenance of the Warriparinga site and the Living Kurna Cultural Centre as a place of cultural education and renewal. In 2005 The City of Marion partnered with City of Holdfast Bay, City of Onkaparinga and Yankalilla District Council and developed a document with specific Reconciliation action items. The Tappa Iri Regional Agreement 2005-2008 (Walking Together) outlined specific Reconciliation projects, with Councils contributing resources with a particular focus on the Tjilbruke story as the story travels through the (4) four Council boundaries.

The first City of Marion 2013-2014 RAP was endorsed at the General Council meeting on 12 March 2013 (GC120313R04). The current City of Marion 2014-2015 RAP was endorsed at General Council meeting on 27 May 2014 (GC270514R03). The 2014-2015 RAP has provided a framework for Council to continue to work towards Reconciliation projects and principles for Aboriginal and Torres Strait Islanders' social, economic and cultural outcomes.

Throughout 2014-2015 twenty-four of the twenty-six actions in the 2014-2015 RAP have been achieved, are in progress or have been adopted as on-going operational actions (see progress report Appendix 1). Two of the actions were not successfully completed in this period:

- *the creation of a Governance Model that included a local Aboriginal and Torres Strait Islander Advisory Committee with Executive Leadership and Elected Members.* Furthering this action in the 2016-19 RAP was not supported by Elected Members.
- *the use of Kurna language and symbol into City infrastructure, buildings and signage.* Budget and time restrictions resulted in being unable to secure the use of Kurna language and symbols into new buildings Cove Civic Centre and City Services. Furthering this action in the 2016-2019 RAP was not supported by Elected Members.

The City of Marion is one of nearly 600 organisations across Australia to have an on-going RAP and is recognised as one of the leaders in this field in the Local Government sector. There are now approximately 2.1 million Australians who work or study in an organisation with a RAP, creating meaningful social change through employment, education, support and services in partnership with the Aboriginal and Torres Strait Islander community. Engaging in the RAP process provides the organisation the opportunity to become an employer of choice for Aboriginal and Torres Strait Islander peoples; a more dynamic, innovative and diverse workforce; a more culturally safe and tolerant workplace and contributes to better partnerships with Aboriginal and Torres Strait Islander communities and businesses.

ANALYSIS:

The RAP Impact report from Reconciliation Australia shows that non-Aboriginal Australians in organisations with a RAP display significantly higher levels of trust, less prejudice and have more frequent interactions with Aboriginal and Torres Strait Islanders than the general community. There are also a higher percentage of people in organisations with a RAP that believe the relationship with between Aboriginal and non-Aboriginal Australians is important,

agree that the First Australians have a special place in our community and take pride in Aboriginal cultures.

Results from the national Reconciliation Barometer Survey, undertaken in August 2014, show that the City of Marion is consistent with national averages. Results include:

- 60% of City of Marion staff believed that having a RAP has increased their knowledge of Aboriginal and Torres Strait Islander people and culture;
- 61% had attended a shared celebration for National Reconciliation Week and/or NAIDOC Week;
- 49% believed that having a RAP reduced prejudice,
- 72% believed that the RAP increase their opportunity to engage with Aboriginal and Torres Strait Islander people
- 26% expressing that they would like even more opportunity to engage with Aboriginal and Torres Strait Islander people and culture.

Council's endorsement of the 2016-2019 RAP (Appendix 2) includes twenty-six actions from the 2014-2015 RAP that have been honed from experience from previous RAPs. Several of the actions are recommended by Reconciliation Australia as essential actions for inclusion, many of which the City of Marion already have as well established practices. The actions in the proposed 2016-2019 RAP will enable Council to strengthen our approach to reconciliation and consolidate the work already achieved through the RAP process.

Actions in the 2016-2019 RAP are based around three focus areas of respect, relationships and opportunities.

Development of the RAP

The RAP has been developed by a steering group comprising representation from across the organisation and the local Kurna community, and through an Elected Member workshop help in July 2015. Elected Member feedback was sought into what actions they wished to be included in the 2016-2019 RAP and this is attached as appendix 3 to this report.

The steering group comprised of:

- representatives of the local Kurna community and the Kurna Nation Cultural Heritage Association
- Libraries and Cultural Development
- Human Resources
- Community Development
- Governance
- Open Space and Recreation Planning
- Strategy
- Environmental Sustainability
- Contracts

Consultation

Feedback has been sought on the draft 2016-2019 RAP from Kurna Nation Cultural Heritage Association, Kurna Yerta and Reconciliation Australia and various teams across the organisation. The draft 2016-2019 RAP has been endorsed by Reconciliation Australia subject to Council approval. Reconciliation Australia has commended the City of Marion on the continued development of our RAP.

Communication

The previous two RAPs have been available on the City of Marion website, in Council facilities and, presented to all staff at General Staff Meetings.

Organisational Culture Impact

The continuing development and existence of an organisation RAP, the achievement of previous RAP actions and the development of the new RAP has ensured a consistent approach to reconciliation principles and has increased organisational understanding of the issues facing the Aboriginal and Torres Strait Islander community. The RAP provides the organisation the opportunity to become an employer of choice for Aboriginal and Torres Strait Islander peoples, a more dynamic, innovative and diverse workforce and a more culturally safe and tolerant workplace.

Resource (capacity) Impact

The intention of the RAP process is that RAP actions become part of the operational tasks of each assigned area across the organisation. Developing actions, implementing and monitoring actions and reporting on progress is resourced through existing operational resources and managed through relevant work area planning.

Financial Implications

The actions in the 2016-2019 RAP will be delivered through existing operational budgets. Actions that require any additional funds will be sought through the Annual Business Plan and Budgeting processes throughout the life of the RAP and would be subject to Council approval.

Social / Cultural Impact

The 2016-2019 RAP actions are a practical and strategic way that the City of Marion can drive improved opportunities for Aboriginal and Torres Strait Islander people. RAP actions contribute to creating a positive community and increase a sense of belonging to the community for all Australians. The RAP outcomes improve relationships, respect and intergenerational collaboration within the community. The RAP provides staff and the community with an increased understanding of Aboriginal and Torres Strait Islander culture and issues and supports the sustainability of cultural practice for Aboriginal and Torres Strait Islander people.

RAP actions work towards social and cultural change by improving economic opportunities for Aboriginal and Torres Strait Islander Australians: through increased employment opportunities, and increased engagement with businesses run by or supporting Aboriginal and Torres Strait Islander people. The RAP provides rich opportunity for social interaction, artistic and cultural expression and shared enjoyment of Aboriginal and Torres Strait Islander heritage and culture. The RAP contributes to an inclusive social climate that embraces a variety of lifestyles and cultures. Results from RAP actions improve the relative health of the Aboriginal and Torres Strait Islander population and encourages actions that improve conditions for and connectivity to indigenous ecosystems and ways of caring for Country.

CONCLUSION:

The City of Marion 2016-2019 Reconciliation Action Plan provides a three year plan of actions which formally and publically demonstrate Council's commitment to the process of Reconciliation with Aboriginal and Torres Strait Islander people. The 2016-2019 RAP sets out the organisational plan to drive greater equality for all Australians by pursuing sustainable opportunities. City of Marion has a rich heritage of First Australian and European history and our Reconciliation Action Plan will help us in our journey of acknowledging, valuing and preserving our history.

Reconciliation cannot be achieved while the significant disparity in health, well-being and life chances between Aboriginal and Torres Strait Islander peoples and other Australians continues to exist. Actions in the 2016-2019 RAP will contribute to the national program to drive social and cultural change and build a progressive and modern nation where we all work together to achieve our individual and shared aspirations.

Relationships

The City of Marion values respectful relationships between Aboriginal and Torres Strait Islander people and other Australians in our community and our organisation as a means of supporting positive wellbeing opportunities and meaningful achievement for all people

Action	Responsibility	Timeline	Measurable Target	Progress -
Forming of RAP committee to develop 2015-2018 RAP and to actively monitor implementation of RAP actions and track progress	<ul style="list-style-type: none"> RAP committee chaired by Manager, Arts and Cultural Development 	<p>July 2015</p> <p>Four meetings held annually</p>	<ul style="list-style-type: none"> Form a committee with representation across the organisation specifically Human Resources, Economic Development, Arts and Cultural Development Unit, Governance, and Community Participation Department and with representation from the local Aboriginal and Torres Strait Islander community. Meet monthly 	<p>Completed</p> <p>Committee Established. Discussion at January meeting regarding a second committee to include Aboriginal/Kurna rep and Executive Management Group / Elected Member rep. To be included in 2016-2019 RAP.</p> <p>Kurna representation invited in consultation with Kurna Nation Cultural Heritage Association Board.</p>
Investigate a Governance model which will raise the profile of the Reconciliation Action Plan, including exploring the option of establishing a Local Aboriginal and	<ul style="list-style-type: none"> Chair, RAP Committee 	<p>July 2015</p>	<ul style="list-style-type: none"> Governance model developed and presented to Council for consideration Local Aboriginal and Torres Strait Islander community consulted on 	<p>Not completed</p> <p>Governance model taken to Elected Member forum 7 July 2015 and the proposed action was not fully supported.</p> <p>One Elected Member has indicated interest in being on the RAP committee</p>

Torres Strait Islander Advisory Committee including Elected Member representation			Advisory Committee	
Ensure Aboriginal and Torres Strait Islander people are consulted on projects where applicable	<ul style="list-style-type: none"> • Corporate Manager as responsible for each project 	July 2015	<ul style="list-style-type: none"> • Develop and implement criteria for consultation for project managers 	<p>Completed</p> <p>All programs and events at LKCC include Kurna consultation. Other consultations with Kurna included:</p> <ul style="list-style-type: none"> • Consultation with Elders over Heron Way and Waterfall Creek Developments • Early discussion over possible Aboriginal naming of Oakland's Wetlands • Consultation with Kurna regarding the repair of major public art work at Warriparinga <p>Council has a Community Engagement Policy with underpinning principles that include: listen to all voices, value diversity in communities and utilise inclusive, representative and accessible approaches.</p>
Demonstrate leadership in the implementation of the Kurna and Local Government Indigenous Land Use Agreement (ILUA) by proactively building positive relationships with the ILUA Committee and	<ul style="list-style-type: none"> • Manger, Libraries and Cultural Development 	July 2015	<ul style="list-style-type: none"> • ILUA actions and contribution made • Establish processes to support ILUA • City of Marion meets its ILUA obligations in a timely manner 	<p>Completed</p> <p>Process to support ILUA developed and shared with LGA</p> <p>CoM has contributed funds towards ILUA</p> <p>CoM has signed the Kurna and Local Government ILUA that includes the Aboriginal Heritage Protocols to ensure the appropriate management of Native Title and Aboriginal heritage, as resolved at General Council Meeting 23 July 2013 (CG230713R03).</p> <p>The ILUA is yet to be fully adopted so to date there have been no</p>

showing leadership in developing processes to best support the objectives of the agreement				obligations to be met ILUA has procedures outlined for Civil, Strategic & Major Projects & Development Applications
Recognise dates of significance to Aboriginal and Torres Strait Islander people within the organisation and with the community.	<ul style="list-style-type: none"> • Manager, Governance for Apology and Sorry Day • Manager, Community Participation for Close the Gap • Manager, Communications and Manager, Libraries and Cultural Development for National Reconciliation Week 	<ul style="list-style-type: none"> • 13 Feb for Apology Anniversary • 22 March for Close the Gap • 26 May for National Sorry Day • During 27 May - 3 June for National Reconciliation Week 	<ul style="list-style-type: none"> • Organise at least one internal recognition action or event per year per significant date • Encourage and support all staff to attend events 	<p>Completed</p> <p>Email sent out to all staff from CEO 13 Feb - Apology.</p> <p>Email sent out to all staff from CEO 22 March Close the Gap promoting Neighborhood Centre's participating with the provision of petition to be signed by staff and community.</p> <p>No specific communication on Sorry Day due to CEO resignation and Acting CEO position advertised.</p> <p>Sorry Day event to be planned for 2016 inviting Aboriginal and Torres Strait Islander people to share stories about the Stolen Generation</p> <p>Email sent out to all staff for promoting LKCC Cultural Tour and Film Night - featuring the documentary 'The Kings Seal' as part of History Week. Promoted on facebook, and electronically to community databases.</p> <p>Four Aboriginal and Torres Strait Islander artists in Chambers Gallery for NAIDOC Week.</p> <p>Lunch time Aboriginal art workshop held for staff during Reconciliation Week 2015</p> <p>Booked out community weaving workshops held during Reconciliation Week at Marion Cultural Centre</p> <p>LKCC Open Day family event 8 July for NAIDOC week. Promoted in local newspaper, LKCC face book, City of Marion website and internal communications</p>

Respect				
The City of Marion recognises that the Aboriginal and Kurna culture is an evolving and contemporary culture. We recognise the fundamental importance of heritage, language and cultural expression for all peoples and acknowledge the important place that Kurna and Aboriginal culture has in creating the sort of community we envisage.				
Action	Responsibility	Timeline	Measurable Target	Progress -
Fly the Aboriginal and Torres Strait Islander flag	<ul style="list-style-type: none"> • Manager, Governance 	July 2015	Aboriginal and Torres Strait Islander flags to be flown outside the Administration Building and the Living Kurna Cultural Centre daily	<p>Completed</p> <p>Flags flown at City of Marion Administration and LKCC</p> <p>Annual Replacement of flags at Warriparinga.</p> <p>Aboriginal flag was flown at half mask for Kurna Elder Uncle Phil and Auntie Mary Buckskin</p> <p>Email to all staff Acknowledging the passing of Kurna Elders</p>
Engage employees in understanding the protocols around Welcome to Country and Acknowledgement of Country ceremonies to ensure there is shared meaning behind the ceremonies	<ul style="list-style-type: none"> • Manager, Governance 	July 2015	<ul style="list-style-type: none"> • Arrange a traditional owner to give a Welcome to Country address at significant community events • Develop a list of key contacts for organising a Welcome to Country protocol • Make sure the protocol encourages senior leaders to personally reply to a 	<p>Completed</p> <p>On going</p> <p>Protocol document developed. To be taken to Executive Management Group for endorsement</p> <p>List of Key contacts has been developed in consultation with the Kurna Heritage Board</p> <p>Kurna Elders have delivered Welcome to County in Kurna language at Marion Celebrates Festival, LKCC Open Day and were thanked by City of Marion staff on all occasions.</p> <p>All General Staff meetings begin with Kurna Acknowledgment</p>

			<p>Welcome to Country</p> <ul style="list-style-type: none"> • Conduct an Acknowledgement of Country at all formal meetings and community events <p>Encouraging the use of Kurna language in the Acknowledgement</p>	All Elected Member public meetings begin with Kurna Acknowledgment
Acknowledgement of Country published externally to ensure Council demonstrates respect to external stakeholders	<ul style="list-style-type: none"> • Manager, Communications Unit 	July 2015	<ul style="list-style-type: none"> • Acknowledgements of country to be included on emails and website and on future printing of corporate stationery 	<p>Completed</p> <p>All emails, website and new corporate stationery has reference to Kurna acknowledgement.</p>
Investigate the use of Kurna language and symbols into the City infrastructure, buildings and signage	<ul style="list-style-type: none"> • Manager, Communications • Manager, Property • Manager, Infrastructure 	July 2015	<ul style="list-style-type: none"> • Identify opportunities for inclusion of Kurna language and cultural symbols 	<p>Not completed</p> <p>Unable to secure the use of Kurna language and symbols into new buildings Cove Civic Centre and City Services due to budget and time restrictions. Opportunities for future inclusion will be investigated.</p> <p>Current major project opportunities identified include the Darlington Interchange around Warriparinga.</p>
On-going support for Living Kurna Cultural Centre as a meeting place and place of cultural renewal for the Kurna community	<ul style="list-style-type: none"> • Manager, Libraries and Cultural Development 	July 2015	<ul style="list-style-type: none"> • Implement identified events and programs towards cultural renewal • Increase number of visitor numbers to Living Kurna 	<p>Completed and On-going</p> <p>Ongoing schedule of events & programs.</p> <p>Number of visitors doubled from 11,000 to 20,300 in last financial year(boosted by increase in numbers of people in venue hire and bookings as well as Marion Celebrates being hosted at Warriparinga.</p>

			Cultural Centre	<p>Increasing links between NRM Education in schools & education services with Warriparinga and LKCC</p> <p>Increased relationships and engagement with neighbouring businesses Westpac, SAPOL & BT Financial including cultural advice, purchasing products and attendance at LKCC events</p> <p>Hosting Kurna Engagement Officer from the Environmental Protection Authority for the Catchment to Coast Project through office space.</p> <p>5 year arrangement leasing office space to Kurna Nation Heritage Association to further Cultural Heritage work and support storage of artefacts.</p>
Ensure the City of Marion Library Collection contains resources to educate people of all ages on Aboriginal and Torres Strait Islander culture and history	<ul style="list-style-type: none"> • Manager, Libraries and Cultural Development 	June 2015	<ul style="list-style-type: none"> • Increase number of resources purchased from approved Aboriginal and Torres Strait Islander suppliers • Increase current collection • Increase breadth of collection 	<p>Completed</p> <p>Resources have been purchased including printed materials, AV items, language kits and exercise books purchased to expand the Aboriginal collection professionally catalogued</p> <p>\$500 books, cd's purchased from LKCC.</p> <p>\$1400 resources purchased from Tandanya</p> <p>Resources were promoted during the month of May - part of Reconciliation Week across all three Libraries</p>
Ensure Aboriginal and Torres Strait Islander activities are included in the annual arts program, including percentage of art in public places including Kurna stories	<ul style="list-style-type: none"> • Manager, Libraries and Cultural Development 	July 2015	<ul style="list-style-type: none"> • Develop a calendar of Aboriginal and Torres Strait Islander activities in arts program • Include Aboriginal and Torres Strait Islander artwork in Council buildings 	<p>Completed</p> <p>LKCC Art Exhibition from 21 April through to 26 May</p> <p>Djuki Mala - Chooky Dancers Performance at Marion Cultural Centre, Cost to buy in show \$5,248</p> <p>Community weaving workshops and staff art workshop conducted as part of Reconciliation Week</p> <p>17 Aboriginal Art works hang in Council buildings</p>

