



NOTICE

of

COUNCIL MEETING

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

to be held

via electronic means through live streaming at
<https://www.youtube.com/channel/UCZxKI13S3M8n8zxKI5LFT9w>

as afforded for through the Electronic Participation in Council Meetings Notice 2020, SA
Government Gazette, 31 March 2020 and resolved by Council.

on

MONDAY 18 JANUARY 2021 AT 7PM

KIKI CRISTOL
CHIEF EXECUTIVE OFFICER

Issue Date: 14 JANUARY 2021

MEMBERSHIP

MAYOR ELIZABETH FRICKER - PRESIDING MEMBER

Cr R Ashby AM
Cr S Furlan
Cr C Wilkins

Cr M Bishop
Cr J Joshi
Cr J Williams

Cr N Coleman OAM
Cr J Nenke

AGENDA
18 JANUARY 2021

1. ATTENDANCE RECORD

- 1.1 Present
- 1.2 Apologies
- 1.3 Not Present / Leave of Absence

2. CONFIRMATION OF MINUTES

- 2.1 That the minutes of the Ordinary Council meeting held on the 21 December 2020 be confirmed as a true and accurate record of the proceedings. P 5

3. DECLARATIONS OF INTEREST (material, actual, perceived)

4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil

5. MAYORS DIARY

- 5.1 Mayors Diary P 21

6. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED TRAINING, CONFERENCES OR SEMINARS

7. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

Nil

8. QUESTIONS FROM THE GALLERY

- 8.1 During the COVID -19 restrictions members of the public wishing to ask a question must provide the question(s), in writing, to the Chief Executive Officer before 5pm on Monday 18 January 2021 with a maximum of two questions per person;
- 8.2 Answers to the questions will be provided via live streaming of the Council meeting and in the minutes of the meeting;
- 8.3 Further information on the questions from the gallery policy can be located on Council's website.

9. QUESTIONS WITHOUT NOTICE

10. QUESTIONS WITH NOTICE

Nil.

11. PETITIONS

Members of the public wishing to present a petition to Council are required to provide the petition to the Chief Executive Officer by the Tuesday immediately prior to the Council meeting. In line with the Local Government (Procedures at Meetings) Regulations 2013, the petition must:

- Be legibly written, typed or printed
- Clearly set out the top of each page containing the signatures the request or submissions of the petitioners
- Show the printed name of each person, their signature and address
- Include a covering letter with the name, address and contact details of the person to whom Council can address correspondence
- Be addressed to the Chief Executive Officer and delivered to the principal office of the Council at 66 Walkerville Tce Gilberton SA 5081.

Nil

12. MOTIONS WITHOUT NOTICE

13. MOTIONS WITH NOTICE

Nil

14. REPORTS REQUIRING DECISION OF COUNCIL

14.1 Strategy

14.1.1 Developer Funded DPA – Buckingham Arms Site P 22

14.2 Policy

14.2.1 Draft Development Assessment Refund and Waiver Policy P 31

14.2.2 Liquor Licence Management Policy P 50

14.3 Operational

14.3.1 Establishment of the Walkerville Oval Redevelopment Committee P 59

14.3.2 39 Smith Street & 44 Fuller Street – EOI Evaluation Panel Appointment P 69

14.3.3 Walkerville street Wander P 75

14.3.4 Community Fund Application P 93

14.3.5 Interstate Vehicles Expiations P 110

14.1 Subsidiaries

Nil

15. IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

16. REPORTS PRESENTED FOR INFORMATION

16.1 Strategy

- 16.1.1 Revocation of Community Land Classification –39 Smith Street –
Community Consultation Feedback P 113

16.2 Policy

Nil

16.3 Operational

- 16.3.1 Quarterly Financial Report – incorporating Capex / Opex reporting P 171
- 16.3.2 Works Report for December 2020 P 181
- 16.3.3 Elected Members Allowances and Benefits Register Ending
31 December 2020 P 186
- 16.3.4 SPDPC Minutes P 189
- 16.3.5 Wesleyan Cemetery Advisory Committee Minutes P 195

16.4 Subsidiaries

Nil

16.5 Outstanding Council Resolutions P 202

17. CORRESPONDENCE

- 17.1 Correspondence to Mayor Fricker from GAROC Chair P 229
- 17.2 Correspondence to Mayor Fricker from Lord Mayor
Brisbane City Council P 232

18. URGENT OTHER BUSINESS

19. CONFIDENTIAL ITEMS

Nil

20. CLOSURE



MINUTES

of

COUNCIL MEETING

held via

via electronic means through live streaming at
<https://www.youtube.com/channel/UCZxKI13S3M8n8zxK15LFT9w>

as afforded for through the Electronic Participation in Council Meetings Notice 2020, SA
Government Gazette, 31 March 2020 and resolved by Council.

on

MONDAY 21 DECEMBER 2020 AT 7PM

MINUTES
21 December 2020

The Meeting was declared open at 7pm

1. ATTENDANCE RECORD

1.1 Present

Mayor Elizabeth Fricker
Cr MaryLou Bishop
Cr Norm Coleman OAM
Cr Stephen Furlan
Cr Jennifer Joshi
Cr James Nenke (arrived at 7.01pm)
Cr Conrad Wilkins
Cr James Williams
Cr Rob Ashby AM

Staff in Attendance

Chief Executive Officer, Kiki Cristol
Group Manager Assets & Infrastructure, Ben Clark
Group Manager Customer Experience, Danielle Garvey
Group Manager Corporate Services, Monique Palmer
Group Manager Planning, Environment & Regulatory Services, Andreea Caddy
Manager Community Development and Engagement, Fiona Deckert
Communications Officer, Sarah Spencer
Business Analyst (Property & Contracts), Scott Reardon

1.2 Apologies

Nil

1.3 Not Present / Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1 Minutes of Ordinary Council Meeting 16 November 2020

Moved: Cr Furlan
Seconded: Cr Williams

CNC221/21-22

That the minutes of the Ordinary Council meeting held on 16 November 2020 be confirmed as a true and accurate record of the proceedings.

CARRIED

2.2 Minutes of Special Council Meeting 30 November 2020

Moved: Cr Bishop
Seconded: Cr Williams

CNC222/21-22

That the minutes of the Special Council Meeting held on 30 November 2020 be confirmed as a true and correct record of the proceedings.

CARRIED

3. DECLARATIONS OF INTEREST (material, actual, perceived)

Cr Williams declared a perceived interest in relation to item 14.3.2 as it relates to proposed works along Walkerville Tce /Smith St footpath. After some discussion it was determined that no declaration of conflict was required.

4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

4.1 Presentation of Years of Service Certificates

Mayor Elizabeth Fricker awarded two LGA Certificates of Service for 10 year tenure to Cr James Williams and the Town of Walkerville CEO, Kiki Cristol respectively.

5. MAYORS DIARY

5.1 Mayors Diary

Moved: Cr Furlan
Seconded: Cr Wilkins

CNC223/21-22

That Council receives and notes the Mayoral Diary from 13 November 2020 to 17 December 2020.

CARRIED

6. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED TRAINING, CONFERENCES OR SEMINARS

Nil.

7. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

7.1 East Waste Board Meeting – Cr Rob Ashby

Moved: Cr Ashby
Seconded: Cr Williams

CNC224/21-22

That Council receives and notes the East Waste Board Meeting Report.

CARRIED

8. QUESTIONS FROM THE GALLERY

Nil.

9. QUESTIONS WITHOUT NOTICE

1. Cr Wilkins sought clarification on the frequency of receiving capital works updates via Power BI. He was advised by Administration that the 'Power BI dashboard' was made available via a link in the monthly works report and each quarter a more thorough report will be provided.
2. Cr Wilkins sought an update on Hamilton Reserve and specifically if we will see works commence this financial year. He was advised by Administration that works would definitely commence this financial year, however will remain a work in progress and continue into 2021/22 due to a number of factors, including a second round of public consultation and getting final sign off on the design.
3. Cr Wilkins sought clarification as to where the funds for Willow Bend upgrade were reflected in the capital budget as he was unable to locate it. He was advised by Administration that funds were allocated in the operational budget not the capital budget.

10. QUESTIONS ON NOTICE

Nil.

11. PETITIONS

Nil.

12. MOTIONS WITHOUT NOTICE

Moved: Cr Bishop
Seconded: Cr Ashby

CNC225/21-22

That Administration investigate the impact to and interest of residents bounded by Lansdowne Tce, North East Rd, Ascot Avenue and the River Torrens to be designated as part of the suburb of Walkerville rather than Vale Park.

CARRIED

Moved: Cr Williams
Seconded: Cr Nenke

CNC226/20-21

As part of the detailed design phase for the Walkerville Oval Redevelopment, that Administration present Council with options that include but are not limited to:

- A heritage style design option for the grandstand section of the Walkerville Oval Sports Club
- Access to the grandstand that allows Civic Functions
- Connectivity by way of footpaths between all clubs, Memorial Gardens, carparks and road ways
- Incorporates public art in accordance with Council's Public Art Strategy.

CARRIED

13. MOTIONS WITH NOTICE

Nil.

14. REPORTS REQUIRING DECISION OF COUNCIL

14.1 Strategy

Nil.

14.2 Policy

14.2.1 Review of the Public Land Encroachment Policy

Moved: Cr Bishop
Seconded: Cr Joshi

CNC227/20-21

1. That Council receives and notes the revised Public Land Encroachment Policy appearing as Attachment A to this report with the amendments to change the current statement "artificial turf is not permitted" so as to read "that as from 1 March 2021, no further artificial turf is permitted".
2. That Council approve the release of the revised Public Land Encroachment Policy, appearing as Attachment B to this report, for public consultation for a period of 21 days commencing in January 2021 after which time the revised Policy be presented to Council for consideration.
3. That Council notes that Administration will include verge maintenance as part of the draft 2021/22 annual business plan for Councils consideration.

4. That Council notes that Administration will present a further report to Council outlining legal and governance issues pertaining to the potential removal of synthetic turf verges that currently exist in and around the township.

CARRIED

14.2.2 Review of the Order Making Policy

Moved: Cr Williams

Seconded: Cr Joshi

CNC228/20-21

That Council:

1. Receives and notes the revised Order Making Policy appearing as Attachment A to this report.
2. Approves the release of the revised, Order Making Policy, appearing as Attachment A to this report, for public consultation for a minimum period of four (4) weeks after which time the revised Policy is to be presented to Council for consideration.

CARRIED

14.2.3 Transition of Building Fire Safety Committee from *Development Act 1993* to *Planning, Development and Infrastructure Act 2016*

Moved: Cr Ashby

Seconded: Cr Furlan

CNC229/20-21

That Council:

1. Receive and note the report entitled *Transition of Building Fire Safety Committee from Development Act 1993 to Planning, Development and Infrastructure Act 2016*;
2. Adopt the revised Town of Walkerville & City of Prospect Building Fire Safety Committee Terms of Reference, which appear as Attachment A to this report subject to clause 6.1 being amended to read as follows:

'The Committee will meet at least once each quarter of the financial year and as business needs arise or as decided by the Presiding Member from time to time'.

3. In conjunction with City of Prospect, establishes a body to be known as the Walkerville and Prospect Councils Building Fire Safety Committee;

4. Designates the Walkerville and Prospect Councils Building Fire Safety Committee as an 'appropriate authority' under Section 157 of the Planning, Development and Infrastructure Act 2016;
5. Delegates the power to appoint members to the Walkerville and Prospect Councils Building Fire Safety Committee, in accordance with Section 157(17)(a) of the *Planning, Development and Infrastructure Act 2016*, to Councils Chief Executive Officer;
6. Receives and notes the Walkerville and Prospect Councils Building Fire Safety Committee Terms of Reference as attached to the report (Attachment A);
7. Authorise Administration to make changes of a minor technical or formatting nature to the Walkerville and Prospect Councils Building Fire Safety Committee Terms of Reference.

CARRIED

14.3 Operational

- 14.3.1 Warwick Street Car Park - Extension of Licence Agreement with Minister for Education

Moved: Cr Williams

Seconded: Cr Ashby

CNC230/20-21

1. That Council approve the application made by the Minister for Education to renew the existing Licence Agreement held between Council and the Minister for Education (ABN 91 814 239 978) over the portion of land contained within Certificate of Title Volume 5255 Folio 827 (commonly known as Walkerville Oval Warwick Street Carpark) for a term of ten (10) years commencing 14 December 2020 based on the same terms and conditions as outlined in the Head Licence Agreement (dated 14 December 2010), subject to the additional inclusion of:
 - a. the "*Redevelopment & Demolition Clause*" outlined in this report;
2. That the Mayor and Chief Executive Officer be authorised to execute any/all relevant and ancillary documents pertaining to the proposed Deed of Extension of Licence Agreement between the Minister for Education and Council including affixing of the common seal of Council.

CARRIED

- 14.3.2 Local Roads & Community Infrastructure Grant Proposed Projects

Moved: Cr Joshi

Seconded: Cr Bishop

CNC231/20-21

1. That Council accepts the projects identified in Table 1 for construction using the \$317,000 Federal Government Local Roads and Community Infrastructure Grant to construct one of the proposed new public toilets at Levi Park, leaving only one public toilet at Willow Bend.
2. That Council supports Administration applying for matched funding of \$317,000 to undertake projects listed in Table 2, should matched grant funding be secured.

MOTION WITHDRAWN

Moved: Cr Williams

Seconded: Cr Bishop

CNC232/20-21

1. That Council accepts the projects identified in Table 1 for construction using the \$317,000 Federal Government Local Roads and Community Infrastructure Grant.
2. That Council supports Administration applying for matched funding of \$317,000 to undertake projects listed in Table 2, should matched grant funding be secured. However replacing the new exeloo in Hamilton Reserve to a new exeloo in Levi Park.

CARRIED

14.3.3 Murray Darling Association – Proposed Name Change

Moved: Cr Wilkins

Seconded: Cr Furlan

CNC233/20-21

That Council:

1. Receives and notes the correspondence from Mr Matt Pinnegar, CEO of the Local Government Association (SA), which appears as Attachment A to this report.
2. Resolves not to write to the Murray Darling Association regarding their proposed name change unless the Murray Darling Association specially requests an opinion from Council at which time a further report outlining the Murray Darling Association's request will be presented to Council.

CARRIED

14.3.4 Delegations under the Local Government (Financial Management) Regulations 2011

Moved: Cr Wilkins
Seconded: Cr Joshi

CNC234/20-21

That Council:

Having conducted a review of the powers and functions previously delegated to the Chief Executive Officer and others under the Local Government (Financial Management) Regulations 2011 in accordance with section 44(6) of the *Local Government Act 1999*, the Council:

1. Hereby revokes all previous delegations made to persons occupying the position of Chief Executive Officer under the Local Government (Financial Management) Regulations 2011.
- 2a. In exercise of the power contained in section 44 of the *Local Government Act 1999* the powers and functions under the Local Government (Financial Management) Regulations 2011 and specified in the proposed instrument of Delegation, listed as Attachment A, being attached to this report are hereby delegated this 21st day of December 2020 to the person(s) in the position(s) specified in the instruments (under the 'delegate heading') and to anyone acting in the positions and limitations specified in the Instrument.
- 2b. In the case of powers and functions that are delegated to the person occupying the position of Chief Executive Officer, such powers and functions may be further delegated in accordance with section 44 and section 101 of the *Local Government Act 1999* as the person occupying the office of Chief Executive Officer sees fit, unless otherwise indicated herein or in the limitations and conditions specified in the Instrument.

CARRIED

14.3.5 Bin Audit Report

Moved: Cr Williams
Seconded: Cr Joshi

CNC235/20-21

1. That Council requests that Administration investigate and develop a strategy for the implementation of an opt-in weekly green organics bin trial.
2. That Council requests that Administration review the financial feasibility of a green organics bin subsidy scheme as part of the 2021/22 draft budget process.

CARRIED

14.3.6 Green Waste Diversion – Survey Results and Education

Moved: Cr Williams

Seconded: Cr Joshi

CNC237/20-21

1. That Council receive and note the consultation results of the green waste survey appearing at Attachment A.
2. That Council set aside \$3,000 for a targeted green waste education program including, updated website content as part of the budget review process.
3. That Council requests that Administration liaise with East Waste Authority to seek their assistance in research initiatives focused on educational programs for waste diversion

CARRIED

14.3.7 Application for Rent Relief – INEA YMCA

Moved: Cr Williams

Seconded: Cr Bishop

CNC236/20-21

That Council, having considered INEA YMCA's request seeking a full waiver of rental fees for the months of November and December 2020, agree to waive only the amounts applicable for the period of the State Government forced lockdown closure; totalling \$257.39.

CARRIED

14.4 Subsidiaries

14.4.1 ERA Water First Budget Review & Long Term Financial Plan

Moved: Cr Wilkins

Seconded: Cr Nenke

CNC238/20-21

1. That Council approves the ERA Water First Budget Review Report for 2020/2021 as detailed in Attachment A to this report.
2. That Council approves the ERA Water Long Term Financial Plan for 2021 - 2030 as detailed in Attachment B to this report, noting its concern with the Long Term Financial Plan 2021-2030 and encourages the Board to:
 - work to reduce the debt levels identified
 - pursue sales to third parties
 - incorporating sales in the strategic focus
 - deliver a ERA Water Financial Recovery Plan.

3. That Administration writes to ERA Water advising of Council's decision.

CARRIED

15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

Moved: Cr Joshi
Seconded: Cr Furlan

That items 16.3.1, 16.3.2, 16.3.4, 16.3.6, 16.3.7, 16.3.8, 16.4.1, 16.4.2, 16.4.3, 16.4.5 be moved as per their recommendations.

CARRIED

16 REPORTS PRESENTED FOR INFORMATION

16.1 Strategy

Nil.

16.2 Policy

Nil.

16.3 Operational

16.3.1 Monthly Financial Report

Moved: Cr Joshi
Seconded: Cr Furlan

CNC239/20-21

That Council receives and notes the Monthly Financial Report as at 30 November 2020.

CARRIED

16.3.2 Works Report for November 2020

Moved: Cr Joshi
Seconded: Cr Furlan

CNC240/20-21

That Council receives and notes the Works Report for November 2020.

CARRIED

16.3.3 Civic Centre Solar Panel System Productivity

Moved: Cr Joshi

Seconded: Cr Ashby

CNC241/20-21

That Council receives and notes Civic Centre Solar Panel System Productivity report.

CARRIED

16.3.4 Vale House Remediation Works

Moved: Cr Joshi

Seconded: Cr Furlan

CNC242/20-21

That Council receives and notes the Vale House Remediation Works report.

CARRIED

16.3.5 The Value of South Australian Libraries

Moved: Cr Ashby

Seconded: Cr Joshi

CNC243/20-21

That Council receives and notes the Value of South Australian Libraries report.

CARRIED

16.3.6 Women of Walkerville Committee Minutes

Moved: Cr Joshi

Seconded: Cr Furlan

CNC244/20-21

That Council receives and notes the minutes of the Women of Walkerville Committee meeting held on 24 November 2020.

CARRIED

16.3.7 Waste Advisory Group Minutes

Moved: Cr Joshi

Seconded: Cr Furlan

CNC245/20-21

That Council receives and notes the minutes of the Waste Advisory Group Meeting convened on 2 December 2020.

CARRIED

16.3.8 CEO Performance Review Committee Minutes

Moved: Cr Joshi
Seconded: Cr Furlan

CNC246/20-21

That Council receives and notes the minutes of the meeting of the CEO Performance Review Committee convened on 12 November 2020.

CARRIED16.4 Subsidiaries

16.4.1 ERA Water Operations Report

Moved: Cr Joshi
Seconded: Cr Furlan

CNC247/20-21

That Council receives and notes the ERA Water Operations Progress Reports appearing as Attachment A to this report.

CARRIED

16.4.2 ERA Water Board Minutes

Moved: Cr Joshi
Seconded: Cr Furlan

CNC248/20-21

That Council receives and notes the ERA Water Board Minutes for the meetings convened on 13 November 2020 and 14 December 2020.

CARRIED

16.4.3 East Waste Board Minutes

Moved: Cr Joshi
Seconded: Cr Furlan

CNC249/20-21

That Council receives and notes the East Waste Management Authority Board minutes of the meeting convened on 26 November 2020.

CARRIED

16.4.4 Eastern Health Authority Board of Management Minutes

Moved: Cr Bishop
Seconded: Cr Joshi

CNC250/20-21

1. That Council receive and note the minutes of the Eastern Health Authority Board of Management meeting held on 2 December 2020 appearing as Attachment A to this report.
2. That Council receive and note the minutes of the Eastern Health Authority Special Board of Management meeting held on 9 December 2020 appearing as Attachment B to this report.

CARRIED

16.5 Outstanding Council resolutions

Moved: Cr Joshi
Seconded: Cr Furlan

CNC251/20-21

That Council receives and notes the list of Council resolutions currently being processed as at 17 December 2020.

CARRIED

17 CORRESPONDENCE

Moved: Cr Williams
Seconded: Cr Furlan

CNC252/20-21

That the correspondence as listed below be received and noted.

- 17.1 Correspondence to Mayor Fricker from Davin Lambert CEO, LGFA
- 17.2 Correspondence to Mayor Fricker from Paul Fletcher MP
- 17.3 Correspondence to Mayor Fricker from Hon Vickie Chapman MP
- 17.4 Correspondence to Mayor Fricker and Councillors from Steve Georganas MP

CARRIED

18 URGENT OTHER BUSINESS

18.1 Recognition of Mrs Raye Whitehead to Wesleyan Cemetery Advisory Committee

Moved: Cr Williams

Seconded: Cr Nenke

CNC253/20-21

That Council formally recognise the contribution of Mrs Raye Whitehead to the Wesleyan Cemetery Advisory Committee.

CARRIED

19 CONFIDENTIAL ITEMS

19.1 ERA Water Appointment of Independent Chairperson

Recommendation (Public)

Moved: Cr Furlan

Seconded: Cr Joshi

CNC254/20-21

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Chief Executive Officer Kiki Cristol, Group Manager Assets & Infrastructure Ben Clark, Group Manager Corporate Services Monique Palmer, Group Manager Customer Experience Danielle Garvey, Group Manager Planning, Environment & Regulatory Services Andreea Caddy, Manager Community Development & Engagement Fiona Deckert and Communications Officer Sarah Spencer, be excluded from attendance at the meeting for Agenda Item 19.1 ERA Water – appointment of Independent Chair.

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being applicants for the position of Independent Chairperson of ERA Water.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details may prematurely be disclosed before the details have been discussed with the successful applicant / candidate.

CARRIED

The time being 9pm the meeting moved into confidence

Recommendation (Public)

Moved: Cr Wilkins

Seconded: Cr Bishop

CNC256/20-21

Pursuant to s.91(7)

That having considered Agenda Item 19.1 ERA Water – appointment of Independent Chairperson in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and Attachments (to be redacted where necessary) to the report relevant to this Agenda Item be retained in confidence until the matter has been considered by all three Constituent Councils and the applicant has been formally notified of the outcome, excepting that Council authorises the release of the minutes to substantive party/parties to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the review and power to revoke this Order

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* and re-admit the public.

The time being 9.14pm the meeting moved out of confidence.

20. CLOSURE

The time being 9.15pm the Mayor declared the meeting closed.

Meeting: Council

Title: Mayor's Report

Responsible Manager: Chief Executive Officer, Kiki Cristol

Author: Chief Executive Officer, Kiki Cristol

Key Pillar: Strategic Framework – Key Pillar – Leadership – A responsible and influential local government organisation

Type of Report: **Information Only**

Recommendation

That Council receives and notes the Mayoral Diary from 17 December 2020 to 14 January 2021.

Summary

Date of Meeting	Subject	Attendees
18 December 2020	ERA Mayors Christmas Dinner	Mayor Elizabeth Fricker and Mayors of ERA Member Councils
21 December 2020	Mayor / CEO Agenda Briefing	Mayor Elizabeth Fricker, CEO Kiki Cristol
21 December 202	Meeting with President Walkerville Sports Club	Mayor Elizabeth Fricker, President Walkerville Sports Club Mark Webber, CEO Kiki Cristol
21 December 2020	Council Ordinary Meeting	Mayor Elizabeth Fricker, Elected Members, CEO Kiki Cristol and senior staff
6 January 2021	Mayor / CEO weekly meeting	Mayor Elizabeth Fricker, Deputy Mayor Cr Rob Ashby & CEO Kiki Cristol
6 January 2021	Communications meeting	Mayor Elizabeth Fricker, Communications Officer, Sarah Spencer
13 January 2021	Mayor / CEO weekly meeting	Mayor Elizabeth Fricker, CEO Kiki Cristol
13 January 2021	Meeting with ECH	Mayor Elizabeth Fricker, David Panter & Scott McCullen (ECH), CEO Kiki Cristol, Manager Community Development & Engagement Fiona Deckert,
14 January 2021	St Andrews School – Turning the First Sod & Smoking Ceremony	Mayor Elizabeth Fricker, Principal St Andrews School, various dignitaries, various teachers & parents, CEO Kiki Cristol & Communications Officer Sarah Spencer



Item No: 14.1.1

File No: 3.3.4.2

Date: 18 January 2021

Attachment: A, B

Meeting:	Council
Title:	Developer Funded DPA Buckingham Arms Hotel Site
Responsible Manager:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Author:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Key Pillar:	Strategic Framework – Key Pillar 6 – Economy – Create the means to enable economic diversity and encourage business opportunities
Key Focus Area:	Financial Guiding Principle 4 – Robust and transparent allocation and prioritisation of resources
Type of Report:	Decision Required

Recommendation

1. That Council receive and note the correspondence from the Honourable Vickie Chapman MP, Minister for Planning and Local Government, dated 9 December 2020, declining Council's request to lapse the Development Plan Amendment process and request to instead work with the landowner and the Attorney-General's Department to finalise the DPA for public consultation.
2. That Council resolve to proceed with the preferred Option 1, to write to Honourable Vickie Chapman MP, Minister for Planning and Local Government to advise of its preference to support the current draft code zoning as it applies to the Local Activity Centre, with some minor recommended changes, rather than proceeding with the DPA process.

Summary

At its 16 September 2019 meeting, Council considered and endorsed a developer funded Development Plan Amendment (DPA) pertaining to the Buckingham Arms site at 1 Walkerville Terrace, Gilberton. Subsequent to Council's endorsement, the DPA Statement of Intent (SOI) was supported by the then Minister in late November 2019 and obtained formal authorisation on 16 December 2019. The authorisation granted was done so on the proviso that the DPA must be finalised prior to activation of the Planning and Design Code (Phase 3), which will replace the Walkerville Development Plan in late 2020, a final date yet to be given by the Department of Planning.

At its 17 August ordinary meeting, Council considered the peer review findings and resolved to withdraw its support from the developer funded Local Centre Development Plan Amendment (DPA) on the basis that the agreement was frustrated by virtue of two critical aspects of the DPA not being met, namely envisaged maximum height and setbacks. On this basis, Administration wrote to the Minister, the Honourable Vickie Chapman MP requesting that the DPA be lapsed.

On 9 December 2020, Council received correspondence from the Ministerial declining Council's request to lapse the DPA (Attachment B). This report presents Council with options as to how proceed hereon.

Background

The Peer Review Process, which forms part of the natural process of a Development Plan Amendment assisted in determining the best policy fit for the outcome Council sees fit for the site. Details of how the DPA will transition to the Planning and Design Code during consultation so as to minimise the risk of confusion in the community had been a critical task undertaken by Council's Independent Peer Review. The Peer Review was an important independently provided opinion that summarised the proposed DPA against Council's position.

Throughout June and July 2020, a draft of the Ekistics report supported by Traffic and Infrastructure studies was presented to Administration for review. An initial review identified some short comings in the Traffic and Infrastructure studies and created debate between the two parties on the most appropriate South Australian Planning Policy Library (SAPPL) zone intended for the current Local Centre, to transition to, in the new Code. A revised final DPA draft, along with supporting studies was submitted to Administration. To this end, Administration engaged an independent planning consultancy, Urban Regional Planning Solutions (URPS) to undertake the legislated Peer Review.

In the URPS summary report, an assessment of the final DPA draft package was undertaken against the SOI terms. In doing so, URPS broke down the analysis in sections, as follow:

Zone Selection – Building Height

The Urban Corridor Zone and Transit Living Policy Area are the policy framework fit considered by Ekistics as most appropriate for the envisaged uses of the site. In their summary, URPS reflect on how this policy framework satisfies one part of the SOI that identifies the proponent's desire for a six storey height limit and readily aligns with the P&D Code, but it does not align with another part of the SOI that identifies Council's desire for a 4-5 storey height limit.

This stated objective for a six storey height limit does not align with the Elected Member objective to limit future development to four-five stories.

Zone Selection – Interface Setbacks

It is understood that the Elected Members consider that all development on an interface with an adjoining Residential Zone should fit within a 30 degree building envelope to assist in managing impacts such as sense of enclosure, privacy and overshadowing etc.

In summary, the Urban Corridor Zone and Transit Living Policy Area, provides 45 degree building envelope diagram that aligns with the P&D Code, but does not align with Council's desire for 30 degree building envelope to eastern, northern and western boundaries with the adjoining Residential Zone.

Further issues are discussed in relation to the selected policy zone framework within the URPS summary report alongside an assessment of the Traffic and Infrastructure studies supporting the draft DPA package.

Discussion/Issues for Consideration

Council withdrew its support from proceeding to public consultation with this DPA on the premise that there were significant departures from Council's desired maximum heights and setbacks have been identified by URPS and uncertainty with the timing roll out of the New Planning System. These departures continue to be in part due to a current policy library/code that does not accommodate specific height restrictions as sought by Council as well as a loss of site specific policy nuances in the transition to a one size fits most new Planning & Design Code.

Since Council made its last decision in relation to this DPA, the Planning & Design Code has been released for a second round of public consultation. In this latest round of consultation, once the new Code is live for Phase Three Councils, the subject site will be transitioned to a Local Activity Centre Zone as opposed to the originally proposed Suburban Activity Centre Zone. Administration is heartened by this decision as it signifies the Attorney-General's Department heeding our objections on the loss of this policy expressed in our submission made earlier this year. While the return of this policy is appreciated, it is found to be lacking somewhat in clear policy around mixed use developments. The capture of mixed use developments within the Local Activity Centre Zone suite is an important aspect of Council's vision of future developments on such sites.

Administration has made a formal submission to this second round of consultation of the Code. In our submission we have clearly stated Council's vision to activate gateway sites such as the Buckingham Arms Hotel site, which will transition to a Local Activity Centre Zone in the New Planning System. Administration has outlined in the submission that Council would like to see a maximum of five (5) storeys achieved on amalgamated sites and as such would like to see Performance Outcome (PO) 3.1 amended to allow some minor flexibility with height. Administration seeks a PO to be amended to read:

"Building height is generally consistent with the form expressed in any relevant Maximum Building Height Levels Technical and Numeric Variation and Maximum Building Height Metres Technical and Numeric Variation, and otherwise generally of a low rise that complements the established streetscape and local character."

During consultation, the Buckingham Arms site was afforded a Technical Numeric Variation of three storeys. Should the above wording be adopted, there may be scope for the developer to seek an increased building height of four to five storeys, achieved through a performance solution.

With some minor alterations to the Code, Administration is now of the view that the Local Activity Centre Zone, applied over the Buckingham Arms Hotel site is a more appropriate policy fit for Council's vision for the site. Administration has more confidence in the policy parameters controlling maximum building heights as found within the Local Activity Centre Zone and sees no benefit in acquiescing the Minister's request to reinvigorate the DPA to pursue what may be a maximum of 7+ storeys, potentially attainable under the Urban Corridor Zone (Transit Living) Policy Area.

Options for Consideration

Council is presented with three options:

Option 1

1. That Council receive and note the correspondence from the Honourable Vickie Chapman MP, Minister for Planning and Local Government dated 9 December 2020 declining Council's request to lapse the Development Plan Amendment process and request to instead work with the landowner and the Attorney-General's Department to finalise the DPA for public consultation.
2. That Council resolve to proceed with the preferred Option 1, to write to Honourable Vickie Chapman MP, Minister for Planning and Local Government to advise of its preference to support the current draft code zoning as it applies to the Local Activity Centre, with some minor recommended changes, rather than proceeding with the DPA process.

Option 2

1. That Council receive and note the correspondence from the Honourable Vickie Chapman MP, Minister for Planning and Local Government dated 9 December 2020 declining Council's request to lapse the Development Plan Amendment process and request to instead work with the landowner and the Attorney-General's Department to finalise the DPA for public consultation.

2. That Council resolve to proceed with the DPA in its current form subject to the following terms:

-
-
-

Option 3

1. That Council receive and note the correspondence from the Honourable Vickie Chapman MP, Minister for Planning and Local Government dated 9 December 2020 declining Council’s request to lapse the Development Plan Amendment process and request to instead work with the landowner and the Attorney-General’s Department to finalise the DPA for public consultation.
2. That Council sends an acknowledgement response to the Minister, but does nothing further to progress the DPA process.

Analysis of Options

Option 1

This is the preferred option as this decision course will see the Buckingham Arms site transition into in the New Planning System with a policy suite that affords a built outcome that is better aligned with Council’s envisaged development potential on the subject site, than the proposition under the developer funded DPA.

This opinion has been based on the information available (as a result of Round 2 consultation of the Code), which has determined that the site will transition into in the New Planning System with a policy suite that affords a built outcome that is better aligned with Council’s envisaged development potential on the subject site than the proposition under the developer funded DPA.

Option 2

This option sees Council comply with the Minister’s request to proceed to public consultation despite the deviation from its previous decisions as they relate to the envisaged maximum height for the site and side setback provisions.

With this option, it is important to note that this would not be a final decision on the DPA. Rather, at the conclusion of the public and agency consultation process, the Council would then need to formally resolve whether to present the DPA (with, or without, amendments in response to comments received during consultation) to the Minister for ratification, or whether to decline to proceed with the DPA. If, at that point, the Council was to decide to decline to proceed with the DPA, that would be the end of the DPA process. However, the Minister would then have the option of taking over the process if she wanted to.

Option 3

This would involve the Council essentially doing nothing. As a consequence, the DPA process will eventually become redundant by operation of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*. The disadvantage with this option is that it may lead to confusion in the mind of the developer and possibly also the public, as to the Council’s intentions.

Financial Implications

Should Council proceed with an option that sees the original DPA recommenced, it is worth noting that the further financial and resource impost associated with public consultation on a draft DPA that is not meeting the Elected Member’s collective expectations for height and setbacks will create community frustration and may be misconstrued as disingenuous.

The Council would also need to re-engage with the developer to ensure that the funding commitments under the previously agreed DPA Funding Agreement remain valid and enforceable.

Community Implications

Similarly to the above implication, a decision to proceed with public consultation for a rezoning that attains in excess of the Council agreed maximum height of 5 storeys on the subject site would create discord in the community.

Contrastingly, maintaining the position that the recently consulted version of the Code sees a transition to a more appropriate zone that will ensure a future development potential on the subject site that is aligned to Council's expectations of a maximum overall 5 storey building height.

Regional Implications

The Inner Metro Structure Plan (September 2012) is a document that informed the current 30 Year Plan for Greater Adelaide. The Inner Metro Structure Plan envisaged a 4-6 storey building on this gateway site, therefore an expectation to achieve a built form outcome that is aligned with this State Government strategic document is of sound planning basis.

Governance Implications

There are no governance implications to this decision report. The Minister is not in a position where she can instruct Council to make a decision that contradicts another decision made on development outcomes within the Council area. It is important to note that the Minister cannot force or direct the Council to proceed with the DPA. However, if the Council does not do as the Minister asks, the Minister may decide to take it over as a Ministerial DPA under S24 (1) of the *Development Act 1993* or Code amendment under s73 of the *Planning, Development and Infrastructure Act 2016*. Alternatively, the developer may decide to await the new Code becoming operational, after which it may approach the Minister (acting on advice of the Commission) to progress it as a landowner-initiated Code amendment. At this point, Council would not be a driver of the DPA but rather a stakeholder of the State in its processes.

Preferred Option & Reasoning

Option 1 is the preferred option. In determining the most suitable option that reflects the Council's rhetoric for the past 18 months, Option 1 provides the most consistent and prudent approach as it enforces transparency to the Council's decision making processes.

Round 2 of the Planning & Design Code consultation presents a different policy suite for the subject site to the policy suite originally intended for transition in the New Planning System. This policy suite is better aligned with Council's vision for the site, rendering the Developer Funded DPA process obsolete.

Attachments

Attachment A	Draft response to Minister Chapman
Attachment B	Correspondence received from Minister Chapman, dated 9 December 2020



The Corporation of the Town of Walkerville

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66 Walkerville Terrace, Gilberton SA 5081
PO Box 55, Walkerville SA 5081

File Number: 3.3.4.2
Please Quote Ref:
Contact Officer: Group Manager Planning, Environment &
Regulatory Services, Andreea Caddy

Telephone: (08) 8342 7100
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www.walkerville.sa.gov.au

xx January 2021

The Hon Vickie Chapman MP
Minister for Planning & Local Government
GPO Box 464
ADELAIDE SA 5001

via email: attorneygeneral@sa.gov.au

Dear Minister Chapman,

Re: Buckingham Arms Development Plan Amendment

Thank you for your correspondence dated 4 December 2020, with reference to the Buckingham Arms Development Plan Amendment (DPA). As you are aware Council has been supportive of developing this site and in negotiations with the Department of Planning and Matthews Group (property owner and developer) since late 2019.

Notwithstanding that Council signed a Statement of Intent and entered into a DPA Funding Agreement with the Matthews Group, at its ordinary meeting held on 17 August 2020, Council resolved to withdraw its support for the DPA process. This was a very difficult decision for Council, given its support to date for the proposed DPA.

You correctly note that the reasons behind the Council's request to lapse the DPA process were on the premise the Urban Corridor (Transit Living) Zone (set out in the Draft Planning and Design Code) significantly departed from Council's desired maximum building heights and setbacks as identified by the Peer Review Process and uncertainty with the timing roll out of the New Planning System. These departures were due, in part, to a policy library/code that did not appear to accommodate specific height restrictions as sought by Council as well as a loss of site specific policy nuances in the transition to a one size fits most new Planning & Design Code.

Of course, since the Council made its last decision in relation to this DPA, the Planning & Design Code for Phase Three Council areas has been released for a second round of public consultation. In this latest round of consultation, it is proposed that the subject site will be transitioned to a Local Activity Centre Zone (as opposed to the originally proposed Suburban Activity Centre Zone). The Council is heartened by this decision, which appears to be in response to its concerns about the loss of this policy expressed in our submission made earlier this year.

The Council has made a formal submission to this second round of consultation of the Code. In our submission we have clearly stated Council's vision to activate gateway sites such as the Buckingham Arms Hotel site, which will transition to a Local Activity Centre Zone in the New Planning System.

The Council has outlined in its submission that it would like to see a maximum of five (5) storeys achieved on amalgamated sites and as such would like to see Performance Outcome (PO) 3.1 amended to allow some minor flexibility with height. Administration seeks a PO to be amended to read:

“Building height is generally consistent with the form expressed in any relevant Maximum Building Height Levels Technical and Numeric Variation and Maximum Building Height Metres Technical and Numeric Variation, and otherwise generally of a low rise that complements the established streetscape and local character.”

During consultation, the Buckingham Arms site was afforded a Technical Numeric Variation of three storeys. Should the above wording be adopted, there may be scope for the developer to seek an increased building height of four to five storeys, achieved through a performance solution.

With some minor alterations to the Code, the Council is now of the view that the Local Activity Centre Zone, applied over the Buckingham Arms Hotel site is a more appropriate policy fit for Council’s vision for the site. The Council has more confidence in the policy parameters controlling maximum building heights as found within the Local Activity Centre Zone and sees no advantage in reinvigorating the DPA to pursue what may be a maximum of 7+ storeys, potentially attainable under the Urban Corridor Zone (Transit Living) Policy Area. Indeed, given the policy in the draft Code recently released for consultation – which presumably reflects your Department’s view, and is now generally supported by the Council – it may be confusing if, in parallel, the Council was to pursue a DPA process that seeks to achieve substantially different planning outcomes for the site.

To this end, the Council expresses its strong preference to allow Phase Three of the Code to roll out before any further steps are considered in relation to the DPA process. Assuming that the final Code is in the same (or a substantially similar) form to that which was recently on public consultation, you have Council’s assurance that all efforts will be made to work with the Matthews Group in order to fully implement that policy by achieving a development that reflects the Council’s ultimate vision of a four to five storey mixed use development on the site.

Yours sincerely

Kiki Cristol
Chief Executive Officer

cc: Richard Dwyer, Ekistics c/o Matthews Group Pty Ltd

The Hon Vickie Chapman MP

#16088902

4 December 2020

Ms Kiki Cristol
Chief Executive Officer
Town of Walkerville

Attention: Andreea Caddy (Group Manager Planning,
Environment and Regulatory Services)



**Government
of South Australia**

Deputy Premier

Attorney-General

Minister for Planning
and Local Government

GPO Exchange
10 Franklin Street

GPO Box 464
Adelaide SA 5001
DX 336

Tel 08 8207 1723
Fax 08 8207 1736

Dear Ms Cristol

I refer to your letter advising of Council's resolution to withdraw support for the Local Centre Zone Review Development Plan Amendment (DPA) and requesting that it be lapsed.

I understand that the reasons behind this request are largely related to concerns with the Planning and Design Code (the Code) and the way in which building heights are managed in urban corridor-type zones. As you would be aware, building heights are addressed via Technical and Numeric Variations (TNV), allowing for a tailored response to local circumstances.

With the Code now available for consultation, an appropriate transition plan that addresses any concerns about building heights can be provided. Accordingly, I see no reason why this DPA cannot progress. I therefore advise that I decline to lapse the DPA and ask that Council instead work with the landowner and the Attorney-General's Department to finalise the DPA for public consultation.

I also advise Council that I have declined a request from Pierce Matthews Pty Ltd to take over the DPA as a Minister-led DPA as I consider this matter would be more appropriately addressed via the existing Council-led process. A copy of the letter is attached for your records.