				Permanent art work commissioned for the Chamber Gallery
Cultural Awareness training for all RAP committee members, Organisational Development staff and key City of Marion staff and Elected Members	<ul style="list-style-type: none"> • Manager, Organisational Development 	July 2015	<ul style="list-style-type: none"> • 85% of all identified staff/elected members will attend training • Qualitative response data collected on outcomes of training 	<p>On-going</p> <p>Cultural awareness training day for people managers</p> <ul style="list-style-type: none"> • three (3) 1 day workshops have been conducted within the previous RAP. (70 staff to date) <p>All staff and Elected Members reported back positively on the training</p> <p>The new Council was elected in November 2014. No newly Elected Members have received cultural awareness training at the time of reporting</p>
Cultural induction and tour of Warriparinga, in relation to local Kurna community for new employees and existing staff	<ul style="list-style-type: none"> • Manager, Organisational Development 	Quarterly 2014 & 2015	<ul style="list-style-type: none"> • 50% of existing City of Marion staff attend tour • 95% of all new employees attend tour • Record Number of tours conducted • Qualitative data collected on outcomes of tour 	<p>On-going</p> <p>Six bus tours with 40 CoM employees participated on the cultural tour at LKCC.</p> <p>All staff gave verbal positive feedback and enjoyed the tours</p> <p>Tracking systems need to be developed</p> <p>Only 22% of new staff attended a cultural tour despite consistent encouragement from Senior Management.</p> <p>A feedback form to be developed to capture qualitative data</p>
Continue to develop the Kurna Names for Parks and Gardens Strategy to encourage the use of Kurna language in the organisation and the community	<ul style="list-style-type: none"> • Manager Open Spaces and Facilities 	July 2015	<ul style="list-style-type: none"> • Community Consultations undertaken • Strategy completed 	<p>Completed</p> <p>On going</p> <ul style="list-style-type: none"> • Open Space Strategy has referenced the use of Kurna names within the Open Space Strategy • Consultation with Elders over Heron Way and Waterfall Creek • Early discussion over possible Aboriginal naming of Oakland's Wetland

Raise awareness of NAIDOC Week within the organisation and in the community	<ul style="list-style-type: none"> • Manager, Community Participation 	1 st to 2 nd Sunday in July for NAIDOC Week	<ul style="list-style-type: none"> • Host one internal NAIDOC event for City of Marion staff • Record Number of staff and guests attending • Provide opportunities for Aboriginal and Torres Strait Islander employees to participate in local NAIDOC Week events 	<p>Completed</p> <p>Ongoing</p> <p>LKCC Open Day family event 8 July for NAIDOC week. Promoted in local newspaper, LKCC face book, City of Marion website and internal communications</p> <p>Estimated 500 people attended</p>
Annual Aboriginal art exhibition in Chambers Gallery and/or Gallery M	<ul style="list-style-type: none"> • Manager, Libraries and Cultural Development 	July 2015	<ul style="list-style-type: none"> • At least one Exhibition held • Qualitative data collected on outcomes of the exhibition 	<p>Completed and on-going</p> <p>Chambers Gallery exhibition featured Aboriginal and Torres Strait Islander artists 9 July - 5 August 2015</p>
Cultural Promotion - ensure recognition of the achievements and contributions of Aboriginal and Torres Strait Islander people in our City are shared in Council publications and newsletters	<ul style="list-style-type: none"> • Manager, Communications 	Quarterly 2014 & 2015	<ul style="list-style-type: none"> • At least one story published in City Limits publication 	<p>Completed</p> <p>Ongoing</p> <p>Art Exhibition and story of young Aboriginal people in March edition of City Limits Magazine</p>
Commission an artwork	<ul style="list-style-type: none"> • Manager, Libraries and 	June 2015	<ul style="list-style-type: none"> • Art work commissioned and 	<p>Completed</p>

acknowledging Kurna culture for the Council Chamber	Cultural Development • Manager, Governance		displayed in Council Chamber	Art work commissioned
Opportunities				
The City of Marion seeks to promote the participation of Aboriginal and Torres Strait Islander people in the Council's workforce and program resulting in a sense of belonging, contributing to closing the unacceptable 17 year life expectancy gap between Aboriginal and Torres Strait Islander and other Australians, and providing Council with the opportunity of learning from a sustainable cultural practice				
Action	Responsibility	Timeline	Measurable Target	Progress -
Implement Aboriginal and Torres Strait Islander employment strategy and action plan	• Manager, Organisational Development	June 2015	<ul style="list-style-type: none"> Aboriginal and Torres Strait Islander employment strategy and action plan endorsed by Executive Management Group Six Objectives of the Aboriginal and Torres Strait Islander Employment Strategy are implemented 	<p>On-going</p> <p>The draft has not been taken to Executive Leadership Team due to other priorities. This action to be revised with the RAP committee</p>
Pro-Actively focus efforts to recruit and retain Aboriginal and Torres Strait Islander employees and create opportunities for traineeships and work experience	• Manager, Organisational Development and across Departments in City of Marion	July 2015	<ul style="list-style-type: none"> Identify resourcing to engage traineeships Identify target for Aboriginal and Torres Strait Islander staff 	<p>Completed</p> <p>Council had discussions with Maxima and Art Employment to identify work opportunities.</p> <p>Two traineeships were offered in Horticulture, one left and one is still in training.</p> <p>No target for Aboriginal and Torres Strait Islander recruitment has been identified to date. As at June 2015 the total number of</p>

			<p>recruited</p> <ul style="list-style-type: none"> Identify work experience opportunities 	<p>employees at the City of Marion was 350. While no records are currently kept of Aboriginal and Torres Strait Islander self-identification, two people identify as Aboriginal giving a base line of 0.5%.</p>
<p>Engage supplier diversity that supports Aboriginal and Torres Strait Islander businesses and/or employment</p>	<ul style="list-style-type: none"> Manager, Contracts 	<p>June 2015</p>	<ul style="list-style-type: none"> Consider engagement of Aboriginal and Torres Strait Islander businesses and/or businesses which employ Aboriginal and Torres Strait Islander peoples contracted through procurement Facilitate awareness training for Aboriginal and Torres Strait Islander businesses to successfully tender for Council Business 	<p>On-going</p> <p>For recent major procurements (eg Cove Civic Centre, City Services Development) Council invited tenderers to demonstrate what initiatives they had in place to support Council ensuring its procurement decisions support state and national efforts to increase workforce participation, skill development and social inclusion through employment of Aboriginal people, trainees and apprentices, local people with barriers to employment and up-skilling on building and civil construction works throughout the state.</p> <p>Council supports the South Australian Government's Workforce Participation Policy, which includes dedicating 2% of on-site hours to the employment and training of Indigenous people. Major projects such as the Southern Expressway Project, Tonsley Redevelopment have delivered cultural awareness training.</p> <p>List of businesses in Marion which support Aboriginal and Torres Strait Islander employment compiled. 28 businesses in Marion employ a total of 260 Aboriginal and Torres Strait Islander staff.</p> <p>City of Marion actively engages Aboriginal business's for appropriate projects such as the design of the RAP with Dreamtime, Bush tucker catering for various functions and cultural workshops and performances.</p> <p>Aboriginal artists & crafts people & suppliers are engaged for the Living Kurna Cultural Centre Gallery & retail outlet. Tendering for Council Business awareness training yet to be organised.</p>
<p>Investigate how landscaping in parks</p>	<ul style="list-style-type: none"> Manager, Open Spaces and 	<p>June 2015</p>	<ul style="list-style-type: none"> Report on finding of opportunities 	<p>Completed</p> <p>Ongoing</p>

and gardens supports Aboriginal and Torres Strait Islander cultural practices and native food security	Facilities, <ul style="list-style-type: none"> • Manager Environmental Sustainability, Manager, Libraries and Cultural Development 			<p>All biodiversity re vegetation planting has used local provenance Indigenous plants, 18,000 in 2014/15</p> <p>Bush tucker planting included: Wattle 5000 Vanilla lily 1,300 Ruby salt bush 500 Approx. 2000 rushes were planted in wetland areas.</p> <p>The cost and maintenance of native food plantings is restrictive. Many plants do not survive and other plants are easier to manage for volunteers. There are few local bush tucker plants known and available.</p>
Promote awareness of the Community Grants program to Aboriginal and Torres Strait Islander groups	<ul style="list-style-type: none"> • Manager, Community Participation 	Bi-annually, 2014 & 2015	<ul style="list-style-type: none"> • Promote Community Grants Program through Aboriginal and Torres Strait Islander media and networks • Investigate inclusion of Reconciliation as a criteria in future Community Grants Programs 	<p>Completed and on-going Promoted grants via LKCC & Arts & Cultural Development networks.</p> <p>Community grants now make reference in the new guidelines towards Reconciliation.</p>
Encourage support and involvement of the Aboriginal and Torres Strait Islander community in local sporting clubs and facilities	<ul style="list-style-type: none"> • Manager, Community Participation 	July 2015	<ul style="list-style-type: none"> • Meet with local sporting clubs to discuss how they can promote their clubs to Aboriginal and Torres Strait Islands communities 	<p>Completed and On going</p> <p>Two meetings were held with the Indigenous Sports Officer from the Office for Recreation and Sport to discuss how we can work with local sports and clubs to provide environments which are welcoming and inclusive for the local Aboriginal and Torres Strait Islander community. Discussed the barriers to participation and</p>

			<ul style="list-style-type: none"> Increased numbers of Aboriginal and Torres Strait Islander members in local sporting clubs and facilities 	<p>potential motivators for Aboriginal people and will continue to work together to further these discussions and identify opportunities to work with local clubs.</p> <p>Met with Inclusive Sport SA to develop more inclusive and welcoming environments for everyone, including Aboriginal and Torres Strait Islander South Australians, Inclusive Sport SA are keen to partner with Council and work with local clubs to encourage and support ATSI South Australians to participate in local sport and active recreation opportunities</p>
Identify opportunities for inclusion of programs to address healthy lifestyle initiatives for Aboriginal and Torres Strait Islander people	<ul style="list-style-type: none"> Manager, Community Participation Manager, Libraries and Cultural Development 	By June 2015	<ul style="list-style-type: none"> Scope and develop programs directly addressing Close the Gap issues 	<p>Completed and on-going</p> <p>On-going meetings with youth sectors, campus life and Aboriginal organizations delivery of programs at LKCC.</p> <p>No scoping or inclusion for healthy lifestyle initiatives in Neighbourhood Centres as part of Community Participation due to no budget or staff resources to implement the action. Close the Gap issues were addressed internally.</p>

City of Marion Reconciliation Action Plan for the Year 2015-2019

The City of Marion acknowledges that it is situated on Kurna land and that the Kurna people are the traditional and spiritual custodians of this land.

Our vision for reconciliation

Ngadlu tampendi Kurna meyunna yaitya mattanya yainty yerta

For the City of Marion, our Vision for Reconciliation is about building relationships, understanding and respect between Aboriginal and Torres Strait Islander people and the wider Australian community. It involves Aboriginal and Torres Strait Islander people and non-Aboriginal and Torres Strait Islander people walking together for the first time as genuinely equal partners in a shared future.

The City of Marion has a vision of Wellbeing for its people and its environment. Planning and decision-making by Council to achieve 'wellbeing' is informed by the Community Plan-Towards 2040 that sets out the community's aspirations for a Liveable, Prosperous, Biophilic, Connected, Engaged and Innovative city.

Building on this, the Vision for Reconciliation in the City of Marion is shown in the Reconciliation Action Plan's significant, tangible and meaningful actions that the organisation and community can achieve together.

The City of Marion RAP includes activities that we know can make a difference: building good relationships, respecting the special and cultural contribution of Aboriginal and Torres Strait Islander peoples to Australia and working together to ensure Aboriginal and Torres Strait Islander people have the same life opportunities as all people in our organisation.

Our Business and Community

The City of Marion is located 10km southwest of the Adelaide Central Business District and stretches from the Glenelg tramline in the north to Hallett Cove in the south, covering an area of 55 square kilometers.

We have a population of approximately 86,750 residents. In the 2011 Australian Census, 0.2% of our population (195 people) identified as Aboriginal and Torres Strait Islanders. The community of Marion is made up of many different cultures that have come to live in and appreciate this land and we value the diversity of our community and the richness that this brings to our contemporary life.

Council aims to deliver quality, affordable, inclusive services, programs and public infrastructure, in partnership with the community, State and Federal Governments and the private sector in response to both legislative requirements and community needs.

As at June 2015 the total number of employees at the City of Marion was 350. No records are currently kept of Aboriginal and Torres Strait Islander self-identification.

The City of Marion acknowledges that Warriparinga is a special, ceremonial place of significance to Aboriginal and Torres Strait Islander Australia. It is particularly significant to the Tjilbruke Dreaming story of the Kurna people and as such, is valued in the community and the Council.

Residents and visitors to the Living Kurna Cultural Centre, at Warriparinga, exceeded 20,000 during 2014, supporting the spirit of Reconciliation.

Our Reconciliation Action Plan

The City of Marion has continued to have a strong commitment to reconciliation principles as demonstrated through the Living Kurna Cultural Centre and Reconciliation community programs. City of Marion has a rich heritage of First Australian and European history and our Reconciliation Action Plan will help us in our journey of acknowledging, valuing and preserving our history.

In 2005 The City of Marion partnered with City of Holdfast Bay, City of Onkaparinga and Yankalilla District Council and developed a document with specific reconciliation action items. The Kurna Tappa Iri Regional Agreement 2005-2008 (Walking Together) outlined specific reconciliation projects with Councils contributing resources, with a particular focus on the Tjilbruke story as this significant story travels through the (4) four Council boundaries.

In March 2013 Council endorsed the inaugural City of Marion RAP for 2013-2014. Throughout 2013-2014 all nineteen actions focusing on respect, relationships and opportunities have either been achieved, are on-track or adopted as on-going actions.

The second City of Marion RAP 2014-2015, endorsed in May 2015, has continued to achieve outcomes with twenty-four of the twenty-six

actions having been achieved, are in progress or been adopted as on-going operational actions.

The City of Marion RAP was one of the first metropolitan RAP's developed in South Australia, alongside Salisbury Council and lead by Adelaide City Council. There are currently up to 10 Councils in South Australia that have a RAP or are in the process of developing one.

The development and Council endorsement of the 2016-2019 RAP continues to clearly articulate the City of Marion's commitment to reconciliation with Aboriginal and Torres Strait Islander Peoples, ensuring ownership across the organisation in committing to reconciliation principles and actions.

The RAP has been developed by a steering group comprising representation from across the organisation and the local Kurna community as follows:

- representatives of the local Kurna community -Lynette Crocker & Merle Simpson, Kurna Nation Cultural Heritage Association
- Libraries and Cultural Development - Abby Dickson, Manager; Liz Byrne, Acting Manager; Jackie Dolling, Business Support Officer; Marg Edgecombe, Community Cultural Development Unit Manager; Elizabeth Sykora, Cultural Development Officer
- Human Resources - Rachel Read, HR Partner and Acting Manager
- Community Participation - Margi Whitfield, Manager; David Sharp, Community Development Unit Manager
- Governance - Kate McKenzie, Manager
- Open Space and Recreation Planning - Alicia Clutterham, Unit Manager
- Economic Development - ... Neil McNish, Manager; Donna Griffiths, Economic Development Officer
- Environmental Sustainability - Ann Gibbons, Manager
- Contracts - Colin Heath, Manager
- and consultation with Elected Members

Council currently funds and partners with a range of programs and services working with the Aboriginal and Torres Strait Islander community:

- **Annual Reconciliation Week arts and cultural events**
- **Council and the local Kurna community** have an on-going relationship demonstrated by the commitment to maintaining Warriparinga and the Living Kurna Cultural Centre.
- **Programs and services through the Living Kurna Cultural Centre**
 - Cultural education to new City of Marion employees (part of Council's induction process)

- Art Gallery - supporting local indigenous artists through the exhibition program and gallery sales
- Kurna cultural education, tours, painting and weaving workshops to community groups, school groups, corporate organisations and individual visitors
- Host the annual Kurna Heritage Day
- Community Open Days

- **Support through partnerships**
 - Friends of Warriparinga

- **Work closely with peak Aboriginal groups including:**
 - Kurna Nation Cultural Heritage Association (KNCHA)
 - Kurna Yerta
 - Kurna Warra Pinyathi
 - Indigenous Land Corporation

- **Economic Development and Training Partnership Programs includes -**
 - Aboriginal Learning Centre
 - DFEEST funding
 - Major project workforce participation requirements
 - Consultation with Kurna regarding Darlington Upgrade project and DPTI

- **Indigenous Land Use Agreement**
 - Council is signatory to the Kurna Peoples, Local Government Indigenous Land Use Agreement (ILUA)

Relationships			
The City of Marion values respectful relationships between Aboriginal and Torres Strait Islander people and other Australians in our community and our organisation as a means of supporting positive wellbeing opportunities and meaningful achievement for all people			
Action	Measurable Target	Timeline	Responsibility
Focus area: Reconciliation Action Planning and Promotion			
Forming of Reconciliation Working Group (RWG) to develop 2015-2019 RAP and to actively monitor implementation of RAP actions and track progress. Include Kurna and Elected Member representatives.	<ul style="list-style-type: none"> •Continue the established committee with further representation across the organisation. •Reconciliation Working Group (RWG) oversees the development, endorsement and launch of the RAP •Ensure Aboriginal and Torres Strait Islander peoples are represented on the RWG. •Review Terms of Reference for the RWG. •Meet minimum four times annually. 	<ul style="list-style-type: none"> • Formed by July 2016 and continuing to June 2019 	<ul style="list-style-type: none"> • RAP committee chaired by • Unit Manager, Community Cultural Development
Raise internal and external awareness of our RAP to promote reconciliation across our business and sector	<ul style="list-style-type: none"> • Promote reconciliation through ongoing active engagement with all stakeholders. • Implement and review a strategy to communicate our RAP to all internal and external stakeholders. 	<ul style="list-style-type: none"> • July, annually • July 2017 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services • Unit Manager Communications
Focus Area: Consultation			
Ensure Aboriginal and Torres Strait Islander people are consulted on projects where applicable	<ul style="list-style-type: none"> • Meet with local Aboriginal and Torres Strait Islander organisations to develop guiding principles for future engagement. • Develop and implement an engagement plan to work with our Aboriginal and Torres Strait Islander stakeholders and include in council's Community Engagement Policy. • Distribute criteria to Senior Leadership Team. 	<ul style="list-style-type: none"> • February, 2017 • July 2017 • July, 2017 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services • Manager Communications
Implement the Kurna and Local Government Indigenous Land Use Agreement (ILUA) by proactively building positive relationships with the ILUA Committee to best support	<ul style="list-style-type: none"> • ILUA actions and contribution made. • Establish processes to support ILUA. • City of Marion meets its ILUA obligations in a timely manner. • Continue to support office accommodation for 	<ul style="list-style-type: none"> • July, annually 	<ul style="list-style-type: none"> • Manager, Regulatory Services • Manager, Engineering & Field Services • Manager, Strategic Projects • Manager, Community & Cultural

the objectives of the agreement.	Kaurna Nation Cultural Heritage Association to undertake business.		Services
Focus Area: Recognition and Celebration			
Celebrate and participate in National Reconciliation Week (NRW) by providing opportunities to build and maintain relationships between Aboriginal and Torres Strait Islander peoples and other Australians.	<ul style="list-style-type: none"> • Organise at least one internal event for NRW each year. • Register our NRW event via Reconciliation Australia's NRW website. • Support an external NRW event. • Ensure our RWG participates in an external event to recognise and celebrate NRW. • Extend an invitation to Aboriginal and Torres Strait Islander peoples to share their reconciliation experiences or stories. • Download Reconciliation Australia's NRW resources and circulate to staff. • Encourage staff to participate in external events to recognise and celebrate NRW. • Host NRW events across the areas in which you operate. • Download Reconciliation Australia's NRW resources and circulate to staff. 	<ul style="list-style-type: none"> • 27 May to 3 June, annually 	<ul style="list-style-type: none"> • Unit Manager Communications • Manager, Community & Cultural Services

Respect			
The City of Marion recognises that the Aboriginal and Kurna culture is an evolving and contemporary culture. We recognise the fundamental importance of heritage, language and cultural expression for all peoples and acknowledge the important place that Kurna and Aboriginal culture has in creating the sort of community we envisage.			
Action	Measurable Target	Timeline	Responsibility
Focus area: Acknowledgement of country			
Fly the Aboriginal and Torres Strait Islander flag at Administration and Living Kurna Cultural Centre.	<ul style="list-style-type: none"> Aboriginal and Torres Strait Islander flags to be flown outside the Administration Building and the Living Kurna Cultural Centre daily. Aboriginal and Torres Strait Islander flags to be flown at half-mast as a sign of respect at the passing of significant Elders in the community. 	<ul style="list-style-type: none"> July 2016 to June 2019, daily July, annually 	<ul style="list-style-type: none"> Manager, Corporate Governance
Continue to engage staff & Elected Members in understanding the protocols around Welcome to Country and Acknowledgement of Country ceremonies to ensure there is shared meaning behind the ceremonies.	<ul style="list-style-type: none"> Continue to conduct an Acknowledgement of Country at all formal Council meetings and community events. Arrange a Traditional Owner to give a Welcome to Country address at significant community events. Develop, implement and communicate a cultural protocol document for Welcome to Country and Acknowledgement of Country, utilizing a list of key contacts. Make sure the protocol encourages senior leaders to personally reply to a Welcome to Country. Encourage the use of Kurna language in the Acknowledgement where appropriate. Teach staff a short acknowledgement in Kurna language. 	<ul style="list-style-type: none"> June, annually June, annually July, 2017 July, 201 July, 2017 July, 2017 	<ul style="list-style-type: none"> Manager, Corporate Governance Manager, Community & Cultural Services
Acknowledgement of Country published to demonstrate respect to Aboriginal and Torres Strait Islander community.	<ul style="list-style-type: none"> Acknowledgements of country to remain on emails and website and on future printing of corporate stationery. Qualitative data collected on outcomes of Acknowledgement implementation through community survey. 	<ul style="list-style-type: none"> July, annually July 2018 	<ul style="list-style-type: none"> Manager, Communications Unit Manager, Community & Cultural Services

Action	Measurable Target	Timeline	Responsibility
Focus Area: Cultural Renewal and Education			
On-going support for Living Kurna Cultural Centre as a meeting place and place of cultural renewal for the Kurna community.	<ul style="list-style-type: none"> • Implement identified events and programs towards cultural renewal. • Increase number of visitor numbers to Living Kurna Cultural Centre. • Implement service improvements/ recommendations identified in LKCC Service Review 	<ul style="list-style-type: none"> • July, annually • July, 2019 • July 2017 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services
Ensure the City of Marion Library Collection contains resources to educate people of all ages on Aboriginal and Torres Strait Islander culture and history.	<ul style="list-style-type: none"> • Increase number of resources purchased from approved Aboriginal and Torres Strait Islander suppliers. • Increase current collection. • Increase breadth of collection. 	<ul style="list-style-type: none"> • June, annually 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services
Ensure Aboriginal and Torres Strait Islander activities are included in the annual arts program.	<ul style="list-style-type: none"> • Develop a program of Aboriginal and Torres Strait Islander activities in arts program. • Include Aboriginal and Torres Strait Islander artwork in Council buildings. 	<ul style="list-style-type: none"> • July, annually 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services
Focus area: Cultural Awareness Training			
Undertake cultural awareness training for Reconciliation Working Group (RWG) members, Human Resources staff and key City of Marion staff and Elected Members.	<ul style="list-style-type: none"> • Provide opportunities for RWG members, RAP champions, HR managers and other key leadership staff to participate in cultural training. • Investigate opportunities to work with local Traditional Owners and/or Aboriginal and Torres Strait Islander consultants to develop cultural awareness training. • 70% of all key identified staff/Elected Members attend training. • Qualitative response data collected on outcomes of training. • Investigate training through development of on-line induction • Include awareness of RAP in new staff induction 	<ul style="list-style-type: none"> • July 2017 • Dec 2016 	<ul style="list-style-type: none"> • Manager, Human Resources
Undertake cultural induction and tour of Warriparinga, in relation to local	<ul style="list-style-type: none"> • 50% of existing City of Marion staff attend tour. • 70% of all new employees attend tour. 	<ul style="list-style-type: none"> • June, annually 	<ul style="list-style-type: none"> • Manager, Human Resources

Kurna community for new employees and existing staff.	<ul style="list-style-type: none"> • Annual tours conducted. • Qualitative data collected on outcomes of tour. • 70% of participants gain further understanding about Aboriginal and Torres Strait Islander culture. 		
Action	Measurable Target	Timeline	Responsibility
Focus Area: Improve the knowledge and use of Kurna language within the organisation and community			
Investigate opportunities to identify places which have cultural significance across the City of Marion.	<ul style="list-style-type: none"> • Kurna consultations undertaken. • Cultural mapping completed. 	<ul style="list-style-type: none"> • July 2017 • June 2019 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services
Focus Area: Recognition and Celebration			
Raise awareness of NAIDOC Week within the organisation and in the community.	<ul style="list-style-type: none"> • Promote NAIDOC Week to City of Marion staff and the broader community through Neighbourhood Centres and Living Kurna Cultural Centre. • Record Number of staff and guests attending • Provide opportunities for Aboriginal and Torres Strait Islander employees to participate in local NAIDOC Week events 	<ul style="list-style-type: none"> • 1st to 2nd Sunday in July, annually 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services • Manager, Human Resources
Recognise dates of significance to Aboriginal and Torres Strait Islander people within the organisation and with the community.	<ul style="list-style-type: none"> • Organise at least one internal recognition action or activity per year per significant date 	<ul style="list-style-type: none"> • 13 Feb for Apology Anniversary, annually • 22 March for Close the Gap, annually • 26 May for National Sorry Day, annually 	<ul style="list-style-type: none"> • Manager, Corporate Governance for Apology and Sorry Day • Manager, Community & Cultural Services for Close the Gap
Hold an annual Aboriginal art exhibition in Chambers Gallery and/or Gallery M	<ul style="list-style-type: none"> • At least one Exhibition held annually. • Qualitative data collected on outcomes of the exhibition. 	<ul style="list-style-type: none"> • June, annually 	<ul style="list-style-type: none"> • Manager Community & Cultural Services
Cultural Promotion - ensure recognition of the achievements and contributions of Aboriginal and Torres Strait Islander people in our City are shared in Council publications and newsletters	<ul style="list-style-type: none"> • At least one story published in City Limits publication annually. 	<ul style="list-style-type: none"> • June, annually 	<ul style="list-style-type: none"> • Manager, Strategy & Innovation

Opportunities			
The City of Marion seeks to promote the participation of Aboriginal and Torres Strait Islander people in the Council's workforce and program resulting in a sense of belonging, contributing to closing the unacceptable 17 year life expectancy gap between Aboriginal and Torres Strait Islanders and other Australians and providing Council with the opportunity of learning from a sustainable cultural practice			
Action	Measurable Target	Timeline	Responsibility
Focus Area: Employment			
Implement Aboriginal and Torres Strait Islander employment strategy and action plan.	<ul style="list-style-type: none"> Aboriginal and Torres Strait Islander employment strategy and action plan endorsed by Executive Leadership Team. Six Objectives of the Aboriginal and Torres Strait Islander Employment Strategy are implemented. 	<ul style="list-style-type: none"> June 2017 June 2019 	<ul style="list-style-type: none"> Manager, Human Resources
Pro-Actively focus efforts to recruit and retain Aboriginal and Torres Strait Islander employees and create opportunities for traineeships and work experience.	<ul style="list-style-type: none"> Identify resourcing to engage traineeships. Identify work experience opportunities. Review HR and recruitment procedures and policies to ensure there are no barriers to Aboriginal and Torres Strait Islander employees and future applicants participating in our workplace. Engage with existing Aboriginal and Torres Strait Islander staff to consult on employment strategies, including professional development. Establishing baseline data through collecting information on our current Aboriginal and Torres Strait Islander City of Marion staff demographics particularly measuring the number of self-identifying Aboriginal and Torres Strait Islander employees to inform future employment opportunities. Advertise all vacancies in Aboriginal and Torres Strait Islander media and/or networks. Increase identified Aboriginal Torres Strait Islander employees from 0.5% to 1.0% of workforce. 	<ul style="list-style-type: none"> July 2017 June, annually June 2017 June 2017 June 2017 June, annually June 2019 	<ul style="list-style-type: none"> Manager, Human Resources, Manager, Community & Cultural Services and across Departments in City of Marion

Opportunities			
The City of Marion seeks to promote the participation of Aboriginal and Torres Strait Islander people in the Council's workforce and program resulting in a sense of belonging, contributing to closing the unacceptable 17 year life expectancy gap between Aboriginal and Torres Strait Islanders and other Australians and providing Council with the opportunity of learning from a sustainable cultural practice			
Action	Measurable Target	Timeline	Responsibility
Focus Area: Supplier Diversity			
Consider engagement of Aboriginal and Torres Strait Islander businesses and/or businesses which employ Aboriginal and Torres Strait Islander peoples contracted through procurement.	<ul style="list-style-type: none"> • Develop and communicate to staff a list of Aboriginal and Torres Strait Islander businesses that can be used to procure goods and services. • Collect data on number of Aboriginal businesses • Develop one commercial relationship with an Aboriginal and/or Torres Strait Islander owned business. Promote Local Government as an Employer to Aboriginal and Torres Strait Islander students through the Australian Indigenous Mentoring Experience program • Review procurement policies and procedures to identify barriers to Aboriginal and Torres Strait Islander businesses to supply Council with goods and services. • Investigate Supply Nation membership. 	<ul style="list-style-type: none"> • July 2017 • June, annually • June 2017 • June 2018 • June 2018 • June 2019 	<ul style="list-style-type: none"> • Manager, Contracts • Manager, Economic Development
Focus Area: Caring for Country			
Identify bush tucker and medicine plants at Warriparinga in collaboration with the Aboriginal and Torres Strait Islander community.	<ul style="list-style-type: none"> • Investigate creating a map, in consultation with Kaurna people, with images and descriptions of bush tucker and medicine plants at Warriparinga for visitor information and self-guided educational tours. • At least two promotional and educational opportunities which promote cultural practices and native food security. 	<ul style="list-style-type: none"> • September 2016 • June 2019 	<ul style="list-style-type: none"> • Manager, Community & Cultural Services
Continue to plant local provenance plants and bush tucker plants throughout the City.	<ul style="list-style-type: none"> • Report on number of plantings across the City 	<ul style="list-style-type: none"> • June, annually 	<ul style="list-style-type: none"> • Manager, Innovation & Strategy

Action	Measurable Target	Timeline	Responsibility
Focus Area: Cultural and Recreational Participation			
Promote awareness of the Community Grants program to Aboriginal and Torres Strait Islander groups.	<ul style="list-style-type: none"> Promote Community Grants Program through Aboriginal and Torres Strait Islander media and networks Continue to include Reconciliation as a criteria in future Community Grants Programs Record number of grants promoting Reconciliation 	<ul style="list-style-type: none"> June, annually July 2019 June, annually 	<ul style="list-style-type: none"> Manager, Community & Cultural Services
Encourage participation from local sporting clubs in reconciliation and engaging with Aboriginal and Torres Strait Islander peoples and communities.	<ul style="list-style-type: none"> Meet with local sporting clubs to discuss how they can promote their clubs to Aboriginal and Torres Strait Islands communities. Continue our relationship with the Office for Recreation and Sport to implement strategic directions on how best to engage and work with Aboriginal and Torres Strait Islander people in our local community. 	<ul style="list-style-type: none"> June, annually June, annually 	<ul style="list-style-type: none"> Manager, Community & Cultural Services
Work with Aboriginal and Torres Strait Islander agencies to identify the need for local programs within the City of Marion.	<ul style="list-style-type: none"> Minimum of 2 consultations with Aboriginal and Torres Strait Islander agencies to determine needs for local programs. Minimum of 2 funding applications submitted supporting programs 	<ul style="list-style-type: none"> June 2019 June 2019 	<ul style="list-style-type: none"> Manager, Community & Cultural Services

Tracking progress and reporting

Action	Measurable Target	Timeline	Responsibility
Reconciliation Working Group (RWG) to monitor the implementation of the RAP.	<ul style="list-style-type: none"> Report on number of actions implemented to specified timelines and completion. 	<ul style="list-style-type: none"> July, annually 	<ul style="list-style-type: none"> Executive Leadership Team Chair, Reconciliation Working Group
Annual report on organisational learning from the RAP process to Reconciliation Australia	<ul style="list-style-type: none"> RAP progress is reported each year in the RAP Impact Measurement Questionnaire and submitted to Reconciliation Australia. 	<ul style="list-style-type: none"> September, annually 	<ul style="list-style-type: none"> Chair, RAP committee
Progress report to council on the progress of the City of Marion RAP	<ul style="list-style-type: none"> Report made 	<ul style="list-style-type: none"> May 2017 & May 2019 	<ul style="list-style-type: none"> Manager, Community & Cultural Services
City of Marion RAP will be available to the community	<ul style="list-style-type: none"> RAP on web and staff intranet (COMBi) RAP in City of Marion Libraries 	<ul style="list-style-type: none"> June, annually June, annually 	<ul style="list-style-type: none"> Manager, Communications

	<ul style="list-style-type: none">• On public display in Council offices• Registered with Reconciliation Australia	<ul style="list-style-type: none">• June, annually• June, annually	
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DRAFT

GC090216R05 - Reconciliation Action Plan 2016-2019 - Appendix 3

Results of Elected Member Forum Consultation on 7 July 2015

regarding potential actions for Reconciliation Action Plan 2016-2019

6 of the 13 Elected Members were present at this consultation.