If you have any questions on this matter, please contact Ms Abi Coad of the Attorney-General's Department at abi.coad@sa.gov.au.

Yours sincerely



VICKIE CHAPMAN MP
DEPUTY PREMIER
MINISTER FOR PLANNING AND LOCAL GOVERNMENT

The Hon Vickie Chapman MP



**Government
of South Australia**

Deputy Premier

Attorney-General

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#16089215

December 2020

Mr Richard Dwyer
Managing Director
Ekistics

By email: rdwyer@ekistics.com.au

Dear Mr Dwyer

I refer to your letter requesting that the abovementioned Development Plan Amendment (DPA) be taken over as a Minister-led DPA.

I have reviewed your request and acknowledge the extent of investigations that have already been undertaken. However, with the implementation of the Phase Three Planning and Design Code (the Code) in early 2021, I consider that the opportunity for new Minister-led DPAs is limited and should be focussed on those that are:

- shovel ready within 12 months
- specific to a particular locality (i.e. not broad sweeping policy change)
- are connected to other cross-government strategic priorities.

Whilst I acknowledge that your proposal is specific to a particular locality, I consider that there is insufficient strategic justification to warrant progressing this as a Minister-led DPA at this time.

As an alternative, I have asked that the Town of Walkerville (Council) work with the landowner and the Attorney-General's Department to finalise the Council-led DPA for public consultation. With the draft Code itself on public consultation, it enables the preparation of an appropriate transition plan to ensure the desired development outcomes can be balanced against Council's concerns about building heights, for example.

If you have any questions on this matter, please contact Ms Abi Coad of the Attorney-General's Department at abi.coad@sa.gov.au.

Yours sincerely



VICKIE CHAPMAN MP
DEPUTY PREMIER
MINISTER FOR PLANNING AND LOCAL GOVERNMENT



Item No: 14.2.1

File No: 18.63.1.1

Date: 18 January 2021

Attachment: A, B, C

Meeting:	Council
Title:	Draft Development Assessment Refund and Waiver Policy
Responsible Manager:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Author:	Senior Planner, Carly Walker
Key Pillar:	Strategic Framework – Key Pillar 7 – Leadership – A responsible and influential local government organisation
Key Focus Area:	Financial Guiding Principle 1- Finances managed responsibly
Type of Report:	Decision Required

Recommendation

That Council release the draft Development Assessment Refund and Waiver Policy, appearing as Attachment A, for public consultation.

Summary

Under the new PDI Act, Council is required to have a policy dealing with any requests for a refund or waiving of fees. This report seeks Council's endorsement for the Draft Development Assessment Refund and Waiver Policy to be released for public consultation.

Background

As Phase Three Council's transition over to the new planning system, development assessment fees are set by the State Government under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019. Fees payable will generally be paid directly to the DAP system (e-planning portal) via B-Point. If the applicant seeks to pay cash or pay at the front counter, these payments can be made to the Council directly with the relevant Council and will need to be distributed to the relevant parties by a net disbursements process.

Section 119 (14) of the *Planning, Development and Infrastructure Act 2016* outlines that an applicant may withdraw an application (*but, unless the relevant authority otherwise determines, the applicant is not entitled to a refund of the application fee in such a case*).

Section 119 (9)(c) further allows a relevant authority to waive payment of whole or part of the application fee, or refund an application fee (in whole or in part).

The above establishes a requirement for a refund and waiver policy; a Draft Development Assessment Refund and Waiver Policy is presented for Councils consideration at Attachment A. It is worth noting that the delegation for refunds and waivers currently rests with the Chief Executive Office for refund

requests up to \$500. Any amounts in excess of this are to be considered by the Council Assessment Panel.

A Financial Management – Refunds Fact sheet, prepared by the Attorney General's Department is provided at Attachment B. An additional Frequently Asked Questions (FAQ) – Finance, Fees and Charges is provided at Attachment C.

Discussion/Issues for Consideration

The Draft Development Assessment Refund and Waiver Policy, Attachment A has been drafted in line with the legislation and factsheet and is intended to provide guidance to the community on the level of refund that may be provided, based on the level of service involved in an application. The Policy has been drafted in line with the following assumptions:

Lodgement Fee

The lodgement fee is unable to be refunded as this fee is payable to the State Government and is intended to cover the development, ongoing operation costs and maintenance of the e-planning platform. It is worth noting that this is over and above Council's annual contribution, which is levied on the total value of developments undertaken within the financial year.

Processing Fee

The hard lodgement fee, otherwise known as a 'Processing Fee' under the Act, is payable when the applicant elects for Council to lodge their hard copy or electronic application within the portal on their behalf. The fee shall not be refunded or waived pursuant to Council resolution made at the Ordinary Council Meeting held on 17 August 2020:

CNC61/20-21

- 1. That Council request Administration to commence a procurement process for public notification signage.*
- 2. That Council request Administration to amend the fees and charges as conferred by the powers under Regulation 47(4)(d) of the PDI (General) Regulation 2017, upon commencement of the Phase Three Planning and Design Code, to reflect that the actual cost for each notice to be erected on the land (corner sites are required to have two signs, one for each road frontage) will be borne by applicant.*
- 3. That upon the commencement of the Phase Three Planning and Design Code, Council has determined not to waive the \$80 hard lodgement fee set out under Schedule 1, Part 2 5(b) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019.*

Planning and Building Assessment Fees

The planning and building assessment fees are calculated based on the cost of development works and operate on a sliding scale. It is considered reasonable to ensure that the proportion of fees withheld can reasonably cover the costs of work that has been inputted into the assessment to date. As seen in Attachment A, an applicant is entitled to a maximum refund of between 75% and 50% of the planning and building assessment fees (depending on which stage the application is withdrawn at) with only unused public notification fees to be refunded.

For example, where the cost of a deemed-to satisfy development does not exceed \$10,000 (i.e. a shed) the assessment fee is \$127. Those developments exceeding \$10,000 require a fee in the amount of \$210. If someone requests to withdraw the application and seeks a refund before the assessment commences, then the Draft Policy allows for a maximum refund of 75% of the planning assessment fees, which equates to between \$95.25 and \$157.50 refunded. Whilst the assessment has not yet

commenced, the application has undergone the process of validation and generation of fee advice, which equates to an hour of work or more undertaken by a Senior Planner at approximately \$46 per hour and the possible time taken to process payment via B-Point over the phone.

Public Notification Fees

Once the Planning and Design Code is live, public notification will involve sending out letters to any property located within 60m of the subject site as well as the erection of a sign in the prescribed format on the frontage of the site.

Based on the draft Planning and Design Code, the instances of public notification are likely to significantly reduce from the 35-40 that are usually undertaken per financial year. The largest proportion of applications processed within the Walkerville Council area includes single and two storey detached dwellings and alterations and additions to Contributory Items, which are unlikely to undergo public notification unless the building is three storeys or it exceeds 9m in height.

For phase two Councils, the State Government set the fee for the letters at \$250 per application with the signage left up to Council's to determine. As described in the aforementioned resolution, Council has procured the services of an external provider who will be responsible for the creation of the signage, erection of the signage on the site and the removal upon completion of the consultation period along with the relevant recycling of the signage. This cost has been quoted at approximately \$150 per sign. In the event that the letters have been sent out and the signage arranged, the applicant should not be entitled to a refund.

Referral Fees

Where a State interest is involved in an application, i.e. works to a State Heritage Place or a new crossover is proposed to a State Controlled Road, an application requires referral to the relevant State Agency as identified under the Planning and Design Code (Schedule 9 of the PDI (General) Regulations 2017). If the relevant referral fee (in the range of \$398) is paid to Council for the relevant referral and the application is withdrawn before the referral is sent, then this fee may be refunded. However, if the applicant has paid the referral fee directly to the portal, the State Government are likely to retain the fee through the Net Disbursement process and the decision to refund will need to be made directly to the relevant Department.

Compliance Fees

This is a new building inspection fee (i.e. \$240 for a dwelling and swimming pool) identified under PDI Act Fees Regulations Part 2 – 10. The fee is payable per element being assessed, which for a standard domestic project may include a new dwelling and a swimming pool and associated fencing (i.e. 2 x \$240 = \$480 – no fee payable for class 10 buildings under \$10,000). The only instance where a refund/waiver would be envisaged is if a proposal is varied and an element is removed from the plans i.e. the swimming pool is removed.

Miscellaneous Fees and Review of an Assessment Managers Decision

Along with a range of existing fees, there are several new fees within the PDI Act Fees Regulation that will be payable once the new system is live. For example, a Minor Change Request \$127 (currently uncharged) and the Review of an Assessment Manager's Decision \$511. The decision for the refund of all of the fees within this category shall be assessed on a case by case basis at the discretion of the relevant delegate (i.e. CEO or CAP/Council). It is likely that a request for a refund of the Review of the Assessment Manager's Decision will need to be made by the Council Assessment Panel, as they are both the assessing body and will have the relevant financial delegation.

Options for Consideration

Option 1

That Council release the draft Development Assessment Refund and Waiver Policy, appearing as Attachment A, for public consultation.

Option 2

That Council release the Draft Development Assessment Refund and Waiver Policy, appearing as Attachment A, for public consultation, subject to the following changes:

- a)
- b)
- c)

Analysis of Options

Option 1 seeks to release the Draft Development Assessment Refund and Waiver Policy for public consultation without any amendments.

Option 2 seeks to release the Draft Development Assessment Refund and Waiver Policy public consultation subject to amendments deemed appropriate by Council.

Financial Implications

The Draft Development Assessment Refund and Waiver Policy is considered to respond well to Financial Guiding Principle 1 – Finances Manager Responsibly.

Community Implications

In line with community expectations, this policy is intended to provide a fair and reasonable decision making framework for any requests for a refund or waiver of development application fees lodged by an applicant.

Regional Implications

There are no known regional implications in relation to this matter.

Governance Implications

The Draft Development Assessment Refund and Waiver Policy will undergo 21 days of public consultation in line with the Community Engagement and Consultation Policy. The policy is considered to respond well to the requirements under section 119 of the *Planning, Development and Infrastructure Act 2016* and further safeguards Council, should a section 270 review under the *Local Government Act 1999* ever be submitted against a refund/waiver decision of the council.

Preferred Option & Reasoning

Option 1 is the preferred option and provides the most suitable response to the *2020-2024 Living in the Town of Walkerville: a strategic community plan*.

Attachment/s

Attachment A	Draft Development Assessment Refund and Waiver Policy
Attachment B	Financial Management - Refunds
Attachment C	Finance, Fees and Charges FAQ

Development Assessment Refund and Waiver Policy

Approval Date	Click or tap to enter a date.
Classification	Council Policy
Responsible Officer	Group Manager Planning, Environment & Regulatory
Relevant Legislation	Planning, Development and Infrastructure Act 2016, Planning, Development and Infrastructure (General) Regulations 2017 and Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
Related Policies	
Related Corporate Documents	
Record Number	Click or tap here to enter text.
	Choose an item.
Last Reviewed	Click or tap to enter a date.
Next Review	Click or tap to enter a date.

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Development Assessment Refund and Waiver Policy

1. Introduction

The Policy establishes a consistent, equitable and transparent approach to the refund and reduction of development assessment application fees.

2. Scope

The Policy applies to development applications lodged within the Town of Walkerville but does not apply to statutory fees and levies collected by the Council on behalf of the State Government.

3. Definition

Statutory fees and charges	Fees set by the State Government and collected by Council in the assessment of a development application
Deemed-to-Satisfy	Assessment pathway determined by section 106 of the Planning, Development and Infrastructure Act 2016
Performance Assessed	Assessment pathway determined by section 107 of the Planning, Development and Infrastructure Act 2016

4. Policy Statement

4.1. Refund Policy

Section 119 of the Planning Development & Infrastructure Act 2016 provides the opportunity for Council to waive payment of or refund, all or part of an application fee (as listed in Schedule 1 – Fees within Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019).

The decision to waive, reduce or refund a fee is delegated to the Chief Executive Officer and to the Council Assessment Panel.

Upon written request from the applicant, the maximum fee that may be refunded shall be calculated in accordance with the following:

Fee	Refund/Waiver Policy
Lodgement Fee and Processing Fee (fee if Council has lodged application on e-planning on behalf of applicant)	No refund
Deemed-to-satisfy (Planning Assessment Fee)	<ul style="list-style-type: none"> 75% refund of planning assessment fees where assessment by planning staff has not yet commenced.

Development Assessment Refund and Waiver Policy

	<ul style="list-style-type: none"> • Where assessment by planning staff has commenced, 50% of assessment fees. • Where assessment has been completed and/or decision issued – No refund.
Performance Assessed (without public notification or minor)	<ul style="list-style-type: none"> • 75% refund of planning assessment fees where assessment by planning staff has not yet commenced. • Where assessment by planning staff has commenced, 50% of planning assessment fees. • Where assessment has been completed and/or decision issued – No refund.
Performance Assessed (planning assessment fee and public notification)	<ul style="list-style-type: none"> • 75% refund of planning assessment fee where assessment by planning staff has not yet commenced and full refund of unused public notification fees*. • Where assessment by planning staff has commenced but public notification has not been undertaken - 50% of planning assessment fee retained and full refund of unused public notification fees*. • Where assessment by planning staff has been completed but public notification has not commenced - no refund of planning assessment fees but full refund for unused public notification fees*. • Where assessment and public notification has been completed and/or decision issued – No refund.
Referral Fees (Schedule 9 Referral – Procedural Matters)	<ul style="list-style-type: none"> • If withdrawn prior to referral being sent, full refund.

Development Assessment Refund and Waiver Policy

	<ul style="list-style-type: none"> If withdrawn after referral sent, no refund.
Building Assessment Fees	<ul style="list-style-type: none"> Where no assessment or consideration has been given to the application by building staff - 75% of building assessment fees paid. Where assessment has commenced but has not been substantially completed, and no building surveyor's report has been sought 50% of building assessment fees paid. Where assessment is substantially complete – No refund.
Compliance fee (to be paid per element of development)	If an element of development is removed by way of a variation, the Compliance fee for that element may be waived or refunded at the discretion of the CEO.
Miscellaneous fees (i.e. Minor)	To be determined at the discretion of the CEO.
Review of Assessment Managers Decision	<ul style="list-style-type: none"> If request for withdrawal received prior to preparation of CAP agenda – 75% refund/waiver. If request for withdrawal received after preparation of CAP agenda – no refund.
Where the value of a Council Officer's time devoted to a particular proposal is estimated to be greater than the fees retained by Council, the Chief Executive Officer may reduce the refund accordingly up to a maximum value of \$500**.	
For those applications lodged under the <i>Development Act 1993</i> , a refund request will be determined wholly at the discretion of the Chief Executive Officer based on the time devoted to the proposal in question.	
Where it is demonstrated that a development application was submitted to Walkerville Council in error, a full refund of fees (minus lodgement and processing fee, where applicable) will be applied.	
Religious, charitable and non-for profit organisations may be entitled to a discount of fees to be determined at the discretion of the Chief Executive Officer. If the proposal is primarily for commercial purposes, no discount will be allowed.	

Development Assessment Refund and Waiver Policy

* Where letters have been sent out and sign procured and/or erected on the land.

** Any refunds up to \$500 in value shall be determined by the Chief Executive Officer and where the value of a refund exceeds \$500, it shall be determined by the Council Assessment Panel.

5. Availability of Policy

5.1. This Policy will be available for inspection at Council's principal office during ordinary business hours and on Council's website www.walkerville.sa.gov.au

5.2. Copies will also be provided to interested members of the community upon request and payment of associated fees in accordance with Council's schedule of fees and charges.

6. Review

6.1. A request for an internal review of decisions made under this policy can be made in accordance with the Town of Walkerville Internal Review of Council Decisions Policy; Internal Review of Council Decisions policy.

6.2. A request for an external review of decisions made under this policy can be lodged with office of the Ombudsman SA; <https://www.ombudsman.sa.gov.au/>

Financial Management – Refunds

The Relevant Authority will be responsible for determining if a refund is to be paid to an applicant and the amount of refund that will be paid. A council is only permitted to refund fees that are payable to that council.

The Development Application Processing (DAP) System will not allow the Relevant Authority to select fees for refunding that were not paid to them, such as the lodgement fee.

Fees payable to a Referral Agency may only be refunded by the council with full agreement of the Referral Agency, who will be responsible for determining how much of the Referral Agency fee is to be refunded.

A refund may be processed for any of the fees paid at any stage of the process, and for a number of different reasons. The main reasons are listed below.

Application withdrawn (Appendix 1)

- If an applicant withdraws their application after paying the appropriate fees, they may be due a refund. A refund is at the discretion of the Relevant Authority and is based on the amount of effort already put into assessing the application.
- Once an application is withdrawn, an assessing officer at the Relevant Authority will be tasked with determining how much, if any, will be refunded to the applicant. Each of the fee types paid on the Fee Advice for that application consent can be assessed and assigned a refund amount ranging from zero to the full fee amount. A brief reason can also be added to the refund determination.
- An application that is withdrawn after a consent has been granted or refused (finalised) will not be eligible for a refund.

Refund processing

- Once approved by the Financial Approver, the refund will be processed in a manner consistent with the method of payment by the applicant. For example, if the payment was made online in the DAP, the refund will be paid via the DAP system via an automated process through the BPoint Payment Gateway where the payment was originally made. However, if the payment was made over the counter at a council then the refund will be made via the method determined by each council.
- Regardless of the payment method, when a refund has been approved by an officer with authority to do so, a Refund Advice will be generated and distributed either directly to the online applicant or to the council via the email address provided in the DAP.

Fee or service not required

- Fees payable for a given Development Application are determined by the Relevant Authority during the 'Verification' stage of the assessment process. Fees are assigned depending on the nature, size and value of the proposed development. A Fee Advice is generated by the system based on the fee elements selected by the verifying officer at the time.
- It may be found during the Assessment Phase that a particular service has been paid for but is not actually required for the assessment activity, and therefore should be refunded.
- The assessing officer may select the Fee Advice on which the fee was paid and mark that specific fee (or fees) for refunding. After providing a short comment indicating why the fee is to be refunded, the assessment is submitted for approval by a Financial Approver. The Financial Approver may approve or reject the assessment made by the assessing officer or request further information.
- Once approved by the Financial Approver, the refund will be processed in accordance with the Refund processing mentioned above.

Incorrect or duplicate payment of fees

- Fees paid by credit card using BPoint, the online payment gateway in the DAP, can only be paid in full as the system will prepopulate the amount to be paid from the total shown on the Fee Advice being paid and this amount cannot be altered. This should prevent any occurrences of incorrect payments when paying online.
- The payment gateway will automatically mark the Fee Advice as 'paid' upon successful completion of the transaction. Once paid, any Fee Advice cannot be paid again. This should prevent any occurrences of duplicate payments when paying online.
- If a council elects to accept payments over the counter, the council staff member must ensure that the amount being paid is equal to the Fee Advice total, and that the Fee Advice has not already been paid by some other method. If a council staff member accepts an incorrect payment amount, or accepts a payment for a Fee Advice that is already marked as paid in the DAP, the council will be responsible for ensuring the correct adjustment or refund is processed.
- If there is a system issue where the customer is charged twice by BPoint but only one transaction is recorded in the DAP, the customer will be able to make contact with DPTI.DAPFinance@sa.gov.au, and provide appropriate documentation for a refund to be processed back on to the card it was charged to.

Over the counter payments

- Payments that were made by any means at a council office will be refunded by the council.
- The refund still needs to be processed through the DAP in the usual manner, up to and including endorsement by the Financial Approver. At this point, and if the DAP determines that the original payment was made over the counter at the council, it will generate a 'Refund Advice' that will be sent to the generic email address for that council that has been established in the DAP. The council would retrieve these refund advices from this generic email address and make payment of the refund to the applicant via the method determined by each council.

- **IMPORTANT TO NOTE:** For payments made by credit/debit card, the payment card rules that govern refunds made by DPTI also apply to card payments made at councils. If collected by the council via credit/debit card, the refund is to be returned to the applicant to that credit/debit card.

Financial approver

- When the assessing officer has submitted the refund assessment, it will be presented to a Financial Approver who can approve or reject the refund assessment, or request more information from the assessing officer.
- The Financial Approver role within the DAP system does not necessarily need to be a Finance Officer. It will mostly likely be an Assessment Officer, but it is a role that should be restricted to a small number of senior staff who have the authority within the organisation to approve a refund payment to an applicant.
- If the assessment is rejected or the Financial Approver requests more information, the task will be returned to the assessing officer for updating and resubmitting.
- Once approved by the Financial Approver, the refund will be processed in accordance with the Refund processing mentioned above.

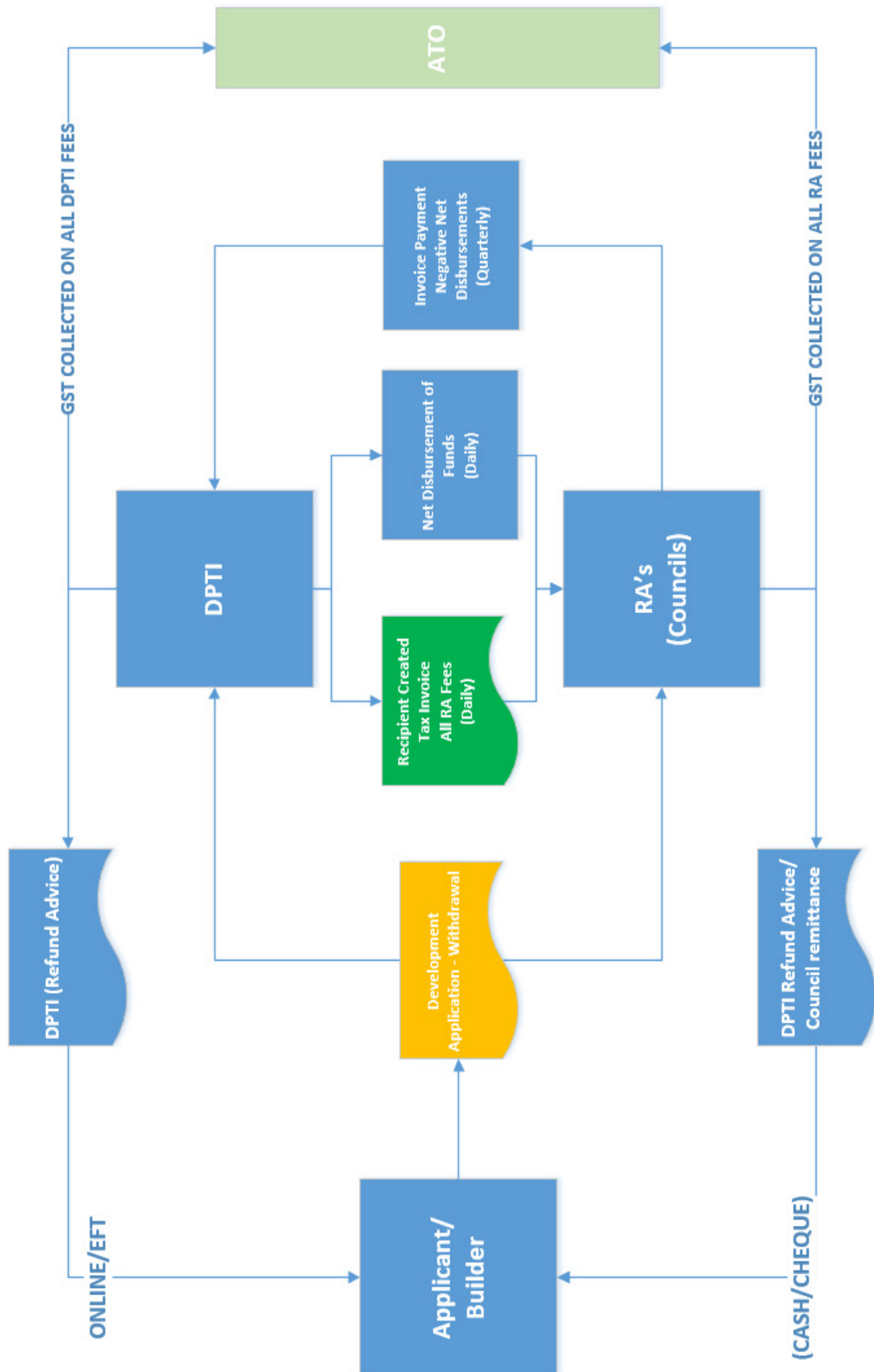
BPoint refunds

- Payment card industry rules stipulate that any payment that was originally paid via a payment card must be refunded to that same payment card.
- The DAP system will automatically determine if a payment was made using a payment card, and will send the refund request back to BPoint for processing. This is done by way of a 'token' assigned to the original payment transaction. The token will allow a refund (or refunds) to be made up to the amount of the original transaction.
- **IMPORTANT TO NOTE:** All information relating to the card used in making the original payment is stored with the Bank and not by the Payment Gateway, DAP or DPTI.

Information provided – when and where

- Where the applicant has provided an email address in their online application, they will be sent an email informing them that a refund has been approved. The email will contain a link to the DAP Document Store where they can find a more detailed 'Refund Advice' that they can view or download and save as required (refer Appendix 2).
- An application can be submitted in hard copy at the council for the development location. This would normally be reserved for those who do not have the option of lodging online, and should be discouraged if possible. Submitting an application in hard copy will attract an additional fee to account for the extra effort required by council staff.
- Should an applicant not be able to manage any part of the application process online, council staff will be required to manually process the application in DAP on behalf of the applicant. At several stages throughout the application lifecycle, there is a requirement to correspond or interact with the applicant regarding their application. If the application is marked as 'Hard Copy', no email communications will be sent. Instead, email communications and documents will need to be printed and mailed to the applicant, and any further receipt of information from the applicant entered manually into the DAP system by council staff.

Appendix 1 – Development Application Withdrawal (Refund)



Appendix 2 – Refund Advice example



Invoice Contact:
Test Automation

For enquiries, please contact:
Kimba
Kimba
1 Fake Address Adelaide 5000
08 888 1111

Adjustment Note (Refund Advice)

Application number: 20000983
Refund Advice No: 53
Refund Advice Date: 20 Jul 2020

Nature of development:
New housing Planning and Building Consent
Created By Test Auto

Description of Supply	Amount	GST	GST inc.
Building Assessment - Class 1	\$681.82	\$68.18	\$750.00
Building Assessment - Classes 2-9	\$1,490.91	\$149.09	\$1,640.00
Issue Essential Safety Provisions	\$218.18	\$21.82	\$240.00
Totals	\$2,390.91	\$239.09	\$2,630.00

If these fees were originally paid by Credit Card through the Plan SA online system, your refund will be automatically returned to that credit card.

If you paid these fees at your local council office, please contact that office to arrange collection of your refund.



Government of South Australia
Department of Planning,
Transport and Infrastructure
ABN 92 366 288 135

FAQ – Finance, Fees and Charges

What impact will the new planning system have on fees collected by council in light of no longer receiving the Lodgement fee?

While Lodgement fees will no longer be assigned to councils, they will receive an additional compliance fee for some development applications. The overall costs involved in administering the new planning and development system is a matter that individual councils will need to determine and may vary significantly from council to council. This will be dependent on the number of development applications that are assessed by independent accredited professionals.

Why is the lodgement fee going to the state government?

The Lodgement fee is payable to state government as the State is responsible for both the development and ongoing operation and maintenance of the e-planning platform. All other fees are aligned to the Relevant Authority involved in the particular assessment process.

The distribution of fees has been determined by the Chief Executive (of the Attorney-General's Department) as required under Regulation 18 of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 - see: plan.sa.gov.au/_data/assets/pdf_file/0005/699728/Chief_Executive_Schemes_and_Requirements_as_to_the_Payment_and_Distribution_of_Fees.pdf

What changes have been made to Referral fees for state government agencies?

The Referral fees are still payable by the applicant, however have now been set to partially offset the total cost of assessing applications referred to them though a better alignment with the work effort involved in the assessment process.

What costs apply to development applications that involve State Heritage items?

Development applications involving State Heritage items attract a State Heritage referral fee of \$398 that is payable by the applicant. If a person undertakes work that is development without seeking approval then this becomes a compliance / enforcement matter. Enforcement is a matter for councils to consider on a case by case basis.

Will councils receive a verification fee for development applications lodged to council where SCAP is the determined as the appropriate Relevant Authority for consent?

Councils having to verify applications that should be going to the State Commission Assessment Panel (SCAP) will not receive a verification fee.

In what circumstances can council apply a hard copy lodgement fee for development applications received?

The \$80 'hard copy lodgement fee' applies if the application is lodged at the principal office of the Relevant Authority. If the applicant emails the application to council, and there is a requirement to go through the submission process on behalf of the applicant and enter the application into the PlanSA portal, then a charge of \$80 can be applied. (Refer PDI Act (General) Regulation 29(1)(a).

Can councils waive the 'hard copy' processing fee?

In accordance with the Section 119(9)(c) of the PDI Act, councils may select to waive the 'hard copy' processing fee.

If an application is lodged for multiple elements i.e. for a dwelling, garage and swimming pool, can more than one compliance fee be charged? What happens if they are on the one application?

Compliance fees are payable for each element as per the PDI Act Fees Regulations Part 2 – item 10. In the example provided, a compliance fee would be charged for the dwelling, another compliance fee for the pool and there may be (depending on the cost) a compliance fee for the garage.

Is a compliance fee applicable even if the building is not inspected?

A compliance fee is still applicable unless the council decides to waive the fee as per Section 119(9)(c) of the PDI Act.

Can multiple compliance fees be charged if councils have to attend a property on multiple occasions?

The compliance fee is only charged once during the application stage. The fee is set based on council's obligations to carry out inspections of certain developments in their respective areas (as per Practice Direction 9). The compliance fee can be charged per element of an application (i.e. dwelling, pool etc), however inspections are not required for each development but must follow the building inspections policy.

What can be done in the event that council suspects the development cost of an application is understated?

The applicant has the responsibility to provide an accurate development cost. If a council has reason to believe the figure provided is not accurate, then the council can ask the applicant to provide evidence, as is the case under the *Development Act 1993*.

As per in PDI Act Fees Regulation 5(2): "If an authority acting under subregulation (1), or a relevant authority in any event, believes that any information provided by an applicant is incomplete or inaccurate, the authority (or relevant authority) may calculate any fee on the basis of estimates made by it."

What will the process involve if a council wishes to waive any of the fees it receives?

A decision to waiver any fees in relation to a development application is a matter for individual councils to determine, as per the council's fee waiving policy.

When is it expected compliance fees are charged to the applicant?

If the applicant has requested council as the Relevant Authority to undertake both planning and building assessments, then the compliance fee can be charged at the planning verification, building verification or at the development approval stage, not twice.

In the event that a private certifier is assessing Building Consent, a private certifier is not able to charge the compliance fee so that would be charged by the Council prior to the issuing of development approval.

What is the approach to the tree fund fee?

The fee for a replacement tree (prescribed through Section 127(6) and (7) of the PDI Act) is set in the fees regulations (see Part 5 – item 27) as \$150 for each replacement tree not planted.

How are fees on development applications paid?

The Development Application Processing (DAP) system accepts development application payments using the Commonwealth Bank's online BPoint payment gateway by various forms of payment cards (both credit and debit) essentially twenty four hours a day.

For those who choose not to pay online, or do not have the capability to pay online, development application fees can be paid at the front counter of the council for the development location. Accepting payments at the front counter will be at the discretion of each council.

How often will councils receive payments?

While the Net Disbursement calculation occurs daily, the outgoing payments to stakeholders will occur on Mondays, Wednesdays and Fridays in accordance with the Department's Accounts Payable cycle. Thus, for applications where the Net Disbursement calculation is positive, stakeholders can expect an EFT payment into their account three times per week.

What if councils owe the Department monies?

In the case where councils owe the Department money, the Department will carry this balance over for several periods awaiting future activity to eliminate the balance. If the balance doesn't return to zero or positive after several months, the Department will send council an invoice for the balance outstanding.

Will councils be required to send monies to the Department or Referral Agencies?

All monies collected by councils, including any development application (the Department Fees) or Referral Agency fees will be retained by councils, with any adjustments for payments due to the Department/Referral Agencies to be managed through the Net Disbursement process.

How is the Net Disbursement Calculated?

The simple calculation for the Net Disbursement is as follows:

- Councils fees collected by the Department via online Development Applications
- Less the Department and Referral Agency Fees collected by councils over the counter

Will the relevant fees and charges (and applicable GST) be pre-set within the DAP system or will the verifying agent have to manually enter the fee/charge?

There is a pre-set list of fees (GST treatment already assigned) with all fees covered off in the Fee Schedule. There are a small number of fees that are assigned as “to be set by the Relevant Authority”. A Relevant Authority is empowered to alter the value applied for each of its fee types as deemed fit (except for the Department and Referral Agency fees).

How and when should Refunds be processed?

If an applicant withdraws their application after paying the appropriate fees, they may be due a refund. A refund is at the discretion of the Relevant Authority. Refer to the Refunds Fact Sheet for further information.

Does GST apply to fees?

Some fees are subject to GST. Paragraph 81-10.01(1)(h) of the GST Regulations ensures that supplies made by government in competition with the private sector are subject to GST.

Who pays the GST?

The Department (as an intermediary) will enter into an arrangement under which it is treated as a separate supplier, i.e. it will be treated as a principal in its own right.

To enter this arrangement, the Department and councils will be required to enter into an agreement under Subdivision 153B of the GST Act.

Councils will be required to pay the ATO the GST that has been collected on ALL fees they have received as a Relevant Authority from Development Applications. This excludes the Department Fees or Referral Agency Fees as these will be paid by the Department and the Referral Agencies.

What documentation will be provided?

AGD will provide three documents related to financial matters:

- 1 Recipient Created Tax Invoice – required for council/the Department to comply with GST Laws
- 2 Remittance Advice – provides a breakdown of components of the disbursement received
- 3 Transaction Detail Report – details of all transactions that have had a financial impact.

Other relevant and available resources

plan.sa.gov.au

New Fee and Charges at a Glance (PDF)

Fees and Charges Overview (PDF)

Fact Sheet – Financial Management - Payments (PDF)

Fact Sheet – Financial Management - Refund (PDF)

Fact Sheet – Financial Management - GST (PDF)

Fact Sheet – Financial Management - Net Disbursements (PDF)

Meeting:	Council
Title:	Liquor Licence Management Policy Review - Consultation Feedback
Responsible Manager:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Author:	Business Analyst (Property & Contracts), Scott Reardon
Key Pillar:	Strategic Framework – Key Pillar 7 – Leadership – A responsible and influential local government organisation
Key Focus Area:	Financial Guiding Principle 4 – Robust and transparent allocation and prioritisation of resources
Type of Report:	Decision Required

Recommendation

1. That Council receives and notes the Liquor Licence Management Policy Review – Consultation Feedback report and adopts the revised Liquor Licence Management Policy, appearing as Attachment A, for operational commencement.
2. That Council authorise Administration to make any changes to the Liquor Licence Management Policy of a minor technical or formatting nature.

Summary

Following the review and overhaul of the Liquor Licence Management Policy at their Ordinary Meeting of 16 November 2020, Council endorsed the revised draft Liquor Licensing Management Policy 'in principle' and released the draft policy for public consultation (**Consultation**). The consultation commenced 9:00 am Friday 27 November 2020 and closed 5:00 pm Friday 18 December 2020 (inclusive) (21 days). Upon the close of the consultation, no submissions had been received from the public.

Noting this, it is recommended that Council endorse the recommendations of this report and adopt the policy for operational commencement.

Background

At their Ordinary Meeting of 19 August 2013 Council resolved:

CNC61/13-14

That Council adopt the Liquor Licence Application Management Policy as amended.

Following a review of this policy, at their Ordinary Meeting of 19 October 2015 Council further resolved:

CNC145/15-16

That Council endorse the Strategic Planning and Development Policy Committee recommendation of 29 September 2015 as follows:

“That Council adopts the amended Liquor Licence Management Policy as presented in Attachment A.”

At their Ordinary Meeting of 16 November 2020, Council resolved:

CNC181/20-21

- 1. That Council receives and notes the Liquor Licence Management Policy Review report.*
- 2. That Council release the Liquor Licence Management Policy, appearing as Attachment A to this report, for public consultation.*

Discussion/Issues for Consideration

Liquor Licence Management Policy and Liquor Licensing Reforms

Council first adopted its Liquor Licence Management Policy in August of 2013, then following a number of legislative amendments and internal period of review, endorsed the revised and amended policy in October 2015.

In 2016 the State Government appointed Hon T. R Anderson to conduct an independent review of the existing *Liquor Licensing Act 1997* as the legislation had not been significantly reviewed in 20 years. Hon T. R Anderson’s review proposed 129 recommendations for extensive and far reaching changes to the liquor licensing regime in South Australia;¹ of which the Government adopted the vast majority either in full or in part.²

Commencing 4 September 2016, over the course of the following three (3) years the government rolled out the adopted amendments, with the final stage of the reform coming into operation on 18 November 2019. Following the roll out of the new provisions, the scope of Council’s power to regulate licensed premises significantly reduced, thus restricting the scope of a Council’s statutory authority to only matters relating to planning and landowner intervention rights.

The draft policy, appearing as Attachment A to this report, reflects these primary areas.

Community Consultation

At their Ordinary Meeting of 16 November 2020, Council endorsed the revised draft Liquor Licence Management Policy ‘in principle’ and released the draft policy for public consultation. The consultation occurred between 9:00 am Friday 27 November 2020 and closed 5:00 pm Friday 18 December 2020 (inclusive) (21 days).

During the consultation period, detailed information about the draft policy was placed:

- on Council’s ‘Open For Consultation’ page; and

¹https://www.agd.sa.gov.au/sites/default/files/anderson_report_review_of_liquor_licensing_act_1997_june_2016.pdf?v=1492476510

²https://www.agd.sa.gov.au/sites/default/files/liquor_licensing_review_-_government_response.pdf?v=1491801166

- in the Weekly Round Up editions of 27 November 2020,³ 4 December 2020,⁴ and ⁵11 December 2020.

Hard copies were also made available to the public in the Civic Centre.

Upon the close of the consultation period, no submissions had been received.

Options for Consideration

Option 1

That Council receives and notes the Liquor Licence Management Policy Review – Consultation Feedback report and adopts the revised Liquor Licence Management Policy, appearing as Attachment A, for operational commencement.

Option 2

That Council directs Administration to make the following amendments before adopting the draft Liquor Licence Management Policy:

- _____
- _____

Analysis of Options

Option 1 delivers a policy that is consistent with the amended legislation to accurately reflect Council's powers as they relate to Liquor Licensing within the Township.

Financial Implications

There are no financial implications associated with this report.

Community Implications

There are no perceived community implications associated with this report. However, the revised policy outlines Council's intentions and ability to regulate liquor licensing, particularly on Community Land.

Regional Implications

There are no perceived regional implications associated with this report.

Governance Implications

There are no perceived governance implications associated with this report or draft policy as the revised legislative framework is already operational.

Preferred Option & Reasoning

Option 1 is the preferred option on the basis that it delivers a revised policy that is consistent with the current legislation.

Attachment

Attachment A	Liquor Licence Management Policy
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³ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0018/803340/Weekly-Round-Up-27-November-2020.pdf

⁴ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0033/807837/Weekly-Round-Up-4-December-2020.pdf

⁵ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0030/811794/Weekly-Round-Up-11-December-2020.pdf

Liquor Licence Management Policy

Approval Date	/ /2020
Classification	Council Policy
Responsible Officer	Group Manager Planning, Environment & Regulatory
Relevant Legislation	<i>Liquor Licensing Act 1999</i>
Related Policies	Outdoor Dining Policy; Public Land Encroachment Policy
Related Corporate Documents	Community Land Register; Community Land Management Plans
Associated Forms	Special Event Permit
Council Resolution Number	
Last Reviewed 16/11/2020	Next Review 1/11/2023

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2. Purpose	1
3. Scope	1
4. Definitions	1
5. Policy Statement	2
6. Availability of Policy	4
7. Review	4



Policy

1. Introduction

- 1.1 The Town of Walkerville is an inner eastern Council jurisdiction home to a number of licensed venues and sporting clubs. As licensed premises desire to adapt to social and economic change (like all businesses), the prescriptive nature of Liquor Licensing and Development Legislation require councils to implement guidelines to ensure that the parameters of any/all new licences and/or existing licence variation are compatible within a legislative and policy context, while consistently meeting the expectations of community.
- 1.2 Following the findings of 2016 Liquor Licensing Act reforms,¹ the *Liquor Licensing Act 1997* was significantly amended to facilitate the governments primary objectives to promote a safer drinking culture, increase the vibrancy of local council areas, and seek to reduce red-tape to assist businesses operate without increased and unnecessary oversight.

2. Purpose

- 2.1. This policy sets out the terms of reference for the exercise of Council's powers, assessment mechanisms and intervention rights pursuant to the *Liquor Licensing Act 1997* reforms. This policy seeks to encourage responsible attitudes and practices towards the consumption and use of liquor within Town of Walkerville, and should be read in conjunction with the Town of Walkerville's Development Plan, Outdoor Dining Policy, the Town of Walkerville's By-Laws, and Council's Community Land Management Plans for a comprehensive interpretation of requirements.

3. Scope

- 3.1. This policy and the provisions therein apply to the application for and operation of all liquor licences and licensed premises (as defined and approved by the *Liquor Licensing Act 1997*) within the Town of Walkerville; particularly those that operate on Community Land.

4. Definitions

Act	Unless otherwise stated, means the <i>Liquor Licensing Act 1997</i>
Council	Means the Corporation of the Town of Walkerville
Community / Council Land	Means all roads, footpaths, buildings, land, reserves, and/or assets as owned by the Council.
Entertainment Consent	Means an authorisation under the liquor licence which permits Entertainment to be held at the licensed premises in excess of the standard approvals granted under the Act.