Proposed Action	Item supported	Item not supported	Include in Future RAP
RAP AREA: RELATIONSHIPS			
Establishing a Governance model including			
<ul style="list-style-type: none"> High level strategic Reconciliation group comprising Elected Members, Executive Management Group members and Elders – Year 1 set up 	0	7	0
<ul style="list-style-type: none"> Operational group to implement the Reconciliation Action Plan Program comprising CoM staff and Aboriginal and Torres Strait Islanders representatives if appropriate and for consultation when required <p><i>NB it is a minimum requirement of Reconciliation Australia for RAP organisations to have a RAP committee</i></p>	0	5	0
Investigate placement of an ATSI researcher from Flinders University Aboriginal Health and Social Determinates research group to work for a period of time at LKCC	0	6	0 at no cost
RAP AREA: RESPECT			
Use of Kaurna language including in Acknowledgement of Country, signage eg street signs, in Council buildings	1	5	1
Implement and roll out understanding of Welcome to Country Protocols	5	1	0
Education through internal electronic system eg E-Newsletter, COMBI, email	1	3	2
Increased e-learning for cultural awareness for all staff	2	3	1
<ul style="list-style-type: none"> Training through on-line induction 	4	1	0
<ul style="list-style-type: none"> Awareness of RAP in new staff induction 	3	2	1
<ul style="list-style-type: none"> Regular presentations at General Staff meeting 	1	1	3
<ul style="list-style-type: none"> People Management forum session on RAP 	0	5	0
Investigate at new EB that ATSI staff can access leave for cultural purposes, including 'Sorry Business', and commitments to family,	3	3	0

kin and community members. These entitlements will be consistent with the City of Marion's policy and practices.			
RAP AREA: OPPORTUNITIES			
Cultural Mapping – documenting and researching shared stories including:			
• Street names and Reserve names audit	1	2	3
• GPS mapping of scar trees	3	4	0
• Places of significance regarding cultural practice	3	3	1
Aboriginal employment target for City of Marion target of 1% (State Government target is 2%)	3	2	2
Community Leadership Program - At least one place in the program is offered to ATSI	3	5	0
Distribute a calendar of significant dates to all City of Marion facilities	0	2	5

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

Originating Officer: Liz Byrne, (Acting) Manager Community & Cultural Services

General Manager: Abby Dickson, City Development

Subject: Community Grants Funding Programs

Report Reference: GC090216R06

REPORT OBJECTIVES:

This report provides Council with options for consideration regarding the opportunities to further improve community funding programs within the City of Marion.

EXECUTIVE SUMMARY:

The City of Marion currently delivers a number of programs and activities which provide grants to the community, these include:

- The Community Grants Program, managed by the Community Development Unit;
- The Sponsorship/Donations Program managed by the Governance Unit; and
- The Young Achievers Grants Program*, managed by Youth Services within the Community Development Unit.

*The Young Achievers Grants Program (\$10,000 per annum) will be retained and is included in the Youth Development Grant Program in line with Council resolution (GC081215R07).

The Community Grants Program and Donations & Sponsorship programs aim to support Council's commitment to Community Wellbeing. Council annually contributes funding of a combined total of \$77,500 per annum for the Community Grants Program and Donations & Sponsorships. The programs play an important role in building community capacity and community development. In 2015 the Community Grants and Donations Programs were externally reviewed as part of Council's Service Review Program. The review also involved workshops with Elected Members. The review identified opportunities to further improve and refine both programs.

This report outlines a range of recommended options for Council's consideration which aim to address the opportunities for improvement identified in the Service Review and in the workshops held with Elected Members. This report recommends that Council continue with the Community Grants and Donations Program under the direction of the updated policies attached as appendices to this report. It recommends that the Community Grants and Donations Program will be managed by the Community Development Unit with \$100,000 per annum being allocated to the Community Grants Program and \$2,500 being made available for Donations and Sponsorship with a maximum of \$100 per individual. This report seeks direction from Council on whether it wishes to administer the Community Grants Program through one or two rounds per annum.

RECOMMENDATIONS (4)**DUE DATES****That Council:**

- | | |
|--|-------------------------------|
| <p>1. Endorse option 3 as the preferred model of distribution for the Community Grants Program, where grants are administered via one round per annum, providing a total amount of \$100,000 worth of funding including one large grant amount of up to \$10,000 per annum.</p> <p>OR</p> <p>Endorse option 4 as the preferred model of distribution for the Community Grants Program, where grants are administered via two rounds per annum, providing a total amount of \$100,000 worth of funding including one large grant amount of up to \$10,000 per annum.</p> | <p>9 February 2016</p> |
| <p>2. Approve an additional allocation of up to \$25,000 towards the community grants program to be referred the 2016-17 Annual Business Plan and Budgeting process.</p> | <p>9 February 2016</p> |
| <p>3. Endorse Council Community Grants policy as attached as appendix to this report.</p> | <p>9 February 2016</p> |
| <p>4. Endorse option B as the preferred model of managing Donations and Sponsorship requests, where donations are administered by the Community Development Unit, providing a total amount of \$2,500 per annum with a maximum amount of \$100 per individual.</p> | <p>9 February 2016</p> |
| <p>5. Endorse the Donations & Sponsorship Policy as attached as appendix to this report</p> | <p>9 February 2016</p> |

BACKGROUND:**Community Grants Program**

The Community Grants Program has been operating in its current format since 2004. Framed around Council's commitment to Community Wellbeing, the Community Grants Program provides an important role in building community capacity and community development. The Community Grants program continues to target the provision of funding to clubs and organisations for activities that maximize community benefit. This approach allows the community, through local organisations, to identify issues that are important to them and to develop their own solutions by utilising the skills, experience and resources within their ranks. The Community Grants Program also strengthens the partnerships with known local organisations and fosters new relationships with emerging groups.

The program operates on a partnership model with the community and therefore supports Council's commitment to developing an "Engaged" community where people are empowered to make decisions, and work together to build strong neighbourhoods. The combining of council and community resources significantly increases the value of the projects to beyond what either Council or a community group could have achieved by operating independently.

The Community Grants Program was reviewed by Council in 2005, and again in 2009. In the 2006/2007 financial year Council increased funding available for the Community grant

program from \$50,000 to \$75,000. Council resolved that the additional \$25,000 would be allocated to five special grants, each of \$5,000 (GC140306R02). These grants were intended to support larger community projects.

Organisations can apply for a community Grant under one of four categories:

- Community Development
- Arts & Culture
- Environment
- Sports and Recreation

The selection panel assesses each of the applications against the Council's approved guidelines and makes recommendations to Council. The assessment panel comprises of four Council staff, with experience in the four grant categories.

The purpose of the Community Grants Program is to assist local non-profit community groups and organisations to establish and undertake innovative projects or activities that are beneficial to the community and support the City of Marion's Strategic Plan.

The Community Grants program continues to target the provision of funding to clubs and organisations for activities that maximize community benefit. Since 2005, the City of Marion's Community Grants Program has:

- Supported 469 projects from 264 organisations
- Assisted generating community projects to the value of over \$2.4 million

Donations and Sponsorship

The Donations and Sponsorships Policy was endorsed by Council in June 2011 (GC280611R08). The policy allows for individuals, groups, not-for-profits and organisations to receive up to \$500 maximum per request per annum. The total amount of funding available in this program is \$2,500.

Applications for assistance may be made at any time during the year and must be in writing using the Donations and Sponsorship Application Form.

All applications for funding are determined under Delegation by the Manager of Governance in alignment with pre-determined criteria. Applications are not accepted for activities already held.

Proposed donations and sponsorship must satisfy one or more of the following criteria:

- Individuals aged 25 years and older and representing South Australia or Australia in a specific cultural, educational, sporting or recreational activity/event that has been organised by a peak body
- Clearly demonstrates direct benefits to the resident(s) of the City of Marion
- Meet a social, environment or economic development need
- Serve to promote the wellbeing and development of the community
- Awards, presentations, acknowledgement of achievement/excellence in educational and professional endeavors
- Support for activities which award endeavor in community services

To date donations and sponsorships have supported a variety of community activities from community events, to individuals pursuing competitive sporting pursuits.

Service Review

The Community Grants and Donations Programs were externally reviewed in April 2015 by BDO as part of Councils Service Review program and reported to the Audit committee on 14 April 2015. The service review report is attached as Appendix 1 to this report.

BDO observed the following good practices at City of Marion.

Observations	
Alignment with strategic themes	There is alignment within the grants process to the Community Plan – with applicants asked to submit their applications according to which of the strategic initiatives it best represents
Structured grants process and clear objectives for applications	The grants process is well structured and uses significant automation through the Smarty Grants process to reduce time taken to process applications and send acquittal reminders.
Focus on avoiding any conflicts of interest in the donations/sponsorship processes as well as the grants process	Requests for donations/sponsorship are currently managed under Delegation by the Governance department rather than coming through the Elected Member body. Grants applications are reviewed by a panel and then final approval is provided by the Elected Members to ensure the process is fair and equitable.
Acquittal process for the grants application	All those who are successful in receiving grants from the CoM are responsible for returning information regarding how the funds were used. To date this has occurred for 100% of the grants provided.

Recommendations from the report provided a number of opportunities for improvement for the Council. Each key finding was measured according to a framework about significance and the level of impact to the community funding process. There are a total of 14 recommendations, with 6 having a moderate ranking and the remaining 8 having a low ranking. A moderate ranking indicator means that the issue represents a control weakness, which could have or is having significant adverse effect on the ability to achieve process objectives. A low ranking indicator means that the issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.

Recommendations from the BDO report include:

Ref #	Findings/Actions	CoM Response to date
2.1.1	To have a clear purpose for the grant process and define this in the guidelines.	Purpose statement included in revised policy and will be included in operational procedures and guidelines.
2.1.2	Establish KPIs as part of Application Process.	To be included in application guidelines and investigate measures which evaluate long term benefits.
2.1.3	Review size of grants awarded and whether the existing amount is substantial enough to bring about any sustainable community benefit or capacity building activity.	Recommendation to Council is to include 2 x \$10,000 grants within the program.
2.1.3	Consider improvement in business efficiencies by conducting grant process once per year.	Included as an option in this report for Council's consideration.
2.1.4	Introduce as part of the application process asking community groups to link their intended project to the City of Marion Community Plan.	Included in revised policy. To be included in 2016/2017 application guidelines and assessment criteria.
2.1.5	Implement a ranking or weighting system to determine the best outcomes for the community.	Ranking system to be included in procedures and is referred to in the revised policy.

2.1.6	Ensure there is separation of the following roles: assessment of application and supporting community groups to apply.	Roles to be reviewed and separation of the two duties to occur.
2.1.7	Improve analysis of applications to identify and trends emerging in community need.	More in depth analysis will occur of the grant applications received and a summary will be provided to Council as part of the awarding of grants report.
2.1.8	Implement a formal community feedback procedure to the grant process.	To be included in procedures and form part of the acquittal process.
Donations and Sponsorship		
2.2.1	To have a clear purpose for donations and sponsorship.	Purpose statement included in the revised policy recommended to Council for approval.
2.2.2	Explore feasibility of automating the donations/sponsorship process by incorporating it into the Smarty Grants ¹ program and streamlining the process.	Staff to investigate if this is feasible.
2.2.3	Provide high level reporting to Council on the level of Donations/Sponsorship awarded and for what purpose.	Information to be posted on Elected Member Extranet at the conclusion of the Financial year.
2.2.4 & 2.3.1	Place greater structure around the donations/sponsorship process and clearer distinction from the Grants Program.	Criteria and structure strengthened and included in the revised policy.
2.3.1	Review the donations process in order to determine whether the amount awarded is satisfactory to achieve the desired purpose.	Decreased amount is included in revised policy. To be included in the 2016/2017 guidelines.
2.3.2	Bring the donation/sponsorship process into the community development area so both applications processes are 'owned' by the same person.	Management of the Donations and Sponsorship program to be managed by Community Development.

Two Elected Member Forums have been held on 15 September and 15 December 2015 to seek input into the review of the program. Elected Member feedback included:

- general agreement about the value of the Community Grants Program to the community
- Support for greater emphasis on partnership and matched funding as possible future criteria
- Support for the continuing with the use of a staff panel for the assessment of grants
- the amount of \$2,000 was considered by some Elected Members to be too low an amount for a grant
- differing views about the value of the Donations Program, both in terms of amounts and the use of staff time to administer this program
- Support for awarding grants greater than \$5,000
- differing views about grant funds being allocated in one round or two rounds per year
- General level of support for increasing the Grants program to \$100,000 per annum

¹ The Smarty Grants program is the automated system currently used by the City of Marion to collect, review and respond to grant applications.

DISCUSSION AND ANALYSIS:

1. Community Grants

The purpose of the Community Grants Program is to assist local non-profit community groups and organisations to establish and undertake innovative projects or activities that are beneficial to the community and support the City of Marion's Community Plan.

Feedback from Council and community groups is that the existing community grants system works well and is meeting community needs. Funding is distributed to a diversity of community groups and clubs for a wide variety of projects. Funding is generally obtained by applicants in a cycle of once every three years, providing that they have not received funding from Council within the last two years, therefore ensuring maximum community benefit.

The selection panel, consisting of four Council staff, assess the applications against Council's approved guidelines and makes recommendations to Council. Having staff undertake the assessment of applicants ensures a transparent evaluation process and removes Elected Members from potential conflicts of interest. Council receives a report after each funding round outlining all applications received and specifying if they have been approved or declined. Council has the opportunity to approve or reject these recommendations.

Council utilises an online software called Smarty Grants that allows the administration of the grant application process to be automated, saving considerable staff time and input. The system allows applicants to lodge their information and application easily, and will collate necessary reports for the assessment of the applications.

Each year grants of up to \$2,000 are available in addition to five grants of up to \$5,000. Applications will be accepted from groups that have received grant funding in previous financial years, however if the total number of applications received exceeds the amount of funds available, priority is given to organisations that have not received funding within the previous three years.

The advantage of smaller grants is that for many organisations, particularly smaller clubs with low income streams these grants are valued and contribute to their ability to maintain or improve operations of their club. In most incidents the clubs contribute to the project with their own contributions. Also smaller grant amounts allow for a greater number of organisations to receive support. It needs to be acknowledged that for some smaller groups to go through the application process, to be successful and receive a cheque personally from the Mayor and/or Elected Members is an important event within their club.

The advantage of larger grants is that it allows for significant projects to be undertaken that clubs may not be able to develop or provide seed funding to commence innovative initiatives within the community.

Council may wish to consider awarding larger grant amounts of up to \$10,000. This is achievable within the funding available and meets the Service review recommendation to consider awarding grants which are substantial enough to bring about any sustainable community benefit or capacity building activities. The amounts currently provided by the City of Marion are relatively consistent with many other Councils in the metropolitan area. There is a minority which will provide up to \$50,000 grants however this is certainly not standard practice across Local Government.

The policy for Community Grants has been reviewed and is tabled for Council's consideration and endorsement as appendix 2 to this report.

Frequency of community grants

Community grants are currently set at twice a year. This regularity was set following consultation with community groups in 2005 when the program was first established. Feedback from the community was that twice yearly provided them with greater flexibility to be able to respond to opportunities as they arise across the year. It should be noted during election years the Grant Program is delivered via one round due to the caretaker period. Council has not received any significant negative feedback when the Grant is administered via one round.

The convenience of two rounds of funding per year for the community does require a larger amount of staff administration time and there may be some business efficiency gains if the funding was to be delivered once per year. This potential efficiency gain was identified in the service review. Reducing the program to one round per year would achieve efficiencies and savings in the following areas.

- Advertising
- Promotion
- Community briefing sessions
- Administration of the smarty grant application
- Cheque presentation event
- Preparing Council reports

It should be noted that staff time required to process and assess the total number of grants received would remain the same whether the program was delivered over one or two rounds.

Council feedback regarding whether the program should be delivered via one or two rounds was mixed. This report seeks Council's direction on this matter.

Models for consideration for Community Grants Program

Option 1	Status quo
Grant Program	<ul style="list-style-type: none"> • Maintain a grants program, with 2 rounds, per annum, utilising a budget of \$75,000. The maximum grant per application is \$2,000, except in round 2 where 5 grants of \$5,000 are also made available. • Apply existing funding criteria of community development, arts & culture, environment and sport & recreation continue. • The grants program is managed by the Community Development Unit.
Cost	\$75,000 per annum
Resourcing	Management of the grant program is achievable within existing staffing resources
Advantages	<ul style="list-style-type: none"> • The program is known and understood by the community • Small grant amounts maximize the spread of funds through the community
Disadvantages	<ul style="list-style-type: none"> • Limits grants to amounts of \$5,000 or less. • Limited capacity to seed new program or project initiatives in the community • Small grant amounts may limit the scale of projects achieved • Does not address community demand for larger grant amounts • Does not address fund has remained un-indexed since 2006/07.

Option 2	Program includes \$10,000 grant amount within existing amount allocation of \$75,000
Grant Program	<ul style="list-style-type: none"> • Maintain two funding rounds, per annum, with a larger grant being made available in round one. • Round One: total being \$50,000 – with 1x up to \$10,000 grant; 3 x up to \$5,000 grant; and 12 up to \$2,000 grant. • Round Two: total being \$25,000 – with multiple grants up to the value of \$2,000. • \$10,000 grant will require a business case which includes matched funding or in kind support • The grants program is managed by the Community Development Unit.
Cost	\$75,000 per annum
Resourcing	Management of the grant program is achievable within existing staffing resources
Advantages	<ul style="list-style-type: none"> • Provides a larger grant option to meet current unmet community demand for grants larger than \$5,000 • The larger grant will further strengthen the programs focus on community capacity building through: <ul style="list-style-type: none"> ○ Requiring the applicant organization to contribute financially or with in kind support ○ require the organization to demonstrate community outcomes in a business case ○ providing seed funding for new programs or project initiatives in the community ○ provision of a larger grant which is substantial enough to bring about sustainable community benefit or capacity building activities
Disadvantages	<ul style="list-style-type: none"> • Reduces the spread of grant funding made available to the community • Does not address the issue that the fund has remained un-indexed since 2006/07.