¹https://www.agd.sa.gov.au/sites/default/files/anderson_report_review_of_liquor_licensing_act_1997_june_2016.pdf?v=1492476510

Policy

Extension of Trading Area	Means a licensed Outdoor Dining Area pursuant to section 69 of the <i>Liquor Licensing Act 1997</i> .
Licensed Premise	Means a premises where an authorised liquor licence is in force.
Licensee	Means the authorised holder of a <i>liquor licence</i> .
Licensing Authority	Means the Commissioner of Liquor & Gaming, and/or the South Australian Court.
Liquor	Carries the same meaning as <i>liquor</i> under the <i>Liquor Licensing Act 1997</i> .
Liquor Licence	Means a designated category of Liquor Licences pursuant to sections 4, and 34 to 39 of the <i>Liquor Licensing Act 1997</i> .
Local Authority	Means Council.
Short Term Liquor Licence	Means a Liquor Licence pursuant to section 40 of the <i>Liquor Licensing Act 1997</i> .

5. Policy Statement

The primary areas of Liquor Licensing that fall within the scope of Council's statutory authority relate to the following:

5.1 Licensed Premises & Liquor Licences

- 5.1.1 The Licensing Authority may grant a Liquor Licence for a licensee to sell and supply liquor in accordance with both the standard terms and conditions of the licence (dependent of the respective licence category), as well as any other conditions otherwise imposed by the licensing authority and/or the local authority pursuant to their powers under the Act.
- 5.1.2 When and where prompted by either the applicant or the mandatory notification requirements of the Act, the Local Authority may be afforded the opportunity to assess individual applications for consistency against Planning and Development guidelines to ensure:
- 5.1.2.1 the existing use rights of the subject land/property are deemed suitable for the operation of a liquor licence / licensed premises;
- 5.1.2.2 any sought extended trading authorisation, extended entertainment consent and/or extended trading areas are deemed appropriate to operate on the subject land.
- 5.1.3 In accordance with section 77(3) of the Act, Council may exercise its right of intervention into liquor licence application proceedings held before the Licensing Authority where and licence application requires either Development Approval and/or Council's authorisation as Landowner.

- 5.1.4 In accordance with sections 77 and 78 of the Act, Council reserves the right to provide the Licensing Authority an unsolicited written submission when a proposed liquor licence, operational liquor licence, or the conduct of a licensee is deemed to be of detriment to the amenity of the area and/or the Township.

5.2 Extension of Licensed Trading Area

- 5.2.1 Pursuant to section 69 of the Act the Licensing Authority may grant an extension of a licensed premises to include an area adjacent to the licensed premises for the consumption of alcohol in that place.
- 5.2.2 The licensing authority cannot grant such an authorisation if the land is owned by or under the care and/or control of a Council, unless the Council has authorised use of this land to the licensee by way of Outdoor Dining Permit or lease/licence.
- 5.2.3 Where an extended trading area operates on Council Land (via approved Outdoor Dining Permit), Council reserves the right to impose any such condition(s) on said permit to govern the use of the extended area (including but not restricted to operation times) to ensure the community is not adversely impacted by the licensee's use of the land.
- 5.2.4 In the event that a Licensee's Outdoor Dining Permit lapses, is cancelled, revoked or suspended by the Local Authority, Council will immediately notify the Licensing Authority to ensure that the section 69 approval authorising the service and consume liquor on said land is suspended.

5.3 Short Term Liquor Licence

- 5.3.1 Pursuant to section 40 of the *Liquor Licensing Act 1997* a Short Term Liquor Licence may be granted by the licensing authority for an event or occasion or series of events or occasions.
- 5.3.2 Where a Short Term Licence is proposed to operate on Community Land, Council as both Landowner and Local Authority must be notified by both the Applicant and Licensing Authority prior to approval, and will be given the opportunity to impose any/all conditions upon the Short Term Licence that the Council deemed reasonable to protect the land and the community's interests.
- 5.3.3 In determining said conditions, Council will give consideration to the:
- 5.3.3.1 purpose of the licence;

5.3.3.2 proposed licensed hours of operation;

5.3.3.3 proposed licensee;

5.3.3.4 proximity of the licence to community facilities and residential properties;

5.3.3.5 perceived impacts that the operation of the licence may have on the community and community land;

5.3.4 Upon requesting Council's approval, the applicant is required to complete a Special Event Application Permit, and provide evidence of all relevant insurances and risk assessments.

5.3.5 In assessing a Short Term Licence Application, Council reserves the right to approve, refuse, and/or restrict the proposed licensed hours or conditions in order to maintain the reasonable peace of the Townships residents.

5.4 Dry Areas

5.4.1 Pursuant to the provisions set out in section 131 of the Act, Council reserves the right to implement a temporary dry area over a portion of Community/Council Land for the purpose of prohibiting liquor consumption/possession thereon for a period of up to and including 48 hours when Council deems the operation of such a dry area beneficial to and aligned with the community's interests.

6. Availability of Policy

6.1. This Policy will be available for inspection at Council's principal office during ordinary business hours and on Council's website www.walkerville.sa.gov.au

6.2. Copies will also be provided to interested members of the community upon request and payment of associated fees in accordance with Council's schedule of fees and charges.

7. Review

7.1. This Policy will be reviewed every three (3) years or otherwise as required.

7.2. Any queries or questions regarding this Policy should be directed to the Group Manager Planning, Environment and Regulatory Services or by emailing walkerville@walkerville.sa.gov.au

- 7.3. Council may deviate from this policy by way of Council resolution.
- 7.4. Any complaints regarding a decision made in accordance with this policy may be directed to Council or to the Chief Executive Officer in accordance with section 270 of the *Local Government Act 1999*. The complaint will be considered under the Internal Review of Council's Decisions Policy.
- 7.5. Pursuant to section 270(7) of the *Local Government Act 1999*, a formal request for review does not prevent a complaint being made to the Licensing Authority and/or Ombudsman at any time.

DRAFT



Item No: 14.3.1
File No: 18.20.2.22
Date: 18 January 2021
Attachment: A

Meeting: Council
Title: Establishment of the Walkerville Oval Redevelopment Sec 41 Committee
Responsible Manager: Chief Executive Officer, Kiki Cristol
Author: Chief Executive Officer, Kiki Cristol
Key Pillar: Strategic Framework – Key Pillar 4 – Assets – Continue to provide for and maintain a good standard of assets and public infrastructure
Key Focus Area: Financial Guiding Principle 2 –Invest sustainably in community assets for the future
Type of Report: **Decision Required**

Recommendation

1. That Council establish a Section 41 Committee, pursuant to the *Local Government Act 1999* to oversee the Walkerville Oval – Sports & Community Hub Redevelopment project and that the Committee be named the Walkerville Oval Redevelopment Committee.
 2. That Council adopts the Terms of Reference, appearing at Attachment A as the Committee’s terms of reference.
 3. That in line with the adopted Terms of Reference, Council appoint the Mayor, Deputy Mayor and two Councillors being and to the Committee.
 4. That in line with the adopted Terms of Reference, Council appoint Councillor as Deputy Member, to act as proxy as and when required.
 5. That in line with the adopted Terms of Reference (cl 5.4.2), Council defers the recruitment process for the appointment of up to two [optional] Specialist External Member(s) to the Committee as they see fit and make a recommendation for appointment to Council.
-

Summary

At its special meeting held on 30 November 2020, Council resolved to proceed with the Walkerville Oval Redevelopment (Sports & Community Hub) project and in so doing, proceed to detailed designs for a total project spend of \$8 million and seek grant funding of \$4 million to match Councils contribution of \$4 million (from borrowings). In order to advance this project and ensure that all statutory requirements together with maintaining an open and transparent process, Administration is recommending that Council establish a section 41 Committee, pursuant to the *Local Government Act 1999*, to oversee all aspects of the redevelopment project.

Background

The Walkerville Oval redevelopment project has been discussed and considered by Council since 2012 with various options presented to Council since that time. At a Special Meeting of Council held on 30 November 2020, Council considered three options based on investment amounts of \$3 million to \$12 million. After examining the preliminary financial modelling undertaken by Administration, preliminary prudential review undertaken by BRM Advisory and extensive community consultation feedback, Council opted to proceed with a redevelopment based on a total project spend of \$8 million, of which \$4 million will be funded from borrowings and \$4 million sourced from the SA Local Road and Community Infrastructure Program. At that meeting, Council resolved:

CNC218/20-21

That Council resolves to proceed with the Walkerville Oval redevelopment and in so doing:

- 1. Instructs Administration to proceed with detailed designs for Option 2, being a total new building cost in the order of \$8 million;*
- 2. Instructs Administration to submit a grant funding application as part of the State Government's Local Government Infrastructure Partnership Program, in the order of \$4 million to match the value of funds that Council will contribute;*
- 3. Finalise the Prudential Review once funding is in place and detailed designs have been undertaken;*
- 4. Undertake further public consultation to inform the community of Council's decision.*

Discussion/Issues for Consideration

In moving this project forward Council has determined with reasonable assuredness that it has the capability and capacity to deliver the project. It is determined to ensure that the process at all times meets all statutory requirements together with best practice in regard to being an open and transparent process.

In addition it is keen to ensure that the commentary provided in the BRM Advisory preliminary prudential review report, along with submissions received from the public are considered throughout the project.

Options for Consideration

Option 1

1. That Council establish a Section 41 Committee, pursuant to the *Local Government Act 1999* to oversee the Walkerville Oval – Sports & Community Hub Redevelopment project and that the Committee be named the Walkerville Oval Redevelopment Committee.
2. That Council adopts the Terms of Reference, appearing at Attachment A as the Committee's terms of reference.
3. That in line with the adopted Terms of Reference, Council appoint the Mayor, Deputy Mayor and two Councillors being and to the Committee.
4. That in line with the adopted Terms of Reference, Council appoint Councillor as Deputy Member, to act as proxy as and when required.
5. That in line with the adopted Terms of Reference (cl 5.4.2), Council requests that the Committee undertake a recruitment process for the appointment of up to two [optional] Specialist External Member(s) to the Committee, as they see fit and make a recommendation for appointment to Council.

Option 2

1. That Council establish a Section 41 Committee, pursuant to the *Local Government Act 1999* to oversee the Walkerville Oval – Sports & Community Hub Redevelopment project and that the Committee be named the Walkerville Oval Redevelopment Committee.
2. That Council adopts the Terms of Reference, appearing at Attachment A as the Committee's terms of reference, with the following amendments:
 -
 -
 -
3. That in line with the adopted Terms of Reference, Council appoint the Mayor, Deputy Mayor and **xx** Councillors being to the Committee.
4. That in line with the adopted Terms of Reference, Council appoint Councillor as Deputy Member, to act as proxy as and when required.
5. That in line with the adopted Terms of Reference (cl 5.4.2), Council requests that the Committee undertake a recruitment process for the appointment of up to two [optional] Specialist External Member(s) to the Committee, as they see fit and make a recommendation for appointment to Council.

Option 3

That Council receive and note the report and resolve not to establish a Section 41 Committee to oversee the Walkerville Oval Redevelopment project.

Analysis of Options

Options 1 and 2 are not dissimilar but for Option 2 providing Council with the opportunity to amend the proposed Terms of Reference. The establishment of a Committee to oversee the project is a sound approach that will ensure the final designs, risks associated with the project and implementation plan required to deliver the project are observed. Without having finalised the Prudential Report, it is considered that \$8 million is the maximum amount Council should spend on this project. Accordingly there is no scope for budget over-runs. A Committee overseeing the project will safeguard against unnecessary budget over-runs and where necessary look for savings in the design and construction of the facility.

Financial Implications

There is little financial risk associated directly with the decision to establish a section 41 Committee. However, the Committee will be charged with the responsibility of financial management and reporting related to the project, therefore the development and adherence to a comprehensive risk management plan, to mitigate Council's financial and operating risk will be essential to ensure Council's financial sustainability during and beyond project completion.

Community Implications

The results from the most recent round of consultation regarding the Walkerville Oval redevelopment demonstrates that the community is in favour (74%) of a new community and sporting hub at Walkerville Oval. The Oval redevelopment will be one of the most significant community infrastructure projects in many decades and as such, it is incumbent on the current custodians to ensure that we deliver a facility that offers value for money, is an integrated sporting hub on par with neighbouring Councils and is a facility that is going to meet the long-term needs of future generations.

Regional Implications

The Town of Walkerville is a member of the Eastern Region Alliance (ERA), a group of eastern metropolitan Councils, which voluntarily work together for the benefit of their local communities and the eastern region community as a whole. ERA has recognised that open space and leisure facilities need to be developed on a regional basis, as people seeking recreation do not concern themselves with Council boundaries. Redevelopment of the Walkerville Oval is aligned to the objectives of the ERA Councils, in that it ensures that communities have access to a wide range of recreation facilities for ERA residents to enjoy.

Governance Implications

The establishment of this committee meets all of the statutory requirements of S41 of the Act, which in part states:

- (1) *A council may establish committees.*
- (2) *A committee may, according to a determination of the council (and subject to the operation of this Act), be established -*
 - (a) *to assist the council in the performance of its functions;*

Examples—

1. *To carry out a project on behalf of the council.*
2. *To manage or administer property, facilities or activities on behalf of the council.*
3. *To oversee works on behalf of the council.*

(b) to inquire into and report to the council on matters within the ambit of the council's responsibilities;

(c) to provide advice to the council;

(d) to exercise, perform or discharge delegated powers, functions or duties.

Preferred Option & Reasoning

Option 1 is the preferred option. This approach was undertaken for the Civic & Community Centre project with great success. Council has carefully considered this project over an extended period and has resolved to implement the project. Due diligence has been imbedded in the process to date and the establishment of a S41 Committee will ensure continuation. Council has carefully considered this project over an extended period and has indicated a desire to implement the project.

Attachment

Attachment A	Draft Terms of Reference – Walkerville Oval Redevelopment Committee
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Terms of Reference

Approval Date:	Click or tap to enter a date.
Classification:	Terms of Reference
Committee:	Walkerville Oval Redevelopment Committee
Relevant Legislation:	<i>Local Government Act 1999</i>
Last Reviewed 18/01/2021	Next Review N/A

1. Establishment

The Walkerville Oval Redevelopment Committee [the Committee] is established under Section 41 of the *Local Government Act 1999* (as amended) and associated Regulations.

2. Functions

- 2.1 The Committee is established to oversee the proposed redevelopment of the Walkerville Oval – Sports & Community Hub at Smith Street, Walkerville [the Project] to ensure that it is delivered on time, within budget and to the agreed quality.
- 2.2 The Committee must prepare a project implementation plan that includes, but is not limited to a work breakdown structure, budget cash flow and a project governance and resourcing plan.
- 2.3 The Committee must regularly review the risk management plan throughout the Project life cycle and report to Council on any ongoing areas of concern.

3. Role, Duties and Responsibilities of the Committee

- 3.1 The primary role of the Committee is to oversee the redevelopment of the Project.
- 3.2 To ensure that at all times the Project is undertaken using open and transparent processes that meet all statutory obligations and best practice standards.
- 3.3 As part of the Council's governance obligations to its ratepayers and community, the Council has established the Committee to facilitate:
 - compliance with all relevant laws and regulations as well as use of best practice guidelines in relation to the Project;
 - the provision of an effective means of communication between the external parties, Administration and the Council;
 - effective management of financial and other risks related to the Project and the protection of the Council's assets and resources.

Terms of Reference

- the review and reporting to Council on any matter relating to the management or the efficiency with which Council manages its resources in relation to the project.
 - liaising with the Administration, Contractors and other parties to ensure an efficient and effective process.
- 3.4 To finalise the Prudential Review, once the detailed design has been completed and report back to Council.
- 3.5 Oversee the engagement by Administration of suitably qualified external contractors, including but not limited to the Architect, Engineer and Project Manager in accordance with the Council's Procurement Policy. The costs of recruitment and engagement will be included as part of the total project costs.
- 3.6 Manage the preparation of a Project Implementation Plan to include but not limited to a risk management plan.
- 3.7 Work with Council's appointed contractors to prepare detailed design plans and drawings.
- 3.8 Oversee the calling for, receiving and assessing of tenders for the construction works pursuant to Council's Procurement Policy. Provide a detailed assessment of the tenders and make a recommendation to Council for the engagement of the preferred tenderer.
- 3.9 Critically analyse and follow up any significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues and any other matters relevant under the Committee's Terms of Reference.
- 3.10 Provide a detailed project budget for each stage and specific costs so that variances may be reported to Council as and when they are proposed.
- 3.11 Monitor costs and expenditure against the original tender and Council's adopted budget. Report to Council as soon as practical any proposed variation to the original tender of a specific cost item that would exceed 15%.
- 3.12 Address issues brought to the attention of the Committee, including responding to requests from the Council for information and/or advice that are related to the project and are within the parameters of the Committee's Terms of Reference.
- 3.13 Provide a progress report to the Ordinary Council Meeting after each meeting. The report is to include a copy of the minutes, updated progress schedule and a financial budget versus actual report. Provide a comprehensive interim report in the same format at the conclusion of the construction phase (Practical Completion) and a final report at the expiry of the defects period.
- 4. Authority**
- 4.1 Pursuant to Section 44(2)(a) of the *Local Government Act 1999*, the Committee is empowered with delegated authority to act on behalf of and to undertake the functions, roles and duties of the Council in regard to the Project, subject to compliance with the adopted policies of Council.

Terms of Reference

This will enable the Committee to make decisions in a timely manner relating to options, variations and alterations within the scope of works that may occur from time to time.

- 4.2 However, the Committee must elevate matters of a significant nature where a proposal, proposed option, variation and/or alteration seeks to establish or significantly alter a scope of works not previously considered by Council.

5. Membership

- 5.1 Membership will be for the duration of the project including the defect period.

- 5.2 Membership will comprise:

- four (4) Elected Members, as determined by resolution of Council; one of whom will be Council's Presiding Member and one of whom will be Council's Deputy Mayor.
- one (1) Deputy Elected Member, as determine by resolution of Council to act as proxy as and when required.
- up to two (2) [optional] Specialist External Member(s) to be appointed at the discretion of Council and who is determined by the Council to have experience relevant and complimentary to the function and membership of the Committee.

- 5.3 Council's Presiding Member will be appointed as the Presiding Member of the Committee.

- 5.4 Conditions of Appointment [optional] Specialist External Member(s) shall include:

5.4.1 The [optional] Specialist External Member(s) will have related development, building, planning business or financial management experience relevant to the functions of the Committee and be conversant with related Acts and/or Regulations.

5.4.2 The Specialist External Member(s) will be independent of persons and entities who have an interest in the project so far as can be determined with reference to Division 3 – Conflicts of Interest, sections 73, 74 and 75 of the *Local Government Act 1999*. The Committee will make a recommendation for appointment of a Specialist External Member(s) to Council.

6. Meetings

- 6.1 The Committee shall meet as frequently as required during the initial design / tender stage at then at least once in each calendar month during the construction stage of the Project and at other appropriate times as and when required during other stages of the Project, as determined by the Presiding Member.

- 6.2 A schedule of meetings will be developed and agreed to by the Committee and be included in the Council Diary.

Terms of Reference

- 6.3 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee, no later than three (3) clear days before the date of the meeting. Supporting papers, reports and documents shall be sent to the Committee Members at the same time.
- 6.4 Additional meetings shall be convened at the discretion of the Presiding Member or the Chief Executive Officer.
- 6.5 The Committee will be provided with administrative support from Council staff. A senior / executive staff member and the Project Manager must attend meetings, whilst other Council staff may be invited to attend to advise and provide information when required.
- 6.6 Pursuant to Section 41(8) of the *Local Government Act 1999*, all decisions of the Committee will be reported to the Council at its next ordinary meeting. The reporting of the decisions of the Committee in this manner, in accordance with Clause 3.13 of these Terms of Reference, will satisfy the requirements of Section 41(8).
- 6.7 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance, are minuted and that the minutes otherwise comply with the requirements of the Local Government (Procedures at Meetings) Regulations 2013.
- 6.8 Minutes of the Committee meetings shall be circulated within five (5) days after a meeting to all Members of the Committee and to all Members of the Council and will (as appropriate) be available to the public.
- 6.9 Insofar as the *Local Government Act 1999* and Regulations, Council's Code of Practice – Procedures at Meetings (**CNC271/19-20**) and these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.

7. Voting

All Committee Members shall have full voting rights and must vote on decisions before the Committee.

8. Removal of a Member

- 8.1 Membership of the Committee continues for the term of the Committee, unless a Member resigns from the Committee or is removed at an earlier time by resolution of Council.
- 8.2 If the Council proposes to remove a Member of the Committee, it must give written notice to the Member of its intention to do so and provide that Member with the opportunity to be heard at a Council meeting, which is open to the public, if that Member so requests, before the Member is removed.

Terms of Reference

9. Quorum

- 9.1 A quorum for a meeting of the Committee shall be three (3) members of the Committee.
- 9.2 A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
- 9.3 If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to a specified day and time.
- 9.4 If at the expiration of 15 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the Presiding Member or, in the absence of the Presiding Member, the Deputy Mayor or, in the absence of the Deputy Mayor, the Chief Executive Officer, will adjourn the meeting to a specified day and time.
- 9.5 If the meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minutes the reason for the adjournment, the names of any Members present and the date and time to which the meeting is adjourned.
- 9.6 If the meeting is adjourned to another day, the Chief Executive Officer must:
 - 9.6.1 give notice of the adjourned meeting to each Member setting out the date, time and place of the meeting; and
 - 9.6.2 give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the Council.
- 9.7 If the Presiding Member of the Committee is absent from a meeting, then the Deputy Mayor will preside at the meeting.
- 9.8 All decisions of the Committee shall be made on the basis of a majority decision of the members present.

10. Review

- 10.1 These Terms of Reference were adopted by a resolution of Council at its ordinary meeting dated xxxxx.
- 10.2 The Committee is to continue in operation for the duration of the Project.
- 10.3 The Council must review the Committee's operations and membership within the twelve (12) month period following a general election, where the Project continues.

11. Sitting Fees

- 11.1 Elected Members sitting on the Committee shall not be paid a sitting fee.

Terms of Reference

11.2 Remuneration will be paid to the [optional] Specialist External Member(s) of the Committee, based on a set fee per meeting attended, being \$300.

12. Liabilities of Members

No civil liability attaches to a member of the Committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the Member's or Committees powers, functions or duties, Such a liability is attached instead to the Council.

Meeting:	Council
Title:	39 Smith Street & 44 Fuller Street - EOI Evaluation Panel Appointment
Responsible Manager:	Business Analyst (Property & Contracts), Scott Reardon
Author:	Business Analyst (Property & Contracts), Scott Reardon
Key Pillar:	Strategic Framework – Key Pillar 7 – Leadership – A responsible and influential local government organisation
Key Focus Area:	Financial Guiding Principle 4 – Robust and transparent allocation and prioritisation of resources
Type of Report:	Decision Required

Recommendation

1. That Council rescind recommendation 2 of Resolution **CNC306/19-20** from 16 March 2020 and recommendation 3 of Resolution **CNC84/20-21** from 17 August 2020 and in lieu thereof endorse the following:
 - a) That Council establish an Evaluation Panel (**Panel**) consisting of five (5) Independent Members, who subject to their formal acceptance, will oversee the Smith & Fuller Street Expressions of Interest Tender evaluation process and upon the conclusion thereof, provide recommendations and options to Council on how to proceed.
 - b) That the Evaluation Panel be comprised of two (2) Town of Walkerville Audit Committee Members and a further three (3) Independent Members who have backgrounds in either Property Development, Accounting, Property Law, and/or Planning/development/design/place making.
2. That Council, following the endorsement of this report, direct Administration to amend section 2.1 of the Smith & Fuller Street EOI Evaluation Panel Terms of Reference to reflect the revised resolution.
3. That Council formally invite the following candidates to be appointed to the Smith & Fuller Street EOI Evaluation Panel:
 - Ross Haslam (*Independent Audit Committee Member*)
 - Colin Scarlett (*Independent Audit Committee Member*)
 - Mabel Tan (*Independent Member*)
 - Richard Angove (*Independent Member*)
 - Doug Wallace (*Independent Member*)

Summary

Following the 2019 Strategic Property Review, in March 2020 Council resolved (**CNC306/19-20**) in part to:

1. *That Council instructs Administration to undertake an Open Expression of Interest (EOI) Tender process in line with Council's Procurement Policy, to seek out parties who may have an interest in entering into a long –term lease over the whole or part of Certificates of Title 5651/912 (Fuller Street 1), 5274/937 (Fuller Street 2), 5796/887 (Fuller Street Works Depot), 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2) for the purpose of investing in and redeveloping the site / building for the benefits of the community.*
2. *That Council establish an Evaluation Panel, made of three (3) Independent Audit Committee Members, subject to their acceptance, with the appropriate Administrative support, to oversee the Tender Evaluation process listed in point 1 above and provide recommendations to Council at the conclusion of the process.*

While initially Council resolved (**CNC306/19-20**) that the Evaluation Panel consist of only the three (3) Independent Members of the Town of Walkersville's Audit Committee, at their Ordinary Meeting of 18 May 2020 Council resolved (**CNC421/19-20**) to increase the number of panel members from three (3) to five (5) so as to ensure a greater breadth of candidate experience and overall scrutiny during the evaluation process.

At their Ordinary Meeting of 17 August 2020 Council resolved (**CNC7/20-21**) to invite seven (7) possible candidates to be interviewed for the two (2) remaining Evaluation Panel positions. While one (1) candidate declined the invitation, the remaining six (6) were interviewed between Tuesday 8 December 2020 and Thursday 10 December 2020.

Upon conclusion of the interviews, Council's 'Strategic Property Project – Smith & Fuller EOI Evaluation Interview Panel' (**Interview Panel**) were unanimous in their preferences for preferred candidates and also formed the view that the composition of the Evaluation Panel's membership should be reconsidered; particularly as it related to the Audit Committee membership numbers. Due to the calibre of candidates interviewed, the Interview Panel are of the opinion that the Evaluation Panel should be comprised of two (2) Town of Walkerville Audit Independent Committee Members and a further three (3) Independent Members.

It is on this basis that it is recommended that Council endorse the recommendations outlined in this report.

Background

At their Ordinary Meeting of 16 March 2020, Council resolved:

CNC306/19-20

1. *That Council instructs Administration to undertake an Open Expression of Interest (EOI) Tender process in line with Council's Procurement Policy, to seek out parties who may have an interest in entering into a long –term lease over the whole or part of Certificates of Title 5651/912 (Fuller Street 1), 5274/937 (Fuller Street 2), 5796/887 (Fuller Street Works Depot), 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2) for the purpose of investing in and redeveloping the site / building for the benefits of the community.*
2. *That Council establish an Evaluation Panel, made of three (3) Independent Audit Committee Members, subject to their acceptance, with the appropriate Administrative support, to oversee the Tender Evaluation process listed in point 1 above and provide recommendations to Council at the conclusion of the process.*

3. *That an Elected Member Informal Gathering be held in order to provide guidance to Administration in the development of the Evaluation Panel Terms of reference and Evaluation Matrix , prior to Council's consideration and endorsement of same*
4. *Council officially advises the current Lessee of Certificates of Title 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2) that the end of the lease term (viz 31 December 2020) Council does not propose to offer a renewal or extension of the existing lease, which does not preclude the existing Lessee from participating in the EOI Tender.*
5. *That Council instructs Administration to prepare a letter to the Town of Walkerville residents outlining the process and timing that will be undertaken with respect to the EOI tender and the reasons behind its decision.*

At their Ordinary Meeting of 18 May 2020, Council resolved:

CNC421/19-20

1. *That Council increases the number of persons appointed to the Smith St & Fuller St Expressions of Interest Evaluation Panel from three (3) to five (5).*
2. *That Administration compile a list of suitably qualified potential candidates who hold knowledge of and experience in the following areas:*
 - *Property Development;*
 - *Accounting;*
 - *Property Law;*
 - *Planning/development/design/place making*
3. *That a subsequent report outlining the list of potential candidates be returned to Council at a future meeting.*

At their Ordinary Meeting of 20 July 2020, Council resolved:

CNC7/20-21

That Council endorses the draft proposed Evaluation Matrix appearing as Attachment A to this report and the Expressions of Interest Evaluation Panel Terms of Reference, appearing as Attachment B to this report subject to the following amendments:

- *Clause 2.2 add the words 'includes an evaluation' and include the evaluation matrix as an outcome.*
- *Add clause 6.1.1.5 insert the words 'present to Council a completed evaluation matrix'.*

At their Ordinary Meeting of 17 August 2020, Council resolved in confidence to invite a number of suitable candidates to be interviewed for the remaining two (2) positions of the Evaluation Panel. The full details of Resolution **CNC84/20-21** are currently retained in confidence until such time that the matter is completed.

Discussion/Issues for Consideration

'Strategic Property Project – Smith & Fuller EOI Evaluation Interview Panel' & Candidate Interviews

At their Ordinary Meeting of 17 August 2020 Council resolved to establish the 'Strategic Property Project – Smith & Fuller EOI Evaluation Interview Panel' (**Interview Panel**) comprised by Cr Conrad Wilkins, Cr Stephen Furlan, Cr MaryLou Bishop, Cr Norm Coleman, and Administration's Business Analyst (Property & Contracts) Scott Reardon, to oversee the candidate interview process.¹

¹ As established in accordance with Council Resolution CNC84/20-21 (3).

Following a preliminary discussion, the Interview Panel agreed that candidates who possessed a skillset and/or experience in the following specialist areas would be best suited to fulfill the requirements of the panel members

- Risk;
- Finance;
- Legal;
- Commercial & Property Development; and
- Planning & Development.

Candidate interviews were held on both Tuesday 8 December 2020 and Thursday 10 December 2020, following which the Interview Panel decided unanimously that the following candidates (*in no particular order of priority*) possessed significant experience and expertise in the aforementioned skillsets and would prove beneficial in guiding and advising Council through the preliminary stages of redevelopment for this key land mark site.

1. Ross Haslam - Risk

Recently appointed to the Town of Walkerville's Audit Committee, Mr Ross Haslam has a sound understanding and affinity for local government and understands the key issues facing the sector. Risk Management, strategic management and corporate governance are areas in which Mr Haslam possesses significant experience. Currently Mr Haslam is a Director of South Australian Health and Medical Research Institute and Women's and Children's Local Health Network and is an external member on numerous Risk Management and Audit Committees.

2. Colin Scarlett - Finance

Also recently appointed to the Town of Walkerville's Audit Committee, Mr Colin Scarlett is an experienced commercial and finance manager possessing in excess of 23 years working as part of management teams in competitive and volatile industries. Mr Scarlett has extensive Commercial experience and most recently appointed as Group Manager Finance and Procurement at the Lifetime Support Authority.

3. Mabel Tan - Legal

Currently a Principal at Norman Waterhouse Lawyers, Ms Tan has over 20 years' experience in all commercial and property law matters and specialises in: procurement, goods and services agreements, unsolicited bids and procedures; construction and project management agreements; leasing, licensing, joint use and management agreements for recreational and sporting centres; and confidentiality and funding agreements.

4. Richard Angove – Commercial Property Development

Mr Angove is senior property executive with extensive experience in strategic project delivery across South Australia, Victoria and the Northern Territory. With a demonstrated history as Major Project Coordinator in both the Private and Public Sector (including the South Australian Department of Premier and Cabinet), Mr Angove was also the Executive Director for the Property Council of Australia (South Australian Division).

3. Doug Wallace – Planning & Development

Professionally, an urban, environmental and strategic planner with more than 40 years consulting experience in project management, strategic planning, statutory and policy planning, urban design, development assessment, development feasibility, advocacy and community consultation and immediate past Presiding Member of the Town of Walkerville's Council Assessment Panel.

Rescission Motion

At their Ordinary Meeting of 16 March 2020, Council resolved:

CNC306/19-20

That Council establish an Evaluation Panel, made of three (3) Independent Audit Committee Members, subject to their acceptance, with the appropriate Administrative support, to oversee the Tender Evaluation process listed in point 1 above and provide recommendations to Council at the conclusion of the process.

At their Ordinary Meeting of 17 August 2020, Council resolved in confidence to invite a number of suitable candidates to be interviewed for the remaining two (2) positions of the Evaluation Panel. The full details of Resolution **CNC84/20-21** are currently retained in confidence until such time that the matter is completed.

Following a period of candidate short-listing, at their Ordinary Meeting of 17 August 2020 Council resolved (**CNC7/20-21**) to invite seven (7) possible candidates to be interviewed for the two (2) remaining Evaluation Panel positions. While one (1) candidate declined the invitation, the remaining six (6) were interviewed between Tuesday 8 December 2020 and Thursday 10 December 2020.

Upon conclusion of the interviews, Council's 'Strategic Property Project – Smith & Fuller EOI Evaluation Interview Panel' (**Interview Panel**) were unanimous in their preferences for preferred candidates and also formed the view that the composition of the Evaluation Panel's membership should be reconsidered; particularly as it relates to the Panel's Audit Committee membership numbers. Due to the calibre of candidates interviewed, the Interview Panel now believe the Evaluation Panel should be comprised of two (2) Town of Walkerville Audit Committee Independent Members and a further three (3) Independent Members.

It is for this reason that it is recommended that a recommendation 2 of Resolution **CNC306/19-20** from 16 March 2020 and recommendation 3 of Resolution **CNC84/20-21** from 17 August 2020 be rescinded, and instead replaced by the recommendations of this report.

Options for Consideration

Option 1

1. That Council rescind recommendation 2 of Resolution **CNC306/19-20** from 16 March 2020 and recommendation 3 of Resolution **CNC84/20-21** from 17 August 2020 and in lieu thereof endorse the following:
 - a) That Council establish an Evaluation Panel (**Panel**) consisting of five (5) Independent Members, who subject to their formal acceptance, will oversee the Smith & Fuller Street Expressions of Interest Tender evaluation process and upon the conclusion thereof, provide recommendations and options to Council on how to proceed.
 - b) That the Evaluation Panel be comprised of two (2) Town of Walkerville Audit Committee Members and a further three (3) Independent Members who have backgrounds in either Property Development, Accounting, Property Law, and/or Planning/development/design/place making.
2. That Council, following the endorsement of this report, direct Administration to amend section 2.1 of the Smith & Fuller Street EOI Evaluation Panel Terms of Reference to reflect the revised resolution.
3. That Council formally invite the following candidates to be appointed to the Smith & Fuller Street EOI Evaluation Panel:

- Ross Haslam (*Independent Audit Committee Member*)
- Colin Scarlett (*Independent Audit Committee Member*)
- Mabel Tan (*Independent Member*)
- Richard Angove (*Independent Member*)
- Doug Wallace (*Independent Member*)

Option 2

That Council provides the following additional name and/or makes the following alternate amendments or recommendations:

- _____

Analysis of Options

Option 1

Option 1 delivers an outcome that will provide increased oversight and scrutiny during the EOI Tender evaluation process and is in line with the Interview Panel recommendations.

Option 2

Dependent on the nature of Option 2, this option may prove inconsistent with Procurement practices.

Financial Implications

There are no perceived financial implications associated with this report.

Community Implications

There are no foreseen community implications associated with this report.

Regional Implications

There are no foreseen regional implications associated with this report.

Governance Implications

The proposed recommendations are consistent with the aims of Council's Procurement Policy framework and provide increased oversight and scrutiny during the Tender evaluation process, thus aligning with the Community's expectation of transparency and good governance. They are also consistent with Councils resolutions of 16 March 2020 and 18 May 2020.

Preferred Option & Reasoning

Option 1 is the preferred option on the basis that it will provide increased oversight and scrutiny of the Tender evaluation process.



Item No: 14.3.3
File No: 4.85.1.6
Date: 18 January 2021
Attachment: A

Meeting: Council

Title: Walkerville street Wander

Responsible Manager: Chief Executive Officer, Kiki Cristol

Author: Communications Officer, Sarah Spencer.

Key Focus Area: Strategic Community Plan Focus area 1- Vibrant local culture, inspired by diversity and inclusivity

Key Focus Area: Strategic Community Plan Focus area 4 – Healthy, connected and inspired community

Type of Report: **Decision Required**

Recommendation

1. That Council receives and notes the business street survey public consultation feedback.
 2. That Council endorse a Walkerville street event for the first quarter of 2021, subject to positive targeted residential feedback (including a minimum of 50 per cent in favour to proceed) and allocates \$30,000 to the event as part of the budget review process.
-

Summary

In consideration of the impact that COVID-19 had on not only Council's events calendar, but also the social and mental wellbeing of residents, along with the economic effects on local businesses – the idea of a “wandering Walkerville” street event was flagged. It has become clear over the past few months that the community has a desire for a boost of both community morale and business activation via increased support from Council. A street event meets both of these aspirations. Consequently, Administration consulted with the business community on the possibility of hosting a street party along Walkerville Terrace. It was important to first engage with businesses to gauge whether there was an appetite for involvement prior to going to the residential population. Notwithstanding the small response number received during consultation, **100%** of participants were in favour of a street party along Walkerville Terrace.

This report presents Council with the results from the business street survey, along with a rough action plan for a street event, should Council wish to proceed. Considering the popular Christmas Fair was cancelled as a result of COVID-19, Administration is of the view that a street event would be an ideal way to bring a focus back to the business community, while also encouraging residents to get out and about. It is envisaged the 2021 event would be an appetiser to a larger street event the following year by providing a taste of what Walkerville has to offer.

Background

Council has expressed a strong interest in offering increased support to local businesses – an example of which was becoming a signatory of the Small Business Friendly Council Charter in September 2020. In addition, one of the key pillars of Council's Strategic Plan is to encourage business opportunities. Considering the annual Christmas Fair was cancelled as a result of COVID-19, Administration is of the view that a street event would provide a chance for business activation, as well as boosting community optimism within the Township.

Discussion/Issues for Consideration

An “injection of energy” into the Township, the “promotion of local businesses”, an increase in “sense of community” and the chance for a “great networking opportunity” are some of the reasons why the community want to see a street party along Walkerville Terrace. When asked a range of questions regarding the proposed street event as part of the consultation process, **100%** of respondents expressed their support to proceed.

The survey was undertaken between 4 December 2020 and 18 December 2020 via online survey platform SurveyMonkey. The link to the survey was emailed to Council's electronic database of local businesses and hard copies were also available at the Civic and Community Centre. The survey was promoted in Council's quarterly newsletter *About Town*, along with its social media channels. Upon the close of consultation, a total of 15 survey responses were received. Of the respondents, eight identified themselves as businesses in the Town of Walkerville, three as businesses outside of the Township and four as residents.

The key findings indicated that:

- **100%** are in favour of a street party along Walkerville Terrace;
- **100%** are happy for Walkerville Terrace to be closed for a street party;
- **100%** of business respondents are interested in participating in the street party;
- **100%** of business respondents are prepared to be involved financially by covering the cost of hiring tables and chairs, as well as rostering extra staff;
- **86.67%** want to see a street party in the first half of 2021, **13.33%** in the latter half of 2021 and **0%** for 2022;
- **53.55%** want a street party on a Saturday afternoon, while **46.67%** prefer a weekday evening;
- **66.67%** want to see live music as Council's entertainment contribution.

Based on the feedback during consultation, along with advice from an events planner, Administration would recommend a “wandering Walkerville” street event be held on **Saturday 20 March 2021**. This time coincides with the Adelaide Fringe Festival when it is anticipated that Levi Caravan Park will be operational and have intrastate and interstate visitors.

As part of the event, a section of Walkerville Terrace (most likely Stephen Terrace to the Smith Street roundabout) would be closed to traffic so that businesses could move out onto the street in order to sell their products or provide spillover hospitality service. Council would host the event, including marketing, procuring entertainment, organising road closures, implementing traffic management and contracting security. The costs businesses may incur would be the hiring of tables, chairs or stalls and the rostering of additional staff. The cost to Council is estimated to be \$30,000.

Administration has completed community consultation with the business community, however, it is vital to also seek feedback from residents who may be impacted by the event to gauge whether there is an equal level of support. If Council chooses to proceed, Administration will consult with the residential population in the direct vicinity of the target location for a period of two weeks. If more than 50 per cent are in favour, the street event will be progressed in order to meet event deadlines and complete relevant legislative requirements, such as road closure processes.

Event objectives

The Walkerville Street Wander would provide opportunities for the Town of Walkerville to:

- Stimulate the local economy by providing an opportunity for Walkerville businesses to generate income at the event;
- Raise the profile of the Town of Walkerville to visitors from Greater Adelaide as well as visitors from interstate;
- Enhance the Town's reputation as a great place to shop, live, work and do business;
- Focus on return visitation;
- Deliver an event for the local community to enjoy;
- Provide an opportunity for residents and visitors to gather and enjoy the Township's mainstreet precinct.

Marketing and promotion

Administration would provide a marketing and communications plan, which would include social media, online and print advertising to create awareness and boost attendance at the event.

Event marketing and promotion would include the following:

- A public relations campaign in the lead up to the event;
- A comprehensive social media campaign aimed at increasing event attendance and showcasing participating businesses;
- A variety of promotional signage leading up to the event, including entry banner statements across the Township;
- Printed materials.

Target audience

- Town of Walkerville residents:
 - Young families with children (25-39 with children)
 - Middle Age (40-54 children at home and empty nesters)
 - Mature (55-95 with and without partners)
 - Young people (18-30)
- Town of Walkerville businesses
- People from across Greater Adelaide and visitors to Adelaide:
 - People following Fringe events and those looking to get out and about during the festival period

Options for Consideration

Option 1

1. That Council receives and notes the business street survey public consultation feedback.
2. That Council endorse a Walkerville street event for the first quarter of 2021, subject to positive targeted residential feedback (including a minimum of 50 per cent in favour to proceed) and allocates \$30,000 to the event as part of the budget review process.

Option 2

1. That Council receives and notes the business street survey public consultation feedback.
2. That Council does not proceed with a Walkerville street event.

Analysis of Options

Option 1 allows Council to demonstrate its commitment to supporting small business owners and fostering community activation.

Option 2 removes the opportunity for Council to support businesses or community activation through the means of a street event.

Financial Implications

The cost of the street event would be approximately \$30,000. Funds will need to be allocated to this event via BR2 or BR3.

Community Implications

A street event would support Council's local economic development and community service.