Option 3	Increase Grant funding to \$100,000 and deliver via one round
Grant Program	<ul style="list-style-type: none"> • Increase available funds to the community to a total of \$100,000 via 1 round per annum with 2 x up to \$10,000 grant; 6 x up to \$5,000 grant; and 25 up to \$2,000 grant. • \$10,000 grant will require a business case which includes matched funding or in kind support and clearly articulates community outcomes • Community groups will be required to report on the measurable outcomes • The grants program is managed by the Community Development Unit.
Cost	\$100,000 per annum
Resourcing	Management of the grant program is achievable within existing staffing resources
Advantages	<ul style="list-style-type: none"> • Provides a larger grant option to meet current unmet community demand for grants larger than \$5,000 • The larger grant will further strengthen the programs focus on community capacity building through: <ul style="list-style-type: none"> ○ Requiring the applicant organization to contribute financially or with in kind support ○ require the organization to demonstrate community outcomes

	<ul style="list-style-type: none"> ○ in a business case <ul style="list-style-type: none"> ○ providing seed funding for new programs or project initiatives in the community ○ provision of a larger grant which is substantial enough to bring about sustainable community benefit or capacity building activities ● Business efficiency gains with having the grant process conducted only once per year ● Consistency with other councils due to grant process being conducted once per year ● An increase in funds of \$25,000 per annum addresses the non-indexation of community grants since 2006/07.
Disadvantages	<ul style="list-style-type: none"> ● Reduced flexibility in when community groups can apply for funds throughout the year ● Increase in costs to Council of \$25,000 per annum

Option 4	Increase Grant funding to \$100,000 and deliver via two rounds
Grant Program	<ul style="list-style-type: none"> ● Increase available funds to the community to a total of \$100,000 via 2 rounds per annum ● Round One: total being \$50,000 – with 1x up to \$10,000 grant; 3 x up to \$5,000 grant; and 12 up to \$2,000 grant. ● Round Two: total being \$50,000 – with 1x up to \$10,000 grant; 3 x up to \$5,000 grant; and 12 up to \$2,000 grant. ● Community groups will be required to report on the measurable outcomes ● \$10,000 grant will require a business case which includes matched funding or in kind support and clearly articulates community outcomes ● The grants program is managed by the Community Development Unit.
Cost	\$100,000 per annum
Resourcing	Management of the grant program is achievable within existing staffing resources
Advantages	<ul style="list-style-type: none"> ● Provides a larger grant option to meet current unmet community demand for grants larger than \$5,000 ● The awarding of larger grant will further strengthen the programs focus on community capacity building through: <ul style="list-style-type: none"> ○ Requiring the applicant organization to contribute financially or in kind support ○ require the organization to demonstrate outcomes which further strengthens community capacity building ○ providing seed funding for new programs or project initiatives in the community ● An Increase in funds of \$25,000 per annum addresses the non indexation of the grant since 2006/07.
Disadvantages	<ul style="list-style-type: none"> ● Efficiencies gains of delivering program once per year are not achieved ● Increase in costs to Council of \$25,000 per annum

Note Options 3 or 4 are recommended to Council with the only difference being the frequency in which the grants are delivered per annum. Direction is sought from Council on the preferred frequency.

Financial implications

The Community Grants Program funding allocation has remained at \$75,000 since 2006/2007. If CPI had been applied on an annual basis the funding allocation would be \$92,010 for 2016/2017. Should Council resolve to increase the Community Grants program funding to \$100,000 this would address inflationary costs since the grant was last reviewed and provide additional funds to maintain existing services and include provision for a larger grant. Any additional funding allocated towards the program would be incorporated into the 2016/2017 Annual Business Plan and Budget process.

There are also operations expenses associated with the Smarty Grants program which are included in the Community Development operational budget. The annual cost for subscriptions is \$12,000.

2. Donations and Sponsorship

There exists in the community the need from both individuals and groups that are undertaking a worthwhile activity to attract sponsorship and donations. Whether this is a role of a Council to provide funding to these activities is a Council decision.

The advantage of a sponsorship program is that it supports the work of organisations and individuals who do not meet the requirements for a community grant, particularly for applications from individuals. A sponsorship program is open all year and is not confined to two rounds as is the community grants program. However donations and sponsorships is currently undertaken on a "first in, first served" basis and the amount can be expended quickly.

Models for consideration for Donations and Sponsorship

Option A	Status quo
Program	<ul style="list-style-type: none"> Maintain a donations and sponsorship program, with a "first in, first served" criteria, with donations of up to \$500 being provided. Existing criteria will remain and will continue to be managed by the Governance Business Unit.
Cost	\$2,500 per annum
Advantages	<ul style="list-style-type: none"> Applications assessed independently and efficiently
Disadvantages	<ul style="list-style-type: none"> Amount is expended quickly Disconnect from other community funding programs and therefore difficult to identify any overlap or consistent trends to the application of funds by community members, groups or clubs.

Option B	Reduce the amount to \$100 per request to assist slightly more individuals (RECOMMENDED)
Program	<ul style="list-style-type: none"> Maintain a donations and sponsorship program utilizing a budget of \$2,500 with donations of up to \$100 being provided. Existing criteria is strengthened to ensure applicants meet more parameters before receiving a donation/sponsorship from Council. Process will be managed by the Community Development Business Unit.
Cost	\$2,500 per annum
Advantages	<ul style="list-style-type: none"> Business efficiency gains with having the process being undertaken by the Community Development Business Unit Amount provided is reflective of being a donation with no expectation of return Community Development Business Unit has direct and regular contact with potential applicants Increased robustness around the process of managing the donations and sponsorship process in conjunction with other

	community funding programs <ul style="list-style-type: none"> • Improved structure around the donation/sponsorship process • Process is 'owned' by the same person • Able to distribute funds to a broader number of applicants • Amount reflects a definition of donation as outlined in the policy
Disadvantages	<ul style="list-style-type: none"> • Decreased amount could be viewed negatively

Option C	Discontinue donations and sponsorship program
Analysis	All funding provided to groups and individuals through donations and sponsorship would cease.
Cost	\$0
Advantages	<ul style="list-style-type: none"> • Budget savings
Disadvantages	<ul style="list-style-type: none"> • Reduces service levels – not in line with current Councils parameters for the 2016-17 Annual Business Plan and Budget to maintain existing services • Opportunities for Council to provide donations and sponsorship to individuals groups are removed • Loss of reputation

The policy for Donations and Sponsorship has been reviewed and is tabled for Council's consideration and endorsement and is attached as Appendix 3 to this report.

CONCLUSION:

The objectives of the Community Grants and Donations and Sponsorship program provide opportunities for the community to identify issues that are important to them and to seek financial support to develop their own solutions. Both programs seek to build the capacity of our community.

It is recommended that Council endorse option 3 or 4 as the preferred model for delivering community grant funding and option B as the preferred model for delivering donations and sponsorship to the community. Both models have incorporated the many recommendations from the service review process in 2015 and will improve the overall process of delivering funding programs to the community.

Appendices:

Appendix 1 – BDO Report: Funding provided to the Community, April 2015

Appendix 2 – Community Grants Policy

Appendix 3 – Donations & Sponsorship Policy



City of Marion



Funding Provided to the Community

April 2015

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1. EXECUTIVE SUMMARY

1.1 - Project Objective

The purpose of this project was to review the current process used by the City of Marion to provide funding to the community through donations, sponsorships and grants.

The ultimate objective of this review was to identify the following:

- How funding can be used as a catalyst to achieve positive benefit and sustainable change within the community
- The options for distributing funding to the community
- Consider the value to the community from distributing funding
- Consider how the City of Marion could maximise the community value from the available funding.

The overall outcome of the project was to assist the City of Marion in assessing the value of the funding provided and if appropriate, improve its approach to providing funding to the community in an equitable manner.

1.2 - Project Scope

In consultation with the City of Marion, BDO Adelaide completed a three phase process to review the way in which funding is currently provided to the community.

Phase 1 - In the first instance, BDO reviewed the current internal processes for distributing funding to the community. During this phase we:

- Met with key team members from Community Participation and Governance to identify and understand the funds provided and the process to administer each. This involved meetings with Ms Kate McKenzie and Ms Deb Horton from Governance, as well as Ms Margi Whitfield, Mr David Sharp and Ms Rachel McCaskill from Community Participation.
- Considered the governance arrangements currently in place to oversee and monitor the funding distribution process.
- Reviewed the City of Marion strategic objectives as well as the criteria for determining community outcomes.
- Identified and reviewed related procedures, funding criteria, performance measures, policies and frameworks and their currency.

Phase 2 - As part of this process, BDO also gathered an understanding of community value and research into best practice. During this phase, we:

- Considered benefits to the community attained by providing grants, donations or sponsorship and methods for measuring this.
- Identified (in collaboration with CoM representatives) and researched organisations (including other Councils as well as private sector) that would be considered 'best practice' in maximising community outcomes through the distribution of funding. A list of the Councils and organisations, as well as the best practice frameworks, which were explored, is included in Appendix A.
- Considered best practice in this area and alternative funding models which deliver benefit to the community and build community capacity.

Phase 3 - Once we had collected the necessary information, BDO identified potential opportunities for improvement and provided an interim report to Council representatives in the form of an Issues Log. During this phase, we provided options outlining improvement opportunities, which included:

- Alternatives to measure and maximise public value
- Recommendation to define, articulate and document the Council's overarching purpose for the grants, donations and sponsorship programs
- Recommendations around a policy framework for grants, donations or sponsorship that aligns with the City of Marion strategic objectives
- Recommendations to review the amounts to be provided through any funding program based on the benefit the community may receive.

Finally, BDO has compiled a comprehensive report to outline the key issues, implications to Council and associated recommendations. This report is divided into three sections;

- Grants - identifying key issues and providing recommendations to strengthen the provision of grants to the community;
- Donations/Sponsorship - identifying key issues and providing recommendations to strengthen the donations/sponsorship process; and
- Grants and Donations/Sponsorship - discussing recommendations that apply to both the grants and donations/sponsorship processes within the City of Marion.

1.3 Disclaimer

BDO limited the procedures performed during this assurance project to inquiries of relevant personnel, inspection of evidence and observation of, and enquiry about, the operation of the control procedures for a small number of transactions or events. Our procedures are designed to provide a limited level of assurance in relation to the areas included within the project brief. An assurance project does not provide all of the evidence that would be required in an audit. An audit opinion is not expressed in this report.

The matters raised in this report are only those that came to our attention during the course of performing our procedures and may not necessarily be a comprehensive statement of all the weaknesses that may exist or improvements that might be made.

We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, comply with laws and regulations and avoid fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures reviewed, or potential instances of fraud that may exist.

Our report is prepared solely for the internal use of City of Marion. No responsibility to any third party shall be accepted, as our report has not been prepared, and is not intended, for any other purpose. The responsibility for determining the adequacy or otherwise of the procedures performed by BDO is that of City of Marion management and the procedures performed are solely to assist you in assessing the processes reviewed by BDO.

City of Marion should assess management actions for their full commercial impact before they are implemented.

1.4 Best Practice Trends

Based on the research that was conducted, BDO found that best practice grants processes had clear criteria for assessing the applicants and in many cases; these criteria were linked to a set of broader strategic initiatives. In addition, there was clear separation in the process - with the person responsible for assisting applicants with their submissions separate from those responsible for reviewing and approving the applications. Furthermore, many well structured grants processes employed a ranking or weighting system - in order to determine the extent to which the applications satisfied the expectations.

Many best practice approaches employed an automated system through which the applicants lodge their information. This reduces internal resources required at the initial stages of the application process. Furthermore, many of those who are employing a well-structured process ensure that the application process is simple and easy to complete - and requires the applicant to complete an acquittal report to explain how the funds had been used.

The larger grants (generally in the \$M's) also had a series of KPIs against which the outcome of the grant is measured. Despite this, the majority of Councils do not employ KPIs to measure the outcomes of the grants, potentially due to the relative minimal amount of funding provided compared with larger state Government departments or private enterprise. This is consistent with research that was conducted, suggesting that smaller grants should ideally require less work (Australian Institute for Grants Management).

1.5 Good Practices Observed for City of Marion

Throughout this project we compared City of Marion's process for providing funding to the community through grants, donations and sponsorship to other similar councils and other organisations within South Australia and our knowledge of good business practice. The following good practices were observed during the project.

Observations	
Alignment with strategic themes	There is alignment within the grants process to the Community Plan - with applicants asked to submit their applications according to which of the strategic initiatives it best represents.
Structured grants process and clear objectives for applications	The grants process is well structured and uses significant automation through the Smarty Grants process to reduce time taken to process applications and send acquittal reminders.
Focus on avoiding any conflicts of interest in the donations/sponsorship processes as well as the grants process	<p>Requests for donations/sponsorship are currently managed by the Governance department rather than coming through the Elected Member body.</p> <p>Grants applications are reviewed by a panel and then final approval is provided by the Elected Members to ensure the process is fair and equitable.</p>
Acquittal process for the grants application	All those who are successful in receiving grants from the CoM are responsible for returning information regarding how the funds were used. To date this has occurred for 100% of the grants provided.

1.6 Key Findings and Observations

The review identified that although in some aspects the CoM is managing the grants and donations/sponsorship processes relatively well, there are certainly opportunities for improvement.

The following table provides a summary of our recommended actions. For further information refer to the Detailed Findings section following, and **Appendix A** for sources researched to gather comparison and/or best practice information.

Each key finding is prioritised (rated) based on their impact to the process considered (refer to **Appendix B** for the framework for ratings).

Ref #	Description of assurance findings and recommended actions	Rating of assurance findings
2.1.1	Purpose of Grant Funding	Moderate
2.1.2	Establish KPIs as part of Application Process	Moderate
2.1.3	Size of Grant	Low
2.1.4	Link to Council Strategic Priorities	Low
2.1.5	Assessment of Grant Applications	Moderate
2.1.6	Owner of Grant Process	Moderate
2.1.7	Lack of Analysis Conducted on Grant Applications	Low
2.1.8	Formal Feedback Process	Low
2.2.1	Purpose of Donations/Sponsorship	Low
2.2.2	Manual Process	Moderate
2.2.3	Tracking of Donations/Sponsorship Applications	Low
2.2.4	Frequency of Donation/Sponsorship lodgement	Low
2.3.1	Lack of Distinction between Grants and Donations	Moderate
2.3.2	Combine the Grants Process with the Donations/Sponsorship Process	Low

2. DETAILED FINDINGS AND AGREED ACTIONS

2.1 - Grants Process

Finding 2.1.1 - Purpose of Grant Funding

Risk rating:

Moderate

Finding:

The purpose behind the grant process within the City of Marion is broad and does not incorporate any long term objectives for the process. Currently, the stated purpose of community grant funding is to 'benefit the community and support the City of Marion Strategic Plan'.

Risk/impact to Business:

Without a clear definition of what is meant by 'community benefit'; it is difficult to determine whether the grants program is successful in delivering on its intention.

Recommendation Action:

- Have a clearer purpose for the grant process and define this in the guidelines. If Council's intention is that the grants will ultimately build community capacity, this needs to be clearly articulated in the guidelines so that it can be addressed in the application process.
- Once defined, it is recommended that Council set clear goals for the grants program at the start of each year. This which will allow for the creation of measureable indicators to determine whether the goals have been met when the process is reviewed on a regular basis.

Likelihood: Almost certain

Consequence: Minor

Management Comment: Agree with recommendation. Further clarity of purpose required.

Responsibility: Unit Manager Community Development

Target Date: March 2016

Finding 2.1.2 - Establish KPIs as part of Application Process
Risk Rating:
Moderate
Finding:

At present there are no measureable targets to determine whether the grants that are provided to community groups achieved any longer term benefit - in addition to satisfying the immediate need for the grant. The only measureable outcome collected is the number of volunteer hours contributed by the grant applicant, which is equated to a dollar figure based on 'standard' hourly rates.

Risk/impact to Business:

This is related to the initial finding as described above - without having a clearly defined purpose for the grants program it is difficult to set any measureable targets. The risk here is that the community group or club see the grant as a 'quick fix' rather than a way to strengthen their ongoing functioning.

However, it must be mentioned that many organisations - as well as other Local and State Government bodies - do not attribute KPIs or measurable outcomes to grants unless they are significant in size. According to the research conducted, measurable outcomes are generally attributed to the process once the grant allocated is above \$10,000 or in some cases \$20,000.

Recommendation Action:

- Based on the research conducted, it is recommended that Council do not set extensive or complex targets for the grant process - certainly not in the first instance - given that the size of the grants being allocated is relatively minimal. It may be that Council wishes to review the amount that is allocated to community groups - which is discussed in further detail below.
- However, if Council is able to clearly define and document the purpose of the grant process, there could be another component introduced into the application process. This could encourage the groups or clubs to identify how the grant strengthens their capacity and provides them with an ongoing benefit in the longer term.

Likelihood: Almost certain
Consequence: Minor

Management Comment: Agree that amounts need to be reviewed and changes to the application process

Responsibility: Unit Manager Community Development

Target Date: March 2016

Finding 2.1.3 - Size of Grant
Risk Rating:
Low
Finding:

The City of Marion has two 'rounds' of grant applications each year (unless there is a Local Government election - in which case both 'rounds' are condensed into one). The size of the grant awarded to successful applicants can be up to \$2000 - with a total of \$25,000 available in one round. In the second round, there is \$50,000 available - which (in addition to the \$25,000) also includes the provision for five grant applicants to receive grants of up to \$5000.

Risk/impact to Business:

Whilst this does not place the City of Marion at particular risk, it raises the question whether the amount of the grant that is awarded is substantial enough to bring about any sustainable community benefit or capacity building activity. Furthermore, by conducting the process twice per year it requires significant resources invested across a number of business units.

Recommendation Action:

- As mentioned above, Council first must define the intended purpose of the grants process, before it can be reviewed whether the amount provided is sufficient to achieve this outcome. The City of Marion is relatively consistent with many other Councils - which generally provided up to \$5000 for community projects. However, there are the minority which will provide up to \$50,000 grants however this is certainly not standard practice across local Government.
- Consider the improvement in business efficiency by having the grants process conducted only once per year. Streamlining the process to have only one annual application period would be more consistent with the process employed at other Councils.