Regional Implications

Residents from other areas of Adelaide would attend the street event and discover what Town of Walkerville businesses have to offer – in turn, potentially increasing return patronage and sales. If other eastern businesses attend the street event, this would also have wider benefits to the Eastern Region Alliance (ERA) and foster Council's position on the ERA Economic Development Group, as well as Propel SA.

Governance Implications

There are no known governance implications, but for undertaking a further community / resident survey, should Council support the recommendation.

Preferred Option & Reasoning

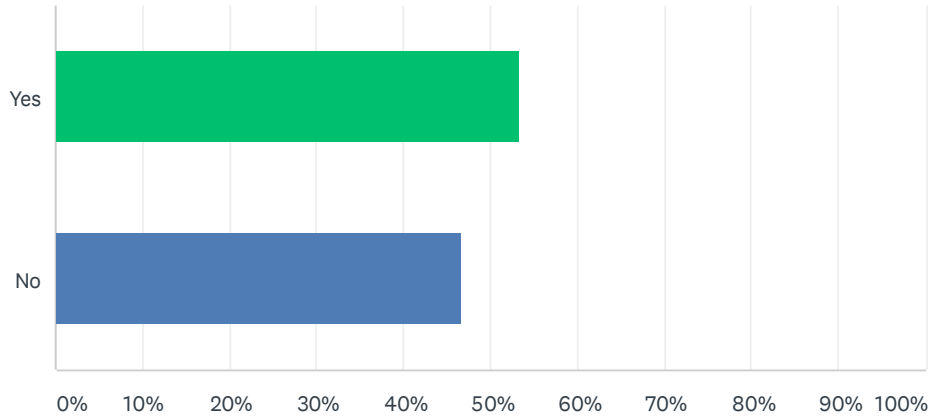
Option 1 is preferred as it continues Council's show of support towards small businesses in the Township while stimulating community activation on the back of a year which saw most social events cancelled.

Attachment

Attachment A	SurveyMonkey results
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Q1 Are you a business in the Town of Walkerville?

Answered: 15 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	53.33%	8
No	46.67%	7
TOTAL		15

Q2 Contact details:

Answered: 15 Skipped: 0

ANSWER CHOICES	RESPONSES	
Name	100.00%	15
Company	100.00%	15
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	100.00%	15
Phone Number	100.00%	15

#	NAME	DATE
1	Brad Cameron	12/17/2020 9:17 AM
2	Poongodi Soundarajan	12/16/2020 8:16 PM
3	Brian Mahoney	12/9/2020 10:09 PM
4	Natalie Garnaut	12/8/2020 4:56 AM
5	NA	12/7/2020 10:49 AM
6	Susanna Parkinson	12/6/2020 8:12 PM
7	Mun Whye Choy	12/4/2020 6:09 PM
8	Viranchi shah	12/4/2020 5:22 PM
9	Jonathan Whalley	12/4/2020 5:04 PM
10	Grant Miles	12/4/2020 4:34 PM
11	Kim	12/4/2020 4:24 PM
12	Ada Nguyen	12/4/2020 4:22 PM
13	david wright	12/4/2020 4:16 PM
14	BRIAN D HERN	12/4/2020 4:12 PM
15	Santhan Nadarajah	12/4/2020 4:11 PM

Business street survey

#	COMPANY	DATE
1	CLM Sleep Co	12/17/2020 9:17 AM
2	Chennai Sweets Pty Ltd	12/16/2020 8:16 PM
3	na	12/9/2020 10:09 PM
4	MYST Hair and Beauty	12/8/2020 4:56 AM
5	NA	12/7/2020 10:49 AM
6	OSX Personal Training	12/6/2020 8:12 PM
7	CLM Sleep Co.	12/4/2020 6:09 PM
8	Thirty65 Bookkeeping	12/4/2020 5:22 PM
9	Mineart	12/4/2020 5:04 PM
10	Not applicable	12/4/2020 4:34 PM
11	Na	12/4/2020 4:24 PM
12	Kids & Co. (private)	12/4/2020 4:22 PM
13	Travel Prospects	12/4/2020 4:16 PM
14	HERN & ASSOCIATES	12/4/2020 4:12 PM
15	Sinensis Australia Tea	12/4/2020 4:11 PM

#	ADDRESS	DATE
	There are no responses.	

#	ADDRESS 2	DATE
	There are no responses.	

#	CITY/TOWN	DATE
	There are no responses.	

#	STATE/PROVINCE	DATE
	There are no responses.	

#	ZIP/POSTAL CODE	DATE
	There are no responses.	

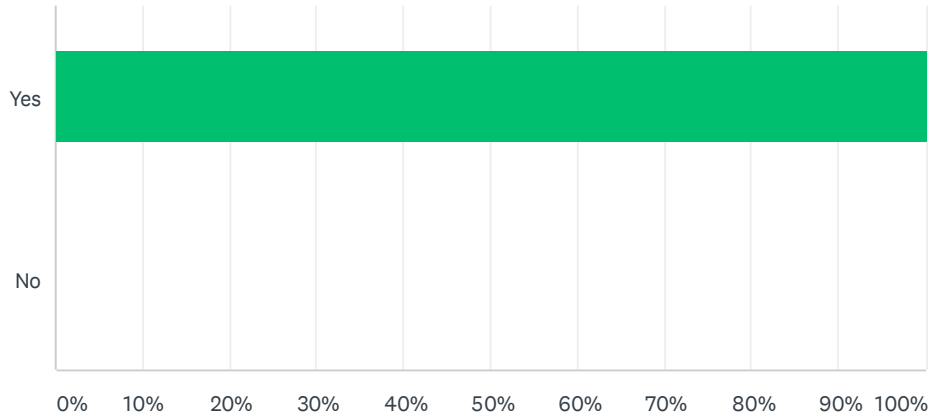
#	COUNTRY	DATE
	There are no responses.	

Business street survey

#	EMAIL ADDRESS	DATE
1	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Q3 Would you like to see a street party along Walkerville Terrace?

Answered: 15 Skipped: 0

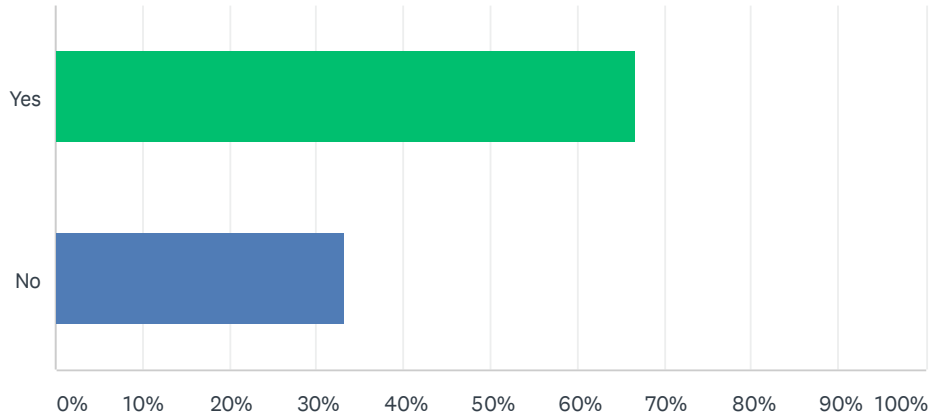


ANSWER CHOICES	RESPONSES	
Yes	100.00%	15
No	0.00%	0
TOTAL		15

#	WHY OR WHY NOT?	DATE
1	A vibrant town is a happy town	12/9/2020 10:09 PM
2	I think this is a great idea from a community perspective as well as from a business	12/8/2020 4:56 AM
3	It would be a great event to bring the community together and entice a younger crowd	12/7/2020 10:49 AM
4	To showcase my Group Fitness business I'm hoping to expand next year, on Walkerville Oval	12/6/2020 8:12 PM
5	It will bring more business as well as great networking opportunity.	12/4/2020 5:22 PM
6	Great for the community to come together	12/4/2020 4:34 PM
7	just to get people out and socializing more	12/4/2020 4:16 PM
8	TO COMPLEMENT & BUILD ON THE VILLAGE ATMOSPHERE	12/4/2020 4:12 PM

Q4 Would you be interested in participating in a street party on Walkerville Terrace as a business?

Answered: 15 Skipped: 0

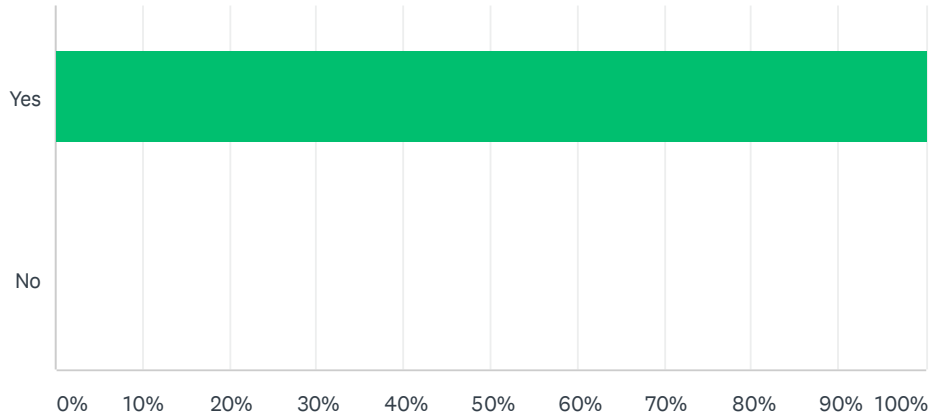


ANSWER CHOICES	RESPONSES	
Yes	66.67%	10
No	33.33%	5
TOTAL		15

#	IF NOT, WHY?	DATE
1	Don't have a business	12/9/2020 10:09 PM
2	The only thing I am worried about is parking as my clients already struggle with car parking as lot of parking is a 2 hour limit but most colour and cut services go for 3ish hours and they hate having to go move there car especially when they have had to park a 5min walk away.	12/8/2020 4:56 AM
3	I'm not a business	12/7/2020 10:49 AM
4	Not a business, resident only	12/4/2020 4:34 PM

Q5 Would you be happy for Walkerville Terrace (most likely from the roundabout to Stephen Terrace) to be closed for several hours as part of a street party?

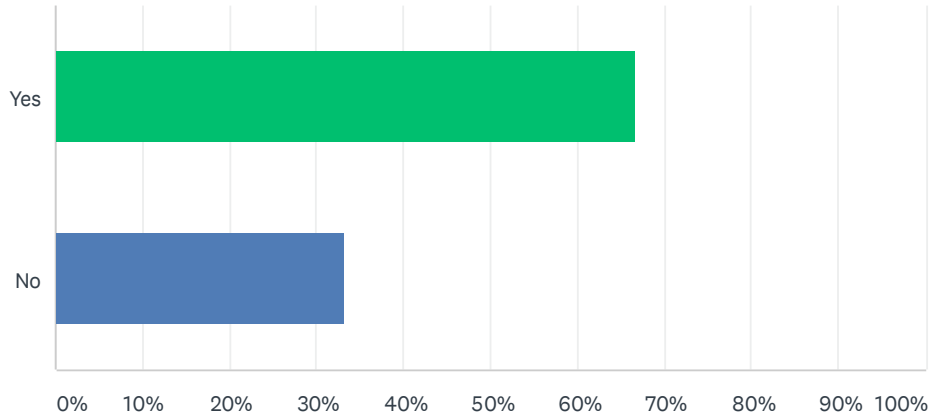
Answered: 15 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	15
No	0.00%	0
TOTAL		15

Q6 Would you be prepared to be involved financially by hiring tables and chairs, as well as rostering extra staff?

Answered: 15 Skipped: 0

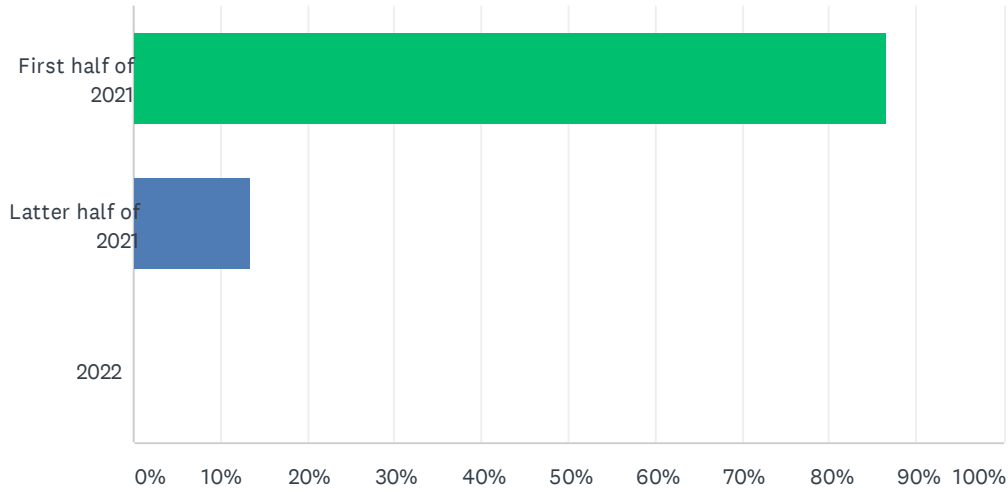


ANSWER CHOICES	RESPONSES
Yes	66.67% 10
No	33.33% 5
TOTAL	15

#	ANY COMMENTS:	DATE
1	This would require careful consideration and clearance from management	12/17/2020 9:17 AM
2	Not a participant	12/9/2020 10:09 PM
3	Yes as long as hiring tables and chairs etc is not expensive. I feel like extra staff and use of product etc is covered under what we could sell at the street party.	12/8/2020 4:56 AM
4	Not a business	12/4/2020 4:34 PM
5	provided that we can have a stall and it's within our budget	12/4/2020 4:22 PM
6	but i might share with another tourism coach operator in Walkerville - thus just need coach parking spaceer	12/4/2020 4:16 PM

Q7 When would you like to see a street party held?

Answered: 15 Skipped: 0

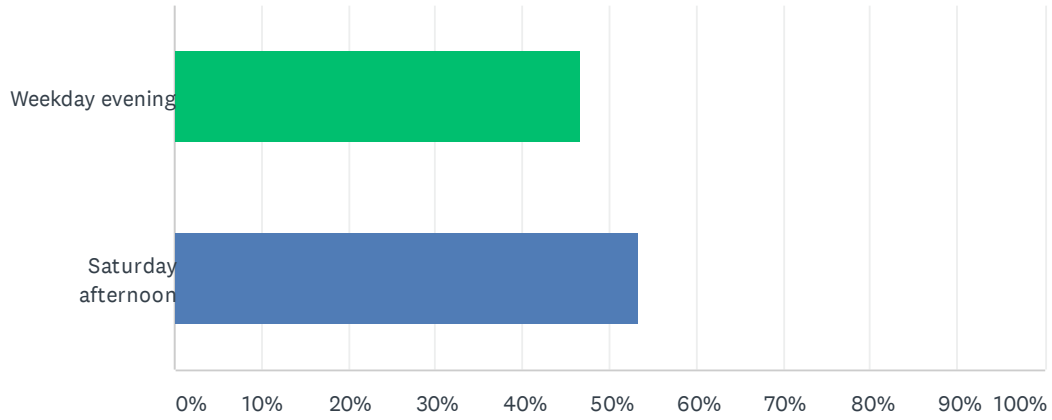


ANSWER CHOICES	RESPONSES
First half of 2021	86.67% 13
Latter half of 2021	13.33% 2
2022	0.00% 0
TOTAL	15

#	ANY COMMENTS:	DATE
1	Why not sooner rather than later	12/17/2020 9:17 AM
2	should be when the weather is most likely going to be warm but we would not participate if it was in November and December as we are so busy in the lead up to Christmas .. But would like around 3months notice so we have plenty of time to prepare as well as working out staff etc etc	12/8/2020 4:56 AM
3	Feb or March 2021	12/4/2020 4:34 PM
4	FIRST HALF WOULD BE BETTER BUT COVID STILL MAKES SO MUCH UNCERTAIN	12/4/2020 4:12 PM

Q8 What is your timing preference for a street party?

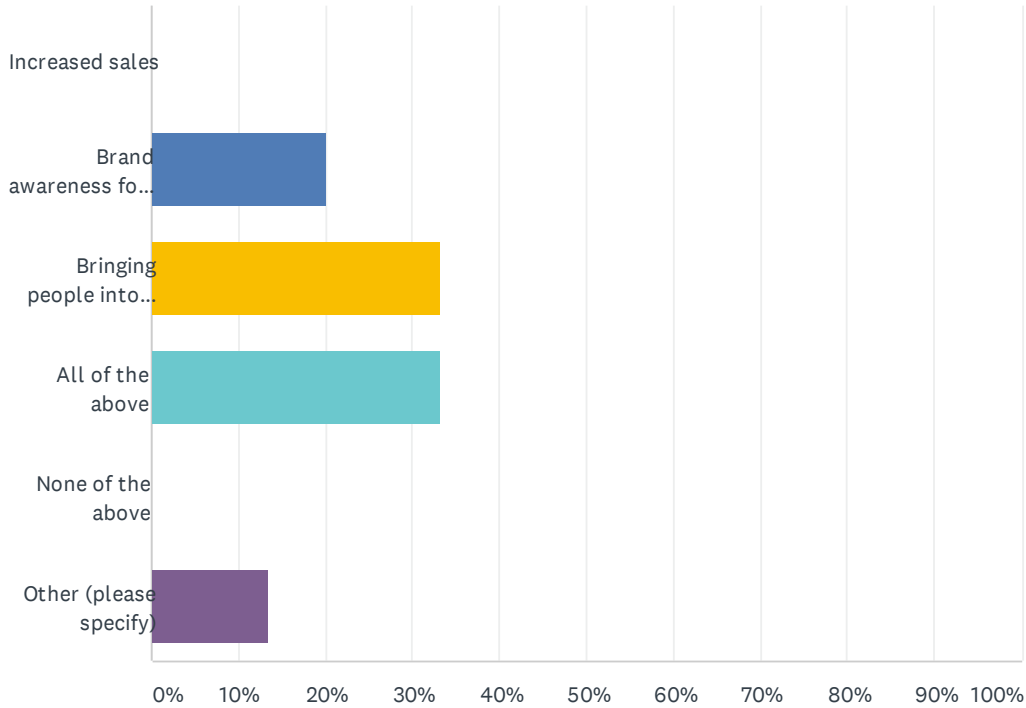
Answered: 15 Skipped: 0



ANSWER CHOICES	RESPONSES
Weekday evening	46.67% 7
Saturday afternoon	53.33% 8
TOTAL	15

Q9 What would you hope to get out of a street party?

Answered: 15 Skipped: 0



ANSWER CHOICES	RESPONSES	
Increased sales	0.00%	0
Brand awareness for your business	20.00%	3
Bringing people into Walkerville	33.33%	5
All of the above	33.33%	5
None of the above	0.00%	0
Other (please specify)	13.33%	2
TOTAL		15

#	OTHER (PLEASE SPECIFY)	DATE
1	I believe street parties do not bring increased sales to a hair and beauty business but definitely brand awareness	12/8/2020 4:56 AM
2	Community vibe for the area	12/4/2020 4:22 PM

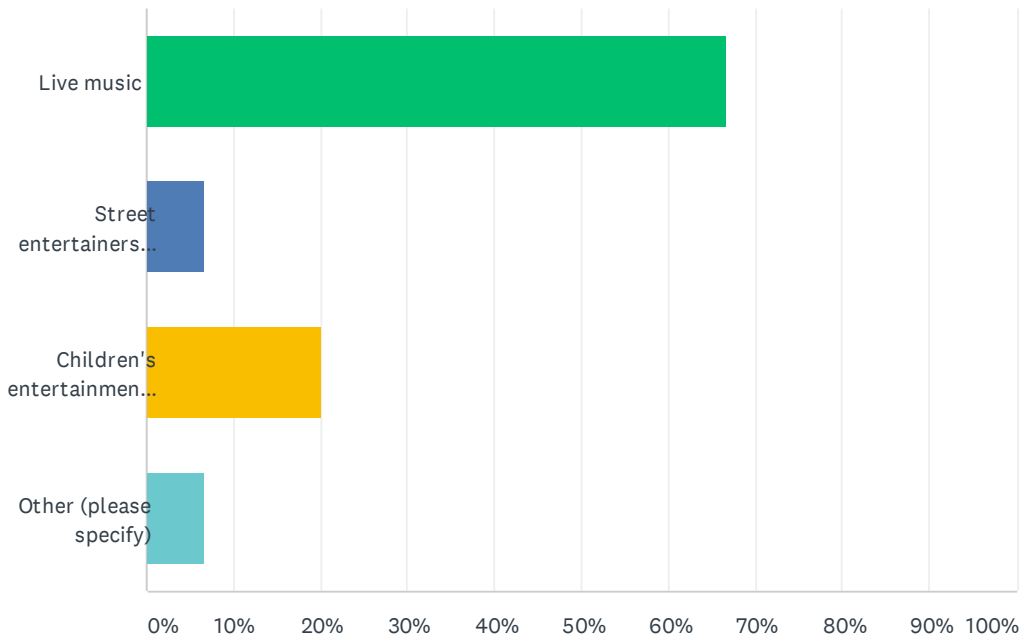
Q10 What would you offer/sell/display at the street party?

Answered: 15 Skipped: 0

#	RESPONSES	DATE
1	We would just let people know we're in the area if they have sleep health requirements... not much fun for the kids but some people need this kind of assistance.	12/17/2020 9:17 AM
2	Mango Lassi, Indian Coffee, Sugar Juice, samosa, curry and Rice	12/16/2020 8:16 PM
3	na	12/9/2020 10:09 PM
4	I would need to think about this as people aren't going to get a hair cut done at a street party but maybe we could do braids and styling for kids even though we don't do many kids in salon.	12/8/2020 4:56 AM
5	Food, drinks, clothes, coffee, homewares	12/7/2020 10:49 AM
6	A Frame signage, brochures, magnets, fitness equipment and staff in uniform. I would offer free first sessions, bring a friend for free, a raffle with free sessions as prizes.	12/6/2020 8:12 PM
7	Multi cultural delicacies	12/4/2020 6:09 PM
8	Lucky draw	12/4/2020 5:22 PM
9	Arts and craft	12/4/2020 5:04 PM
10	Not a business	12/4/2020 4:34 PM
11	Nothing	12/4/2020 4:24 PM
12	Asian street food & drinks	12/4/2020 4:22 PM
13	Tourism - intra / inter state and possibly the Pacific and field questions on client concerns with Virus and Travel	12/4/2020 4:16 PM
14	WOULD NEED TO THINK BUT FIRSTLY WOULD OFFER HOSPITALITY	12/4/2020 4:12 PM
15	Teas	12/4/2020 4:11 PM

Q11 What would you most like to see Council contribute as part of a street party?

Answered: 15 Skipped: 0



ANSWER CHOICES	RESPONSES
Live music	66.67% 10
Street entertainers (e.g. stilt walkers, dancers, etc)	6.67% 1
Children's entertainment (e.g. face painter, magician, clowns, etc)	20.00% 3
Other (please specify)	6.67% 1
TOTAL	15

#	OTHER (PLEASE SPECIFY)	DATE
1	Live music AND children's entertainment	12/7/2020 10:49 AM

Q12 Any other comments or suggestions:

Answered: 9 Skipped: 6

#	RESPONSES	DATE
1	I think this is a great idea!	12/7/2020 10:49 AM
2	This is a brilliant idea! The area would benefit greatly from the injection of energy and the promotion of local businesses. It would increase the sense of community and offer a social, fun, energetic environment in which to consolidate friendships with neighbours and local businesses	12/6/2020 8:12 PM
3	Let's make it happen.!	12/4/2020 6:09 PM
4	Great initiative	12/4/2020 4:34 PM
5	None	12/4/2020 4:24 PM
6	Great idea, can't wait	12/4/2020 4:22 PM
7	good idea and maybe open up to local sporting clubs and community clubs such as rotary to display their involvement in the community	12/4/2020 4:16 PM
8	A GOOD IDEA FOR REAFFIRMING OUR SENSE OF COMMUNITY AND TO SHOW THE MANY VISITORS TO WALKERVILLE THAT WE ARE A RICHLY DIVERSE COMMUNITY	12/4/2020 4:12 PM
9	Plan the event for couple of days	12/4/2020 4:11 PM

Meeting:	Council
Title:	Community Fund Applications
Responsible Manager:	Manager Community Development & Engagement, Fiona Deckert
Author:	Manager Community Development & Engagement, Fiona Deckert
Key Pillar:	Strategic Framework – Key Pillar 7 – Leadership – A responsible and influential local government organisation
Key Focus Area:	Living Walkerville - Wellbeing for every age and stage
Type of Report:	Decision Required

Recommendation

1. That Council allocates the following funds to the Community Fund applicant from the 2020/2021 Community Fund budget:
 - a. Walkerville Softball Club – (*Amount to be determined by Council*)
2. That Administration writes to the applicant for the Community Fund and advises them of the Council resolution.
3. That the successful applicants are invited to attend the Ordinary Meeting of Council to be held on 15 February 2021, to formally receive the funds from Her Worship Mayor Fricker at the beginning of the Council Meeting (dependent on COVID restrictions).

Summary

An application for a community fund grant has been received. Information to support the application from the new Club Secretary, David Moore is provided as part of Attachment B and specific information is outlined in Discussion/Issues for Consideration. There are adequate funds available in the community grants budget to allocate funds, as Council sees fit.

Background

Through its Community Fund Program, the Town of Walkerville supports local community groups and organisations as well as individuals. Eligible organisations and groups can apply for support towards activities that benefit the local community.

In line with the revised policy for allocation of Community Funds (Attachment A) endorsed by Council at its ordinary meeting on 17 June 2019 **CNC 393 /18-19**, applications for Community Fund grants are opened to the community on an annual basis.

The applications received are presented in this report, (refer Attachment B,C & D). A summary is also provided below:

Attachment	Applicant	Program, Project, Activity or Event	Type of Funding	Amount Requested
B	Walkerville Softball Club	New Club uniforms	Project	\$900

Discussion/Issues for Consideration

One community fund application has been received, which meets the Community Fund Policy guidelines and evaluation criteria.

The Walkerville Sports Club has provided further supporting documentation to their application as part of Attachment B, namely:

- Financial Statement
- Walkerville Softball Club (WSC) Profile
- Informal quote for junior softball uniforms

Currently 7% of members live in the Town of Walkerville with a further 40% living in Council districts directly adjacent to Walkerville.

As part of their ‘Community Back on Base’ program they are promoting the club with local schools in the township to increase the percentage of players from the township and offering reduced junior playing fees.

The ‘Community Back to Base’ project is expected to cost \$2,200 with the Club contributing \$1,300.

Past individual applicants for community fund grants have received \$150.00. Past project applicants have been determined by Council. Council has supported Walkerville Softball Club with community grant funding previously as outlined in the Evaluation Criteria (Attachment C).

An evaluation of eligibility is included in Attachment C.

Options for Consideration

Option 1

1. That Council allocates the following funds to the Community Fund applicants from the 2020/2021 Community Fund budget:
 - a. Walkerville Softball Club – (*Amount to be determined by Council*).
2. That Administration writes to the applicants for the Community Fund grant and advises them of the Council resolution.
3. That the successful applicants are invited to attend the Ordinary Meeting of Council to be held on 15 February 2021 to formally receive the funds from Her Worship Mayor Fricker at the beginning of the Council Meeting (dependent on COVID restrictions).

Option 2

That Council determines not to allocate funds from the Community Fund.

Analysis of Options

Option 1

Option 1 provides a recommendation that aligns with the Community Fund Guidelines Policy. This option provides a level of funding (as determined by Council) to the applicant for their program, project, activity or event to proceed.

Option 2

Option 2 may be viewed as not being supportive of individuals and organisations requiring funding for their event. However, it should be noted that the applicant has received financial assistance from Council in 2012 (\$3,000) and in 2017/18 (\$850).

Financial Implications

Council allocates an annual budget to the Community Fund program of \$10,000.00 and at present has a balance of \$8,400.00 available for applications.

Community Implications

The support of the projects will demonstrate Council's commitment to supporting community groups and individuals.

Regional Implications

There are no known regional implications associated with this matter.

Governance Implications


The application have been assessed against Council's Community Fund Program Policy. Refer to (Attachment C) for an evaluation undertaken for the eligibility for each applicant.

Preferred Option & Reasoning

Option 1 is recommended to Council as it is in line with past practice and the Community Fund Program Policy.

Attachment/s

Attachment A	Community Fund Program Policy
Attachment B	Application from Walkerville Softball Club
Attachment C	Evaluation criteria

 <p style="text-align: center;">Community Fund Program Policy</p>	
Approved by	Council
First Approved	29 August 1988
Review Frequency	Biannually
Last Reviewed	17 June 2019 (CNC393/18-19)
Next Review	June 2021
Document Number	POL201825060
Responsible Officer	Manager Community Development & Engagement
Policies Related	Sponsorship Policy, Plaque Policy
Applicable Legislation	<i>Local Government Act 1999</i>

Policy Statement

Each year Council may determine that an appropriation of funds shall be set aside in each Budget for the purpose of meeting emergent requests for financial assistance from community groups, individuals and / or organisations for projects, programs or activities that benefit the Town of Walkerville community.

Purpose of this Fund

A fund has been established to enable eligible community groups, individuals and organisations to apply for projects, programs or activities that benefit the residents of the Town of Walkerville. A grant should not be treated as a source of ongoing funding nor is it a means for community groups to fund their day to day operational activities.

Who can apply for a grant?

- Not for profit community groups and organisations operating in the Town of Walkerville.
- Ratepayers and Residents of the Town of Walkerville.

Who cannot apply for a grant:

- Political Parties,
- State or Federal Government Departments and Services,
- Employees and Elected Members of The Corporation of the Town of Walkerville,
- Unions,
- Professional Associations,
- Organisations registered as a company limited by shares,
- Organisations who are not eligible to apply for a grant cannot apply on behalf of another eligible organisation
- Individuals who are not ratepayers or residents of the Town of Walkerville.

What does the program support?

The Community Fund Program is primarily intended for;

- Projects, programs or activities that benefit the Town of Walkerville community;
- Capital purchases in support of a community project, program or activity;
- Purchases that are clearly one off i.e. Grants for individuals to participate in sporting, musical, artistic or other competitions in any 12 month period and are limited to competitions at a State, National or International level where the applicant is a resident or ratepayer of Walkerville and is

required to travel interstate or overseas to participate; memorial or heritage plaques.

- For Individuals, funding amounts will be determined by Council dependent on the age of the individual, if the event is being held locally, nationally or internationally;

What does the program not support?

- Any purpose or service which is considered to be the primary responsibility of the State or Federal Government, including projects targeted at students in a school setting.
- Projects, programs or activities that have already been completed or purchased.
- Recurrent operating or maintenance costs associated with the operation of the organisation or group, e.g. printing of newsletters.
- Servicing any debt of the organisation or group.
- Retrospective funding or funding of budget deficits.
- Purchase, replacement or new materials for the public realm that are already covered in the assets and infrastructure program e.g. park benches etc.

Funding Evaluation

Consideration will be given to (but is not limited to) the following:

- The level of benefit to the Town of Walkerville community resulting from the expenditure of the funds;
- The ability to complete the project; program or activity
- Previously funded programs, projects and activities.
- Copy of the organisations most recent financial statement outlining income, expenditure, assets and liabilities;
- What level of funding the organisation or group receives from other sources;
- Whether the organisation or group does charitable or good works for the community;
- Whether the project is one that will deliver genuine benefit to the community;
- Whether the organisation or group is located and / or provides services within the Town of Walkerville Council area;
- For individuals, applicants must demonstrate that the funding will benefit the recipient and /or the community;
- Whether the funding will benefit a specific cultural, artistic sporting or recreational group in the community.

Conditions of Funding

Applicants must acknowledge Councils Community Funding assistance in any publications or publicity.

All applications received will be reviewed by Council and funding will be awarded on merit.

Applicants are limited to one application per financial year, generally up to \$1000 unless determined by Council.

Process

An internal evaluation will be undertaken by Administration to determine whether applicants have met the criteria. A decision report will then go to an Ordinary Meeting of Council for decision.

When can I persons/organisations apply?

Applications can be received anytime during the financial year. - The program, project or activity is to be completed within the financial year that the funds have been awarded, with the acquittal form of the funds spent returned to Council Administration by 30 June of the second half of the financial year or 30 days after the event has finished.

Successful/Unsuccessful Applicants

Successful and unsuccessful applicants will both be advised of the Council resolution in writing.

Unsuccessful applicants will be given reasons as to why their application was unsuccessful.

Successful applicants will be provided with an acquittal form and invited to attend the following Ordinary Meeting of Council where they will be formally provided the funding (cheque) by the Mayor. If the successful applicant has requested the funding be payed via EFT, they will be awarded a certificate by the Mayor and the funding will be transferred into their nominated account.

Reporting Requirements

Successful applicants will be required to provide Council, with a signed financial acquittal form together with a brief financial statement detailing how the funds were expended. This form will be provided with your Fund approval letter. The financial acquittal form is to be received by Council Administration

To be successful for further funding, applicants must have acquitted all previously successful Funds under the Town of Walkerville Community Fund Policy & Guidelines.

Payment of successful applications

Should an application be successful, payment will be made either by cheque or through Electronic Funds Transfer (EFT).

Applications must include:

The following documents are essential to assess the application, please attach:

- Any documentation which might support the application
- Written quotes for any proposed purchases or purposes
- A signed or certified copy of the groups most recent financial statement outlining you're the group's income, expenditure, assets and liabilities
- Any documentation that sets out the groups community objectives

Applications together with attachments should be forwarded to:

Community Fund Applications
Town of Walkerville
PO Box 55
Gilberton SA 5081

Or email: cfund@walkerville.sa.gov.au



community fund grants

application form: projects

for local community group/organisation/individuals

Not for profit Community groups, organisations and individuals can apply for funding to support:

- projects, programs or activities that benefit that Town of Walkerville community
- capital purchases in support of a community project, program or activity
- plaques

Grants are not available for organisational operating costs, eg newsletters or for purchase, replacement or new materials that are already covered in the assets and infrastructure program; eg park benches. Council has an annual budget for Community Fund grants which is awarded on merit.

Prior to submitting this form, applicants are required to read the Community Fund Program Policy. If applying for a plaque applicants are required to read the Plaques Policy (Policies can be downloaded from Council's website or printed copies on request).

applicant details

Name of organisation/group (if applicable): WALKERVILLE SOFTBALL CLUB INC.

Name of individual applicant: _____

Address: P.O. BOX 214, WALKERVILLE, SA 5081

Telephone:

Email: _____

ABN number: _____

If you do not have an ABN number you must complete the *Declaration Where No Australian Business Number is Required* form attached to this application.

Please specify: Group Organisation Individual

1. Are you not for profit? Yes No

2. Are you a registered charity? Yes No

3. Are you registered for GST? Yes No

Postcode: 5081

4. How are you funded? please describe
The club is funded through player fees and club fundraising events.

5. Do you receive other local, State or Federal funding? (If yes, please specify) Yes No

Name:

Telephone:



TOWN OF



WALKERVILLE

community fund grants application form: projects

contact details

Name: PETER GEORGARIS

Telephone: [REDACTED]

Email: pgeorg

6. Name of the program, project, activity or event:

COMMUNITY BACK ON BASE

7. Which members of the community does your organisation assist or represent?

ladies and girls as players, general community as members, volunteers and supporters

8. Please provide a brief description of the program, project, activity or event. Maximum 100 words (Attach additional pages if required)

The program is designed to recover from the impact of COVID-19 and re-engage with the community. It is designed to bring back people previously involved and also engage with new members and volunteers. It will be the next phase of engaging with schools for new players following an extensive program over the last two years. Due to the cost of uniforms and equipment, it prevents some juniors playing. This grant will help offset costs. Last season no fees were charged to juniors in an effort to boost community involvement. This contributed to new players joining. It is being supported this year with additional players and volunteers.

9. Benefits to the Community (describe how Walkerville will benefit from this program, project, activity or event and how many people you anticipate will take part.)

Members of the Walkerville community are involved and we are looking to grow player and volunteer numbers. It will continue to build healthy relationships post COVID with greater social interaction and healthier lifestyles through participation.

10. How will you know if your project has been successful? (what signs will you look for? How will you record these details?)

- Success will be measured through an increase of members and volunteers and the retention of players.
- increasing and evolving relationship with schools and available equipment
- additional teams as has been achieved previously

11. How will your organisation promote this program, project, activity or event to the wider community?

The program will be promoted on Public Notice boards schools, club website and through a paid social media advertising campaign.

12. How will your organisation acknowledge the grant received from the Town of Walkerville?

The grant will be acknowledged on club website, social media, newsletters and on documentation flyers provided to schools. Material will be provided to Council for use on publications.



community fund grants application form: projects



program / project / activity / event timelines

13. What is the activity/event date? _____
OR
14. What is the proposed project/program commencement date? OCTOBER 2020
15. What is the estimated project/program completion date? MARCH 2021

program / event funding

16. Will you be proceeding with this program, project, activity or event without funding from the community fund program. If not, explain why:

YES. THE APPROACH HAS BEEN SUCCESSFUL IN THE PAST. OTHER SUPPORT WILL BE SOUGHT AS THE CLUB VALUES SPORT, COMMUNITY, ENGAGEMENT AND INVOLVEMENT

Could your project / event proceed if only partial funding is received? Yes No

Have you applied for other external funding for this program, project, activity or event, and if so when will funding be received?
 Yes No

What is the total budget for your event/activity? \$2200

How much are you applying for in this application? \$900

breakdown of the various project/event costs for this application

activity	council contribution	organisation contribution	other	total cost
<u>UNIFORMS AND EQUIPMENT</u>	<u>\$900</u>	<u>\$400</u>		<u>\$1300</u>
<u>COMMUNITY ENGAGEMENT/SCHOOLS COSTS</u>		<u>\$300</u>		<u>\$300</u>
<u>PROMOTIONAL MATERIAL-FLYERS ETC</u>		<u>\$200</u>		<u>\$200</u>
<u>SOCIAL MEDIA ADVERTISING</u>		<u>\$400</u>		<u>\$400</u>
total cost	\$900	\$1300		\$2200

If your organisation is successful how would you like the funding to be paid?

EFT Cheque

If you select EFT please complete the details below. Please note bank details will be stored electronically in a confidential file used by Finance Staff only.

Account name: [REDACTED]

BSB number: [REDACTED]

A/c number: [REDACTED]

Successful grant recipients are required to adhere to the current SA Government COVID-19 Emergency Management Directions and COVID Restrictions when implementing their programs, activities and/or events being funded through the Town of Walkerville grant funding programs. Funding will only be allocated once an approved COVID Safe Plan or COVID Management

community fund grants application form: projects



conditions of the funding

We / I, being the authorised officer/s of the organisation/ I, make the declaration and confirm and agree to the following:

- a. The information given in this application, including any attachments hereto is true and correct in every particular;
- b. That monies received from the Town of Walkerville will be spent on the approved activity and as outlined in the project fund application. The Town of Walkerville must approve any changes to the project;
- c. Any monies not expended on completion of the project will be returned to the Town of Walkerville;
- d. That Council's funding of the project will be promoted in publicity or promotions, of the event in consultation with the Council
- e. To provide the Town of Walkerville with a completed acquittal report form and brief financial statement detailing that monies have been expended in accordance with this funding application and subsequent Council approval, by 30 June of the second half of the financial year or 30 days after the event has finished.
- f. That failure to comply with these conditions may preclude our organisation from accessing further funds in the future;
- g. To indemnify and to keep indemnified and to hold harmless the Council, its servants and agents and each of them from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to a community project, program or activity.
- h. That permission is automatically granted by the successful application for the Council to publish and promote its support of the application in Council's own publications and published materials.

We further understand that any variation from the above conditions will require negotiation with the Town of Walkerville.

Signature: _____

Name: _____

PETER GEORGARIS

Date: _____

15 SEPTEMBER 2020

Please forward application to:

Manager, Community Development & Engagement
Community Fund
Town of Walkerville, PO Box 55, Walkerville SA 5081
Fax: 8269 7820
Email: cfund@walkerville.sa.gov.au

*Supporting
our community*



Walkerville Softball Club Inc.

24 Smith Street, Walkerville, SA 5081
C/- Secretary, PO Box 214, Walkerville, SA 5081

A Grade Premiers – Adelaide Competition: 2018, 2019

Most Successful Senior Club Award - Adelaide Competition: 2015, 2016, 2017



CLUB PROFILE

The Cats

The Walkerville Softball Club was founded in 1947 and was initially known as the Northern Districts Softball Club. The Cats compete in senior and junior grades in the Adelaide Club Competition. The Club has grown steadily over time and currently has in excess of 100 members in both senior and junior grades as players, officials, life members, managers and supporters.



The Club, which recently celebrated its 70th Anniversary, is based at the Walkerville Oval in Walkerville, and is proud to promote women's and girls' participation in sport.

It accommodates players of all skill levels and fields teams in all senior and in various junior grades. Over the years the Cats have consistently had teams compete in finals and have won multiple premierships across all grades. In 2018

and 2019, the Cats won the **Women's A-grade Premiership**. In 2020, the club was awarded the **Women's C-grade Premiership** and the **Under 12s Premiership**. The continual success of Cats teams has been recognised by the Adelaide Club Competition with the Cats being awarded the title of the **Most Successful Senior Club** for 2015, 2016 and 2017 and Cats players representing the State and the Nation.

Back to Back Premiers 2018 & 2019

Club Vision and Values

The Club has a proud and successful tradition that is guided by its Vision and defined by its Values:

Vision

The Walkerville Softball Club is a successful club that contributes to the development of its players and to softball in general.

Values -

- **Skills development** – providing the best available coaching and support to help players develop to their full potential
- **Teamwork** – we work together for the benefit of the club, the team and each other
- **Respect** – we listen to and respect our teammates, opponents, officials and supporters
- **Inclusiveness** - we promote inclusiveness, friendship and social interaction
- **Victory** – we play within the rules to achieve success
- **Enjoyment** - we compete and participate in softball as it provides enjoyment

The club promotes these values through skilled and experienced coaches, structured training sessions and active social and community events.



Elite Level Representation

The Walkerville Softball Club has had, and continues to have, players, coaches and officials who represent South Australian and Australian Softball teams. The Club was this year represented in senior and junior categories for the 2019-2020 championships with players and officials selected to represent South Australia. Senior players have been selected for the State Women's open team, the *Starz*, and for the Australian *Spirit*, the Australian Women's Softball team. Further to this, the Club has had players play in the Australian *Fully Loaded Softball* competition that was televised on Fox Sports in January 2020.

The standard of coaching and development provided by the club continues to focus on the progression of players to an elite level capable of competing at national and international levels.

Cats players and officials who have made a significant contribution to the sport of softball are also proudly recognised in the Australian Softball Hall of Fame and the South Australian Softball Hall of Fame.

Growth of the Sport

The reintroduction of softball into the Olympic Games (Tokyo 2021) has seen a resurgence in the sport with the recent increase in participants expected to continue over the coming years. Community Station Channel 44 televises Adelaide Competition Games throughout the season and, in recognition of the growing interest in the sport, broadcast the 2018 and 2019 Grand Finals live. Spacequake Sports also broadcasts games through its media platforms with the 2018 and 2019 Grand Finals each having been watched by more than 50,000 viewers locally and internationally. The sport at a national level has seen the Asia Pacific Cup and the Fully Loaded Softball competition televised on Fox Sports.

To cater for this growing interest, the Walkerville Softball Club continues to provide a local welcoming presence for players interested in developing their skills and participating at their desired level.

Community

The Club is actively involved within its community participating in a number of major initiatives. These include:

Junior Development - Coaching Clinics

Coaching Clinics are conducted by skilled coaches for junior players to encourage participation and to promote the sport. The Club engages with schools within its community to promote softball and increase girls' participation in sport.

Breast Cancer Awareness

The Club and its members participate in, and contribute to, Breast Cancer Awareness through Softball SA's Breast Cancer Awareness Day and Club fundraising activities. The Cats along with the Glenelg Softball Club participate in the Breast Cancer Awareness Match which is often live-streamed on Spacequake Sports and further televised on Channel 44 Adelaide.

Contact the Club

For more information regarding the Walkerville Softball Club, please contact the Club at walkerville@softballsa.com.au

Walkerville Softball Club IncPO Box 214
Walkerville 5081**Profit & Loss Statement****May 2019 through April 2020**1/05/2020
1:56:58 PM

Income	
Softball Income	
Players Fees	\$16,080.00
Life Members Discount	-\$1,080.00
Fundraising Income	
Community Lottery	\$1,130.00
Wine Drive Fundraising	\$1,360.10
Footy Tipping AFL	\$100.00
BBQ Fundraising	\$6,834.87
Club Day West Beach	\$37.53
Raffles	\$355.00
Junior Tournaments	\$68.00
Movie Nights	\$367.85
Club Apparel, Merchandise	\$207.00
Other Income	
Sundry Income	\$463.00
Interest	\$65.92
Total Income	<u>\$25,989.27</u>
Cost of Sales	
Softball SA Fees	\$17,191.95
Total Cost of Sales	<u>\$17,191.95</u>
Gross Profit	<u>\$8,797.32</u>
Expenses	
Junior Development Expenses	\$437.00
Gifts & Donations	\$96.20
Facilities Hire	\$1,244.00
International Coach Expenses	\$7,151.02
Coaches Payments	\$2,220.00
State Player Payments	\$650.00
Equipment	\$1,585.55
Sundry Expenses	\$225.89
Audit Fees	\$605.00
Walkerville Sports Club Fees	\$300.00
Postage etc	\$134.00
Total Expenses	<u>\$14,648.66</u>
Operating Profit	<u>-\$5,851.34</u>
Other Income	
Other Expenses	
Net Surplus / (Deficit)	<u>-\$5,851.34</u>

Fiona Deckert

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: Walkerville Softball Association
Subject: Re: EM202044852 - 40.94.2.1 - RE: Walkerville Softball Club - Community Fund Grant Application
Attachments: 6 Profit & Loss Statement 010519 to 300420.pdf; WSC Profile 2020.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Hi Fiona,

Apologies for the delay in getting back to you, it has been a really busy time both personally and with the softball club. As requested, I have put together the following information which I hope this is sufficient to meet the council's needs.

Membership %

- 7% of members live in Town of Walkerville
- ~ 40% of members (Current and Life Members) live in council districts directly adjacent to Walkerville

Financial Statement

- Attached
- Note: That the majority of the finances raised are through player fees and fundraising activities performed by club volunteers (ie Bunnings BBQ)
- We have deliberately reduced junior fees to encourage new children and players to the sport and the club

WSC Profile

- Attached

Whilst we do not have a formal quote for Junior tops, these would be sourced through Emmsee Sports who specialise in Softball and Baseball sportswear and equipment. Based on current pricing we would expect this to be approximately \$50 per junior uniform.

If you have any queries please feel free to contact me.

Regards,

David Moore
 WSC Secretary

From: Fiona Deckert <fdeckert@walkerville.sa.gov.au>

Sent: Tuesday, 24 November 2020 12:54 PM

Evaluation Criteria	Walkerville Softball Club
Not for profit community group	yes
Organisation operating in Walkerville	yes
Individual residing in the Town of Walkerville	n/a
Benefit to the Community or Individual	yes
Program, project, activity or event can proceed without funding	yes
Funding received from other sources	Club membership fees and fundraising activities
The groups or individual has received funding from Council previously (last 5 years)	\$3000 in 2012 for uniforms & equipment \$850 in 2017/18 for uniforms
Quotes provided (if purchasing goods)	yes

Meeting:	Council
Title:	Interstate Vehicle Expiations
Responsible Manager:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Author:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Key Pillar:	Strategic Framework – Key Pillar 3 – Mobility and Movement – Provide easy traffic and pedestrian movement throughout the town
Key Focus Area:	Financial Guiding Principle 1- Finances managed responsibly
Type of Report:	Decision Required

Recommendation

That Council:

1. Notes the total amount of outstanding interstate expiation notices since 2018;
 2. Acknowledges Administration's inability to access contact/ownership details relating to interstate vehicles;
 3. Resolves to write off the accrued unrecoverable debt as it relates to expiations issued to interstate vehicles.
-

Summary

Administration has kept a record of all interstate vehicle expiations issued since 2018. These are expiations that cannot be enforced as the EzyReg search function available to Local Government across SA is limited to this state only. SAPOL are the only entity that may access other jurisdictions' data sets.

Background

Town of Walkerville has the following outstanding interstate expiation notices since 2018:

- 2018 & 2019 - 32 expiation notices, total value \$3,244.
- 2020 - 12 interstate notices, total value \$1,205.

In determining a resolution for this outstanding debt, Administration sought advice from other Councils recognising that this is an issue shared across the state by local government bodies. Port Adelaide Enfield have a guideline which notes: *"Authorised Delegates can waive expiations issued to interstate*

vehicles. If the customer contacts council to pay or dispute the expiation, Community Safety support can reinstate back on the system.”

Discussion/Issues for Consideration

The *Expiations of Offences Act 1996*, (The Act) is the legislative tool that guides authorities such as Local Government in how to correctly enforce expiation procedures. The Act determines in section 6(e), that once 6 months have expired since the date on which an offence was committed, the expiation cannot be given.

Section 6, Expiation Notices

e) cannot be given after the expiry of the period of 6 months from the date on which the offence was, or offences were, alleged to have been committed; and

This is further enforced in section 16(3), which states that a relevant authority cannot prosecute the offence once 60 days from the date of the issuing of the notice has expired.

Section 16, Withdrawal of expiation notices

- (3) However, an expiation notice cannot be withdrawn for the purposes of prosecuting the alleged offender for an offence if—*
 - (a) an enforcement determination has been made under section 22 of the Fines Enforcement and Debt Recovery Act 2017 in relation to the expiation notice; or*
 - (b) the period of 60 days from the date of the notice has expired*
- 6) Subject to subsection (7), the issuing authority must withdraw an expiation notice if it becomes apparent that the alleged offender did not receive the notice until after the expiation period, or has never received it, as a result of error on the part of the authority or failure of the postal system or failure in the transmission of an email.*
- (7) An expiation notice cannot be withdrawn under subsection (6) if the alleged offender has paid the expiation fee or any instalment or other amount due under the notice*

Options for Consideration

Option 1

That Council resolves to write off the accrued unrecoverable debt as it relates to expiations issued to interstate vehicles..

Option 2

That Council requests that Administration make attempt to obtain a police contact within each state and territory who can then undertake the contact searches on the Council's behalf.

Option 3

Council resolves to proceed in the following manner:

-
-

Analysis of Options

Option 1 is a straightforward, albeit regrettable option in so far as achieving closure to an unrecoverable debt amount by waiving the unenforceable expiations.

Option 2 is unlikely to be a feasible or achievable option, within Administration's current resource capacity and/or networks.

Financial Implications

A total of \$4,449.00 is outstanding in unrecoverable interstate expiations. If Council supports Administration's recommendation, this amount will be forfeited.

Community Implications

There are no know community implications with respect to this matter, but for the suggestion that future expiations issued to interstate licenced vehicles will not be actioned.

Regional Implications

There are no know regional implications with respect to this matter. This issue is shared across the state by local government bodies, who more often than not are waiving expiations issued to interstate licenced vehicles.

Governance Implications

There are no known governance implications other than an ability to finalise outstanding debts that cannot be recovered and achieving closure of a number of unresolved expiations.

Preferred Option & Reasoning

Option 1 is the preferred option. The lack of access to interstate driver details via the SA EzyReg portal makes waiving of the expiation amounts the only viable option.



Item No: 16.1.1
File No: 16.16.2.1
Date: 18 January 2021
Attachment: A, B, C, D, E

Meeting: Council

Title: Revocation of Community Land Classification 39 Smith Street - Community Consultation Feedback

Responsible Manager: Business Analyst (Property & Contracts), Scott Reardon

Author: Business Analyst (Property & Contracts), Scott Reardon

Key Pillar: Strategic Framework – Key Pillar 4 – Assets – Continue to provide for and maintain a good standard of assets and public infrastructure

Key Focus Area: Community Land Management Plan

Type of Report: Information Only

Recommendation

That Council receive and note the Revocation of Community Land Classification 39 Smith Street - Community Consultation Feedback report.

Summary

At their Ordinary Meeting of 19 December 2016, Council resolved (**CNC237/16-17**)¹ to adopt its 2016 Community Land Management Plans; which in part included the Exclusion of the Community Land Classification from the portions of land contained within Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**), which represent the car park and adjacent land.

At their Ordinary Meeting of 20 January 2020, Council resolved (**CNC236/19-20**)² to revoke the Community Land Classification (**Classification**) from the remaining portions of land straddling Certificates of Title 5796/887 (**Depot**), 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**); which comprise the footprint of the building located at 39 Smith Street Walkerville.

Following this, a formal submission seeking Ministerial consent to revoke this Community Land Status was submitted to both the Minister for Local Government (**Minister**) and the Office of Local Government (**OLG**) on Thursday 9 April 2020. However, at their Ordinary Meeting of 15 June 2020, Council resolved to withdraw their formal application from the Minister in order to conduct a subsequent consultation to rectify the discovered inconsistencies of the 2016 process.

That consultation process was undertaken between 1 September 2020 and 16 October 2020 and in summary:

¹ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0017/680111/MCNC12-191216-Confidential.pdf

² https://www.walkerville.sa.gov.au/data/assets/pdf_file/0027/428922/MCNC01-200120-Minutes-20-January-2020-Public-.pdf

- A total of 130 submissions were received during the Consultation; 104 (80%) of which were submission from respondents identifying themselves as residents;
- 17 of the total responses (13.1%) were in favour of the proposed revocation and site redevelopment proceeding;
- 26 of the total responses (20%) were opposed to the proposed revocation on the basis that further information needed to be supplied to the community about the future use of the site, *BUT* overall the majority were supportive of a revocation / redevelopment proceeding on the site;
- 11 of the total responses (8.5%) were either indifferent to the proposal or provided general comment only;
- 5 of the total responses (3.8%) did not understand the proposal;
- 33 of the total responses (25.4%) were opposed to the revocation;
- 38 of the total responses (29.2%) were in support of INEA YMCA's tenancy and/or similar services remaining on site and as such opposed the proposed revocation.

It should be noted that due to the sheer volume of submissions received, they have not been provided in full. However, copies of the responses can be provided to Elected Members in a separate document upon request.

It should also be noted that on the basis that: the *Statutes Amendment (Local Government Review) Bill 2020* is presently before Parliament, which may result in an amendment to the revocation process; the Smith & Fuller Street EOI Evaluation Panel appointments are to be finalised and the EOI process commenced; that up to 33.1% of the total responses were in favour of a revocation and redevelopment in principle, with 25.4% of responses opposed to the revocation, 12.3% were either indifferent or offered only general comments and 29.2% of responses supported the now vacated tenant; at this present time this report has been provided to Council as Information Only on the grounds that a subsequent report will be provided in due course.

Background

At the ordinary meeting of 6 December 2004, Council resolved:

CNC061204/11.11

That Council adopt the Community Land Management Plans, prepared in accordance with the Division 4 of the Local Government Act.

At their Ordinary Meeting of 18 January 2016, Council Resolved:³

CNC227/15-16

That Council resolve that:

1. *the Strategic Planning and Development Policy Committee to:*
 - 1.1 *review the "Town of Walkerville's Community Land Management Plans" (dated 2004);*
 - 1.2 *review the "Lease and Licence Community land and Buildings Policy" and the "Use of Council Reserves, Parks, Garden and Open Spaces Policy"; and*

³ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0018/680022/MCNC01-180116-Confidential.pdf

- 1.3 *make recommendations to Council with suggested amendments (if any) for in principle approval prior to the public consultation process;*
2. *concurrently with paragraph 1, the Administration:*
 - 2.1. *obtain independent legal advice in relation to:*
 - 2.1.1 *the question of whether management contracts fall within the ambit of section 202 of the Local Government Act 1999 (SA); and*
 - 2.1.2 *in light of the above and the upcoming legislative amendment, the implications (if any) upon the following existing community land arrangements:*
 - 2.1.2.1 *Walkerville Bowling Club;*
 - 2.1.2.2 *INEA YMCA;*
 - 2.1.2.3 *Walkerville Sports Club;*
 - 2.1.2.4 *Walkerville Tennis Club;*
 - 2.1.2.5 *Levi Caravan Park;*
 - 2.1.2.6 *Walkerville Pre-Kindy; and*
 - 2.1.2.7 *St Andrew’s Walkerville and Levi Oval licenses;*
 - 2.2 *subject to the legal advice referred to above, prepare a suite of template documents including leases, licenses and / or management contracts for use across Council’s community land portfolio;*
3. *having received the legal advice referred to above and having the benefit of the new suite of template documents, the Strategic Planning and Development Policy Committee to:*
 - 3.1 *review the community land agreements set out in paragraph 2.1.2 above; and*
 - 3.2 *make recommendations to Council relating to those agreements for Council’s consideration.*
4. *adopt the following indicative timeline in respect of the matters set out in paragraphs 1 to 3 above:*
5. *that the Administration take no further action in relation to Resolution CNC348/14-15 relating to the Walkerville Pre-Kindy until such time as the indicative timetable set out in this resolution is completed or until otherwise directed by Council.*

Following a strategic property review conducted by the Strategic Planning and Development Policy Committee, at their Special Meeting of 27 September 2016 Council resolved:⁴

CNC131/16-17

That Council adopts “in principle” the Draft Community Land Management Plans (Attachment A), and authorises Administration to seek community feedback on same for a period of not less

⁴ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0018/680103/MCNC09-270916-Confidential.pdf

than one month, with consultation including directly sending the draft CLMP's to all existing lessee's of Council land and property with the following global amendments;

- Remove acknowledgement notes
- Amend the references in legislative framework to "Council is committed to considering opportunities and improvements to the land and its facilities where possible."

Following a period of Community Consultation and at the ordinary meeting of 19 December 2016 Council resolved:⁵

CNC237/16-17

1. That Council receives the submission from Ms Helena Stone, on 8th December 2016, in response to Councils invitation to comment on its Draft Community Land Management Plans (CLMP's), and;
 - a) notes the submissioners position on maintenance of 'open space/s' for environmental purposes is aligned to the objectives of CLMP No. 1, to ensure maintenance of the land is economically and environmentally sustainable and align to community expectations.
 - b) notes the matters raised as it relates to Vale House being used for 'Accommodation, but acknowledges the CLMP No. 8 for Levi Park, targets maintenance and preservation of Vale House for the benefit of the Community.
 - c) notes the matters raised in the submission in a) and b), are addressed by the proposed CLMP's No. 1 and No. 8, and on that basis does not intend to vary or amend the CLMP's as a result of the submission.
2. That Council receives the letter from INEA YMCA President, Catherine Follett, on 11th December 2016 (received after the close of the consultation period), but, in response to Councils invitation to comment on the content of its Draft Community Land Management Plans (CLMP's), and;
 - notes the submission, does not refer to the content of the Councils Draft CLMP's, but rather the position of INEA YMCA, as it relates to leasing and their (own) proposed future proposition/s for the site.
3. That Council adopts the Town of Walkerville, Community Land Management Plans (December 2016), as contained in Attachment A.
4. The Administration advise the submissioners of Councils decision in relation to this matter.

Following a 2019 strategic property review, at their Ordinary Meeting of 16 September 2019, Council resolved:⁶

CNC72/19-20

1. That Council endorses the Draft Community Land Register and its associated management plans 'in principle', as contained in Attachment B, thus:
 - a. revoking the Community Land status from the portions of land straddling Certificates of Title 5796/887 (**Depot**), 5728/637 (**Smith Street 1**) and 5838/95 (**Smith Street 2**);

⁵ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0017/680111/MCNC12-191216-Confidential.pdf

⁶ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0025/317518/MCNC09-Minutes-19-September-2019.pdf

- b. *revoking the Community Land status from the whole of the land contained within Certificate of Title 5427/277 (**Stephen Terrace Reserve**);*
 - c. *reclaiming the Community Land status for the whole of the land contained within Certificate of Title 6255/300 (**Howie Reserve**);*
 - d. *naming the portion of Certificate of Title 5821/229 as outlined in Management Plan 1 “William Tucker Reserve” (**Cnr Church Terrace and Warwick Street**);*
2. *That Council directs Administration to undertake a statutory process of Community Consultation and Engagement pursuant to sections 194 and 197 of the Local Government Act 1999 and Council’s current Community Engagement and Consultation Policy; and*
 3. *That following the cessation of the Community Consultation a subsequent report be submitted to Council at the ordinary meeting of 21 October 2019, outlining the community’s feedback regarding the draft Community Land Register and its associated management plans.*

At their Ordinary Meeting 18 November 2019, Council resolved:⁷

CNC157/19-20

That Council defer Item 14.1.1 Community Land Register as it relates to:

- a. *revoking the Community Land status from the portions of land straddling Certificates of Title 5796/887 (**Depot**), 5728/637 (**Smith Street 1**) and 5838/95 (**Smith Street 2**);*
- b. *naming the portion of Certificate of Title 5821/229 as outlined in Management Plan 1 (Cnr Church Terrace and Warwick Street) “William Tucker Reserve”.*

until the Ordinary Council meeting to be held on 20 January 2020 (at the latest) at 7pm to enable Council the opportunity to review community feedback together and consider our options going forward.

At their Ordinary Meeting of 20 January 2020, Council resolved:⁸

CNC236/19-20

That Council endorses the proposed part a. Community Land Register recommendation as deferred from the ordinary meeting of Council held on 18 November 2019, being the revocation of the Community Land status from the portions of land straddling Certificates of Title 5796/887 (Fuller Street Works Depot), 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2).

Following a period of investigation and reporting, at their Ordinary Meeting of 15 June 2020, Council resolved:⁹

CNC382/19-20

1. *That Council directs Administration to withdraw from the Minister of Local Government its current 2020 application, which seeks to revoke the Community Land Classification from those portions of land contained within Certificates of Title 5728/637 (Smith 1) and 5838/95*

⁷ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0026/337544/MCNC11-Minutes-18-November-2019-PUBLIC-docx.pdf

⁸ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0027/428922/MCNC01-200120-Minutes-20-January-2020-Public-.pdf

⁹ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0023/693023/MCNC06-150620-Minutes-15-June-2020-PUBLIC.pdf

(Smith 2) and the portion of land contained within Certificate of Title 5796/887 (Depot,) which represent the footprint of the building located at 39 Smith Street;

2. *That following the findings of both the 2016 and 2019 Strategic Property Reviews and associated Council decisions relating to both reviews, Council endorse the proposed Revocation of the Community Land Classification from the whole of land contained within Certificates of Title 5728/637 (Smith 1) and 5838/95 (Smith 2) and the portion of land contained within Certificate of Title 5796/887 (Depot);*
3. *That pursuant to s.194 of the Local Government Act 1999, Council directs Administration to undertake the required Community Consultation pertaining to the proposed Revocation;*
4. *That following the conclusion of the Consultation, a subsequent report be submitted to Council outlining any/ all feedback received.*
5. *That the public consultation period be for a period of six weeks commencing on 1 September 2020 and concluding on Friday 16 October 2020 to enable Administration to present a report to the Ordinary meeting of Council in November 2020.*

Discussion/Issues for Consideration

The Corporation of the Town of Walkerville is the registered proprietor of the land contained within Certificates of Title 5651/912 (**Fuller 1**), 5274/937 (**Fuller 2**), 5796/887 (**Depot**), 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) (**Entirety of Land / Site**) as well as all buildings, structures and fixtures thereon.

In 2002, Council excluded the classification of Community Land from Certificates of Title 5651/912 (**Fuller 1**), 5274/937 (**Fuller 2**), and 5796/887 (**Depot**).

In 2004, Council adopted the original Community Land Management Plans for the land and building located 39 Smith Street Walkerville. The Management Plan defined the whole of land contained Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) and the portion of 5796/887 (**Depot**) on which the building straddled as Community Land (thus reclaiming a portion of Depot as Community Land.

At their Ordinary Meeting of 19 December 2016, Council resolved to adopt its 2016 Community Land Management Plans;¹⁰ which in part excluded the Community Land Classification from the **portions** of Smith 1 and Smith 2 which represented as the car park and adjacent grassed area.

In 2019, the Council conducted a Strategic Property Review in order to update the 2016 Community Land Management Plans and following this review, in January 2020, Council resolved to revoke the Community Land Classification from the remaining **portions** of Smith 1 and Smith 2 and the portion of Depot, which represented the footprint of the building located at 39 Smith Street.

Following the January 2020 Council decision, a formal submission seeking Ministerial consent to revoke the Community Land Classification from the portions of Smith 1, Smith 2 and Depot was submitted to the Minister for Local Government (**Minister**), at which time, further information and particulars about the 2016 revocation process was requested.

Administration undertook further significant research following the Minister's request and finally determined that the process followed in 2016, to exclude those portions of land, was neither conducted in accordance with the procedural requirements of the *Local Government Act 1999* nor was the process finalised.

¹⁰ Council Resolution CNC237/16-17, 19 December 2016,
https://www.walkerville.sa.gov.au/data/assets/pdf_file/0017/680111/MCNC12-191216-Confidential.pdf

On the basis that the 2020 application to the Minister was interlinked with the previous 2016 revocation process to further progress Council's Master Planning of the site, at their Ordinary Meeting of 15 June 2020 Council resolved to:¹¹

- withdraw from the Minister of Local Government its current 2020 application;
- endorse 'in principle' the proposed Revocation of the Community Land Classification from the **whole** of land contained within **Smith 1** and **Smith 2**, and the respective **portion** of land contained within **Depot**;
- undertake a subsequent Community Consultation pertaining to the proposed Revocation; and
- receive a subsequent report outlining any/all community feedback before again consulting with the Minister.

Section 194 Local Government Act 1999

Under the current provisions set out in section 194 of the *Local Government Act 1999*,¹² before a Council can seek to revoke the Community Land Classification from any portion of land as designated so, the Council must conduct a Community Consultation regarding the matter in accordance with its *Community Engagement and Consultation Policy (Policy)* and prepare a publically available report pertaining to the proposed revocation, which in part must include:

- a summary of the **reasons for the proposal**,¹³
- a statement of any **dedication, reservation or trust** to which the land is subject;¹⁴
- a statement of whether revocation of the classification is proposed with a view to **sale or disposal** of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds;¹⁵
- an assessment of how implementation of the proposal would **affect the area and the local community**;¹⁶ and
- if the Council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification.¹⁷

Revocation Community Consultation

Administration conducted the relevant consultation between 1 September 2020 and Friday 16 October 2020 (inclusive) (45 days) (**Consultation Period**). During the consultation period, pursuant to the public consultation requirements of both the *Local Government Act 1999* and Council's current *Community Engagement and Consultation Policy*:

- a Public Notice appeared both online and in the Advertiser on 1 September 2020,¹⁸ and therefore the ad was exposed to a readership of approximately 281,000 people.¹⁹ A copy of the Public Notice appears as Attachment A to this report;

¹¹ Council Resolution CNC382/19-20, 15 June 2020,

https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0023/693023/MCNC06-150620-Minutes-15-June-2020-PUBLIC.pdf

¹² *Local Government Act 1999* (SA), s 194 (2).

¹³ *Local Government Act 1999* (SA), s 194 (2) (a) (i).

¹⁴ *Local Government Act 1999* (SA), s 194 (2) (a) (ii).

¹⁵ *Local Government Act 1999* (SA), s 194 (2) (a) (iii).

¹⁶ *Local Government Act 1999* (SA), s 194 (2) (a) (iv).

¹⁷ *Local Government Act 1999* (SA), s 194 (2) (a) (v).

¹⁸ *Local Government Act 1999*, s 50 (4) (a) (i).

¹⁹ Readership numbers based on News Corp Australia statistics, http://www.newsaustralia-sa.com.au/print_credentials/#2

- detailed information about the proposal was placed on Council’s website ‘Open For Consultation’ page (a copy of which appears as Attachment B to this report)²⁰ and social media pages;²¹
- detailed information about the proposal was placed in the Weekly Round Up 4 September 2020,²² 11 September 2020,²³ 18 September 2020,²⁴ 25 September 2020,²⁵ 2 October 2020,²⁶ and 9 October 2020;²⁷
- a Public Summary Report was available for download from Council’s website (both the ‘Open for Consultation’ and ‘39 Smith Street Revocation’ pages) and hard copies were available from the Civic Centre 66 Walkerville Terrace Gilberton (a copy of which appears as Attachment C to this report);²⁸
- an open letter (dated 1 September 2020) to the community from Mayor Elizabeth Fricker regarding the proposed Revocation was distributed via Australia Post mail out to all 3,343 ratepayers from 1 September 2020 and was subsequently available to download from Council’s website (a copy of which appears as Attachment D to this report).²⁹

It should be noted that to avoid any inaccurate and incorrect distinction between the Revocation consultation, misinformation and issues relating to expiring lease over the site as part of the consultation, Administration also provided additional information pertaining to the extensive history over the site. Details of which were made available on Council’s website during the consultation period, a copy of which is provided as Attachment E.³⁰

Website Analysis

The aforementioned standalone ‘39 Smith Street Revocation’ web page was live on Council’s website between 1 September 2020 and Friday 16 October 2020 (inclusive) (45 days).³¹ This page provided detailed factual information pertaining the two (2) contentious and public issues related to the site (those being the Community Land Classification – 39 Smith Street and the lease held over the site by INEA YMCA) in order to provide clarity regarding the matter for the community.

Website analytics indicates that this page was viewed a total of 330 times, with an average viewing time of 2:32 minutes. The page received peak views on a number of key dates, firstly when the ‘Open Letter from the Mayor’ hit ratepayer letter boxes on 5-7 September 2020 and again on 27-29 September 2020.

Consultation Feedback

At the close of the Consultation, written submissions were received from a total of 130 participants. Due to the sheer volume of responses, they have not been provided in full at this present time, however, in summary:

- 104 of which (80%) were submission from respondents identifying themselves as residents;
- 17 (13.1%) were in favour of the proposed revocation and site redevelopment proceeding;

²⁰ Local Government Act 1999, s 50 (4) (a) (ii).

²¹ Community Engagement and Consultation Policy, s 7.1.

²² https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0029/749180/Weekly-Round-Up-4-September-2020.pdf

²³ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0035/755297/Weekly-Round-Up-11-September-2020.pdf

²⁴ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0031/759316/Weekly-Round-Up-18-September-2020.pdf

²⁵ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0028/763822/Weekly-Round-Up-25-September-2020.pdf

²⁶ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0034/769651/Weekly-Round-Up-2-October-2020.pdf

²⁷ Community Engagement and Consultation Policy, s 7.1.

²⁸ Community Engagement and Consultation Policy, s 7.2.

²⁹ Community Engagement and Consultation Policy, s 7.2.

³⁰ <https://www.walkerville.sa.gov.au/community/latest-news/39-smith-street-revocation>

³¹ <https://www.walkerville.sa.gov.au/community/latest-news/39-smith-street-revocation>

- 26 (20%) were opposed to the currently proposed revocation on the basis that they felt further information needed to be supplied to the community about the future use of the site, *BUT* overall the majority were supportive 'in principle' of a revocation and redevelopment proceeding on the site.
- 11 (8.5%) were either indifferent to the proposal or provided general comment only.
- 5 (3.8%) did not understand the proposal or confused the revocation with re-zoning.
- 33 (25.4%) were opposed to the revocation but gave little reason why.
- 38 (29.2%) were in support of the continuance of INEA YMCA tenancy and/or services remaining on site and as such opposed the proposed revocation in favour of INEA YMCA.

Next Steps

On the basis that the *Statutes Amendment (Local Government Review) Bill 2020* is presently before Parliament, which may result in an amendment to the revocation process and the Smith & Fuller Street EOI Evaluation Panel appointments are to be finalised and the EOI process commenced, at this present time this report has been provided for Information Only on the grounds that a subsequent report will be provided in due course.

Attachment

Attachment A	Public Notice
Attachment B	Open for Consultation Website Content
Attachment C	Public Summary Report
Attachment D	Open Letter from the Mayor to Residents
Attachment E	39 Smith Street Website Content

Revocation of Community Land Classification

Section 194 of the
Local Government Act 1999.

Pursuant to Section 194 of the *Local Government Act 1999*, the Corporation of the Town of Walkerville proposes to revoke the classification as Community Land from the whole of the land contained within Certificates of Title Volume 5728 Folio 637 and Volume 5838 Folio 95, and the portion of land contained within Certificate of Title Volume 5796 Folio 887, as commonly known as 39 Smith Street, Walkerville.

The purpose of the proposed revocation is to improve this land and the adjacent council-owned land through redevelopment for the benefit of the community.

The Town of Walkerville is conducting community consultation between 9am Tuesday 1 September 2020 and 5pm Friday 16 October 2020 with respect to the matter and welcomes any relevant community feedback.

Further information pertaining to the proposed revocation and the report containing a description of the land, the reasons for the proposal, any Dedication, Reservation or Trust to which the land is subject, the intention of Council once the revocation has occurred, and its effect on the community, can be obtained from www.walkerville.sa.gov.au.

Written submissions should be submitted to: Town of Walkerville PO Box 55 Walkerville SA 5081 or walkerville@walkerville.sa.gov.au with the subject line "39 Smith Street – Revocation of Community Land Classification".

Kiki Cristol
Chief Executive Officer

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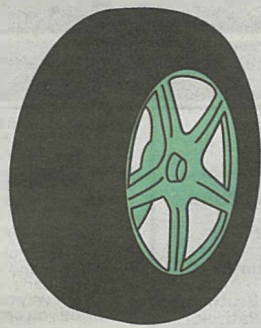
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Notices

Public Notices



City of Charles Sturt Road Name Change

Notice is hereby given that the Council of the City of Charles Sturt at its meeting held on 24 August 2020 resolved that pursuant to Section 219(1) of the Local Government Act 1999, that the public road, being a section of Pope Street, Beverley be changed to Pope Lane, Beverley.

A plan which delineates the section of road which is subject to the change of name, together with a copy of the Council's resolution is available for inspection at the Council's Civic Centre, 72 Woodville Road, Woodville SA 5011, during the hours of 9.00am and 5.00pm on week days.

Paul Sutton
Chief Executive Officer

Revocation of Community Land Classification

Section 194 of the Local Government Act 1999.

Pursuant to Section 194 of the Local Government Act 1999, the Corporation of the Town of Walkerville proposes to revoke the classification as Community Land from the whole of the land contained within Certificates of Title Volume 5728 Folio 637 and Volume 5838 Folio 95, and the portion of land contained within Certificate of Title Volume 5796 Folio 887, as commonly known as 39 Smith Street, Walkerville.

The purpose of the proposed revocation is to improve this land and the adjacent council-owned land through redevelopment for the benefit of the community.

The Town of Walkerville is conducting community consultation between 9am Tuesday 1 September 2020 and 5pm Friday 16 October 2020 with respect to the matter and welcomes any relevant community feedback.

Further information pertaining to the proposed revocation and the report containing a description of the land, the reasons for the proposal, any Dedication, Reservation or Trust to which the land is subject, the intention of Council once the revocation has occurred, and its effect on the community, can be obtained from www.walkerville.sa.gov.au.

Written submissions should be submitted to: Town of Walkerville PO Box 55 Walkerville SA 5081 or walkerville@walkerville.sa.gov.au with the subject line "39 Smith Street - Revocation of Community Land Classification".

Kiki Cristol
Chief Executive Officer

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Proposed Revocation of Community Land Classification

39 Smith Street, Walkerville

Community consultation commences 9am Tuesday 1 September 2020 and closes 5pm Friday 16 October 2020.

The Corporation of the Town of Walkerville is the Registered Proprietor of the whole of the land contained within Certificates of Title Volume 5728 Folio 637 (**Smith 1**), Volume 5838 Folio 95 (**Smith 2**), Volume 5796 Folio 887 (**Depot**).



Council is now undertaking community consultation regarding the proposed revocation of the Community Land Classification from the whole of the land contained within **Smith 1** and **Smith 2** and the portion of land contained within **Depot** on which the building straddles; as otherwise commonly known as 39 Smith Street, Walkerville.

The current lease over the site expires 31 December 2020 and Council has resolved not to renew or extend the existing tenancy agreement. This is due to the age and deterioration of the existing building, its limited life span and the increasing liability presented to Council should the building be re-leased without undertaking further unbudgeted and costly repairs.

Since 2013, both past and present Councils have made clear their intention to improve and redevelop all Council-owned land (including the aging buildings) between Smith and Fuller streets for the benefit of the community.

The aim of the revocation is to enable a redevelopment of the area to improve the land and/or facilities for the community's benefit, thus increasing community access, use and engagement. Council has resolved to undertake an expressions of interest process over the whole of site, for possible development options, in line with the 'Community Zone' envisaged under Planning and Development Zoning. This could include a recreation centre, educational establishment, child care centre, clubroom, playground, health facility, place of worship, consulting rooms, theatre, primary or secondary school.

Pursuant to section 194 of the *Local Government Act 1999*, Council has compiled a Public Summary Report, which contains a description of the land, the reasons for the proposal, any Dedication, Reservation or Trust to which the land is subject, the intention of Council once the revocation has occurred and its effect on the community. This report can be downloaded below:

[PUBLIC SUMMARY REPORT](#)

The Town of Walkerville now invites interested parties to provide feedback relevant to the proposed revocation of Community Land.

How to take part:

The community consultation opens **9am Tuesday 1 September 2020** and closes **5pm Friday 16 October 2020**. Written submissions should be submitted as follows:

If posted, to:

The Chief Executive Officer

*39 Smith Street – Revocation of Community Land Classification
Town of Walkerville
PO Box 55
Walkerville SA 5081*

Or if emailed, to: walkerville@walkerville.sa.gov.au with the subject line “*39 Smith Street – Revocation of Community Land Classification*”.

It should be noted that this matter is neither connected nor relevant to the current lease arrangements over the site as Council has previously resolved not to renew or extend the existing tenancy agreement. Only submissions as they relate to the proposed revocation will be considered. Further extensive background information pertaining to the site, lease, strategic master planning and/or revocation applications, can be obtained from:

39 SMITH STREET REVOCATION

Council decisions

For details relating to previous Council decision on this matter, refer to:

16 September 2019

Community Land Register Report
Council Resolution CNC72/19-20

https://www.walkerville.sa.gov.au/___data/assets/pdf_file/0025/317518/MCNC09-Minutes-19-September-2019.pdf

18 November 2019

Community Land Register Report
Council Resolution CNC157/19-20

https://www.walkerville.sa.gov.au/___data/assets/pdf_file/0026/337544/MCNC11-Minutes-18-November-2019-PUBLIC-docx.pdf

20 January 2020

Community Land Register Report
Council Resolution CNC236/19-20

https://www.walkerville.sa.gov.au/___data/assets/pdf_file/0027/428922/MCNC01-200120-Minutes-20-January-2020-Public-.pdf

16 March 2020

Strategic Property Review – 39 Smith Street Asset
Council Resolution CNC306/19-20

https://www.walkerville.sa.gov.au/___data/assets/pdf_file/0029/547166/MCNC03-160320-Minutes-16-March-2020.pdf

REVOCAION OF COMMUNITY LAND CLASSIFICATION TOWN OF WALKERVILLE

THE WHOLE OF THE LAND CONTAINED WITHIN
CERTIFICATE OF TITLE VOLUME 5728 FOLIO 637
(SMITH 1) AND CERTIFICATE OF TITLE VOLUME 5838
FOLIO 95 (SMITH 2)

THE PORTION OF LAND CONTAINED WITHIN
CERTIFICATE OF TITLE VOLUME 5796 FOLIO 887
(DEPOT)

39 SMITH STREET WALKERVILLE
Report required under Section 194 (2) (a) of
the *Local Government Act 1999*



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1. Executive Summary

- 1.1 The Corporation of the Town of Walkerville is the registered proprietor of the land contained within Certificates of Title 5651/912 (**Fuller 1**), 5274/937 (**Fuller 2**), 5796/887 (**Depot**), 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) (**Entirety of Land / Site**) as well as all buildings, structures and fixtures thereon (as outlined in 7.1 below).
- 1.2 In 2002 Council excluded the classification of Community Land from Certificates of Title 5651/912 (**Fuller 1**), 5274/937 (**Fuller 2**), and 5796/887 (**Depot**).
- 1.3 In 2004 Council adopted the original Community Land Management Plans for the land and building located 39 Smith Street Walkerville. The Management Plan defined the whole of land contained Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) and the portion of 5796/887 (**Depot**) on which the building straddled as Community Land (thus reclaiming a portion of Depot as Community Land) (refer Appendix B).
- 1.4 At their Ordinary Meeting of 19 December 2016, Council resolved to adopt its 2016 Community Land Management Plans,¹ which in part excluded the Community Land Classification from the **portions** of land contained within Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**), represented as the car park and adjacent land (refer Appendix C)
- 1.5 In 2019 the Council conducted a Strategic Property Review in order to update the 2016 Community Land Management Plans and following this review, in January 2020, Council resolved to revoke the Community Land Classification from the remaining **portions** of **Smith 1** and **Smith 2** and the portion of **Depot**, which represented the footprint of the building located at 39 Smith Street.
- 1.6 Following the January 2020 Council decision, a formal submission seeking Ministerial consent to revoke the Community Land Classification from the portions of Smith 1, Smith 2 and Depot was submitted to the Minister for Local Government (**Minister**), at which time, further information and particulars about the 2016 revocation process was requested.
- 1.7 Administration undertook further significant research of its records and consulted with the past committee members and the multiple law firms and other professional services that provided advice during the 2016 process and finally determined that the process followed in 2016, to exclude those portions of land (as referenced in 1.4 above and 4 below), was neither conducted in accordance with the procedural requirements of the *Local Government Act 1999* nor was the process finalised.
- 1.8 On the basis that the 2020 application to the Minister was interlinked with the previous 2016 revocation process to further progress Council's Master Planning of the site, at their Ordinary Meeting of 15 June 2020 Council resolved to:²

¹ Council Resolution CNC237/16-17, 19 December 2016,

https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0017/680111/MCNC12-191216-Confidential.pdf

² Council Resolution CNC382/19-20, 15 June 2020,

https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0023/693023/MCNC06-150620-Minutes-15-June-2020-PUBLIC.pdf

- 1.8.1 withdraw from the Minister of Local Government its current 2020 application;
 - 1.8.2 endorse 'in principle' the proposed Revocation of the Community Land Classification from the **whole** of land contained within **Smith 1** and **Smith 2**, and the respective **portion** of land contained within **Depot**;
 - 1.8.3 undertake a subsequent Community Consultation pertaining to the proposed Revocation (as referenced in 1.8.2); and
 - 1.8.4 receive a subsequent report outlining any/all community feedback before again consulting with the Minister.
- 1.9 The purpose of the proposed revocation is to allow greater flexibility to develop a suitable design solution that is conducive to a redevelopment of the entirety of the land in order to improve the land and facilities for the community's benefit and to increase community access, use and engagement with the entire site.
- 1.10 It should be noted that by retaining the Community Land Classification over the land and deteriorating building, Council is restricted in its ability to deliver a beneficial and suitable outcome for both the site and community. Thus the site and assets thereon will continue to deteriorate and be financially burdensome to the ratepayer.
- 1.11 Therefore for the purposes of s 194 of the *Local Government Act 1999*,³ this report provides:
- 1.11.1 the relevant details and history relating to the land;
 - 1.11.2 background on Council's longstanding intent to improve the land; and
 - 1.11.3 the reasons for the proposal and the intention of Council once the revocation has occurred.
- 1.12 Council now invites interested parties to provide feedback relevant to the proposed Revocation of Community Land Classification for the purpose of improving, developing and leasing the land.
- 1.13 This matter is neither connected with nor relevant to the current lease arrangements over the site, as Council has previously resolved not to renew or extend the existing tenancy agreement. Therefore **only** submissions as they relate to the proposed revocation will be considered.
- 1.14 In accordance with the requirements of the *Local Government Act 1999*,⁴ and Council's current Community Engagement and Consultation Policy, while also noting the current impacts of COVID-19, this consultation will be conducted through the following means:
- 1.14.1 the publication of a notice in the Advertiser on Tuesday 1 September 2020;

³ *Local Government Act 1999* (SA), s.194 (2) (a).