Likelihood: Possible
Consequence: Minor

Management Comment: Agree with recommendations and size of the grant will be reviewed in line with other recommendations.

Responsibility: Unit Manager Community Development

Target Date: March 2016

Finding 2.1.4 - Link to Council Strategic Priorities
Risk Rating:
Low
Finding:

At present, the grant application process divides available funding into four categories which are aligned to the City of Marion Community Plan; Environment, Community Development, Arts and Culture and Sports and Recreation. Applicants need to identify which of these four categories is most closely linked to their project, as well as explain how the project will benefit the Marion community more generally. Therefore, the current grant process does not require applicants to make specific links to the strategic priorities when requested grant funding.

Risk/impact to Business:

Applicants may not have a clear understanding of the overall purpose or intention of the funding process; how the funding can benefit the community more broadly rather than meet a shorter term need in their own organisation.

Recommendation Action:

- Introduce an element to the application process, asking community members to link their intended project or request specifically to the City of Marion Community Plan. This will encourage applicants to refer more regularly to the strategic priorities of the Council, as well as appreciate how their individual project or request can provide broader community benefit.

Likelihood: Possible
Consequence: Minor
Management Comment: Agree with recommendation
Responsibility: Unit Manager, Community Development
Target Date: March2016

Finding 2.1.5 - Assessment of Grant Applications **Risk Rating: Moderate**

Finding:

Applications are assessed against given criteria when received, providing they have not received grant funding from Council within the last two years. During the assessment process, applications are either approved or not approved for funding dependent of merit and impact in the community, however these applications are not ranked or weighted according to suitability.

Risk/impact to Business:

Applicants receive funding provided they met the given criteria and have not received funding in the last two years. The current process does not provide the opportunity for the applicant to demonstrate community capacity /value and therefore the applications are not able to be ranked or weighted according to the degree to which they deliver community value.

Recommendation Action:

- The assessment process will seek to ensure the best outcomes for the community are achieved. Council can still continue to provide support to the applicants throughout the process but when assessing the applications will implement a ranking or weighting system to determine the best outcomes for the community. This is standard practice in many Councils as well as State Government and private organisations.
- Communicating this to community groups and clubs will help to reinforce the ultimate aim for the distribution of funding - to bring the benefit to the community and support the City of Marion strategic priorities. This will clarify the difference between a grant and a donation.

Likelihood: Almost Certain **Consequence: Minor**

Management Comment: Agree with recommendations.

Responsibility: Unit Manager Community Development

Target Date: March2016

Finding 2.1.6 - Owner of the Grant Process
Risk Rating:
Moderate
Finding:

At present the person responsible for the majority of the grant process works in the Community Development Unit, provides support and assistance to applicants and distributes the applications to panel members who are employed in fields relevant to the grant application for review. For example, applications satisfying the 'sport and recreation' category will be reviewed by a panel which includes a Council employee in this field.

Risk/impact to Business:

This process does not create a significant issue at this stage as the Council is presented with a recommendations report for consideration and adoption. Elected Members are responsible for declaring all conflicts of interest prior to the report being considered.

However, the recommendation above suggests that Marion could implement a ranking or weighting system for all applications. If this recommendation is implemented - it is advised that the person who is responsible for assisting the applicants to complete the process will not also be responsible for ranking or weighting the applications according to the extent to which they deliver community value.

Recommendation Action:

- Appoint an 'owner' of the grant process who distributes the applications to panel members. This person will conduct ongoing data analysis of the applications that are received - as described below.
- This person will also be responsible for providing applicants with assistance in completing and lodging their applications, but will not be part of the assessment panel in determining successful from unsuccessful recipients.

Likelihood: Possible
Consequence: Moderate
Management Comment: Agree with recommendations.
Responsibility: Unit Manager Community Development
Target Date: March 2016

Finding 2.1.7 - Lack of Analysis Conducted on Grant Applications
Risk Rating:

Low

Finding:

At present, Council receive a report after each grant process outlining all applications received and specifying whether they have been approved or declined. The Council has the opportunity to approve or reject these recommendations. However this has not yet happened throughout any grants process.

Risk/impact to Business:

Council is not getting full value from the data that is being collected. All grant applications are recorded however this data is not analysed to determine which categories or groups of organisations are requesting assistance in what particular area. This may mean that there are missed opportunities to provide proactive support, advice and assistance - rather than reactive support to clubs and groups when and if they request it.

Recommendation Action:

- Analyse data collected at the end of each year to determine the trends that are emerging. For example, if there have been a number of community groups wanting new fridges or air-conditioning units - the Council may decide to take proactive action, working with groups to identify how they can more effectively manage their electricity costs.

Likelihood: Possible
Consequence: Minor
Management Comment: Agree with recommendation
Responsibility: Unit Manager Community Development
Target Date: March 2016

Finding 2.1.8 - Formal feedback process

Risk Rating:

Low

Finding:

There is currently no formal process to gather feedback from the community regarding the grants process.

Risk/impact to Business:

Given that no formal feedback is collected from community members, it is difficult to know how the community members perceive the funding application process as well as whether the funding enabled them to achieve their desired outcome.

Recommendation Action:

- Implement a formal feedback procedure into the grant process. Gather regular feedback from the community regarding their ability to complete the application process, as well as whether the grant enabled them to achieve their intended outcome.
- It is proposed that this feedback become part of the acquittal process; a form is sent to all recipients along with the acquittal information as a means of gathering structured, formal and regular feedback.

Likelihood: Likely

Consequence: Insignificant

Management Comment: Agree with recommendations.

Responsibility: Unit Manager, Community Development

Target Date: March 2016

2.2 - Donations/Sponsorship

Finding 2.2.1 - Purpose of Donations/Sponsorship

Risk Rating:

Low

Finding:

At present, the purpose of the donations/sponsorship process is broad. City of Marion define the donation process as 'the provision of funds or other assistance provided with no or limited conditions'. Sponsorship is currently defined as 'the provision of funds, goods or services or in kind support in exchange for advertising, publicity or other benefits to the City of Marion'.

Risk/impact to Business:

There is a lack of clarity around what the donations and sponsorship processes are intended to achieve more broadly and therefore it is unclear whether the amount that is provided is sufficient (too large or too small) to achieve this aim.

Recommendation Action:

- Have a clearer definition and purpose for the donations and sponsorships - articulating what they are intended for (e.g. events, prizes, travel for sporting groups, senior citizens, tourism, etc) and update the policy accordingly.

Likelihood: Possible

Consequence: Minor

Management Comment: Agree with Recommendation

Responsibility: Manager Governance

Target Date: March 2016

Finding 2.2.2 - Manual Process
Risk Rating:
Moderate
Finding:

The donations/sponsorship process is manual and labour intensive. At present, given that the application process does not specifically ask for all information required, representatives from the Governance team contact the donation/sponsorship applicants on a number of occasions in order to gather all necessary information.

Risk/impact to Business:

The time taken to complete the process often outweighs the value of the donation/sponsorship. For example, if each donation/sponsorship request requires approximately 3-4 hours of time for a Governance representative, on some occasions it is likely that the cost of this time outweighs the funding being provided.

Recommendation Action:

- Increase the level of automation for the donations/sponsorship process by incorporating it into the Smarty Grants¹ program.
- Ideally, the program will request all of the necessary information from the applicant in the first instance, thereby making the process more efficient and reducing the time taken in ongoing communication between Council representatives and donation/sponsorship recipients.

Likelihood: Almost certain
Consequence: Minor

Management Comment: Review the application process to ensure that all required information is provided upfront and investigate if the donations/sponsorship could be incorporated into the Smarty Grants Program.

Responsibility: Manager Governance
Target Date: March 2016

¹ The Smarty Grants program is the automated system currently used by the City of Marion to collect, review and respond to grant applications.

Finding 2.2.3 - Tracking of Donations/Sponsorship Applications

Risk Rating:

Low

Finding:

Given that the donations/sponsorship process has only recently become the responsibility for the Governance team within the City of Marion, the reporting and data analysis is not yet as streamlined or established as the grants process.

Risk/impact to Business:

At present, Council is not provided with a list of the donations that have been provided.

Recommendation Action:

- Even if this information is not tracked in the longer term, it may be useful/necessary for Council representatives to provide high level reporting to Elected Members regarding the number of donations received and for what broad purposes, as well as the total amount of funding or in-kind support provided.

Likelihood: Almost certain

Consequence: Insignificant

Management Comment: Agree with recommendations.

Responsibility: Manager, Governance

Target Date: March 2016

Finding 2.2.4 - Frequency of Donation/Sponsorship lodgement Risk Rating: Low
Finding:

In the current policy, there are no defined expectations regarding how often a request for donations/sponsorship can be lodged, nor are there clear guidelines around how many requests can be received from the one organisation. This is often managed by Governance staff once the requests are received; however there is a lack of clear guidelines and frameworks around the application process.

Risk/impact to Business:

Community members may continue to apply for donations/sponsorship rather than rely on their own ability to fundraise the necessary amount. This can compromise the group/club/individual's ability to become more self sufficient in the longer term.

Recommendation Action:

- Place greater structure around the donation/sponsorship process - explaining to applicants that if they have applied for a similar donation/sponsorship in the past - even if they meet the criteria they are not guaranteed to receive the funding.
- Furthermore, incorporate into the policy guidelines the number of individuals from one organisation/club/sporting group who can apply for donations within the one year as well as how often groups can apply.

Likelihood: Possible**Consequence: Minor****Management Comment: Agree with recommendation****Responsibility: Manager Governance****Target Date: March 2016**

2.3 - Grants and Donations/Sponsorship

Finding 2.3.1 - Lack of distinction between grants and donations

Risk Rating:

Moderate

Finding:

There is not a clear distinction between the purpose of (and difference between) grants, donations and sponsorship. In particular - the amounts provided for grants and donations at times are not the dissimilar. For example, donations can be approved for \$500 (although this is rare - often applicants will receive less than the full amount) and grants can be provided for as little as \$900.

Risk/impact to Business:

This can create confusion and overlap between the grants and donations processes, which can therefore create difficulty for Marion in clarifying the purpose of each distinct program.

Recommendation Action:

- As mentioned above, it is recommended that Marion review and clearly define the purpose of the grants program in order to ensure that the amount provided to community groups is sufficient to meet that purpose.
- Furthermore, it is recommended that the purpose of the donations process also be reviewed in order to determine whether this amount is also satisfactory to achieve the desired purpose. Compared with some other local Councils, the donations provided by Marion are larger amounts - with others providing up to \$300 but in many cases only approximately \$100 per applicant. Once again, the amount of this donation will depend on Marion's ultimate aim for the donation process - which at this stage is relatively unclear.
- It is recommended that an overarching policy be developed with separate procedures for each program - grants, donations and sponsorship.

Likelihood: Likely

Consequence: Minor

Management Comment: Agree with recommendation

Responsibility: Manager Governance

Target Date: March 2016

Finding 2.3.2 - Combine the Grants process with the Donations/Sponsorship process

Risk Rating:

Low

Finding:

The processes for grants and donations/sponsorship are conducted independent of one another by different areas of the Council. Currently, the grants process falls within the responsibility of Community Participation Department, whereas the donations/sponsorship falls under the jurisdiction of Governance Department. In the case of the donations/sponsorship, this had previously been overseen by Elected Members. When the decision was made to remove these discussions from the 'public arena', the process was then allocated to the Governance area.

Risk/impact to Business:

This has meant that it is difficult to determine any overlap or consistent trends in relation to application of funds by community members, groups or clubs.

Recommendation Action:

- Bring the donation/sponsorship process into the community development area so both applications processes are 'owned' by the same person.
- Incorporate a Governance representative on the Panel to review applicants for donations and sponsorship requests.
- As is the process currently - grant applicants will still be sent to the Elected Members for approval whereas the applications for donations/sponsorship will go straight through to finance, thereby maintaining confidentiality within the process.

Likelihood: Possible**Consequence: Minor**
Management Comment: Agree with recommendation and this will be investigated
Responsibility: Manager Governance and Manager Community Participation
Target Date: March 2016

APPENDIX A - BEST PRACTICE RESEARCH

The Councils, organisations and frameworks that BDO reviewed as part of this process are provided in the table below:

Councils	State Government/Private Organisations	Best Practice Frameworks/Documentation
Brisbane City Council	Office of Recreation and Sport	Good Practice Guide to Grants Administration (NSW Premier and Cabinet)
Port Adelaide Enfield Council	SA Power Networks	Good Practice Guide to Grants Administration (Australian Institute of Grants Management)
City of Mitcham	Santos	Administration of Government Grants in the ACT (Social Policy and Implementation Branch)
Sunshine Coast Council	Beach Energy	Best Practice Guide for the Administration of Grants (Tasmania - Department for Treasury and Finance)
City of Onkaparinga	Telstra	Commonwealth Grant Guidelines (Department of Finance and Deregulation)
Hobart City Council		Best Practice in Local Government Community Grants Programs (Victorian Local Government Association)
Christchurch City Council		
City of Salisbury		
Adelaide City Council		

APPENDIX B - CLASSIFICATION

The following framework was developed to prioritise findings according to their relative significance depending on their impact to the process.

Rating	Definition	Example of business impact	Action required
Critical	Issue represents a control weakness, which could cause or is causing severe disruption of the process or severe adverse effect on the ability to achieve process objectives	<ul style="list-style-type: none"> • Detrimental impact on operations or functions. • Sustained, serious loss in brand value and/or market share. • Going concern of the business becomes an issue. • Decrease in the public's confidence in the company. • Serious decline in service/product delivery, value and/or quality recognised by customers. • Contractual non-compliance or breach of legislation or regulation with litigation or prosecution and/or penalty. • Life threatening. 	<ul style="list-style-type: none"> • Requires immediate notification to the Audit Committee. • Requires Managing Director/Executive Management attention. • Requires interim action within 7-10 days, followed by a detailed plan of action to be put in place within 30 days with an expected resolution date and a substantial improvement within 90 days. • Separately reported to chair of the Audit Committee and executive summary of report
High	Issue represents a control weakness, which could have or is having significant adverse effect on the ability to achieve process objectives.	<ul style="list-style-type: none"> • Major impact on operations or functions. • Serious diminution in brand value and/or market share. • Probable decrease in the public's confidence in the company. • Major decline in service/product delivery, value and/or quality recognised by customers. • Contractual non-compliance or breach of legislation or regulation with probable litigation or prosecution and/or penalty. • Extensive injuries. 	<ul style="list-style-type: none"> • Requires prompt management action. • Requires executive management attention. • Requires a detailed plan of action to be put in place within 60 days with an expected resolution date and a substantial improvement within 3-6 months. • Reported in executive summary of report

<p>Moderate</p>	<p>Issue represents a control weakness, which could have or is having significant adverse effect on the ability to achieve process objectives</p>	<ul style="list-style-type: none"> ● Moderate impact on operations or functions. ● Brand value and/or market share will be affected in the short-term. ● Possible decrease in the public's confidence in the company. ● Moderate decline in service/product delivery, value and/or quality recognised by customers. ● Contractual non-compliance or breach of legislation or regulation with threat of litigation or prosecution and/or penalty. ● Medical treatment required. 	<ul style="list-style-type: none"> ● Requires short-term management action. ● Requires general management attention. ● Requires a detailed plan of action to be put in place within 90 days with substantial improvement within 6-9 months. ● Reported in executive summary of report.
<p>Low</p>	<p>Issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.</p>	<ul style="list-style-type: none"> ● Minor impact on internal business only. ● Minor potential impact on brand value and market share. ● Should not decrease the public's confidence in the company. ● Minimal decline in service/product delivery, value and/or quality recognised by customers. ● Contractual non-compliance or breach of legislation or regulation with unlikely litigation or prosecution and/or penalty. ● First aid treatment. 	<ul style="list-style-type: none"> ● Requires management action within a reasonable time period. ● Requires process manager attention. ● Timeframe for action is subject to competing priorities and cost/benefit analysis, e.g. 9-12 months. ● Reported in detailed findings of report

City of Marion’s qualitative risk analysis matrix (refer below) outlines the metrics used when performing these overall Assurance finding risk ratings.

Likelihood

Almost Certain	Low	Moderate	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Low	Moderate	Moderate	High
Unlikely	Low	Low	Low	Moderate	High
Rare	Low	Low	Low	Low	Moderate
	Insignificant	Minor	Moderate	Major	Severe

Consequence

Policy

POLICY STATEMENT

This policy outlines the City of Marion's approach to providing grants to community organisations and individuals.

CONTEXT

This policy demonstrates and outlines Council's role in supporting the community. Community grants extend the community's capability to conduct activities, create opportunities for community capacity building, develop and maintain sustainable community infrastructure and build strong partnerships for community benefit.

This policy identifies:

- the definition of a grant
- how to distinguish between a grant, donation, sponsorship and subsidy
- types and objectives of grants to community organisations
- general eligibility criteria for community groups and individuals wishing to apply for grants

SCOPE

This policy is intended for use by the Community Development Business Unit who are responsible for administering the Community Grants Program in addition to the Donations and Sponsorship; Youth Achievement Grant Program.

It is noted that this Policy forms part of a suite of policies that collectively provides assistance to the City of Marion community. Other policies/programs within this suite include:

- Donation & Sponsorship Policy
- Youth Achievement Grant Program
- Communities Facilities Partnership Program

All requests for assistance other than within the above scope will be referred to Council for consideration on the basis of the merits of the individual request.

DEFINITIONS

Acquittal

The online acquittal form is the report at the end of the project which demonstrates that the funding has been used for the purpose for which it was provided this includes providing a certified report of financial transactions and whether the project achieved its intended objectives.

Community Benefit

How your project will provide access and inclusion opportunities to people accessing or participating in your organisation and the wider community.