⁴ *Local Government Act 1999* (SA), s.50 (4).

- 1.14.2 the publication of relevant information on the Town of Walkerville’s website and social media pages describing the matter under consultation during the consultation period;
- 1.14.3 the publication of relevant information in the Town of Walkerville’s Weekly Round Up between Friday 4 September and Friday 9 October 2020; and
- 1.14.4 the distribution of a Township wide letter from Mayor Elizabeth Fricker.
- 1.15 As a result of the COVID-19 social distancing restrictions currently imposed by both the State and Federal Governments, a face-to-face drop-in session for this consultation will not be held.
- 1.16 The community consultation and engagement opens **9am Tuesday 1 September 2020** and closes **5pm Friday 16 October 2020**.⁵
- 1.17 A hard copy of this Public Summary Report can be obtained from the Civic Centre, located at 66 Walkerville Terrace, Gilberton, between 9:00 am and 5:00 pm Monday to Friday during the consultation period.
- 1.18 Written submissions should be submitted as follows:
- If posted, to:
- The Chief Executive Officer***
39 Smith Street – Revocation of Community Land Classification
Town of Walkerville
PO Box 55
Walkerville SA 5081
- Or if emailed, to: walkerville@walkerville.sa.gov.au with the subject line “39 Smith Street – Revocation of Community Land Classification”.
- 1.19 Further information about both the Proposed Revocation of Community Land Classification,⁶ and 39 Smith Street, Walkerville,⁷ can be obtained from Council’s website, or alternatively a written request can be made to walkerville@walkerville.sa.gov.au with the subject line “RFI - 39 Smith Street – Revocation of Community Land Classification”.

⁵ Council Resolution CNC382/19-20, resolved in public 15 June 2020, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0023/693023/MCNC06-150620-Minutes-15-June-2020-PUBLIC.pdf

⁶ <https://www.walkerville.sa.gov.au/community/openforconsultation>

⁷ <https://www.walkerville.sa.gov.au/community/latest-news/39-smith-street-revocation>

2. Relevant Council Decision

CNC382/19-20 (15 June 2020):⁸

1. *That Council directs Administration to withdraw from the Minister of Local Government its current 2020 application, which seeks to revoke the Community Land Classification from those portions of land contained within Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) and the portion of land contained within Certificate of Title 5796/887 (**Depot**), which represent the footprint of the building located at 39 Smith Street;*
3. *That following the findings of both the 2016 and 2019 Strategic Property Reviews and associated Council decisions relating to both reviews, Council endorse the proposed Revocation of the Community Land Classification from the whole of land contained within Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) and the portion of land contained within Certificate of Title 5796/887 (**Depot**);*
4. *That pursuant to s.194 of the Local Government Act 1999, Council directs Administration to undertake the required Community Consultation pertaining to the proposed Revocation;*
5. *That following the conclusion of the Consultation, a subsequent report be submitted to Council outlining any/ all feedback received.*
6. *That the public consultation period be for a period of six weeks commencing on 1 September 2020 and concluding on Friday 16 October 2020 to enable Administration to present a report to the Ordinary meeting of Council in November 2020.*

CNC236/19-20 (20 January 2020):⁹

That Council endorses the proposed part a. Community Land Register recommendation as deferred from the ordinary meeting of Council held on 18 November 2019, being the revocation of the Community Land status from the portions of land straddling Certificates of Title 5796/887 (Fuller Street Works Depot), 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2).

CNC157/19-20 (18 November 2019):¹⁰

That Council defer Item 14.1.1 Community Land Register as it relates to:

- a. *revoking the Community Land status from the portions of land straddling Certificates of Title 5796/887 (Fuller Street Works Depot), 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2);*

⁸ Council Resolution CNC382/19-20, resolved in public 15 June 2020, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0023/693023/MCNC06-150620-Minutes-15-June-2020-PUBLIC.pdf

⁹ Council Resolution CNC236/19-20, resolved in public 20 January 2020, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0027/428922/MCNC01-200120-Minutes-20-January-2020-Public-.pdf

¹⁰ Council Resolution CNC157/19-20, resolved in public 18 November 2019, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0026/337544/MCNC11-Minutes-18-November-2019-PUBLIC-docx.pdf

- b. *naming the portion of Certificate of Title 5821/229 as outlined in Management Plan 1 (Cnr Church Terrace and Warwick Street) “William Tucker Reserve”.*

until the Ordinary Council meeting to be held on 20 January 2020 (at the latest) at 7pm to enable Council the opportunity to review the community feedback together and consider our options going forward.

CNC72/19-20 (19 September 2019):¹¹

1. *That Council endorses the Draft Community Land Register and its associated management plans ‘in principle’, as contained in Attachment B, thus:*
 - a. *revoking the Community Land status from the portions of land straddling Certificates of Title 5796/887 (Fuller Street Works Depot),, 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2);*
 - b. *revoking the Community Land status from the whole of the land contained within Certificate of Title 5427/277 (Stephen Terrace Reserve);*
 - c. *reclaiming the Community Land status for the whole of the land contained within Certificate of Title 6255/300 (Howie Reserve);*
 - d. *naming the portion of Certificate of Title 5821/229 as outlined in Management Plan 1 “William Tucker Reserve” (Cnr Church Terrace and Warwick Street);*
2. *That Council directs Administration to undertake a statutory process of Community Consultation and Engagement pursuant to sections 194 and 197 of the Local Government Act 1999 and Council’s current Community Engagement and Consultation Policy; and*
3. *That following the cessation of the Community Consultation a subsequent report be submitted to Council at the ordinary meeting of 21 October 2019, outlining the community’s feedback regarding the draft Community Land Register and its associated management plans.*

CNC237/16-17 (19 December 2016):¹²

1. *That Council receives the submission from Ms Helena Stone, on 8th December 2016, in response to Councils invitation to comment on its Draft Community Land Management Plans (CLMP’s), and;*
 - a) *notes the submissioners position on maintenance of ‘open space/s’ for environmental purposes is aligned to the objectives of CLMP No. 1, to ensure maintenance of the land is economically and environmentally sustainable and align to community expectations.*

¹¹ Council Resolution CNC72/19-20, resolved in public 19 September 2019, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0025/317518/MCNC09-Minutes-19-September-2019.pdf

¹² Council Resolution CNC237/19-20, resolved in public 19 December 2016, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0017/680111/MCNC12-191216-Confidential.pdf

- b) *notes the matters raised as it relates to Vale House being used for 'Accommodation, but acknowledges the CLMP No. 8 for Levi Park, targets maintenance and preservation of Vale House for the benefit of the Community.*
 - c) *notes the matters raised in the submission in a) and b), are addressed by the proposed CLMP's No. 1 and No. 8, and on that basis does not intend to vary or amend the CLMP's as a result of the submission.*
2. *That Council receives the letter from INEA YMCA President, Catherine Follett, on 11th December 2016 (received after the close of the consultation period), but, in response to Councils invitation to comment on the content of its Draft Community Land Management Plans (CLMP's), and;*
- a) *notes the submission, does not refer to the content of the Councils Draft CLMP's, but rather the position of INEA YMCA, as it relates to leasing and their (own) proposed future proposition/s for the site.*
3. *That Council adopts the Town of Walkerville, Community Land Management Plans (December 2016), as contained in Attachment A.*
4. *The Administration advise the submissioners of Councils decision in relation to this matter.*

CNC227/15-16 (18 November 2016):¹³

That Council resolve that:

- 1. *the Strategic Planning and Development Policy Committee to:*
 - 1.1 *review the "Town of Walkerville's Community Land Management Plans" (dated 2004);*
 - 1.2 *review the "Lease and Licence Community land and Buildings Policy" and the "Use of Council Reserves, Parks, Garden and Open Spaces Policy"; and*
 - 1.3 *make recommendations to Council with suggested amendments (if any) for in principle approval prior to the public consultation process;*
- 2. *concurrently with paragraph 1, the Administration:*
 - 2.1. *obtain independent legal advice in relation to:*
 - 2.1.1 *the question of whether management contracts fall within the ambit of section 202 of the Local Government Act 1999 (SA); and*
 - 2.1.2 *in light of the above and the upcoming legislative amendment, the implications (if any) upon the following existing community land arrangements:*
 - 2.1.2.1 *Walkerville Bowling Club;*
 - 2.1.2.2 *INEA YMCA;*

¹³ Council Resolution CNC227/15-16, resolved in public 18 November 2016,
https://www.walkerville.sa.gov.au/data/assets/pdf_file/0018/680022/MCNC01-180116-Confidential.pdf

2.1.2.3 Walkerville Sports Club;

2.1.2.4 Walkerville Tennis Club;

2.1.2.5 Levi Caravan Park;

2.1.2.6 Walkerville Pre-Kindy; and

2.1.2.7 St Andrew's Walkerville and Levi Oval licenses;

2.2 subject to the legal advice referred to above, prepare a suite of template documents including leases, licenses and / or management contracts for use across Council's community land portfolio;

3. having received the legal advice referred to above and having the benefit of the new suite of template documents, the Strategic Planning and Development Policy Committee to:

3.1 review the community land agreements set out in paragraph 2.1.2 above; and

3.2 make recommendations to Council relating to those agreements for Council's consideration.

4. adopt the following indicative timeline in respect of the matters set out in paragraphs 1 to 3 above:

5. that the Administration take no further action in relation to Resolution CNC348/14-15 relating to the Walkerville Pre-Kindy until such time as the indicative timetable set out in this resolution is completed or until otherwise directed by Council.

CNC131/16-17 (27 September 2016):¹⁴

That Council adopts "in principle" the Draft Community Land Management Plans (Attachment A), and authorises Administration to seek community feedback on same for a period of not less than one month, with consultation including directly sending the draft CLMP's to all existing lessee's of Council land and property with the following global amendments;

- Remove acknowledgement notes
- Amend the references in legislative framework to "Council is committed to considering opportunities and improvements to the land and its facilities where possible."

CNC061204/11.11 (6 December 2004):¹⁵

That Council adopt the Community Land Management Plans, prepared in accordance with the Division 4 of the Local Government Act.

¹⁴ Council Resolution CNC131/16-17, resolved in public 27 September 2016, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0018/680103/MCNC09-270916-Confidential.pdf

¹⁵ Council Resolution CNC061204/11.11, resolved in public 6 December 2004.

3 Community Land and the 2004 Management Plans

- 3.1 On 23 March 1999 during the second reading speech of the *Local Government Bill 1999 (SA) (Bill)* as delivered by the Hon. Diana Laidlow (Minister for Transport and Urban Planning) in the Legislative Council, the Minister indicated that the intention behind Chapter 11 (Land) of the Bill, particularly that which related to the enactment of Community Land Classification, was to create a system that sought to protect the interests of all land, of which Councils were the custodians, for both the current and future generations.¹⁶
- 3.2 Following the commencement of the *Local Government Act 1999 (Act)* on 1 January 2000,¹⁷ all local government land (except roads) that was either owned by or under the care, control and/or management of a Council was by default classified as Community Land;¹⁸ that is land retained for the benefit or enjoyment of the community.¹⁹
- 3.3 Pursuant to s 193 of the Act however, Councils were allocated a transitional period of three (3) years from the date the Act commenced to follow a formal process to exclude the Community Land Classification from certain allotments of land for operational purposes,²⁰ and to develop and implement Community Land Management Plans for all parcels not otherwise excluded.
- 3.4 On 28 February 2002,²¹ Council excluded the following parcels of land from Classifications of Community Land:
- 3.4.1 Civic Centre, 66 Walkerville Terrace, Walkerville (CT 5228/543);
 - 3.4.2 Walkerville Library, 62 Walkerville Terrace, Walkerville (CT 5228/543);
 - 3.4.3 Walkerville Centre, 82 Walkerville Terrace, Walkerville (CT 5818/684);
 - 3.4.4 Land adjacent Depot, 44 Fuller Street, Walkerville (CT 5274/937); and
 - 3.4.5 Depot, 42 Fuller Street, Walkerville (CT 5796/887 and CT 5651/912).
- 3.5 In 2004 Council adopted its original Community Land Management Plans, including Management Plan 6, which pertained to the 39 Smith Street site and building.
- 3.6 Management Plan 6 defined the whole of land contained within Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) and the portion of 5796/887 (**Depot**) on which the building straddled as Community Land (as delineated in white on Appendix B).²²

¹⁶ South Australian Parliament Hansard, Legislative Council, 23 March 1999, *Local Government Bill 1999 (SA)*, Second Reading Speech, <file:///wcd02/Redirected%20Folders/reasco/Downloads/HANSARD-4-1630.pdf>, p.984.

¹⁷ Commencement date 1 January 2000 as appearing in the South Australian Government Gazette 9 December 1999, p.3113.

¹⁸ *Local Government Act 1999 (SA)*, s.193.

¹⁹ *Local Government Act 1999 (SA)*, s.196 (1).

²⁰ *Local Government Act (SA)*, s.193 (1) (a).

²¹ South Australian Government Gazette, No.27, 28 February 2002,

https://governmentgazette.sa.gov.au/sites/default/files/public/documents/gazette/2002/February/2002_027.pdf

²² It should be noted that upon adopting the delineated boundaries of Community Land Management Plan 6, Council reclaimed a portion of Depot (viz the building footprint) as Community Land.

4 2016 & 2019 Strategic Property Reviews, Revocation Application & Withdrawal.

- 4.1 At their Ordinary Meeting of 18 January 2016, Council resolved to undertake a review of the 2004 Community Land Management Plans (**CLMP**) via the Strategic Planning Development Policy Committee (**SPDPC**).²³
- 4.2 At their meeting of 9 February 2016, SPDPC acknowledged Council's direction²⁴ and following a period of review, it was concluded that the various Management Plans were outdated and included a number of inconsistencies. One such plan being the Management Plan that related to the land allotments and building located at 39 Smith Street Walkerville.
- 4.3 On 3 May 2016, the General Manager of the day sought legal advice querying the feasibility of revoking the Community Land Classification from **portions** of the land rather than from the **whole** of the land. The advice confirmed that though this practice was highly irregular, it was possible.
- 4.4 Based on this advice, a report and newly drafted Management Plan for the Smith Street allotments was considered by SPDPC at their meeting 13 May 2016. At this meeting it was recommended that the draft Management Plan be presented to Elected Members in a workshop prior to being presented back to Council for 'in principle' endorsement and then put to public consultation.²⁵ This workshop occurred 6 June 2016.
- 4.5 On 9 September 2016, subsequent legal advice and an options report was considered by Council, which provided further strategic property advice for various sites within the Township, one such site being 39 Smith Street, Walkerville. The options report recommended an option to revoke the Community Land Classification from the Smith Street allotments in order to provide flexibility during any possible redevelopment.
- 4.6 The new CLMPs (as drafted and endorsed by SPDPC on 13 May 2016²⁶ and subsequently workshopped by Council on 6 June 2016) were provided to Council together with the options report at their Special Meeting of 27 September 2016.
- 4.7 While no specific written recommendation was made at the time to alter the boundaries of the designated Community Land area contained within Management Plan for Smith Street allotments, the Management Plan included a new site map, which mandated that only the building footprint was to be retained as Community Land; thus excluding the carpark and adjacent portions of land (refer Appendix C).
- 4.8 Further to this, the report to which the new CLMPs were attached clearly stated (on page 12 of the report, page 18 of the 27 September 2016 Special Council agenda) that the following amendment had been made:²⁷

²³ Council resolved (CNC277/15-16, resolved 18 January 2016, https://www.walkerville.sa.gov.au/data/assets/pdf_file/0018/680022/MCNC01-180116-Confidential.pdf

²⁴ Strategic Planning Development Policy Committee Resolution SPD21/15-16.

²⁵ Strategic Planning Development Policy Committee Resolution SPD35/15-16.

²⁶ Council Resolution CNC134/16-17, Item 3.12, Resolved in Confidence 27 September 2016.

²⁷ https://www.walkerville.sa.gov.au/data/assets/pdf_file/0027/684351/ASCNC09-270916-Released-Agenda.pdf

Community Land Management Plan 5 – Smith Street Recreation

There is an amendment to the wording of the plan being that the column “CT” now includes the word “portions” to reflect the issues identified in respect of the Certificates of Title as discussed in this report.

- 4.9 Council endorsed the new CLMPs ‘in principle’ and subsequently proceeded to community consultation.²⁸ The community consultation was conducted for an eight (8) week period between October and December 2016.
- 4.10 At the close of the consultation, no feedback had been received from either the general public or Councils lessees. As such at their Ordinary Meeting of 19 December 2016, Council resolved to adopt the new Community Land Management Plans,²⁹ as endorsed ‘in principle’ 27 September 2016 and thus the revocation of the Community Land Classification from those portions of **Smith 1** and **Smith 2** (as represented by the car park and adjacent land) became a binding Council decision.
- 4.11 Almost three (3) years later, following the 2019 Strategic Property Review, on 16 September 2019 Council endorsed the draft Community Land Register (**CLR**) and its seven (7) associated Management Plans ‘in principle’ then undertook the Community Consultation and Engagement process required under the *Local Government Act 1999*.³⁰
- 4.12 The consultation concluded 7 November 2019 and at the close of the engagement, submissions were received from a total of 114 people. Council resolved to defer the proposed revocation report in order to review and consider all submissions.³¹
- 4.13 At their Ordinary Meeting of 20 January 2020, Council re-received the deferred report and resolved to revoke the Community Land Classification from the remaining portions of land that straddled Certificates of Title 5796/887 (**Depot**), 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) (which comprise the footprint of the building located at 39 Smith Street Walkerville).³²
- 4.14 Following this a formal submission seeking Ministerial consent to revoke the Community Land Classification from the portions of **Smith 1**, **Smith 2** and **Depot** was submitted to the Minister for Local Government (**Minister**), at which time, further information and particulars about the 2016 revocation process was requested.

²⁸ Council Resolution CNC131/16-17, resolved in public 27 September 2016, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0018/680103/MCNC09-270916-Confidential.pdf

²⁹ Council Resolution CNC237/16-17, resolved in public 19 December 2016, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0017/680111/MCNC12-191216-Confidential.pdf

³⁰ Council Resolution CNC72/19/20, resolved in public 16 September 2019, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0025/317518/MCNC09-Minutes-19-September-2019.pdf

³¹ Council Resolution CNC157/19-20, resolved in public 18 November 2019, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0026/337544/MCNC11-Minutes-18-November-2019-PUBLIC-docx.pdf

³² Council Resolution CNC236/19-20, resolved in public 20 January 2020, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0027/428922/MCNC01-200120-Minutes-20-January-2020-Public-.pdf

- 4.15 In response, Administration undertook further significant research of its records, reviewed archived emails, extensively reviewed past Council reports and consulted with past Committee Members and the multiple law firms and other professional services that provided advice during the 2016 process and determined that the process followed in 2016, to exclude those portions of land, was neither conducted effectively in accordance with the procedural requirements of the *Local Government Act 1999* nor was the process finalised by obtaining Ministerial consent.
- 4.16 On the basis that the 2020 application to the Minister was interlinked with the previous 2016 revocation process, at their Ordinary Meeting of 15 June 2020 Council resolved to:³³
- 4.16.1 withdraw from the Minister of Local Government its current 2020 application;
 - 4.16.2 endorse ‘in principle’ the proposed Revocation of the Community Land Classification from the **whole** of land contained within **Smith 1** and **Smith 2**, and the **portion** of land contained within **Depot**;
 - 4.16.3 undertake a subsequent Community Consultation pertaining to the proposed Revocation (referenced in 4.16.2 above); and
- 1.19.1 receive a subsequent report outlining any/all community feedback before again consulting with the Minister.

³³ Council Resolution CNC382/19-20, resolved in public 15 June 2020, https://www.walkerville.sa.gov.au/data/assets/pdf_file/0023/693023/MCNC06-150620-Minutes-15-June-2020-PUBLIC.pdf

REVOCATION OF COMMUNITY LAND CLASSIFICATION

39 SMITH STREET WALKERVILLE

THE WHOLE OF THE LAND CONTAINED WITHIN
CERTIFICATE OF TITLE VOLUME 5728 FOLIO 637 (SMITH 1)
CERTIFICATE OF TITLE VOLUME 5838 FOLIO 95 (SMITH 2)

THE PORTION OF LAND CONTAINED WITHIN
CERTIFICATE OF TITLE VOLUME 5796 FOLIO 887 (DEPOT)

Report required under Section 194 (2) (a) of the *Local Government Act 1999*

5 Section 194 of the *Local Government Act 1999* (SA)

5.1 Pursuant to the requirements of section 194 of the *Local Government Act 1999* (SA),³⁴ before a Council can seek to revoke the Community Land Classification from any portion of land as designated so, the Council must first prepare a publically available report pertaining to the proposed revocation, which in part must include:

5.1.1 a summary of the **reasons for the proposal**;³⁵

5.1.2 a statement of any **dedication, reservation or trust** to which the land is subject;³⁶

5.1.3 a statement of whether revocation of the classification is proposed with a view to **sale or disposal** of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds;³⁷

5.1.4 an assessment of how implementation of the proposal would **affect the area and the local community**;³⁸ and

5.1.5 if the Council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification.³⁹

5.2 While the requirements outlined in 5.1.5 are not applicable to this application as Council is the owner of the subject land, the following section of this report addresses the other requirements.

³⁴ *Local Government Act 1999* (SA), s 194 (2) (a).

³⁵ *Local Government Act 1999* (SA), s 194 (2) (a) (i).

³⁶ *Local Government Act 1999* (SA), s 194 (2) (a) (ii).

³⁷ *Local Government Act 1999* (SA), s 194 (2) (a) (iii).

³⁸ *Local Government Act 1999* (SA), s 194 (2) (a) (iv).

³⁹ *Local Government Act 1999* (SA), s 194 (2) (a) (v).

6 Description of the Land

- 6.1 The land commonly known as (and situated at) 39 Smith Street Walkerville, comprises a car park and sports and recreation building, which abuts the disused Council works depot and residential properties.
- 6.2 The land in question is comprised of following:
- 6.2.1 The whole of allotment 82 in Filled Plan 137233, contained within Certificate of Title Volume 5728 Folio 637 (**Smith 1**), approximately 837m²;
 - 6.2.2 The whole of allotment 95 in Filled Plan 137246, contained within Certificate of Title Volume 5838 Folio 95 (**Smith 2**), approximately 1,400m²;
 - 6.2.3 The portion of allotment 103 in Deposited Plan 17006, contained within Certificate of Title Volume 5796 Folio 887 (**Depot**) (represented by the building footprint), approximately 1,646m².



7 Reason for the Proposal: Strategic Master Planning – Land Improvement, Redevelopment and Leasing

7.1 The Corporation of the Town of Walkerville is the registered proprietor of the entirety of the land contained within Certificates of Title 5651/912 (**Fuller 1**), 5274/937 (**Fuller 2**), 5796/887 (**Depot**), 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) (**Entirety of Land**).



7.2 Since 2013, both past and present Councils have made clear their intention to improve and redevelop all Council-owned land (including the aging buildings) between Smith and Fuller streets for the benefit of the community. In order to continue with these intentions, Council wishes to revoke the current Community Land Classification from the site to allow greater flexibility for design solution, redevelopment and leasing purposes.

7.3 Straddling **Smith 1**, **Smith 2** and **Depot** is situated a multi-storey building (**Building**) approximately 2,182m² in size.

7.4 The building was built in the 1960s and has been occupied by varying branches of the Young Men's Christian Association since its practical completion.

- 7.5 At their Ordinary Meeting of 19 September 2011, Council received a publicly available report and risk assessment, which outlined emerging building compliance and integrity concerns.⁴⁰
- 7.6 Over the course of the following 2011/12 and 2012/13 financial years, Council invested approximately \$78,000 of both capital and operation expenditure to fund repairs to the building. It was at this time Council commenced a preliminary master planning for the entirety of the land.
- 7.7 A number of years later, after a further investigation and preliminary planning, at their Ordinary Meeting of 15 May 2017, Council resolved to further proceed with the master planning of the entirety of the Smith and Fuller land allotments, so as to provide further offerings from the location to the community.⁴¹
- 7.8 In accordance with the Council decision of 15 May 2017, in September 2018 Council considered a Master Planning Strategic Sites report,⁴² which included a number of possible initial options for the future development of the Smith and Fuller land allotments that were consistent with a 'Community Zone'.⁴³
- 7.9 In August 2019, Council engaged an independent consultancy firm to undertake a subsequent condition assessment of the building. The findings of the assessment indicated that the building had deteriorated and again required repair and maintenance, capital and compliance works, which were estimated to cost approximately \$500,000.
- 7.10 Concurrently, Council appointed an independent valuation service provider, to conduct a full valuation of all Council-owned assets, building and properties. This audit indicated the current depreciated replacement cost of the Smith Street building to be \$880,000 and that the building had neared its end of usable life, as it is depreciating at a rate of approximately \$80,000 per year.
- 7.11 Based on the findings from the building audit, valuation and subsequent legal advice obtained, regarding the issues of Council granting further occupancy rights to the site in its current condition, at their Ordinary Meeting of 16 March 2020, Council resolved:⁴⁴

- 1 *undertake an Open Expression of Interest (EOI) Tender process in line with Council's Procurement Policy, to seek out parties who may have an interest in entering into a long-term lease over the land for the purpose of investing in and redeveloping the site / building for the benefits of the community.*

⁴⁰ *Renewal of Licence YMCA Report*, Agenda Item 13.1.5, 19 September 2011.

⁴¹ Council Resolution CNC436/16-17, resolved in confidence 15 May 2017, released.

⁴² Council Resolution CNC113/18-19, resolved in confidence 19 September 2018, retained in confidence until 17 September 2022, <https://www.walkerville.sa.gov.au/council/registers/confidential-agenda-and-minutes-register>

⁴³ Town of Walkerville Development Plan, as consolidated 6 October 2016,

https://www.dpti.sa.gov.au/_data/assets/pdf_file/0009/250020/Walkerville_Council_Development_Plan.pdf

⁴⁴ Council Resolution CNC306/19-20, resolved in public 16 March 2020,

https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0029/547166/MCNC03-160320-Minutes-16-March-2020.pdf

- 2 *establish an Evaluation Panel to oversee the Tender Evaluation process listed in point 1 above and provide recommendations to Council at the conclusion of the process.*
- 3 *hold an Elected Member Informal Gathering be held in order to provide guidance to Administration in the development of the Evaluation Panel Terms of reference and Evaluation Matrix, prior to Council's consideration and endorsement of same*
- 4 *officially advises the current tenant that the end of the lease term (viz 31 December 2020) Council does not propose to offer a renewal or extension of the existing lease, which does not preclude the existing Lessee from participating in the EOI Tender.*
- 5 *That Council instructs Administration to prepare a letter to the Town of Walkerville residents outlining the process and timing that will be undertaken with respect to the EOI tender and the reasons behind its decision.*

7.12 Following the aforementioned Council decision of 16 March 2020, at their meeting of 20 July 2020, Council resolved to endorse the Evaluation Matrix and the Expressions of Interest Evaluation Panel Terms of Reference that will govern the redevelopment expression of interest for the site,⁴⁵ and is in the process of appointing independent evaluation panel members.

7.13 Council's aim following the revocation and EOI process is to establish a suitable design solution that would enable a redevelopment of the entirety of the land in order to improve the land and facilities to increase community access, use and engagement, which may include long-term leasing options for either one (1) or multiple groups across the entirety of the land, thus delivering greater options for the local community.

8 Dedication, Reservation or Trust

- 8.1 The Corporation of the Town of Walkerville is the registered proprietor of the entirety of the land contained within Certificates of Title 5796/887 (**Depot**), 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**).
- 8.2 Council owns the land Freehold in perpetuity.
- 8.3 Council acquired Smith 1 in 1964, Smith 2 in 1981 and Depot in 1964.
- 8.4 None of the land is subject to registered dedication, reservation or trust.
- 8.5 Both Depot and Smith 2 are burdened by obsolete interrelated right of way easements. These will be extinguished prior to a redevelopment of the site.
- 8.6 A small portion of Depot is burdened by a drainage easement. This will be appropriately factored into the redevelopment of the site.

⁴⁵ Council Resolution CNC7/20-21, resolved in public 20 July 2020, https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0028/715582/MCNC07-200720-Minutes-20-July-2020-Public.pdf

9 Proposed Sale or Disposal of the Land

- 9.1 Council has resolved **not to sell** the land under any circumstances. The land is to be retained by the Town of Walkerville for the purposes addressed in section 7 above.

10 Perceived Community Impacts

- 10.1 Pursuant to the requirements of section 194 of the *Local Government Act 1999* (SA), a Council must make an assessment of how the proposed revocation would affect the **area and the local community**.⁴⁶
- 10.2 While the *Local Government Act 1999* (SA) defines 'Area' as "an area for which the Council is constituted" (viz a Council's jurisdictional boundary),⁴⁷ though widely used throughout the legislation, the *Local Government Act 1999* (SA) does not provide a clear definition of either 'Community' or 'Local Community'.
- 10.3 Upon considering interpretations implemented by other Australian jurisdictions 'Local Community' is defined as "people and/or bodies who live in the municipal district that are ratepayers,⁴⁸ and "Community" is defined as the community of the municipal area.⁴⁹
- 10.4 In the second reading speech for the *Statutes Amendment (Local Government Reform) Bill 2020* (SA) in the House of Assembly on Wednesday 17 June 2020, the then Minister for Transport, Infrastructure and Local Government, the Hon. Stephen Knoll, acknowledged that individual Councils operate in an 'ecosystem', which is subject to direct interaction with and oversight by ratepayers.⁵⁰ Minister Knoll further reflected on this idea stating that the most important people in the local government system are the ratepayers,⁵¹ as it is their rates that fund infrastructure and valued local community services.⁵²
- 10.5 Based on 10.3 and 10.4, the Town of Walkerville's *Local Community* is defined as ratepayers and owner/occupiers of rateable property⁵³ residing within the council area.⁵⁴
- 10.6 As outlined in 7.9 and 7.10 above, the existing building on the site is approaching the end of its usable life and is in need of significant repairs. By funding and undertaking these unbudgeted repairs, Council may be required to pass on a rates

⁴⁶ *Local Government Act 1999* (SA), s 194 (2) (a) (iv).

⁴⁷ *Local Government Act 1999* (SA), s 4.

⁴⁸ *Local Government Act 1989* (VIC), s 3.

⁴⁹ *Local Government Act 1993* (TAS), ss 3 & 16.

⁵⁰ South Australian Parliament Hansard, House of Assembly, 17 June 2020, *Statutes Amendment (Local Government Reform) Bill 2020* (SA), Second Reading Speech, <file:///wcd02/Redirected%20Folders/reasco/Downloads/HANSARD-11-38307.pdf>, p.1618.

⁵¹ South Australian Parliament Hansard, House of Assembly, 17 June 2020, *Statutes Amendment (Local Government Reform) Bill 2020* (SA), Second Reading Speech, <file:///wcd02/Redirected%20Folders/reasco/Downloads/HANSARD-11-38307.pdf>, p.1622.

⁵² South Australian Parliament Hansard, House of Assembly, 17 June 2020, *Statutes Amendment (Local Government Reform) Bill 2020* (SA), Second Reading Speech, <file:///wcd02/Redirected%20Folders/reasco/Downloads/HANSARD-11-38307.pdf>, p.1620.

⁵³ *Local Government Act 1999* (SA), s 147 (1).

⁵⁴ *Local Government Act 1999* (SA), s 4.

increase; which is it is not prepared to do to subsidise one tenancy.

- 10.7 Additionally, by retaining the Community Land Classification over the land [and deteriorating building], Council is restricted in its ability to deliver a beneficial and suitable outcome for both the site and community, thus the site and assets thereon will continue to deteriorate and be financially burdensome to the ratepayer.
- 10.8 Council believes the revocation of Community Land Classification for the purposes of improving the land through redevelopment, will present far greater long-term benefit to the community, for both the current and future generations; in accordance with the originating intent of the legislation (per 3.1 above),⁵⁵ and Council's Asset Management Plan.⁵⁶
- 10.9 While Council acknowledges that the site will remain unoccupied for an interim period following the cessation of current tenant's lease on 31 December 2020, while planning progresses, it must be noted services akin to those currently offered at the site are located elsewhere in close proximity within the Eastern Region, including:
 - 10.9.1 The Walkerville PreKindy;
 - 10.9.2 The Town of Walkerville's 'Active Aging' program;
 - 10.9.3 Walkerville Sports Club;
 - 10.9.4 ICA SportzWorx Stepney;⁵⁷
 - 10.9.5 MARS Sporting Complex;⁵⁸
 - 10.9.6 Broadview Sports Precinct; and
 - 10.9.7 INEA YMCA Kensington Community Leisure Centre.⁵⁹

⁵⁵ South Australian Parliament Hansard, Legislative Council, 23 March 1999, *Local Government Bill 1999* (SA), Second Reading Speech, <file:///wcdc02/Redirected%20Folders/reasco/Downloads/HANSARD-4-1630.pdf>, p.984.

⁵⁶ https://www.walkerville.sa.gov.au/_data/assets/pdf_file/0020/710246/OPEN-SPACE-STRATEGY-2020-2025.pdf

⁵⁷ <https://www.icastepney.com.au/>

⁵⁸ <https://www.marssportingcomplex.com/>

⁵⁹ <https://www.burnside.sa.gov.au/Community-Venues/Community-Centres/INEA-YMCA-Kensington-Community-Leisure-Centre>

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5728 Folio 637

Parent Title(s) CT 1680/183
Creating Dealing(s) CONVERTED TITLE
Title Issued 27/01/2000 Edition 1 Edition Issued 27/01/2000

Estate Type

FEE SIMPLE

Registered Proprietor

THE CORPORATION OF THE TOWN OF WALKERVILLE
OF PO BOX 55 WALKERVILLE SA 5081

Description of Land

ALLOTMENT 82 FILED PLAN 137233
IN THE AREA NAMED WALKERVILLE
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

NIL

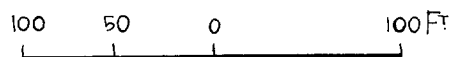
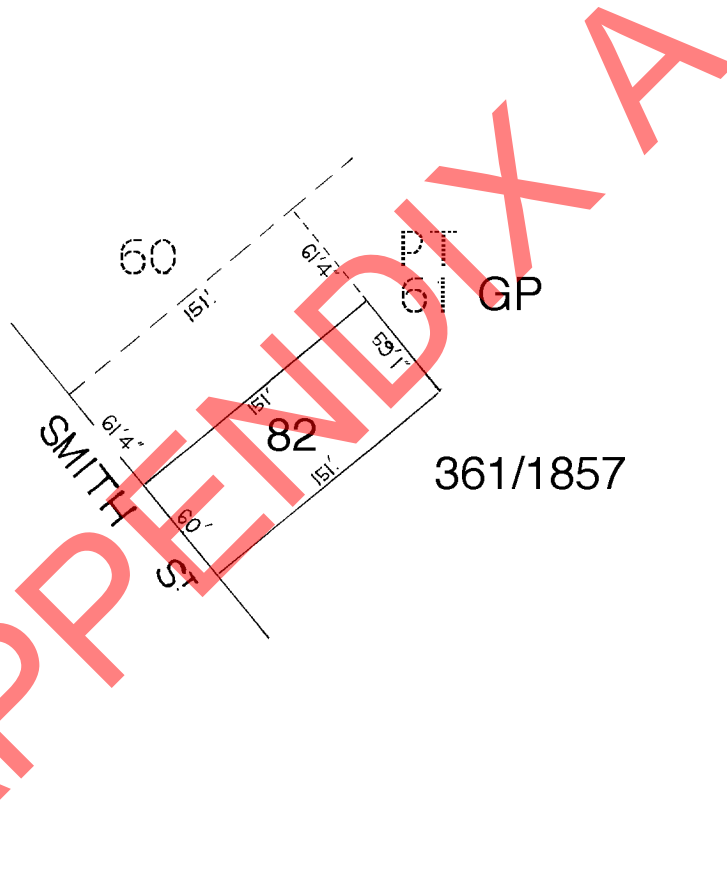
Notations

Dealings Affecting Title NIL
Priority Notices NIL
Notations on Plan NIL
Registrar-General's Notes NIL
Administrative Interests NIL

APPENDIX A

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 1680/183

LAST PLAN REF: GP 361/1857



DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5838 Folio 95

Parent Title(s)	CT 4044/703		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	14/02/2001	Edition 1	Edition Issued 14/02/2001

Estate Type

FEE SIMPLE

Registered Proprietor

THE CORPORATION OF THE TOWN OF WALKERVILLE
OF PO BOX 55 WALKERVILLE SA 5081

Description of Land

ALLOTMENT 95 FILED PLAN 137246
IN THE AREA NAMED WALKERVILLE
HUNDRED OF YATALA

Easements

SUBJECT TO RIGHT(S) OF WAY OVER THE LAND MARKED A (GRO NO.284 BOOK 21 GRO NO.488 BOOK 21 GRO NO.77 BOOK 23 AND GRO NO.231 BOOK 148)

Schedule of Dealings

NIL

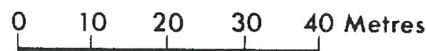
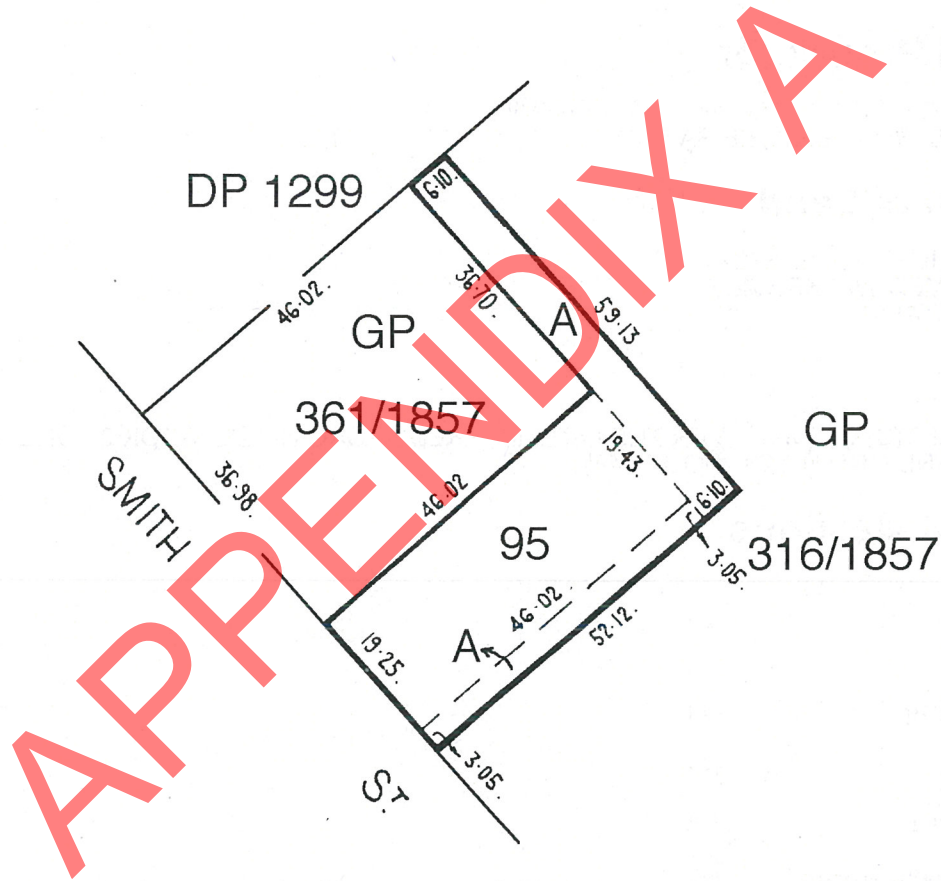
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

APPENDIX A

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4044/703
SEE TITLE TEXT FOR EASEMENT DETAILS

LAST PLAN REF: GP 361/1857



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5796 Folio 887

Parent Title(s) CT 4272/522
Creating Dealing(s) CONVERTED TITLE
Title Issued 09/08/2000 Edition 1 Edition Issued 09/08/2000

Estate Type

FEE SIMPLE

Registered Proprietor

THE CORPORATION OF THE TOWN OF WALKERVILLE
OF PO BOX 55 WALKERVILLE SA 5081

Description of Land

ALLOTMENT 103 DEPOSITED PLAN 17006
IN THE AREA NAMED WALKERVILLE
HUNDRED OF YATALA

Easements

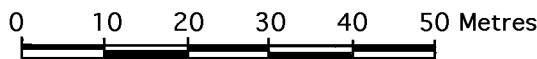
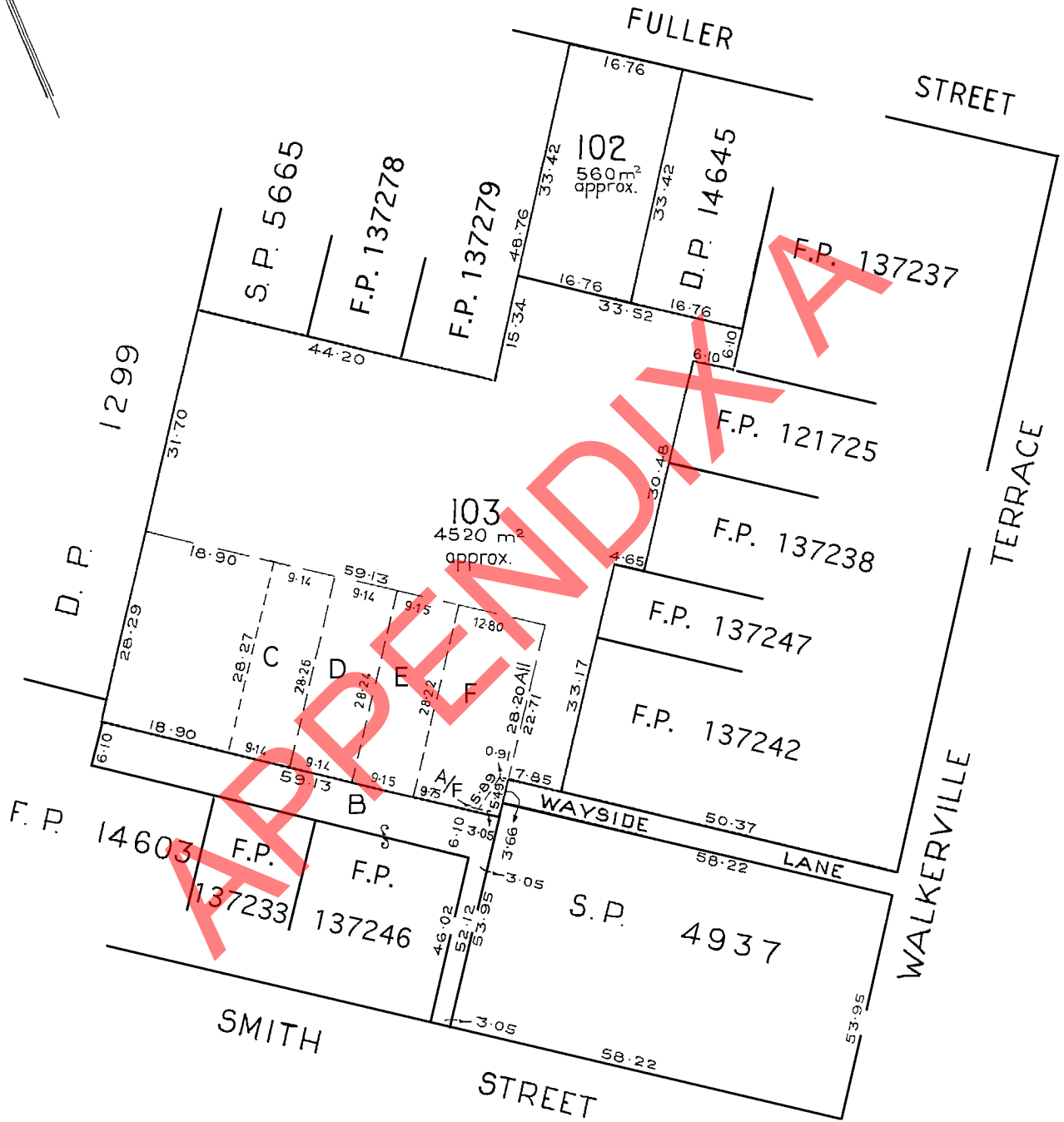
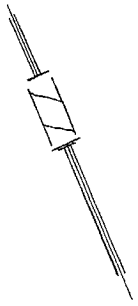
SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A TO THE MINISTER FOR INFRASTRUCTURE (T 2518534)
TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED B APPURTENANT ONLY TO THE LAND MARKED C (GRO NO.77 BOOK 23)
TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED B APPURTENANT ONLY TO THE LAND MARKED D (GRO NO.284 BOOK 21)
TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED B APPURTENANT ONLY TO THE LAND MARKED E (GRO NO.488 BOOK 21)
TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED B APPURTENANT ONLY TO THE LAND MARKED F (GRO NO.231 BOOK 148)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL
Priority Notices NIL
Notations on Plan NIL
Registrar-General's Notes NIL
Administrative Interests NIL



THE CORPORATION OF THE TOWN OF WALKERVILLE

MANAGEMENT PLAN 6

WALKERVILLE YMCA

2004

IDENTIFICATION DETAILS

- < Asset Number 3, 32 & 33 - Walkerville YMCA, 39 Smith Street, WALKERVILLE
- < CT 5796/887, CT 5728/637 & CT 5838/95
- < Portion of Asset Number 3 comprising the Council Depot has been excluded from the Community Land Classification.
- < This large irregular shaped land includes three allotments located on Smith Street, Walkerville. The land is improved by YMCA buildings, car park, single flagpole, well maintained lawned areas, large mature trees and shrubs and concrete paths.

OWNERSHIP DETAILS

- < This land is owned by the Walkerville Council as a Freehold Estate. The land is not known to be affected by a Native Title Claim and is not affected by any trusts, reservations or dedications.

PURPOSE FOR WHICH LAND IS HELD

- < Provision of a YMCA building and associated car park areas for the use of the community.
- < The land and clubrooms thereon are leased to the Walkerville YMCA.
- < Casual hire of the facilities can be arranged by contacting the Walkerville YMCA.

REASON WHY MANAGEMENT PLAN IS REQUIRED

- < The land has been specifically modified or adapted for the benefit or enjoyment of the community by the provision of a YMCA and car park.

OBJECTIVES, POLICIES AND PROPOSALS FOR MANAGEMENT OF THE LAND

- < To provide a sports facility to be either operated by Council or a lessee and to be available for use by members of the community.

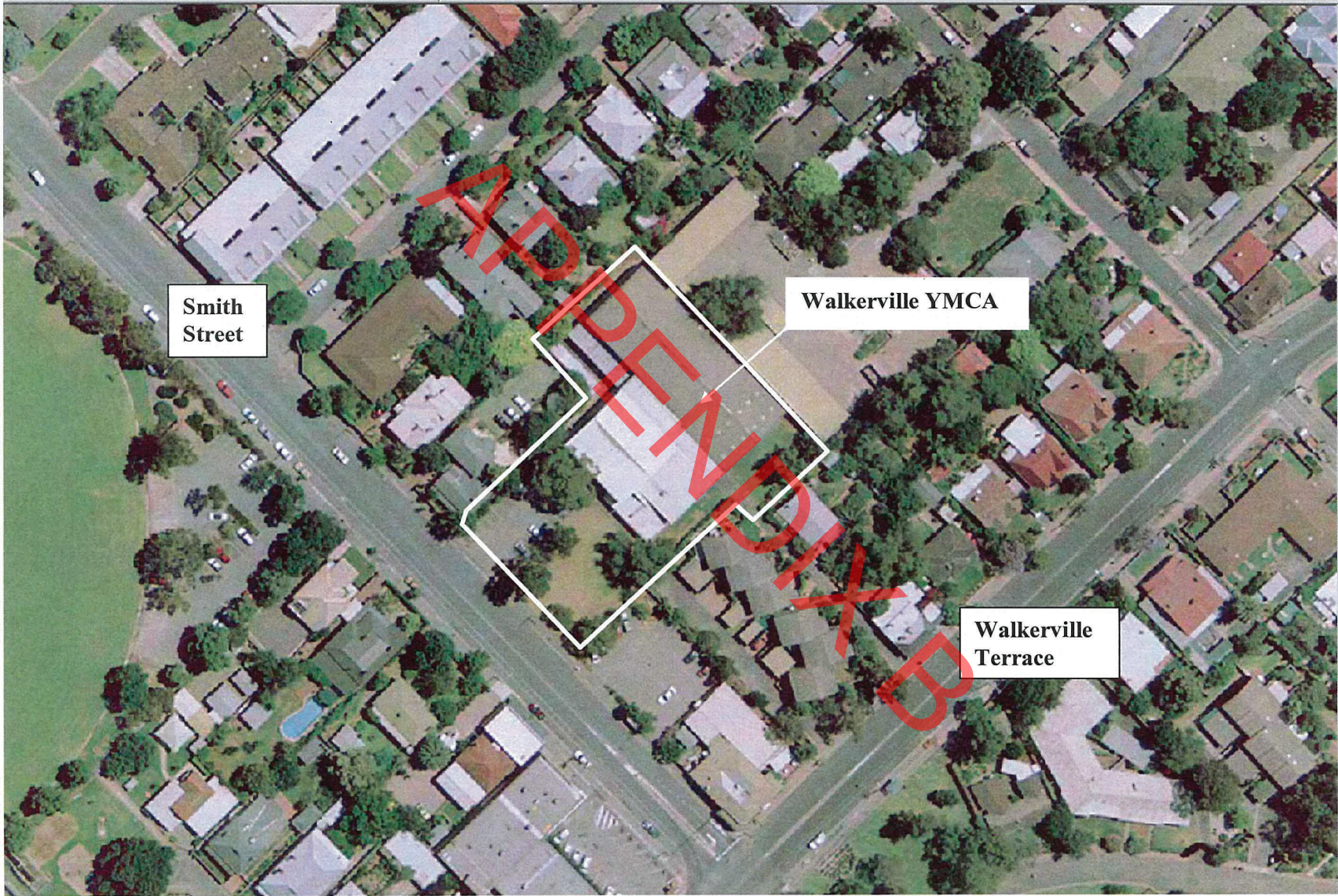
PERFORMANCE TARGETS

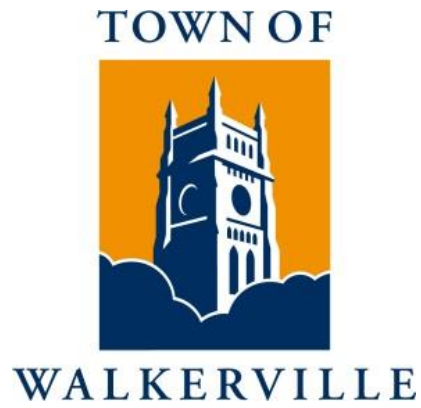
- < To ensure the facility provides an adequate level of service and is available for use by the community.
- < To ensure the YMCA building is maintained to an acceptable standard.
- < To ensure car parking facilities, including bituminised areas and landscaping, are well maintained.
- < To negotiate adequate lease/licence agreements to appropriate organisations/members of the public for the use of the YMCA.
- < To ensure any lessees/licencees meet the terms and conditions of their agreement.

PERFORMANCE MEASURES

- < Regular maintenance of the YMCA building and associated landscaped areas where appropriate.
- < Periodic inspections and maintenance to ensure the car park is in good condition and is safe for users.
- < Maintenance and regular update of a lease/licence register.
- < Periodical reviews of lease/licence arrangements to ensure terms and conditions are being met.

Walkerville YMCA – Community Land Management Plan 6





Community Land Management Plan 5
Smith Street Sports & Recreation
December 2016



Legislative Framework

This Community Land Management Plan has been developed by the Town of Walkerville in accordance with the provisions of section 196 of the *Local Government Act 1999* (SA). A copy of the plan is available at www.walkerville.sa.gov.au.

Community Land Management Plans are required, among other things, to:

- identify the land to which they apply;
- state the purpose for which the land is held by Council;
- state Council's objectives, policies (if any) and proposals for the management of the land;
- state performance targets and how the Council proposes to measure its performance against its objectives and performance targets;
- in the case of land owned by parties other than Council, identify the owner of the land, state the nature of any trust, dedication or restriction to which the land is subject apart from the *Local Government Act 1999* (SA) and contain any provisions that the owner reasonably requires and identify those provisions as provisions required by the owner; and
- as far as practicable, be consistent with other relevant official plans and policies about conservation, development and use of the land.



Community Land Management Plan 5 – Smith Street Sports & Recreation

Identity of the land

Name	Address	CT	Owner	Reservations	Zoning	Native Title
Smith Street Sports and Recreation	39-41 Smith Street, Walkerville	Portions of 5796/887 5728/637 5838/95	Town of Walkerville	N/A	Neighbourhood Centre Zone (Business Core Policy Area 2)	N/A



Purpose for which the land is held

The land identified in this Community Land Management Plan is held by Council for the purpose of providing sporting, recreational, health or community facilities and improvements for the use and benefit of the community.

Any business purpose that is complementary, ancillary or consistent with this purpose may be approved by Council.

Council's objectives, policies (if any) and proposals for the management of the land

Council's objective for Smith Street Sports and Recreation is to provide sporting, recreational, health and community land and improvements that encourage community use and engagement in alignment with community expectations and that are consistent with Council's strategic plan and objectives.

Council is committed to considering opportunities and improvements to the land and its facilities where possible

Performance targets

Council's performance targets in respect of the Smith Street Sports and Recreation site are as follows:

- in respect of improvements to the land, to maintain those improvements in accordance with Council's strategic and asset management plans and to explore development opportunities where possible; and
- in respect of the utilisation of the land and improvements, to ensure that the land and its improvements are appropriately utilised by the grant of leases, licenses and permits.

How Council proposes to measure its performance against its objectives and performance targets

Council will measure its performance as follows in respect of the improvements to the land, by complying with any obligations imposed upon Council in any lease, license or permit and otherwise ensuring that Council's strategic and asset maintenance plans are being adhered to.

APPENDIX C



MAYOR OF THE TOWN OF WALKERVILLE

File number: 16.16.2.1

Please quote ref: OLT202043053

Contact officer: Business Analyst, (Property & Contracts), Scott Reardon

31 August 2020

To the Resident

Dear Resident,

Re: Revocation of Community Land Classification, 39 Smith Street, Walkerville

Council is currently undertaking community consultation on the proposed revocation of the Community Land Classification from the portions of land that comprise 39 Smith Street, Walkerville.

I feel it is important for the local community to be fully aware of the issues surrounding this topic due to the contentious and complex nature of the matter. Therefore, I encourage you to visit the Council's website – both the '*Open for Consultation*' page and the '*39 Smith Street Revocation*' page – for the history of the process, the current status, the timeline moving forward and a list of frequently asked questions.

It is important to note that there are two separate public issues in relation to 39 Smith Street – the revocation of the Community Land Status and the current lease over the building at the site, which is held by the Inner North East Adelaide (INEA) YMCA. The current consultation is in regards to the revocation and is neither connected nor relevant to the lease arrangements over the site, as Council has previously resolved not to renew or extend the existing tenancy agreement.

For your information since 2013, both past and present Councils have made clear their intention to improve and redevelop all Council-owned land (including all aging buildings) between Smith and Fuller streets to increase access, use and community engagement with the site. INEA YMCA has been aware of Council's intentions for the site since circa 2013, and has been fully aware since 2014 (reiterated in both 2017, then 2019) that no further renewal or extension of the lease will be granted.

Of great concern to Council, is the increasing deterioration of the primary building located on the site and potential issues associated with increasing liability. In 2019, Council engaged an independent company to conduct a building audit report in order to ascertain the building's current condition. Council considered this report and associated legal advice initially at its meeting of 17 February 2020, then again on 16 March 2020.

The Corporation of the Town of Walkerville

PO Box 55 Walkerville SA 5081 Telephone (08) 8342 7100 Email walkerville@walkerville.sa.gov.au

The report outlines a number of compliance, repair, maintenance and capital works that are needed to bring the building both up to code and to a suitable operational standard. The costs of these repairs are estimated to be approximately \$500,000. To allocate the necessary funds to undertake these works, a rate rise or redirecting funds from the long term asset management program would be required.

On the basis that Council wishes to proceed with its desire to retain and redevelop the land, Council needs to revoke the current Community Land Classification from the site to allow greater flexibility for planning purposes and design solutions. Under Planning and Development Zoning, this land will remain designated as a "Community Zone"; which reserves the permitted land use for community, educational and recreational purposes. Potential redevelopment of the site could include a recreation centre, educational establishment, child care centre, primary or secondary school, clubroom, playground, health facility, place of worship, consulting rooms or theatre.

By way of background, in 2016, the previous Council undertook a process to exclude two portions of land (39 Smith Street) from the community land register. In January 2020, Council resolved to revoke the Community Land Classification from the remaining portion of the Smith Street land in order to progress the master planning of the entirety of the site.

Though the 2020 revocation process was conducted accordingly, despite extensive consideration and consultation, which included obtaining legal and property development advice, it was discovered that some of the statutory requirements of the 2016 process were not completed at the time. Therefore in June 2020, Council made the decision to withdraw its current revocation application from the Minister and undertake a subsequent consultation and application process in order to rectify the identified discrepancies from the 2016 process.

Consultation on the proposed revocation will commence **9am Tuesday 1 September 2020 and will conclude 5pm Friday 16 October 2020**. Council invites interested parties to provide feedback relevant to the proposed revocation of Community Land.

Written submissions should be submitted as follows:

If posted, to:

The Chief Executive Officer

39 Smith Street – Revocation of Community Land Classification

Town of Walkerville

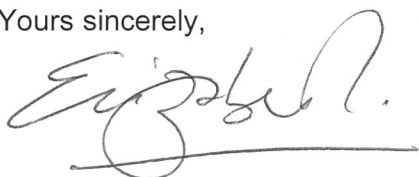
PO Box 55

Walkerville SA 5081

Or if emailed, to: walkerville@walkerville.sa.gov.au with the subject line "39 Smith Street – Revocation of Community Land Classification".

Kind regards,

Yours sincerely,



Elizabeth Fricker
Mayor

The Corporation of the Town of Walkerville

PO Box 55 Walkerville SA 5081 Telephone (08) 8342 7100 Email walkerville@walkerville.sa.gov.au



39 Smith Street Revocation

[Home](#) > [Community](#) > [Latest News](#) > 39 Smith Street Revocation

31st August 2020

39 Smith Street, Walkerville

Revocation of Community Land Classification

Community consultation commences 9am Tuesday 1 September 2020 and closes 5pm Friday 16 October 2020.

Council is now undertaking community consultation regarding the proposed revocation of the Community Land Classification from 39 Smith Street, Walkerville:

[39 SMITH STREET REVOCATION PUBLIC CONSULTATION](#)

In recent months, two separate issues in relation to 39 Smith Street, Walkerville, have been the focus of both media and community attention. The below summarises the history of the two matters, provides factual information regarding the issues and presents a timeline showing the next steps for progress.

Issue 1

Community Land Classification – 39 Smith Street

1. What is Community Land and what does Community Land Classification mean?

In accordance with the *Local Government Act 1999*, all land owned by or under the care and/or control of Council is classified as either "Community" or "Operational" land.

Community Land is land reserved specifically for community access, use and enjoyment. Examples of Community Land include (but are not restricted to) public parks, ovals, reserves, cemeteries, sports fields, public thoroughfares, community buildings, walking trails, etc.

When and where feasible, Community Land can be leased/licensed to a party for either their exclusive or non-exclusive use. Certain lease terms and permitted use restrictions apply when a lease/licence is issued for Community Land. Any lease/licence entered into by Council is a commercial agreement and is done so at Council's (the landowner) discretion.

Unlike Community Land, Operational Land is land that has had its Community Land Classification revoked, and it is not governed by any special management restrictions. General examples of Operational Land include Council Works Depot, Civic and Community Centres. The aforementioned leasing/licencing restrictions associated with Community Land do not apply to Operational Land; which allows Council greater flexibility for land use and potential redevelopment.

2. Why is Council proposing to revoke the Community Land Classification from 39 Smith Street?

Since 2013, both past and present Councils have made clear their intention to improve and redevelop all Council-owned land (including the aging buildings) between Smith and Fuller streets for the benefit of the community. In order to continue with this desire, Council needs to revoke the current Community Land Classification from the site to allow greater flexibility for redevelopment and leasing purposes.

Both current and past Councils have made clear their intention not to sell the land or allow a high-rise development on the site; the latter of which is inconsistent with envisaged uses within a Community Zone.

The aim of the revocation is to enable a redevelopment of the area to improve the land and/or facilities for the community's benefit, thus increasing community access, use and engagement.

3. Why doesn't Council repair the building located at 39 Smith Street, and what would the impact be to the ratepayer?

In 2019/20 Council obtained a valuation report and condition assessment report of the existing building located at 39 Smith Street. Both indicated that the building:

- is currently valued at approximately \$880,000;
- is depreciating at a rate of approximately \$80,000 per year;
- has a useable life span as a facility of less than ten (10) years; and
- requires approximately \$500,000 worth of structural, cosmetic and DDA compliance works in order to bring it up to code.

Of great concern to Council is the age and deterioration of the building, its limited life span and the increasing liability presented to Council should the building be re-leased without undertaking significant and costly repairs.

On the basis that Council does not have the funds available in its Long Term Financial Plan to repair the building, Council will need to either increase rates by approximately 5% to cover the cost of building works

or redirect \$500,000 from the long term asset management plan to cover the cost of building works. Considering that the building has a limited life span, Council is not willing to consider passing on such an increase to ratepayers nor redirecting funds from the long term asset management program.

2020 Revocation of Community Land Classification Application

1. What happened?

In 2016, the previous Council undertook a process to exclude two portions of land (comprised by the car park and adjacent grassed area at 39 Smith Street) from the associated Community Land Management Plan. In January 2020, Council resolved to revoke the Community Land Classification from the remaining portion of the Smith Street land (which represents the building footprint) in order to progress the master planning of the site.

Though the 2020 revocation process was conducted accordingly, despite extensive consideration and consultation, which included obtaining legal and property development advice, it was discovered that some of the statutory requirements of the 2016 process were not completed at the time.

2. What is happening now and what are the next steps?

The current revocation application was submitted to the Minister on the understanding that the 2016 process was completed in accordance with the legislative requirements. In June 2020, Council made the decision to withdraw its current revocation application and undertake a subsequent consultation and application process in order to rectify the identified discrepancies identified from the 2016 process.

It should be noted that contrary to public perception, the 2020 application was neither rejected nor approved by the Minister. Instead, Council withdrew the application.

Council is now undertaking the subsequent community consultation regarding the proposed revocation of the Community Land Classification from the whole of the land contained within Certificates of Title 5728/637 (**Smith 1**) and 5838/95 (**Smith 2**) and the portion of land contained within Certificate of Title 5796/887 (**Depot**) on which the building straddles.



The below timeline lists the next steps that will be undertaken and as approved by Council:

S.194 Community Consultation	1 September – 16 October 2020
Report to Council – s.194 Consultation Feedback & Seek Minister’s Consent	16 November 2020
Re-Submit to the Minister Seeking Permission to Revoke Status	1 December 2020
Approval & Finalisation of Revocation (timing subject to Minister)	January 2021
Commence Open Expressions of Interest	February 2021
Conclude EOI Tender Process	May 2021

Issue 2

Inner North East Adelaide (INEA) YMCA lease – 39 Smith Street

1. What is happening with the lease over the building on 39 Smith Street?

INEA YMCA currently has a lease over the building until 31 December 2020.

Council have previously resolved not to renew the current lease over the site.

Since 2013, both past and present Councils have made clear their intention to improve and redevelop all Council owned land (including the aging buildings) between Smith and Fuller streets for the benefit of the community, and INEA YMCA have been aware of Council's intention throughout this time.

On 20 June 2011, the Town of Walkerville's Chief Executive Officer advised INEA YMCA's President that Council intended to commence a strategic master planning of the site and that this would be a determining factor to the term of any proposed new occupancy agreement.

On 14 October 2011, Administration advised INEA YMCA that Council resolved to offer a three-year tenancy term that would align with the strategic master planning.

On 18 November 2013, Council subsequently resolved to offer INEA YMCA a Lease Agreement for a term of five years commencing 1 January 2014. INEA YMCA sought independent legal advice regarding the proposed Lease Agreement, which was then agreed to and executed in full on 26 May 2014.

The Lease Agreement (dated 26 May 2014) explicitly stated:

"due to various factors, the Lessor cannot guarantee an extension of the term of the lease";

"at the expiry of this Lease, the Lessor cannot guarantee alternate premises for the Lessee to continue its operations".

When the Lease Agreement for the site neared the end, Council resolved to offer INEA YMCA a short-term extension of the lease for a term of two years, while the master planning of the site was continued and was finalised.

INEA YMCA were fully aware that the short-term lease extension was based on the same conditions as the preceding Lease Agreement, as this was expressly stated in the Deed of Extension of Lease (dated 17 July 2018):

"the Lessor and the Lessee mutually agree that the Lease is extended for the renewal term upon the same terms and conditions as are expressed or implied in the Lease".

On 24 October 2019, the Town of Walkerville's Chief Executive Officer wrote to the President of INEA, A reaffirming Council's previous decision not to provide an extension of lease beyond the current expiry.

On 16 March 2020, Council officially resolved not to renew or extend the existing lease over the site. A Notice of Termination was served to INEA YMCA via email on 19 March 2020.

2. Why has Council decided not to renew the lease over the site?

Of great concern to Council is the age and deterioration of the primary building located at 39 Smith Street, its limited life span, and potential issues associated with increasing liability.

On this basis, as well as the significant unbudgeted funds required to address the capital and structural issues of the building, Council does not believe it is appropriate to renew the lease. Council seeks to improve the land in its entirety for the greater community benefit.

Under the relevant Planning and Development Legislation, the entirety of the Council-owned land contained between Smith and Fuller streets is designated as a **Community Zone**. This zoning category requires that the permitted use of the land be restricted to uses accommodating *community, educational and recreational facilities*. This zoning is not changing.

The following forms of development are envisaged for such a zone:

- car parking associated with a community facility;
- recreation facility or educational establishment;
- child care centre;
- clubroom associated with a recreation facility;
- community centre;
- consulting room in association with an educational establishment or recreational facility;
- educational establishment;
- hall;
- health facility;
- library;
- lighting for night use of facilities;
- minor public service depot;
- office associated with a community facility, recreation facility or educational establishment;
- place of worship;
- playground;
- pre-school;
- primary school;
- public administration office;
- recreation centre;
- shops ancillary to a community facility, recreation facility or educational establishment;
- secondary school;
- swimming pool;
- theatre.

3. Does this mean that the Township will lose services?

The Town of Walkerville is a member of the Eastern Region Alliance; a group of six metropolitan Councils all within close proximity of one another.

Services akin to those currently offered at the site are offered in nearby locations within the Eastern Region Alliance, including:

- The Walkerville PreKindy;
- The Town of Walkerville's 'Active Aging' program;
- Walkerville Sports Club.

- Walkerville Sports Club,
- ICA SportzWorx Stepney; **ATTACHMENT E**
- MARS Sporting Complex;
- Broadview Sports Precinct; and
- INEA YMCA Kensington Community Leisure Centre.

Resources

Pursuant to section 194 of the *Local Government Act 1999*, Council has compiled a Public Summary Report, which contains a description of the land, the reasons for the proposal, any Dedication, Reservation or Trust to which the land is subject, the intention of Council once the revocation has occurred and its effect on the community. This report can be downloaded below:

[PUBLIC SUMMARY REPORT](#)

A public letter sent to all ratepayers in regards to the revocation from Walkerville Mayor Elizabeth Fricker can be found here:

[LETTER FROM THE MAYOR](#)

Council decisions

For a full and detailed history please refer to the relevant reports and decision associated with the following:

18 January 2016

Lease & Licence for Community Land & Building Policy Report

Council Resolution CNC277/15-16

https://www.walkerville.sa.gov.au/__data/assets/pdf_file/0018/680022/MCNC01-180116-Confidential.pdf

27 September 2016

Community Land Management Plans and Leases and Licences Review Report

Council Resolution CNC131/16-17

https://www.walkerville.sa.gov.au/__data/assets/pdf_file/0018/680103/MCNC09-270916-Confidential.pdf

19 December 2016

Community Land Management Plans Report

Council Resolution CNC237/16-17

https://www.walkerville.sa.gov.au/__data/assets/pdf_file/0017/680111/MCNC12-191216-Confidential.pdf

16 September 2019

Community Land Register Report

Council Resolution CNC72/19-20

https://www.walkerville.sa.gov.au/__data/assets/pdf_file/0025/317518/MCNC09-Minutes-19-September-2019.pdf

18 November 2019

Community Land Register Report

Council Resolution CNC157/19-20

https://www.walkerville.sa.gov.au/__data/assets/pdf_file/0026/337544/MCNC11-Minutes-18-November-2019-PUBLIC-DOCS.pdf

20 January 2020

Community Land Register Report

Council Resolution CNC236/19-20

https://www.walkerville.sa.gov.au/___data/assets/pdf_file/0027/428922/MCNC01-200120-Minutes-20-January-2020-Public-.pdf

16 March 2020

Strategic Property Review – 39 Smith Street Asset

Council Resolution CNC306/19-20

https://www.walkerville.sa.gov.au/___data/assets/pdf_file/0029/547166/MCNC03-160320-Minutes-16-March-2020.pdf

18 May 2020

Smith Street & Fuller Street Expressions of Interest Evaluation Panel Report

Council Resolution CNC421/19-20

https://www.walkerville.sa.gov.au/___data/assets/pdf_file/0036/670869/MCNC05-180520-Minutes-18-



Town of Walkerville

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Offices

Monday to Friday - 9am - 5pm

Library

Monday - Friday 9am - 5pm

ATTACHMENT E

Please note these are temporary hours due to COVID-19

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Meeting:	Council
Title:	Quarterly Financial Report
Responsible Manager:	Group Manager Corporate Services - Monique Palmer
Author:	Group Manager Corporate Services - Monique Palmer
Key Pillar:	Strategic Framework – Key Pillar 6 – Economy – Create the means to enable economic diversity and encourage business opportunities
Key Focus Area:	Financial Guiding Principle 1- Finances managed responsibly
Type of Report:	Information Only

Recommendation

That Council receives and notes the Quarterly Financial Report, incorporating CAPEX & OPEX as at 31 December 2020.

Summary

The report provides Elected Members with information regarding Council's financial performance and financial position as at 31 December 2020 and incorporates the monthly financial report.

At Council's Ordinary meeting on 19 August 2019 Council (**CNC 49/19-20**) was advised that a new CAPEX/OPEX report will be provided each quarter from 30 September 2019.

Council's line of credit is lower than forecast, this correlates with a favourable operating position of \$503,304 and favourable capital position of \$212,213 as at 31 December 2020. The main influence for the current favourable position is due to;

Revenue \$150,881 favourable

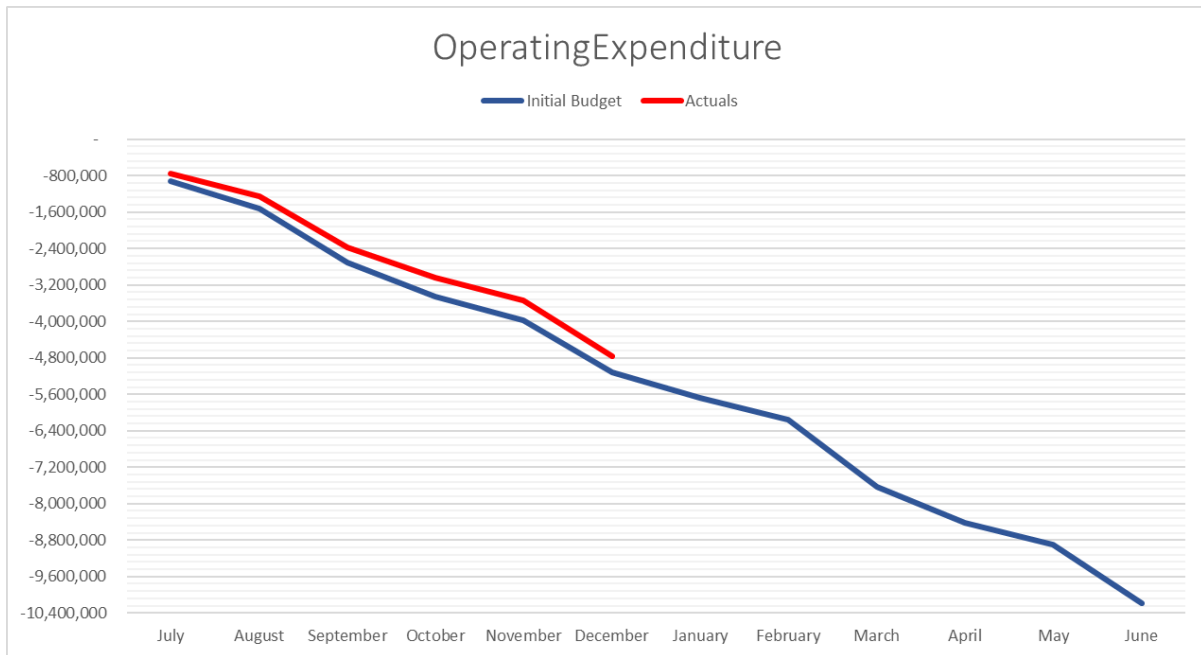
- User charges – write off of previous Levi Caravan Park July to September Management Fees as per Council Resolutions (CNC) updated income included in BR2
- Reimbursements - Reimbursement from developer for removal and replacement of street tree, Reimbursement of outgoings for leased properties – Insurance, ESL etc.
- Grants subsidies & contributions – Special Local Roads ((2 x Quarterly payments received) & Local Roads (50% received) Grant funding for Australia Day also received
- Other Income - timing with regards to WHS rebate and Income received from Adelaide Cemeteries Authority for interment of ashes at Wesleyan Cemetery.

Operating expenditure \$503,304 favourable

- Employee Costs – timing due to vacant positions yet to be filled (*as per moratorium placed on all vacancies until 1 January 2021*). Interviews for 2/3 vacant positions will occur in January 2021.
- Material contracts and other expenses. Due to timing of invoices received for provision of goods and services.

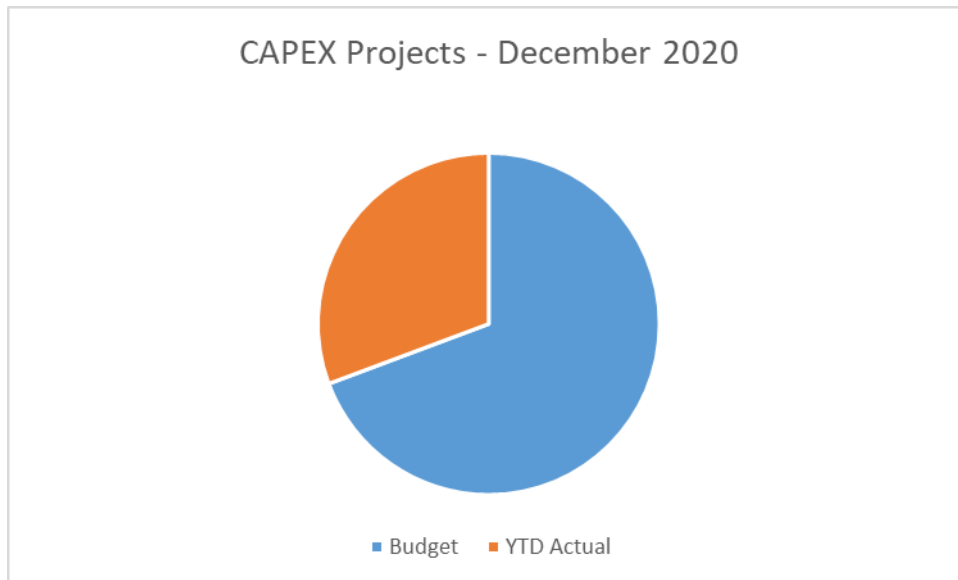
Asset disposal

Council has received \$414,750 due to the sale of cabins at Levi Park and also \$54,545 on trade in of 2 Council vehicles.



Capital expenditure \$212,213 favourable (YTD) due to timing

- Footpaths – 80% completed and 20% in construction and implementation stages on multiply sites.
- Kerb & Gutter – 92% completed and the remainder 8% in planning and design stage
- Vale House – currently in assessment stage and awaiting an update quote
- IT – Computers being delivered late January and quotes for mobiles & iPads currently being requested
- Open Space Irrigation – Not commenced
- Tennis Courts - Not commenced



Please see Works / CAPEX report item 16.3.2 for further detailed explanation. The above favourable position is not expected to continue as Administration delivers 2020/21 programs and projects.

Background

The Local Government Act 1999 – Sec 124—accounting records to be kept:

(1) *A council must: -*

- a) *keep such accounting records as correctly and adequately record and explain the revenues, expenses, assets and liabilities of the council; and*
- b) *keep its accounting records in such manner as will enable: -*
 - i. *the preparation and provision of statements that present fairly financial and other information; and*
 - ii. *the financial statements of the council to be conveniently and properly audited*

The following tables highlights Councils cash and debt position at the end of the month of December.

Cash balances as at 31 December 2020

Cash at Bank		\$261,566.24
Deposits at LGFA	- General	\$68,166.95
	- Levi Caravan Park*	\$586,419.19

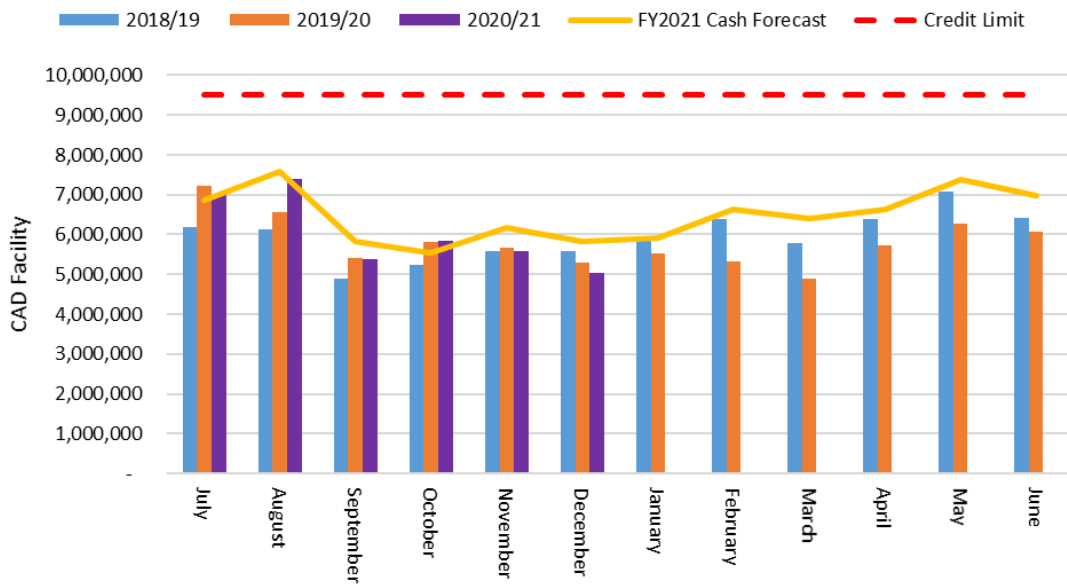
*Levi Caravan Park deposit includes the \$414,750 sale proceeds of cabins.

Loan balance as at 31 December 2020

Cash Advance Debenture (CAD) balance	\$5,046,383.64
--------------------------------------	----------------

The Cash Advance Debenture (CAD) facility offers flexibility for Council to draw down funds as required, and repay debt when surplus funds are available all with 24 hours' notice. The following chart highlights the CAD facilities movement through the financial year, and that Council remains under the ceiling limit of the facility.

Monthly Cashflow Forecast



Outstanding Debtor balances as at 31 December 2020

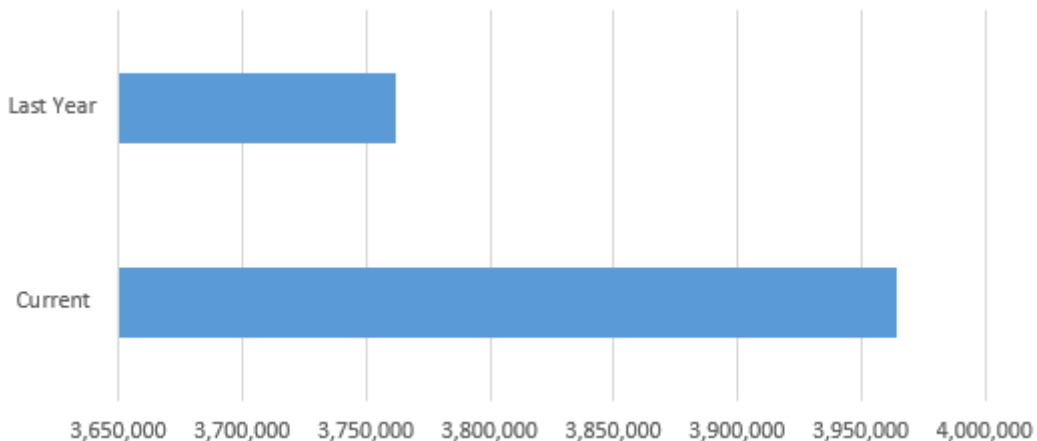
Rates	\$3,964,533.26
Sundry Debtors	\$68,171.42

Rate Debtors

Rates are generated at the beginning of each financial year. Payment of rates can occur during the year in the following ways; full year payable in advance, paid quarterly or paid in regular instalments via an approved payment arrangement.

In line with the 2020/21 business plan and budget Council rates are due by:

- 18 September 2020
- 18 December 2020
- 18 March 2021
- 18 June 2021



Debt collection is processed to ensure rates are collected in a timely manner in line with the legislative framework and Councils Rating Policy. The table below shows the volume and values of debt collection activities being carried out by our external debt collectors.

Rates Outstanding	Qtr 1 2020/21	Qtr 2 2020/21	Qtr 3 2020/21	Qtr 4 2020/21	Total
Number of Overdue Notices Issued	281	284			
Number of arrears place in external debt collection	7	28			35
\$ value referred to debt collection	\$37,127	\$92,666			\$129,793
Recovered amount		-\$4,902			-\$4,902
Outstanding					\$124,891

Rates Outstanding	2017/18 or greater	2018/2019	2019/20	2020/21 to 31/12/2020	Total
Rates	8	21	54	3212	3295
Legal Charges	0	4	2	18	24
Penalty Surcharge	3	9	26	82	120
RL Levy	9	20	44	3157	3230
Excess Receipts	8	2	1	54	65
Fines Calculated	3	11	31	70	115
Interest Postponed	0	0	0	2	2
\$ value of rates outstanding	\$22,790	\$29,210	\$88,423	\$3,824,110	\$3,964,533

Valuation Objections

The table below details the objections received by the Valuer-General over the last 10 years:

Capital Value Objections Received by the Valuer - General			
Financial Year	Total Objections Upheld	Total Rates Refunded (\$)	Total RL Levy Refunded (\$)
2020/21	12	3,900.65	82.55
2019/20	48	13,038.15	577.20
2018/19	16	5,589.10	128.05
2017/18	7	3,085.90	132.00
2016/17	4	6,111.15	160.80
2015/16	11	4,795.25	286.50
2014/15	5	2,918.50	131.55
2013/14	5	645.20	23.75
2012/13	14	5,783.80	194.70
2011/12	29	8,255.37	183.05
2010/11	6	1,195.55	46.40

Council has determined that the valuation of properties across the Town of Walkerville will continue to be undertaken by the Valuer-General. As such, the *Local Government Act 1999* (section 167) requires that Council must adopt the most recent valuations of the Valuer-General, which are available and provided at the time the budget is adopted. In accordance with the *Valuation of Land Act 1971*, each year the site and capital values for every property in South Australia are reviewed by the Office of the Valuer-General. These valuations are provided to statutory authorities to form the basis of property

Implications of COVID-19 deferrals of rates due

Type	Number	Total Rates			Paid 5/01/2021)
		Deferred	Fines Waived		
Residential	4	1,798	-	88	852
Commercial	12	15,649	-	871	14,345
	16	\$17,447	-	\$959	\$ 15,197

As a result of COVID-19 Council has seen 16 applications from residential and commercial rate payers seeking deferral of rates for the 4th quarter of 2019-2020. These deferrals were due for payment in December 2020 and 87% have been paid. An updated table will be presented to Council each month to monitor any changes.