Donation

Voluntary contribution given, typically, to a non-related charitable, public purpose or not-for-profit organization, without any material benefit or advantage being received by Council in return and provided without expectation of return and provided without any conditions or contractual obligations.

Equipment (non-consumables)

Equipment is purchased to be used during the project but can continue to be used after the completion of the project.

Policy

Grant

Payment provided to a recipient for a specific purpose or project, generally as part of an approved Council program, with the understanding that there will be a defined outcome that directly or indirectly benefits the public, but with no expectation of commercial return to Council. Funds provided to a recipient through a formal program for a specified purpose, directed at achieving goals and objectives consistent with Council policy and strategic direction, where the recipient is selected on merit against a set of criteria.

In-kind Support

Things that the City of Marion might provide at reduced rates or free of charge e.g. venue hire; publicity in Council's magazine (City Limits); staff support; use of Council's logo.

Materials (consumables)

Materials are purchased to be used during the project but are used up by the completion of the project.

Not-for-profit Organisations

An organisation whose constitution states that any profits or surpluses must be used to further the objectives of the organisation rather than benefit an individual.

Organisational Governance

The way a committee or board work to inform, direct, manage and monitor the activities of the organisation toward the achievement of its objectives. This includes the committee's structure and processes.

Sponsorship

A contractual business arrangement under which a sponsor, for a specified term, provides a contribution in cash and/or in kind ("contra") in return for specified negotiated commercial benefits. Benefits purchased may include the right to public recognition or association with a service, program event, activities, individual, infrastructure or association.

ELIGIBILITY

Individuals and not for profit organisations are eligible to apply for Council grants.

An applicant applying for a grant must operate within the City of Marion or able to demonstrate that the project will benefit residents of the Marion local government area.

The Applicant must:

- have appropriate insurance and workplace health and safety policies in accordance with the funding agreement
- demonstrate that the grant will be used for a purpose in the public interest
- have met all acquittal conditions of previous Council grants and have no debt to Council
- be financial viable

If a community organization is not incorporated the organization can apply for a grant provided that the application is auspices and administrated by an incorporated community organistaion. An incorporated organisation may auspice on or more individuals or community groups which are not incorporated. The auspicing organization can also lodge applications on its own behalf.

Eligibility criteria for each type of grant must be published for that grant when applications are requested for the community.

Policy

PRACTICES

When Council's annual budget allocates funds for community grants, the community will be informed of the relevant guidelines pertaining to the grant program and include information on:

- program priorities
- criteria and eligibility
- acquittal requirements and
- administration process

The Smartygrants online grants system is used to manage the full lifecycle of each grants program and key associated documents, including application, assessment, administration and acquittal forms. Grant guidelines are stored on Council's website. Grant applicants also access the application form via the website.

REPORTING

Successful applicants, once the grant funds have been expended; an acquittal form must be completed and returned to Council.

A report detailing all community grants funding and provided under this Policy will be prepared by the City of Marion and considered by Council.

OBJECTIVES OF THE GRANTS

Community Grants will be considered for community based projects and activities that contribute to the development of local communities and align with Council's Vision of Community Wellbeing.

Projects and activities that focus on the development of local communities and individual skills and are deemed to provide benefit to the community will be considered for community grants. Projects should be considered for community grants. Projects should relate to one of the following categories:

- arts and culture
- community development
- sport and recreation
- environment

Grants may also be used to fund minor equipment upgrade or replacement to assist with continuation of core business, provided this does not relate to a recurrent operational cost. Recurrent costs are items purchased on a frequent basis (e.g. purchase of cricket balls by a cricket club).

DEFINITIONS OF COMMUNITY DEVELOPMENT CATEGORIES

Arts and Culture

Projects that provide opportunities for community members to participate in activities that celebrate the arts and cultural diversity.

Community Development

Projects that encourage community members to increase their participation in community life.

Sports and Recreation

Projects that provide opportunities for community members to engage in recreational and leisure activities with the aim of improving health, fitness and wellbeing.

Policy

Environment

Projects that provide community members opportunities to protect and enhance the natural environment reduce environmental impacts and minimize waste and contamination.

REVIEW AND EVALUATION

The Community Grants Policy will be reviewed in twelve months from the date of adoption and will be administered by the Community Development Business Unit.

REFERENCES

STRATEGIC PLAN:

Community Wellbeing is the centre of our core purpose and influences Council's decision making in relation to planning, policy making and allocation of resources.

Engaged:

Be a community where people are engaged, empowered to make decisions, and work together to build strong neighbourhoods.

Innovative:

Be a leader in embracing and developing new ideas and technology to create a vibrant community with opportunities for all.

Connected:

Bring people together socially, to enable them to access services and facilities.

PROCEDURE REFERENCE

Community Grants Program Guidelines – Be Inspired

COUNCIL AGENDA REFERENCE

Adopted by Council: 9 February 2016

OTHER RELATED REFERENCES

Youth Achievement Grant Program

Communities Facilities Partnership Program

Community Plan – Towards 2040

Donations and Sponsorship Application Form

Community Grants Program Guidelines

AUTHOR

Liz Byrne, Manager, Community and Cultural Services

Policy



POLICY STATEMENT

Council values the many community initiatives and endeavours that enhance the quality of life for residents of the City of Marion. In this context, Council acknowledges the contribution made by individuals, groups, not-for-profits and organisations in promoting these initiatives. The purpose of Council's Sponsorships and Donations Policy is to assist eligible individuals, groups, not-for-profits and organisations with activities that benefit the residents of the City of Marion. In doing so, this Policy aims to:

- Secure an open and transparent decision-making process for requests for donations and sponsorships from Council; and
- Provide an accessible and equitable process for individuals, groups, not-for-profits and organisations seeking donations and sponsorships from Council.

Scope

Under this Policy, Council will consider the provision of small amounts of assistance to individuals, groups, not-for-profits and organisations of up to [\\$500-100](#) in value (cash or in-kind support). Such assistance will be given within the eligibility and criteria defined below.

It is noted that this Policy forms part of a suite of policies that collectively provide assistance to the City of Marion community. Other policies / programs within this suite include:

- Community Grant Program
- Youth Achievement Grant Program
- Communities Facilities Partnership Program

All requests for assistance other than within the above scope will be referred to Council for consideration on the basis of the merits of the individual request. Donations to humanitarian appeals will also be referred to Council.

DEFINITIONS

Donation

~~The provision of funds or other assistance (e.g. purchase of a book / award) provided with limited or no conditions. Voluntary contribution without expectation of return.~~

Grant

Funds or other assistance provided, conditional upon application to the program (e.g. Community Grants Program) and conditional upon agreed terms and conditions. Funds provided to a recipient through a formal program for a specified purpose, directed at achieving goals and objectives consistent with Council policy and strategic direction, where the recipient is selected on merit against a set of criteria. Grants are provided without expectation of commercial return.

In-kind support

Things that the City of Marion might provide at reduced rates or free of charge e.g. venue hire; publicity in Council's magazine (City Limits); staff support; use of Council's logo.

Sponsorship

~~Provision of funds, goods or services or in-kind support in exchange for advertising, publicity or other benefits to the~~

City of Marion. A contractual business arrangement under which a sponsor, for a specified term, provides a contribution in cash and/or in kind ("contra") in return for specified negotiated commercial benefits. Benefits purchased may include the right to public recognition or association with a service, program event, activities, individual, infrastructure or association.

ELIGIBILITY

To be eligible for assistance under the Donations and Sponsorships Policy, the applicant must be an individual, group, not-for-profit or organisation either located within the City of Marion or providing a direct service that demonstrably contributes to the wellbeing and development of the City of Marion community.

CRITERIA

Proposed donations and sponsorships must satisfy one or more of the criteria shown below:

- Individuals aged 25 years and older and representing South Australia or Australia in a specific cultural, educational, sporting or recreational activity/event that has been organized by a peak body.
- Clearly demonstrate direct benefits to the resident(s) of the City of Marion.
- Meet a social, environment or economic development need.
- Serve to promote the wellbeing and development of the community.
- Awards, presentations, acknowledgement of achievement / excellence in educational and professional endeavours.
- Support for activities which award endeavour in community services.

APPLICATION AND ASSESSMENT PROCESS

Applications for assistance under this Policy:

- May be made at any time during the year.
- Must be in writing using the Donations and Sponsorship Application Form.

All applications for funding under this Policy will be determined by the Manager [Governance-Community Development Business Unit](#) in alignment with the above eligibility and criteria. Applications will not be accepted for activities already held.

Where a request is received outside of this Policy, it may be referred to one of the following as relevant:

- Community Grant Program
- Youth Achievement Grant Program (for individuals under 25 years of age)
- Communities Facilities Partnership Program
- Council

[If the applicant has received a similar donation/sponsorship in the past, even if the criteria is met, the applicant is not guaranteed to receive funding.](#)

[Preference is given to individuals, groups, not-for-profits and organisations who have not received assistance within the previous two years.](#)

[Donations/sponsorship will be provided to a maximum number of five individuals from any one organisation/club/sporting group.](#)

[Sporting groups/organisations/clubs can only apply for donations/sponsorship once per year i.e. one application per financial year.](#)

REPORTING

Successful applicants are required to provide to Council, within three months of the completion of the activity, a brief statement detailing how the funds were expended.

A report detailing all donations and sponsorships requested and provided under this Policy will be prepared by the City of Marion and considered by Council on an annual basis.

REVIEW AND EVALUATION

The effectiveness of this Policy will be reviewed within the first 12 months of its operation. Outcomes of the review will be reported to Council making recommendations for any amendments as necessary. The Donations and Sponsorships Policy will be reviewed in three years from the date of adoption, and will be administered by the Community Development Business Unit.

REFERENCES

STRATEGIC PLAN:

Community Wellbeing is the centre of our core purpose and influences Council's decision making in relation to planning, policy making and allocation of resources.

Engaged:

Be a community where people are engaged, empowered to make decisions, and work together to build strong neighbourhoods.

Innovative:

Be a leader in embracing and developing new ideas and technology to create a vibrant community with opportunities for all.

Connected:

Bring people together socially, to enable them to access services and facilities.

PROCEDURE REFERENCE:

Nil

COUNCIL AGENDA REFERENCE:

Adopted by Council: ~~28 June~~

[20119 February 2016](#)

OTHER RELATED REFERENCES:

Community Grant Program

Youth Achievement Grant Program

Communities Facilities Partnership Program

Community Plan – Towards 2040

Donations and Sponsorship Application Form

AUTHOR

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~~[Liz Byrne, Acting Manager, Community and Cultural Services](#)~~

~~[Kate McKenzie, Manager, Governance](#)~~

DRAFT

**CITY OF MARION
GENERAL COUNCIL MEETING
9 FEBRUARY 2016**

Originating Officer: Sherie Walczak, Acting Manager Corporate Governance
General Manager: Vincent Mifsud, General Manager Corporate Services
Subject: Section 270 Review – Reserve Street Reserve Dog Park
Report Reference: GC090216R07

REPORT OBJECTIVES AND EXECUTIVE SUMMARY:

To advise Council of the outcome of the Section 270 Review completed regarding the location of the Reserve Street Reserve, Dog Park at Trott Park.

At its meeting of 27 October 2015 (GC271015R12), Council resolved to:

1. Endorse (Option 3) Reserve Street Reserve Dog Park Concept Plan (A \$226,419 development of a larger dog park to be delivered in full at one time with the additional funding of \$126,419 required to be sourced from identified savings, resulting from the 2014/15 financial year).
2. Declare the area within the Concept Plan (Option 3) as a designated dog exercise area – dog park (fenced) under By Law No. 4 – Dogs
3. Allocate funding as a recurrent operating budget in the LTFP to cover the annual operating costs for the ongoing maintenance of the Dog Park as per Attachment 4.
4. Endorse the development of (Option 3) Reserve Street Reserve Dog Park for Detailed Design and Construction.

Following this decision of Council, a complaint was received requesting a review of the decision under S270 of the Local Government Act. At its meeting of 10 November 2015, Council resolved to appoint an independent person to complete the Section 270 Review. Following this, Mr Ray Pincombe was engaged and has now completed the review (Appendix 1).

In summary, the report finds that Council did not operate unlawfully in the process and that reasonable efforts were undertaken by Council to appropriately incorporate community response. A copy of the draft Section 270 Review report was provided to the complainant for procedural fairness and their feedback received outlining their disappointment in the decision.

The recommendations of the Section 270 Review are:

1. On the basis of the information gathered in this review, the decision to support the development of a dog park at Reserve Street Reserve Trott Park was reasonable and should stand. This is supported by the following:
 - The process followed was thorough and covered all necessary elements.
 - Sufficient consideration was given to alternative options prior to making the decision.
 - The views of stakeholders were canvassed and considered prior to the decision

- Improvements to the site to maximise its potential and to reduce the potential impact of the dog park for all users of the park and for nearby residents were included in the options for decision.
2. That the Council review the consultation process to ensure that a more appropriate approach is developed in issues such as this to ensure that stakeholders have the opportunity to be involved earlier in the process and in a way which satisfies the need for two-way feedback. It is also important that it is clear to all who is responsible for the management of the process.
 3. That Council advise the complainants of the outcome of the review.

RECOMMENDATIONS (3)

DUE DATES

That Council:

- | | |
|---|----------------------|
| 1. Notes the report which supports Councils resolution to develop a dog park at Reserve Street Reserve Trott Park. | February 2016 |
| 2. Confirms the recommendations within the report. | February 2016 |
| 3. That the complainant be advised of the outcome of the review. | February 2016 |

Appendix 1

Section 270 Review

Reserve Street

Reserve Dog Park

Trott Park

Background

In June 2011 the Council resolved “that two additional dog parks be created in the City of Marion within the next 5 years”. Later that same year the Council received a petition requesting that a dog park be created at Reserve Street Reserve which is a Council owned recreational reserve located in Trott Park. The Council resolved to give consideration to establishing a dog park at this location as one of the dog parks to be created in accordance with the June 2011 resolution.

The Council’s Animal Management Plan 2012-2017 has a provision for investigation of purpose built dog parks.

At the General Council meeting held on 9 December 2014 a report was provided to Council advising of the availability of a number of Open Space Grants. One of these grants was a contribution of \$100 000 toward progressing the development of a dog park in Trott Park. The recommendation was to use part of the grant for a feasibility study and the balance as part of the design and construction cost. The Council resolved to enter into an agreement with the Department of Planning, Transport and Infrastructure (DPTI) to utilise the \$100 000 funding to establish a dog park at the reserve.

While an external feasibility was not supported by the Council an internal feasibility was conducted by staff by desktop review and visual inspection of reserves in the Trott Park area. Consideration was also given to other available land (either Council or State Government owned land) though their conversion to a suitable site would have been extremely expensive. The outcome of the feasibility was that Reserve Street Reserve was considered the most appropriate site.

A concept plan was developed and discussed with relevant ward Councillors at their ward briefings in March and April 2015. It was then presented for discussion at the next ward briefing in May. In addition, community consultation was conducted over a 3-week period 6 May to 27 May 2015. Consultation was undertaken by Council staff and a ward Councillor.

Feedback was received from 21 residents out of a distribution of 463 information leaflets in the neighbourhood. The majority of respondents were in favour of the establishment of a dog park though with a number of suggestions for improvement. It is noted that some nearby residents were strongly against it.

Following the consultation, an on-site discussion between the council staff and a Ward Councillor and a dog park expert Fiona de Rosa was held in early July 2015. At this discussion options which were aimed at lessening the impact on nearby residents were canvassed. The advice received was that while the best location was in the vicinity of the proposed site other options (within the site) to improve the long term benefits of a dog park should be considered.

Following this discussion, a text message was sent by a local Ward Councillor advising 5 nearby residents who previously met with the Councillor that a new concept plan was being developed. No further discussions were held between these residents and the Councillor or Council staff on this matter until just prior to the Council meeting on 27 October 2015.

Over the next three months the options were refined and further discussed at the ward briefings. Once the agreed options were costed and finalised a report was developed for the 27 October 2015 General Council meeting. At this meeting and prior to the decision on the dog park a deputation from the complainants opposing the Dog Park was received by Council.

The Council considered the three options and resolved to develop a dog park at the reserve. This dog park was to be more extensive with many upgrades from the original concept.

On 4 November 2015 a Code of Conduct complaint and a request for a review of the decision under S270 of the Local Government Act was received.

The Code of Conduct complaint was heard by the Council at the General Council meeting held on 10 November 2015. At the same meeting the Council also resolved that the S270 decision review would be undertaken by an independent person

Scope of Review

The purpose of Section 270 is to develop procedures directed toward a review of any request or complaint in a timely, effective and fair way. The key principles of such a procedure should ensure fair treatment, accessibility, responsiveness, efficiency and integration of different areas of Council where there is overlap in responsibilities.

The scope in this review includes:

- Checking the process that lead to the decision to support the development of a dog park at Reserve Street Reserve Trott Park.
- Examining the methods and process used to gain the views of relevant stakeholders
- Identifying if any alternatives may have been overlooked in the process

This review is of the process leading to the decision by the City of Marion on 27 October 2015 to support the development of a Dog Park at Reserve Street Reserve Trott Park.

Methodology and Process

The Council received a request for a review of a decision made at the General Council meeting on Tuesday 27 October 2015 to develop a Dog Park at Reserve Street Reserve Trott Park. The request was considered at the General Council meeting held on Tuesday 10 November 2015 and a decision made to appoint an independent person to investigate the matter. An independent person was engaged in late November 2015.

The person engaged has not had any involvement with any of the processes or decisions in relation to the development of a Dog Park at Reserve Street Reserve.

Evidence to which the Investigation has had regard.

In conducting the review, a wide range of documentation, including copies of relevant Council reports and copies of minutes outlining Council decisions, ancillary documents including consultation reports, correspondence from the Complainant, relevant legislation and Council Complaints and Grievance Policy and advice from external bodies with a bearing in this matter.

A copy of the documentation considered is attached.

In addition to the documentation set out above a number of interviews were conducted with staff to supplement the written reports and to assess the level of integration across the Council in managing the process to ensure the best possible decision. An interview was also conducted with one of the Complainants to ensure their expectations of this process were clear and their reasoning in making the complaint was fully understood.

The aim of reviewing this evidence was to attempt to gain a better understanding of all elements of a fairly complex matter and to then reach a decision on whether the process was fair and reasonable for all parties concerned.

Facts and Timeline

That the Council has the authority to make the decision to develop a Dog Park at Reserve Street Reserve is not in question rather whether the process of making the decision would necessitate their review of this decision. The following information is provided to identify the key steps in the process:

- A petition had been lodged in 2011 with Council requesting the development of a Dog Park at the Reserve Street Reserve in Trott Park. The Council on receipt of the petition resolved that this request be considered as part of the

investigation into creating two dog parks in the next five years as part of the Council's Animal Management Plan.

- A report was provided to the General Council meeting held on 9 December 2014 advising council of the availability of a number of State Government grant opportunities, including a grant of \$100 000 to develop a Dog Park in Trott Park. The Council resolved to “Enter into a funding agreement with the Department of Planning, Transport and Infrastructure to utilise the \$100,000 offered to establish a dog park in Trott Park.”
- Following this decision, the Council staff undertook an internal feasibility study using a desktop analysis and visual inspection of the available sites in the area and identified that Reserve Street Reserve was the best option in Trott Park.
- A concept plan was developed for a fenced dog park to utilise the funds on offer. At this stage Council was not contributing any of its own funds apart from staff time.
- The concept plan was discussed at two Coastal & Southern Hills Ward briefings as the Southern Hills Ward included Trott Park and this enabled the Councillors to have input into issues relevant to their ward. The briefings also discussed the process for consultation with the local community.
- An information sheet including the draft concept plan for the dog park was distributed to 463 households in May 2015. The information was also available on the Council website. along with an online survey. The Information Sheet was also promoted through social media. As well as the involvement of Council staff an elected member for the Southern Hills Ward also promoted the information sheet and concept plan in the local community and some hard copy surveys were received as a result of this consultation.
- A limited number of responses (25) were received with the majority being supportive of the development of a dog park at that location. They also made a number of suggestions in regard to other inclusions in the park. There were negative responses from adjacent local residents who raised a range of concerns regarding the impact of the park on them.
- In May 2015, the residents adjacent to the proposal met with a Ward Councillor to discuss their concerns over the establishment of the dog park
- In response to the community feedback and further discussion with the Ward Council Members further work was undertaken on options for the park at the Reserve. An on-site meeting was held with a dog park expert Fiona De Rosa, Ward Councillors and Council staff to discuss these options. This site review along with the community feedback led to a review of the concept plan and development of further options. The following were considered:
 - Enlarging the dog park area
 - Connecting to both carparks to reduce congestion
 - Retaining the linear area at the north of the reserve as a space for informal dog off leash exercise

- Incorporating additional landscaping and plantings to create varying spaces for dogs, aimed at reducing high paced activities
- Moving the boundary of the fenced dog park further away from local residents on the eastern side of the reserve to create a greater buffer between the park and their properties.
- The residents whose properties were close to the proposed dog park and who opposed the development of the park and who had met with a Ward Councillor were provided with a text message from that Councillor in July advising them of a new design “which is not near any houses and is more functional than the previous plan.” It also advised that it would go to Council in September and more details would be provided. The email addresses of the people concerned were requested. No further discussions were held between the parties subsequent to this message.
- Following this review, the options were further developed in consultation with the Ward Councillors for presentation to Council.
- Three options were developed, including the original concept design and two others which covered a larger area of the reserve and would require the Council to make a funding contribution.
- The report was finalised and included in the agenda for the General Council meeting to be held Tuesday 27 October 2015. Once the agenda was made publicly available advice was provided to interested residents including the complainants, who were nearby residents concerned in regard to the proposed dog park.
- Once aware that the matter was to be heard on 27 October the complainants requested a deputation to that meeting.
- The report on the Reserve Street Reserve Dog Park was presented to the General Council meeting held on Tuesday 27 October 2015. This report provided details of three options and outlined the configuration and the financial implications of each option. It also outlined the process followed to get to this position. This included details of the consultation process and the feedback received and the changes considered and included in each of the options.
- At the meeting the Council first received the deputation from one of the complainants and then considered the report and its recommendations. The Council resolved to support option 3 to develop a larger dog park at a total cost of \$226 419. This meant that in addition to the grant the Council would contribute \$126 419, which would be funded from budget savings in 2015/16.
- On 4 November 2015 the complainants wrote to the Council to lodge a code of conduct and a request for a review of the decision. The decision made on 27 October was put on hold pending the resolution of both the above matters.
- A report on the Code of Conduct complaint was provided was on the agenda for the General Council meeting held on Tuesday 10 November 2015. The matter was decided by Council at that meeting.

- A report on the request for a review under S270 of the Local Government Act was also on the agenda for the 10 November meeting. The Council resolved that the matter be investigated by an independent person.
- An independent person was later appointed to review the decision of Council made at the Council meeting of 27 October 2015.

Process Applied in the Decision Making

From the information obtained via the documentation provided and the interviews undertaken, the following process was applied in regard to the decision to develop a dog park at Reserve Street Reserve.

- Advice of the offer of a grant to establish a dog park in Trott Park was provided to Council in a report to the General Council meeting held on 9 December 2015.
- Council at that meeting, resolved to enter an agreement with the Grantor to establish a dog park in Trott Park.
- As the option for an external feasibility was not included in the Council decision, an internal feasibility of reserve locations in Trott Park was undertaken and Reserve Street Reserve identified as the best option for development of a dog park within Trott Park.
- A concept plan for a fenced dog park within the available funds was developed. The plan was discussed with the Councillors for Southern Hills Ward at their monthly ward briefings in March and April and refined prior to going to community consultation.
- An information sheet was developed outlining the establishment of a dog park on Reserve Street Reserve. This information sheet which included a copy of the concept plan was provided to 463 households in the neighbourhood of the park in May 2015. It was also promoted on the council website and social media. Responses were invited and an online survey was offered as one method of providing feedback. The consultation took place over a 3-week period 6 May – 27 May 2015.
- As a Councillor of Southern Hills Ward was involved in the information process a group of residents living nearby the reserve who were concerned at the proposal met with the Council member to raise their concerns.
- The feedback was compiled and a consultation report developed outlining the feedback both positive and negative. The information provided in the feedback was used to review the concept plan.
- A meeting to review the proposal and consider other options was held at the reserve in early July and was attended by the Ward Councillors, Council staff and a dog park expert Fiona De Rosa.
- As an outcome of this meeting the concept plan was reviewed and further options developed by Council staff. These options were discussed with Ward

Councillors at the monthly ward briefings and were refined to present to Council.

- Once the options had been finalised and costed a report detailing the process from its commencement in December 2014 was included in the agenda for the General Council meeting to be held on Tuesday 27 October 2015.
- Advice was provided to interested residents on 22 October 2015 that the proposal would be considered by Council at the 27 October meeting.
- One resident requested and was granted the opportunity to make a deputation to Council at the meeting.
- At the meeting the Council received the deputation and subsequently considered the report on the proposed dog park.
- The council at the meeting agreed to develop the dog park at reserve Street Reserve.

Consultation Process

An important part of the process leading to the decision in October was the community consultation undertaken. It was vital that the community were enabled to provide feedback on an issue that affected them. The consultation took the form of an information sheet provided to 463 households advising them of the proposal and providing a copy of the concept plan.

Interested people were provided with contact details to direct any questions and comments and referred to the Council website for further details. In addition to the information sheet an online survey was provided on the website for interested people to complete. In all 25 responses were received including one (1) phone call, nine (9) emails, eleven (11) on-line surveys and four (4) hard copy surveys. Comments were also made on social media. The majority of comments received were positive and included a number of suggested improvements. The strongest negative comments came from residents in adjacent properties who raised a number of concerns in regard to the proposal.

One of the local ward Councillors also met with local residents to discuss the proposal and their views on the impact on them and the neighbourhood. As an outcome 4 hard copy surveys were provided to Council staff for their consideration.

Following this process, the views expressed in the consultation process were taken into account when developing the proposal to present to council for decision. The text message provided by a Ward Councillor to nearby residents (including the complainants) opposing the development of a dog park was interpreted by them to mean the park was to be in a different location and not near their houses. As this would have satisfied their concerns they did not take any further action. It may have been beneficial if the parties had discussed this matter to confirm the interpretation. Follow up by the Ward Councillor as stated in the message would also have been beneficial.

Alternative Options

One of the points raised in this matter was the consideration of alternative sites to the Reserve Street Reserve. During the internal feasibility study other sites were considered along with Reserve Street Reserve. The feasibility indicated they were either not suitable and/or the cost to develop them would be significant. Advice was also sought from a dog park expert to support the consideration of the reserve and to identify critical components for a successful dog park.

Findings

After reviewing all provided documentation and interviewing staff and the complainant the conclusions reached are:

1. Interest in this proposal was first considered by Council in October 2011 following the receipt of a petition regarding the development of a dog park on Reserve Street Reserve. The Council at that time agreed to consider such a proposal in the future as it accorded with their plan to build two dog parks in Marion in the next five years.
2. The City of Marion did make a reasonable effort to canvass the views of interested parties to ensure their views were taken into consideration prior to the Council making their decision on the proposal in October 2015.
3. A range of alternative locations were considered during the feasibility stage of the overall process before Reserve Street Reserve was identified as the preferred option.
4. Reserve Street Reserve remained the preferred option during the rest of the process.
5. The Council did take note of the feedback provided in the consultation and it was taken into account in revamping the original concept plan and developing further options aimed at providing a bigger park with greater buffers for nearby residents and more facilities in the park as requested in the community feedback.
6. The engagement of a dog park expert to provide input in regard to the redesign of the dog park was extremely useful as was the use of the guidelines published by the Dog and Cat Management Board.
7. During the revamping of the plan for the dog park a different location within the reserve was considered in response to feedback from the nearby residents. This option was found to be unsuitable by the staff in consultation with the dog park expert. The park was then redesigned in the original location with much greater buffers than previously considered.
8. The project plan was reviewed to detail the revamping of the original concept plan and the addition of the alternative concepts for the park. This caused a delay in bringing the matter to Council for consideration and potential decision.

9. A report was placed on the agenda for the General Council meeting to be held on 27 October 2015. This report provided an outline of the process leading to the development of the three options put before Council.
10. Notification of the matter going to the Council meeting was given to the complainants, as interested parties, on Thursday 22 October 2015, once the Council agenda was public. The complainants did not believe this provided sufficient time to take any meaningful action with the only alternative being to request a deputation to Council on 27 October.
11. Council received the deputation at the meeting and also considered the report on the development of the dog park. A decision was made to proceed with the development of a dog park at Reserve Street Reserve.
12. While the consultation process could have had a stronger focus on providing feedback to the affected residents, it did provide useful feedback, was distributed to a wide range of households and gave all involved an opportunity to state their position on the matter. The management of the consultation process should have been clearer to ensure the residents did not confuse the roles of the Council staff and the Ward Councillors.
13. Significant emphasis was given to the use of Ward briefings to provide feedback from Council members. It is important to be clear that while elected members are able to use this mechanism to provide feedback it is not a directive forum and it is important that the staff, as managers of the consultation process, were responsible as to how this feedback influenced the overall outcome.
14. The text message sent to the five residents did indicate there was a new concept however there was no follow up by the Council or the residents to confirm this matter. In addition, it was not provided to the staff managing the consultation process which would have made the staff aware of its existence and provided an opportunity for their follow up. While the complainants have a legitimate concern in regard to the text message it is important to note that seeking confirmation would have been prudent.
15. During the investigation there was no evidence to indicate that the Council operated unlawfully.
16. Documents provided indicate that the City of Marion followed proper processes and gathered sufficient evidence and advice both internally and externally on which to base their decision

Recommended Action:

1. On the basis of the information gathered in this review, the decision to support the development of a dog park at Reserve Street Reserve Trott Park was reasonable and should stand. This is supported by the following:
 - The process followed was thorough and covered all necessary elements.
 - Sufficient consideration was given to alternative options prior to making the decision.
 - The views of stakeholders were canvassed and considered prior to the decision
 - Improvements to the site to maximise its potential and to reduce the potential impact of the dog park for all users of the park and for nearby residents were included in the options for decision.
2. That the Council review the consultation process to ensure that a more appropriate approach is developed in issues such as this to ensure that stakeholders have the opportunity to be involved earlier in the process and in a way which satisfies the need for two-way feedback. It is also important that it is clear to all who is responsible for the management of the process.
3. That Council advise the complainants of the outcome of the review.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

Question Received from: Councillor Bruce Hull
Subject: Southern Land for Major Sporting Hub
Ref No: GC090216Q01
File No: 9.24.1.5 & 9.33.3.27

QUESTION:

**Is there a resolution of the previous Council to investigate the potential of the "Sheep Paddock" owned by the Sheidow Holdings, for the purpose of a major sporting hub in the South?
If so, what is the status/progress of that resolution?**

COMMENTS: Sean O'Brien, Community Facilities Planner

In July 2013 (GC230713R06) council resolved that:

1. Council confirm its commitment to the provision of sport and recreation facilities in the south of the City of Marion
2. Council endorse alternate land options being investigated for the purpose of providing regional sporting facilities in the Southern area of the City
3. The issues associated with and the outcomes of the land investigation be presented to Council for consideration.

There has been no specific Council resolution regarding investigating the potential of the "Sheep Paddock".

However as part of the above resolution the following sites were considered for their potential to accommodate sporting facilities.

1. Nari Drive Reserve – Nari Drive Sheidow Park
2. O'Halloran Hill TAFE site – Majors Road O'Halloran Hill
3. Sheep Paddock – Cnr Lonsdale Road & Perry Barr Road Hallett Cove

Copies of the above investigations into other sites have been circulated separately to Elected Members.

Further to the resolution passed in July 2013 Council has passed a further resolution relating to sporting facilities in the South. At the 14 April 2015 General Council resolved the following (GC140415R02):

1. “Endorse investigations being undertaken with peak sporting bodies, relevant clubs, funding bodies and agencies to seek partnering opportunities for the development of plans and potential funding solutions for the following sports infrastructure:
 - Options for new soccer pitches and a BMX track in the South
 - Indoor multipurpose Stadium 4-8 Court (SA regional standard)
 - Edwardstown Oval Masterplan
 - Mitchell Park Sports and Community Club building upgrade
2. Note that consultation plans will be brought to Council for consideration after initial investigations are undertaken with peak sporting bodies, relevant clubs and agencies.
3. That potential funding opportunities relevant to the above sports infrastructure be actively pursued as they arise.”

Since Council’s resolutions of 14 April 2015 the focus for the development of new sporting infrastructure in the south of Marion has been for new soccer pitches and an international standard BMX facility.

A draft business plan has been developed with the Football Federal South Australia (FFSA) and research has been undertaken into potential sites such as O’Halloran Hill TAFE and other sites to the south of Marion.

In relation to a BMX facility staff supported the Hallett Cove and Happy Valley BMX clubs to secure funding from the Office and Recreation and Sport for a feasibility study. The two BMX clubs and Council also contributed funds to the study. The feasibility study is due to be completed in March 2016 and will then be brought to Council. The feasibility study is considering a potential site on Majors Road.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 February 2016**

Notice Received from: Councillor Hull
Subject: Visibility of Cyclists
Ref No: GC090216M01
File No: 9.24.1.4 & 9.33.3.27

MOTION:

"That Council:

- 1. Writes to the The Hon. Stephen Mullighan, Minister for Transport and Infrastructure, advising that Council recommends that the State Legislation and Laws should prescribe that all cyclists on SA roads shall wear a High Visibility garment (Day/Night) whilst riding any bike on our roads or footpaths and that penalties should apply for lack of compliance.**
- 2. Forward the following Notice of Motion to the Local Government Association (LGA) for consideration at the next LGA General Meeting scheduled on Friday 15 April 2016: That the Ordinary General Meeting requests the LGA to investigate whether there is sufficient evidence across Local Government to amend State Legislation and Laws to prescribe that all cyclists on SA roads shall wear a High Visibility garment (Day/Night) whilst riding any bike on our roads or footpaths and that penalties should apply for lack of compliance".**

COMMENTS: Councillor Hull

Rational is:- That given the increasing injuries and fatalities involving cyclists, we as a Council recommends this strategy as part of a suite of measures to reduce bicycle accidents on our roads/footpaths. Curiously our Workplace Health & Safety Legislation compels any employee/volunteer to wear such Hi Vis garments whilst working on our roads, so why are cyclists any different given that they are often embedded in the vehicular traffic? Additionally, given that cyclists can now legally ride on our footpaths, it is important that they are visible to pedestrians sharing the footpaths and motorists attempting to leave properties.

COMMENTS: (Sherie Walczak, Unit Manager Risk)

Much debate has occurred recently across Local Government in response to the changes to the Australian Road Rules which now allows bicycles to ride on footpaths, specifically how this may impact on Councils as the highway authorities with the responsibility for footpaths.

The Notice of Motion to the LGA is well timed as their CEO, Mr Matt Pinnegar, is already in discussions with The Hon. Stephen Mullighan, Minister for Transport and Infrastructure, with the objective to providing positive outcomes for all stakeholders.

If Council supports this motion, a letter will be written to the State Minister for Transport and Infrastructure and the Notice of Motion submitted to the LGA accordingly.