Sundry debtors as at 31 December 2020 includes the following amounts:

Australian Decorative & Fine Art Society	\$140.90
Individual #1	\$110.00
Walkerville Sports Club - Loan	\$52,450.43
Department for Environment	\$3,897.30
National Australia Day Council	\$4,125.00
Walkerville YMCA	\$2,073.12
Walkerville Lawn Tennis Club	\$2.27
Ryad Hill – Water Usage to 30/11/2020	\$5,372.40
Total Sundry Debtors	\$68,171.42

Implications of COVID-19 waived rent

<u>Type</u>	<u>Details</u>	<u>Total Value</u>
Walkerville Sports Club	Rent for August- October	\$312.50
Levi Caravan Park	July - September	\$118,907.31
Total		\$119,219.81

The above waived rent of \$119,219 is a result of Council resolutions **CNC121/20-21** and **CNC141/20-21**. Levi Caravan Park updated income will be included in BR2 reports- February 2021.

Attachments

Attachment A	Statement of Comprehensive Income – December 2020
Attachment B	CAPEX Report – December 2020
Attachment C	OPEX Report – December 2020



Statement of Comprehensive Income

Attachment A

For Period Ending: 31/12/2020 Year: 20/21

	Original Budget	Current Budget	Budget YTD	Actual YTD	Variance \$ (YTD)	Variance % (YTD)	Variance \$	Variance %
Operating Income								
Rates	9,183,505	9,183,505	9,183,505	9,255,073	71,568	1	71,568	1
Statutory Charges	284,836	284,836	157,386	164,769	7,383	5	(120,067)	(42)
User Charges *1	330,283	330,283	290,189	165,697	(124,491)	(43)	(164,585)	(50)
Reimbursements *2	16,325	16,325	8,154	24,873	16,719	205	8,548	52
Other Income *3	121,111	121,111	68,166	106,527	38,361	56	(14,584)	(12)
Grants subsidies & contributions *4	276,147	276,147	110,527	251,266	140,739	127	(24,881)	(9)
Investment Income	0	0	0	601	601	0	601	0
Total Operating Income	10,212,208	10,212,208	9,817,927	9,968,807	150,881	2	243,401	2
Operating Expenditure								
Employee Costs	3,354,138	3,338,138	1,660,311	1,642,651	17,660	1	1,695,487	51
Finance Costs	159,275	159,275	39,819	37,379	2,440	6	121,896	77
Depreciation Amortisation & Impairment	2,181,965	2,181,965	1,090,982	1,090,983	(1)	0	1,090,983	50
Materials contracts & other expenses *5	4,501,607	4,517,607	2,322,791	1,990,466	332,324	14	2,527,141	56
Total Operating Expenditure	10,196,986	10,196,986	5,113,903	4,761,480	352,423	7	5,435,506	53
Operating Surplus/(Deficit)	15,222	15,222	4,704,024	5,207,328	503,304	110	5,192,106	34,109
Amounts received specifically for new or upgraded assets.	0	0	0	0	0	0	0	0
Asset disposal and fair value adjustments	0	0	0	469,295	(469,295)	0	(469,295)	0
Physical resources received free of charge								
Net Surplus/(Deficit)	15,222	15,222	4,704,024	5,676,623	972,599	21	5,661,401	37,192

Notes:

1. **User Charges:** Write off of Ryad Hill Management Fees – July to September 2020 as per council resolution
2. **Reimbursements:** Reimbursement from developer for removal and replacement of street tree, Reimbursement of outgoings for leased properties – Insurance, ESL etc
3. **Other Income:** WHS rebate received from LGRS
Income received from Adelaide Cemeteries Authority for interment of ashes at Wesleyan Cemetery
4. **Grants subsidies & contributions:** Special Local Roads Program funding – 2 x Quarterly payments received
Local Roads and Community Infrastructure Program funding – 50% received
Grant funding received for Australia Day
5. **Materials, Contracts & Other Expenses:** Timing of invoices received for provision of goods and services

							December			
Project Grouping	Project Name	Asset Class	Department	Adopted Budget	Budget Review 1	Phase	Budget YTD	YTD Actuals	Orders	YTD Totals
IT Capital Expenditure	IT Capital Expenditure	IT	Corporate Services	254,000	254,000	Planning / Design	127,002	29,349	30,633	59,982
Furniture & Fittings Gene	Furniture & Fittings General	Fitout and Furniture	Corporate Services	66,000	66,000	Planning / Design	33,000	2,832	17,870	20,702
Vale House	Vale House	Buildings	Corporate Services	479,000	479,000	Planning / Design	239,502	12,338	1,163	13,500
Hamilton Reserve	Hamilton Reserve	Open Space	Planning, Environment & Regu	668,000	668,000	Planning/Design	334,002	-	16,083	16,083
Open Space Irrigation	Hamilton Reserve Irrigation	Irrigation	Assets & Infrastructure	61,000	61,000	Planning/Design	30,498	-	-	-
Reserve Furniture Renew	Reserve Furniture Renewal P	Open Space Furniture	Assets & Infrastructure	25,000	25,000	Not Commenced	12,498	-	-	-
Kerb & Gutter Renewal	K&G Various Locations	Kerb & Gutter	Assets & Infrastructure	86,660	70,330	Construction / Implementation	35,166	62,540	17,433	79,973
Footpath Renewal	Footpath Renewal (Various)	Footpaths	Assets & Infrastructure	120,000	97,400	Planning / Design	48,702	45,468	33,714	79,182
Roads	Various Locations	Roads	Assets & Infrastructure	565,340	794,850	Planning / Design	397,428	335,720	459,130	794,850
Traffic Management Devi	Traffic Management Devices	Traffic Management Devices	Assets & Infrastructure	104,000	30,000	Planning / Design	15,000	9,990	13,110	23,100
Stormwater	Stormwater Various	Stormwater	Assets & Infrastructure	41,000	63,000	Planning / Design	31,500	53,020	-	53,020
Plant & Equipment	CEO & GMAI Vehicles	Fleet, Plant & Equipment	Assets & Infrastructure	75,000	75,000	Completed	75,000	79,848	-	79,848
Sports Equipment	Levi Oval tennis Court Resurf	Sport Equipment	Assets & Infrastructure	-	75,000	Not Commenced	37,500	-	-	-
Warwick Street	Warwick Street	Footpaths	Assets & Infrastructure	193,000	193,000	Planning / Design	96,498	51,979	77,536	129,516
Not Committed				-	97,339		48,672	-	-	-
				\$2,738,000	\$3,048,919		\$1,561,968	\$683,084	\$666,671	\$1,349,755

Operating Projects				December		Comments	Status		
Project Name	Department	Original Budget	Phase	Budget YTD	YTD Actuals		% completed	Time	Budget
St Andrews Church Bell		25,000	Complete for FY21	8,748	25,000	Phased over 12 months but payment made in lump sum	100%	Completed for FY21	On budget
Traffic Plan	Planning And Environment	20,000	Started	10,002	6,420	Phased over 12 months and forecasted to spend by 30 June 2021.	32%		
			Totals	18,750	31,420				



Item No: 16.3.2
File No: 14.37.4.1
Date: 18 January 2021
Attachment: A

Meeting: Council
Title: Works Report for December 2020
Responsible Manager: Group Manager Assets & Infrastructure, Ben Clark
Author: Group Manager Assets & Infrastructure, Ben Clark
Key Pillar: Strategic Framework – Key Pillar 4 – Assets – Continue to provide for and maintain a good standard of assets and public infrastructure
Key Focus Area: Open Space Strategy
Type of Report: Information Only

Recommendation

That Council receives and notes the Works Report for December 2020.

Summary

This report provides Council with an update on various operational and maintenance activities being undertaken in the Township.

Background

Monthly reports are provided to Elected Members relating to various operational and maintenance activities across the Township.

The updated capital works dashboard is available from the following link, data sourced for the dashboard appears at Attachment A:

[Capital Works Report – 31 December 2020](#)

Open Space and Beautification Services

Gardening

- Air brooming – Hawkers Road in front of Wilderness School
- Clean up grass – Walkerville Oval
- Garden bed maintenance – Gilberton pump station surrounds
- Garden maintenance – Edwin Terrace, Gilberton
- Garden maintenance – George Street, Walkerville
- Garden maintenance – Wesleyan Cemetery
- Streetscape – Walkerville Terrace

Graffiti Removal

- Walkerville area

Irrigation

- Adjustments – Park Terrace
- Adjustments - Walkerville Oval

- Checks and repairs – Memorial Reserve
- IPOS readings

Mowing

- Belt Reserve
- Church Terrace, Walkerville
- Crawford Reserve
- Creswell Reserve
- Fuller Street
- Hawkers Reserve
- Hay Street
- Howie Reserve
- Mary P Harris
- Memorial Gardens
- Park 45
- Robe Terrace, Medindie
- The Watson playground reserve
- Thiele Reserve
- Walkerville Oval and surrounds
- Webster Reserve
- Wesleyan Cemetery
- 39 Smith Street

Tree Maintenance

- Branch removal – Lansdowne Terrace
- Branch removal – Victoria Terrace
- Branch removal – Wilsden Street
- Collection of tree debris – pine needles - Gawler Terrace
- Collection of tree debris – pine needles – View Road
- Remove tree – Church Terrace
- Remove tree – Frome Reserve
- Remove tree – Gilberton
- Remove tree – Jeffrey Court/Linear Park
- Remove tree – Smith Street
- General maintenance –
- Stump removal and formative pruning –

Tree Pruning

- Bardini Street, Gilberton
- Brunswick Street, Walkerville,
- Civic Centre surrounds, Gilberton
- Horrocks Street, Walkerville
- Robe Terrace, Medindie
- Simpson Street, Walkerville
- Stephen Terrace, Gilberton

Weed Control

- Tyne and Gilbert Street, Gilberton
- Wesleyan Cemetery

Other

- Reserve furniture asset audit
- Dog bag dispenser refills – various locations
- Hard waste removals – all areas
- Installation of Christmas lights in the trees along Walkerville Terrace
- Top rail installation on retaining wall garden bed – Wesleyan Cemetery

Civil Maintenance

Banner installations










- Robe Terrace, Thiele Reserve, Levi Oval, Creswell Reserve and Ascot Avenue

Signage maintenance

- Replacement – Cluny Avenue



Newly planted out Water Sensitive Urban Design (WSUD) Rain Garden
Walkerville Terrace, at the corner of Thames Street

Phase	Timeframes		Status	
			Budget	
Not Commenced				
Planning/Design				
Tender		Not Commenced	Not Commenced	
Construction / Implementation		Ahead	Under budget	
Completed		On time	On budget	
Deferred		Behind	Over budget	
		Completed		

Meeting:	Council
Title:	Elected Members Allowances and Benefits Register- Ending 31 December 2020
Responsible Manager:	Group Manager Corporate Services - Monique Palmer
Author:	Group Manager Corporate Services - Monique Palmer
Key Pillar:	Strategic Framework – Key Pillar 7 – Leadership – A responsible and influential local government organisation
Key Focus Area:	Financial Guiding Principle 1- Finances managed responsibly
Type of Report:	Information Only

Recommendation

That Council receives and notes the Elected Members Allowance and Benefits Register for the period ending 31 December 2020.

Summary

Attachment A provides Council will a summary of all Elected Members Allowance and Benefits received for the period 1 July 2020 to 31 December 2020.

Background

In accordance with section 79 of the *Local Government Act 1999* (Act) and to promote openness, transparency and probity, the Chief Executive Officer is required to maintain a register, which details the allowances, reimbursements, support and benefits provided to Elected Members (Attachment A).

The register will be updated each quarter and is required to be made publicly available on Council's website.

The Elected Member Allowances is determined by a "Determination of the Remuneration Tribunal Allowances for Members of Local Government Councils", which has jurisdiction under section 76 of the Act. There are five (5) Council Groups identified by the Remuneration Tribunal. The Town of Walkerville falls into Group 4.

For the purpose of the Remuneration Tribunal Determination the following will apply:

- the annual allowance for Principal Member of a Council will be equal to four (4) times the annual allowance for Councillors of that Council;
- the annual allowance for a Deputy Mayor or Presiding Member of a prescribed committee or more than one prescribed committees established by Council, will be equal to one and a quarter (1.25) times the annual allowance for Councillors of that Council;

- an additional allowance of \$110 per meeting (limited to an aggregate amount of \$660 per annum) in the form of a sitting fee is payable to a Councillor (other than the Principal Member or Deputy Member or a Presiding Member of a prescribed committee) who is the Presiding Member of a committee, that is not a prescribed committee.

Prescribed Committees for the purpose of the Remuneration Tribunal Determination, is a committee formed to perform and assist Council or provide advice to Council in any of the following areas or any combination thereof:

- Audit
- Chief Executive Officer performance review
- Corporate Services
- Finance
- Governance
- Infrastructure and works
- Risk Management
- Strategic planning and development

In accordance with section 79 of the *Local Government Act 1999* and to promote openness, transparency and probity, the Chief Executive Officer is required to maintain a register which details the allowances, reimbursements, support and benefits provided to Elected Members (Attachment A).

Attachment/s

Attachment A	Summary – Elected Members Allowance & Benefits Register for the Period ending 31 December 2020
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Summary - Elected Members Allowances & Benefits Register - 01 July 2020 to 31 December 2020
 Sec 76 - 80A of the Local Government Act 1999

	Allowance (Sec 76)	Reimbursed Expenses (Sec 77)	Phone/Fax (Sec 77)	Vehicle Running Costs (Sec 77)	Taxi Fares (Sec 77)	Air Fares (Sec 77)	Mileage (Sec 77)	Meals	Training & Conferences (Sec 77)	Accommodation (Sec 77)	Facilities & Support (Sec 78)	Other	Total
Mayor Elizabeth Fricker	20,598.42	0.00	354.54	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	109.09	21,062.05
Cr MaryLou Bishop	6,448.32	0.00	81.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,530.16
Cr James Williams	6,448.32	0.00	81.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,530.16
Cr Norman Coleman	5,158.65	0.00	81.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,240.49
Cr James Nenke	5,158.65	0.00	81.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,240.49
Cr Stephen Furlan	5,158.65	0.00	81.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,240.49
Cr Conrad Wilkins	5,158.65	0.00	81.84	0.00	16.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,256.99
Cr Robert Ashby	5,158.65	0.00	81.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,240.49
Cr Jennifer Joshi	5,158.65	0.00	81.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,240.49
Total	\$ 64,446.96	\$ -	\$ 1,009.26	\$ -	\$ 16.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 109.09	65,581.81

Meeting:	Council
Title:	Strategic Planning and Development Policy Committee Minutes 16 December 2020
Responsible Manager:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Author:	Group Manager Planning Environment & Regulatory Services, Andreea Caddy
Key Pillar:	Strategic Framework – Key Pillar 7 – Leadership – A responsible and influential local government organisation
Type of Report:	Information Only

Recommendation

That Council receives and notes the minutes of the Strategic Planning and Development Policy Committee meeting held on 16 December 2020.

Summary

The purpose of this report is to provide Members with the minutes of the Strategic Planning and Development Policy Committee meeting held on 16 December 2020.

Background

In accordance with the Strategic Planning and Development Policy Committee's (Committee) Terms of Reference the objectives of the Committee are to:

- 2.1 *Providing advice to the Council in relation to the extent to which the Council's strategic planning and development policies accord with the Planning Strategy;*
- 2.2 *Assisting the Council in undertaking strategic planning and monitoring to achieve;*
 - (i) *orderly and efficient development within the area of the council; and*
 - (ii) *high levels of integration of transport and land-use planning; and*
 - (iii) *relevant targets set out in the Planning Strategy within the area of the council; and*
 - (iv) *the implementation of affordable housing policies set out in the Planning Strategy within the area of the council; and*
 - (v) *other outcomes of a prescribed kind (if any); and*

- 2.3 *To provide advice to the Council in relation to strategic planning and development policy issues when the Council is preparing – (i) a strategic Directions Report; or (ii) a Development Plan Amendment proposal; and*
- 2.4 *Other functions (other than functions relating to development assessment or compliance) assigned to the committee by the Council.*

The minutes of the Strategic Planning and Development Policy Committee meeting held on 16 December 2020 appear as Attachment A to this report for Member's information. Items discussed at this meeting were as follows:

Item	Report	Resolution
5.1	Reduction of Agenda Items and Frequency of Meetings	SPD14/20-21
5.2	Signage Projects Funding Report	SPD16/20-21
5.3	Streets of Distinction and Heritage Walking Trail Signage – Design Options	SPD15/20-21

The minutes of the 16 December 2020 meeting will be confirmed at the next meeting of Strategic Planning and Development Policy Committee.

Attachment

Attachment A	Minutes of the Strategic Planning and Development Policy Committee meeting held on 16 December 2020
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MINUTES

of

STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE

held in the

WALKERVILLE CIVIC CENTRE COUNCIL CHAMBERS 66 WALKERVILLE TERRACE GILBERTON

on

WEDNESDAY 16 DECEMBER 2020

MINUTES
WEDNESDAY 16 DECEMBER 2020

The Chair declared the meeting open at 4:00 pm.

1. ATTENDANCE RECORD

1.1 Present

Councillor J Williams (Presiding Member)

Councillor M Bishop
Councillor N Coleman OAM
Councillor C Wilkins – Late (arrived 4:23pm)
Mayor E Fricker (Ex-Officio)

Staff

Group Manager, Planning, Environment and Regulatory Services, Andreea Caddy
Graduate Planner, Planning, Environment and Regulatory Services, Siobhan Kelly

1.2 Apologies

Nil

1.3 Not Present / Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1 That the minutes of the Strategic Planning and Development Policy Committee meeting held on 23 September 2020 be confirmed as a true and accurate record of the proceedings.

Moved: Cr M Bishop
Seconded: Cr N Coleman

SPD12/20-21

CARRIED

3. DECLARATIONS OF INTEREST (material, actual, perceived)

Nil

4. PRESENTATIONS

Nil

5. REPORTS REQUIRING DECISION OF COMMITTEE TO COUNCIL

Motion

SPD13/20-21

The Strategic Planning & Development Policy Committee request that the sequence of which the Agenda *Item 5.2 Signage Projects Funding Report* and *Item 5.3 Streets of Distinction and Heritage Walking Trail Signage – Design Options* are heard are swapped.

Moved: Cr N Coleman

Seconded: Cr M Bishop

CARRIED

5.1 Reduction of Agenda Items and Frequency of Meetings

SPD14/20-21

1. That the Strategic Planning & Development Policy Committee adopts the frequency of six weekly meetings between February 2021 and November 2021.
2. That Strategic Planning & Development Policy Committee acknowledges that subject to business requirements, the Committee may meet more or less frequently than at six weekly intervals.

Moved: Cr M Bishop

Seconded: Cr N Coleman

CARRIED

5.3 Streets of Distinction and Heritage Walking Trail Signage – Design Options

Cr C Wilkins entered the Council Chambers and joined the discussion at 4:23pm.

SPD15/20-21

1. That the Strategic Planning and Development Policy Committee (SPDPC) request that Administration proceed to detailed design and manufacture for the options presented in Attachment A (option 1, square cap), recognising the project is currently unfunded and will require Council approval as part of Budget Review 2.
2. That the Strategic Planning and Development Policy Committee (SPDPC) request that Administration seek clarification of the schedule of colours, materials and height details reflected on the quote and confirmed via flying minute.

Moved: Cr C Wilkins

Seconded: Cr M Bishop

CARRIED

5.2 Signage Projects Funding Report

SPD16/20-21

1. That the Strategic Planning and Development Policy Committee (SPDPC) acknowledge that the design development of the Town of Walkerville Suburbs Markers has been finalised.
2. That the Strategic Planning and Development Policy Committee (SPDPC) acknowledge that the design development of the Town of Walkerville Streets of Distinction and heritage Trail Markers has been finalised.
3. That the Strategic Planning and Development Policy Committee (SPDPC) acknowledge that the manufacture, supply and install component of the Suburb Markers (x 4 suburbs) project is currently unfunded and will require Council approval as part of Budget Review 2.

That the Strategic Planning and Development Policy Committee (SPDPC) acknowledge that the manufacture, supply and install component of the Streets of Distinction and Heritage Trail Markers project is currently unfunded and will require Council approval as part of Budget Review 2.

Moved: Cr M Bishop

Seconded: Cr C Wilkins

CARRIED

6. REPORTS PRESENTED FOR INFORMATION

Nil

7. CONFIDENTIAL ITEMS

Nil

8. OTHER BUSINESS

8.1 Update of Hamilton Reserved progress

Administration advised the Strategic Planning and Development Policy Committee (SPDPC) that Hamilton Reserved costings will be presented to Elected Members at the next Council Meeting being held on Monday, 21 December 2020.

9. CLOSURE

The meeting closed at 4:40 pm.



Item No: 16.3.5
 File No: 2.14.1.4
 Date: 18 January 2021
 Attachment: A

Meeting: Council

Title: Wesleyan Cemetery Advisory Committee Meeting Minutes 17 December 2020

Responsible Manager: Business Analyst (Property & Contracts), Scott Reardon

Author: Council Secretariat, Vanessa Davidson

Key Pillar: Strategic Community Plan Key Pillar 7 - A responsible and influential local government

Key Focus Area: Community Land Management Plan

Type of Report: **Information Only**

Recommendation

That Council receives and notes the minutes of the Wesleyan Cemetery Advisory Committee held on 17 December 2020.

Summary

The purpose of this report is to provide Members with the minutes from the Wesleyan Cemetery Advisory Committee meeting held on 17 December 2020.

Background

In accordance with the Wesleyan Cemetery Advisory Committee's (**Committee**) Terms of Reference, the Committee is required to meet four (4) times per year. Due to the operational requirements of late 2019 and the social distancing restrictions imposed by both State and Federal Governments over the past several months (2020), the Committee has only met twice this calendar year with the first meeting held on 9 July 2020 and the most recent meeting held on 17 December 2020.

The minutes of the Committee meeting held on 17 December 2020 appear as Attachment A to this report for Members' information. Items discussed at this meeting are as follows:

Item	Report	Resolution
4.1	Landscaping and Improvements Program 2020/21	WC9/20-21
5.1	Cemetery Brochure	WC10/20-21
5.2	Outstanding Committee Resolutions	WC11/20-21
6.1	Cemetery Operational Status*	WC14/20-21

* Considered in confidence

Next Steps

Please note that these minutes are to be confirmed at the next meeting of the Wesleyan Cemetery Advisory Committee.

Attachment

Attachment A	Wesleyan Cemetery Advisory Committee Meeting 17 December 2020
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MINUTES

of

WESLEYAN CEMETERY ADVISORY COMMITTEE MEETING

held in the

WALKERVILLE CIVIC CENTRE COUNCIL CHAMBERS 66 WALKERVILLE TERRACE GILBERTON

on

17 DECEMBER 2020 AT 4PM

MINUTES
17 December 2020

The meeting was declared open at 4.00pm.

1. MEETING

1.1 Attendance Record

Mr Jim Everett
Cr James Williams
Mrs Raye Whitehead
Ms Heather Wright
Mr David Griffiths
Cr James Nenke (*entered the meeting at 4.01pm*)

Staff in Attendance

Council Secretariat, Vanessa Davidson
Business Analyst (Property & Contracts), Scott Reardon
Communications Officer, Sarah Spencer

1.2 Apologies

Mr John Jackson

1.3 Not Present / Leave of Absence

Nil.

2. CONFIRMATION OF MINUTES

Moved: Ms Wright
Seconded: Mr Griffiths

WC1/20-21

That the minutes of the Wesleyan Cemetery Advisory Committee meeting held on 9 July 2020 be confirmed as a true and accurate record of the proceedings.

CARRIED

3. DECLARATIONS OF INTEREST

Nil.

4. REPORTS REQUIRING DECISION OF COMMITTEE TO COUNCIL

4.1 Landscaping and Improvements Program 2020/21

Moved: Mrs Whitehead

Seconded: Cr Williams

WC2/20-21

1. That the Committee receive, note and endorse the Wesleyan Cemetery Landscaping and Improvements Program 2020/21 report.
2. The Committee request that Administration seek advice from a qualified Heritage Advisor before undertaking future works in the cemetery.
3. That the following materials be costed in order for consideration as to future usage:
 - Terracotta edging
 - Sandstone gravel path
 - Suitable material for picket fencing.
4. The Committee thanks Administration for the work undertaken in beautifying the cemetery.

CARRIED

5. PROGRESS REPORTS PRESENTED FOR INFORMATION

5.1 Cemetery Brochure

Moved: Ms Wright

Seconded: Mr Griffiths

WC3/20-21

That the Wesleyan Cemetery Advisory Committee receive and note the Cemetery Brochure report.

CARRIED

5.2 Outstanding Committee Resolutions

Moved: Cr Nenke

Seconded: Mrs Whitehead

WC4/20-21

That the Wesleyan Cemetery Advisory Committee receives and notes the Outstanding Committee Resolutions report.

CARRIED

3

6. CONFIDENTIAL ITEMS

6.1 Cemetery Operational Status Update

Moved: Cr Williams
Seconded: Mr Griffiths

WC5/20-21

Pursuant to s90(3)(h)

Pursuant to section 90(2) of the *Local Government Act 1999* the Wesleyan Cemetery Advisory Committee orders that all members of the public except, Council Secretariat, Vanessa Davidson, Business Analyst (Property & Contracts) Scott Reardon and Communications Officer Sarah Spencer be excluded from attendance at the meeting for Agenda Item 6.1 Cemetery Operational Status Update.

The Wesleyan Cemetery Advisory Committee is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice provided by Council’s Lawyers regarding the Operational Status of the Cemetery.

The Wesleyan Cemetery Advisory Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because Council has not yet made a decision in relation to this matter, and the legal advice and is subject to professional privilege.

CARRIED

The time being 4.16pm the meeting moved in to confidence.

CARRIED

Recommendation (Public)

Moved: Cr Williams
Seconded: Ms Wright

WC7/20-21

Pursuant to .91(7)

That having considered Agenda Item 6.1 Cemetery Operational Status Update in confidence under section 90(2) and (3)(h) of the *Local Government Act 1999*, the Wesleyan Cemetery Advisory Committee pursuant to section 91(7) of that Act orders that the report, attachments and minutes relevant to this Agenda Item be retained in confidence for 12 months or until the matter has been finalised by Council

and

That the Wesleyan Cemetery Advisory Committee resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* and re-admit the public.

CARRIED

4



The time being 4.46pm the meeting moved out of confidence.

7. OTHER BUSINESS

7.1 Mrs Raye Whitehead’s last Wesleyan Cemetery Advisory Committee

The Committee gave a vote of thanks to Mrs Raye Whitehead for dedication and service to the Wesleyan Cemetery Advisory Committee.

7.2 Contract for Managing the Cemetery

The Committee queried the expiry date of the management agreement currently held by Adelaide Cemeteries Authority (31 June 2021). The Committee requested that a report be presented to the next WCAC meeting outlining Adelaide Cemeteries Authority’s success in managing the Cemetery, and any revenue generated from interment sales.

The time being 4.49pm Ms Wright left the meeting.

8. CLOSURE

The meeting was declared closed at 4.49pm.

Chair’s Signature:

Date:.....





Item No: 16.5
File No: 9.24.1.6
Date: 18 January 2021
Attachment: Nil.

Meeting: Council
Title: Outstanding Council Resolutions / Action Report
Responsible Manager: Chief Executive Officer, Kiki Cristol
Author: Chief Executive Officer, Kiki Cristol
Key Pillar: Strategic Community Plan Key Pillar 7 - A responsible and influential local government
Type of Report: **Information Only**

Recommendation

That Council receives and notes the list of Council resolutions currently being processed as at 14 January 2021

Summary

This report provides a table of Council resolutions that are currently being processed up to 14 January 2021.

Background

Monthly reports are provided to Council including a list / table of resolutions currently being actioned.

Those greyed out reflect resolutions that have been completed and / or no further action required.

20/05/2019	<p>14.3.5 Rollout of Signage and Town Markers: Stage 2</p> <p>CNC 359 /18-19</p> <p>That Council authorise Administration to commission and install a series of Heritage/Walking Trail Markers, Suburb Markers, Heritage Plaques and new Street Blade signage as part of Stage 2 of the directional signage rollout, which commenced in 2010/11.</p>	<p>designs based on feedback from SPDPC and Council are to be developed.</p>	<p>SPDPC seeks further changes to the proposed design for the Streets of Distinction. Heritage Trail Markers design was approved at September SPDPC meeting. Council to consider costing for roll out of suburb markers, Heritage trail signage and streets of distinction at BR2 in Feb 2021.</p>	<p>February 2021</p>	<p>GMPERS</p>
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17/06/2019	<p>14.3.8 Contributory Items Review PDI Act 2016</p> <p>CNC 401/18-19</p> <p>1. That Council having considered the Strategic Planning and Development Committee (SPDPC) recommendation of 6 June 2019 to undertake an independent review of the existing 550+ Contributory Items within the Township and consider the most cost effective way of determining the historic status of the Contributory Items against the existing Local Heritage listing criteria, supports a two staged review as follows:</p>	Report included in the September 2020 Agenda for Council consideration.	<p>GMPERS + Council consultant addressing outstanding queries. Project is subject to BR1 funding bid to complete. ONGOING</p> <p>Council endorsed \$16k at its August meeting to be attributed in BR1. Project update Info Report to be presented to Council at its December meeting, post Nov workshop (see resolution below).</p> <p>Consultant feedback has been that due to the sheer volume of local gov work, raw data for this project will be provided to Council by mid December 2020. Administration will input raw data into heritage data sheets and aim to</p>	December 2020 February 2021	GMPERS
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			lodge before end of 2020 calendar year with DIT.		
	<ul style="list-style-type: none"> • Phase 2 (19 August – 31 October 2019) <ul style="list-style-type: none"> • External consultant (Heritage Architect/Historian) to undertake detailed survey analysis of Shortlisted Contributory Items • Administration review of findings and DPTI liaison on options and timeframes • Consultant report to be presented to Council for decision on available options. 		<p>Anticipated to be presented to Council in workshop form in February 2021.</p> <p>Workshop will take place once SOI has been approved. SOI not approved yet.</p>	<p>August 2020 December 2020 February 2021</p>	GMPERS

19/08/2019	<p>14.3.1 Proposed Additional Fees and Charges</p> <p>CNC40/19-20</p> <p>That Council requests the WCAC to develop prototypes for types of appropriate plaques to be placed in the Wesleyan Cemetery and that a report be presented to Council for consideration</p>	In progress	<p>Indicative historic concept design Underway. To be presented to WCAC at their next meeting for consideration and action.</p> <p>Next meeting planned for November 2020. Information to be presented to Council in December 2020.</p> <p>Due to COVID November 2020 meeting was cancelled and rescheduled for December 2020. Information to be presented to Council in March 2021.</p>	<p>December 2020</p> <p>March 2021</p>	BA(P&C)
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20/01/2020	<p>16.1.1 Urban Master Plan – 10 years on</p> <ol style="list-style-type: none"> 1. That Council receives and notes the report providing an update on progress made on the Urban Master Plan since 2010, when it was endorsed as the primary visionary and strategic plan for influencing future planning initiatives appropriate for the Town of Walkerville. 2. That the Urban Master Plan (UMP) be presented to Council at an informal gathering in order for the UMP to be reviewed and updated. 	Completed	<p><i>Workshop was due to be held in May / June 2020 – this item will now be deferred to later in the financial year due to COVID-19 restrictions</i></p>	<p>June 2020 June 2021</p>	CEO
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16/03/2020	<p>14.1.1 Strategic Property Review – 39 Smith Street Asset – deferred by Council resolution CNC268/19-20</p> <p>CNC306/19-20</p> <ol style="list-style-type: none"> 1. That Council instructs Administration to undertake an Open Expression of Interest (EOI) Tender process in line with Council’s Procurement Policy, to seek out parties who may have an interest in entering into a long –term lease over the whole or part of Certificates of Title 5651/ 912 (Fuller Street 1), 5274/ 937 (Fuller Street 2), 5796/ 887 (Fuller Street Works Depot), 5728/637 (Smith Street 1) and 5838/ 95 (Smith Street 2) for the purpose of investing in and redeveloping the site / building for the benefits of the community. 2. That Council establish an Evaluation Panel, made of three (3) Independent Audit Committee Members, subject to their acceptance, with the appropriate Administrative support, to oversee the Tender Evaluation process listed in point 1 above and provide recommendations to Council at the conclusion of the process. 3. That an Elected Member Informal Gathering be held in order to provide guidance to Administration in the development of the Evaluation Panel Terms of reference and Evaluation Matrix , prior to Council’s consideration and endorsement of same 4. Council officially advises the current Lessee of Certificates of Title 5728/637 (Smith Street 1) and 5838/95 (Smith Street 2) that the end of the lease 		<p>In progress – Appointment of the EOI Evaluation Panel is currently underway. Council is considering this report in the January 2021 agenda. EOI to proceed thereafter when the Panel is established.</p> <p>Completed</p> <p>Completed - held 21 April 2020</p> <p>Completed – Council endorsed ToR & Matrix 20 July 2020 – CNC7/20-21</p> <p>Completed</p>	June 2021	BA(P&C)
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	<p>term (viz 31 December 2020) Council does not propose to offer a renewal or extension of the existing lease, which does not preclude the existing Lessee from participating in the EOI Tender.</p> <p>5. That Council instructs Administration to prepare a letter to the Town of Walkerville residents outlining the process and timing that will be undertaken with respect to the EOI tender and the reasons behind its decision.</p>	<p><i>Letter to be distributed to residents prior to the commencement of the s194 Community Consultation</i></p>	<p>In progress – to be completed once the Evaluation Panel is established and the EOI proceeds.</p>		
20/04/2020	<p>14.1.2 Medindie Transport & Parking Plan Community Consultation Outcome</p> <p>CNC334/19-20</p> <p>That Council:</p> <p>5. Instructs Administration to review and report on the success of any parking restrictions recommended, 12 months post implementation.</p> <p>6. Requests Administration to review all Council roads entering onto DPTI roads, identify if there are problems and request DPTI to mark the roads with “KEEP CLEAR”.</p>		<p>In progress</p> <p>Administration is monitoring the implementation of different parking restrictions and their impacts.</p> <p>Keep Clear documentation being prepared for Council and Department review</p>	April 2021	GMA&I

15/06/2020	<p>14.1.1 Revocation of Community Land Classification</p> <p>CNC382/19-20</p> <ol style="list-style-type: none"> 1. That Council directs Administration to withdraw from the Minister of Local Government its current 2020 application, which seeks to revoke the Community Land Classification from those portions of land contained within Certificates of Title 5728/637 (Smith 1) and 5838/95 (Smith 2) and the portion of land contained within Certificate of Title 5796/887 (Depot), which represent the footprint of the building located at 39 Smith Street; 2. That following the findings of both the 2016 and 2019 Strategic Property Reviews and associated Council decisions relating to both reviews, Council endorse the proposed Revocation of the Community Land Classification from the whole of land contained within Certificates of Title 5728/637 (Smith 1) and 5838/95 (Smith 2) and the portion of land contained within Certificate of Title 5796/887 (Depot); 3. That pursuant to s.194 of the <i>Local Government Act</i> 1999, Council directs Administration to undertake the required Community Consultation pertaining to the proposed Revocation; 4. That following the conclusion of the Consultation, a subsequent report be submitted to Council outlining any/all feedback received. 5. That the public consultation period be for a period of six weeks commencing on 1 September 2020 and concluding on Friday 16 October 2020 to enable 	<p>COMPLETED</p> <p>COMPLETED</p> <p>COMPLETED</p> <p>COMPLETED</p>	<p><i>Formal letter of withdrawal sent to both the Office of Local Government and the Minister's Office 19 June 2020.</i></p> <p>Completed per Resolution CNC382/19-20</p> <p>Information report included in 16 November 2020 agenda & 18 January 2021 agenda</p> <p>COMPLETED</p>	Nov 2020	BA(P&C)
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	Administration to present a report to the Ordinary meeting of Council in November 2020.				
17/08/2020	<p>13.2 Motion with Notice – Deputy Mayor Cr MaryLou Bishop</p> <p>CNC52/20-21</p> <p>Council instruct Administration to engage with the Department of Infrastructure and Transport to allow “keep clear” line markings to designated Department of Infrastructure and Transport roads around the Township to make movement in and out of the four (4) suburbs easier.</p>		<p>In progress</p> <p>Sites have been identified and further investigation and documentation is being prepared to present to DIT.</p>	June 2021	GMA&I
17/08/2020	<p>14.2.1 Review of Building and Swimming Pool Inspection Policy</p> <p>CNC58/20-21</p> <p>1. That Council adopts the amended and renamed Building Inspection Policy, presented as Attachment A to this report, in accordance with section 71A of the Development Act 1993.</p> <p>2. That Council revokes the <i>Building Inspection Policy</i> once the <i>Planning Development and Infrastructure Act 2016</i> comes into full effect.</p> <p>3. That Council authorise Administration to make amendments of a minor technical or formatting nature to the <i>Building Inspection Policy</i>.</p>	<p>Completed</p> <p>Delayed until 2021</p> <p>Completed</p>	<p>To be published on website and intranet once P and D Code live</p> <p>Upon commencement of the P and D Code</p>	<p>2021</p> <p>2021</p>	GMPERS

17/08/2020	<p>14.3.3 Public Notification and Hard Lodgement Fees Under the PDI Act</p> <p>CNC61/20-21</p> <ol style="list-style-type: none"> 1. That Council request Administration to commence a procurement process for public notification signage. 2. That Council request Administration to amend the fees and charges as conferred by the powers under Regulation 47(4)(d) of the PDI (General) Regulation 2017, upon commencement of the Phase Three Planning and Design Code, to reflect that the actual cost for each notice to be erected on the land (corner sites are required to have two signs, one for each road frontage) will be borne by applicant. 3. That upon the commencement of the Phase Three Planning and Design Code, Council has determined not to waive the \$80 hard lodgement fee set out under Schedule 1, Part 2 5(b) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019. 		<p>Initial quote received from provider</p> <p><i>Remaining actions are not actionable until the commencement of the Phase Three P&D Code at a date yet to be set in 2021</i></p>	June 2021	GMPERS
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17/08/2020	<p>14.3.4 Waste Advisory Group – Green Waste Diversion and Other Initiatives</p> <p>CNC62/20-21</p> <p>1. That Council request Administration write to the Local Government Association to provide their support for the Woolworths and LGA “Food for the Earth” initiative requesting that the initiative include an educational element with regard to minimising unnecessary purchases.</p> <p>2. That Council request that East Waste consider the fullness/available capacity of the green waste bin in their next available audit.</p> <p>3. That Council request Administration undertake a survey of Walkerville households and businesses in order to investigate the behavioural drivers for green waste diversion.</p> <p>4. That Council agrees to the Waste Advisory Group recommendation to undertake a public education program to increase awareness of the type of materials that can go in the green waste bin, accessing the funds East Waste allocate through KESAB.</p> <p>5. That Council request that Administration further research and present additional intervention strategies to the next available Waste Advisory Group as it relates to:</p> <p>a. unrecovered resources and education around waste separation.</p> <p>b. comingled recycling and education including CDS and non-CS containers.</p>	<p>Completed</p> <p>In progress</p> <p>Completed</p> <p>In progress</p> <p>Report presented to September 2020 meeting</p>	<p>Letter to LGA sent on 31 August 2020</p> <p>Report presented in the October 2020 agenda with RFID tags</p> <p>Report being presented to December Council meeting</p> <p>education plan in drafting</p> <p>Reports with initiatives presented on September meeting agenda</p>	<p>October 2020</p> <p>December 2020</p> <p>October</p> <p>Ongoing as each waste stream is explored further</p>	GMA&I
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	<p>c. organics contamination and education around waste separation.</p> <p>6. That Council direct Administration to find \$1,100 savings in the Waste Budget in order to fund a small green waste educational program for households.</p> <p>7. That as part of the 2021/ 2022 budget cycle Council consider installing a three bin system in the public domain specifically in the main trading streets where food is sold and the Community and Civic Centre.</p>	<p>In progress</p> <p>In progress</p> <p>Ongoing</p> <p>Completed</p> <p>Delayed</p>	<p>Report presented to December 2020 WAG</p> <p>Savings have been made and budget line has been set up</p> <p>Included in the WAG works plan</p>	<p>2nd December</p> <p>2nd December</p> <p>NA</p> <p>After July 2021</p>	
21/09/2020	<p>14.3.7 Radio Frequency Identification (RFID) on Mobile Garbage Bins</p> <p>CNC99/20-21</p> <p>That Council supports, in principle, radio frequency identification (RFID) tags being installed on all new and replacement bins and requests that Administration present a feasibility study to a future meeting of Council prior to the next budget cycle.</p>		<p>Research being undertaken to present a feasibility study for RFID</p>	March 2021	GMA&I

21/09/2020	<p>14.3.9 Green Waste Diversion Initiatives</p> <p>CNC102/20-21</p> <ol style="list-style-type: none"> 1. That Council receives and notes the report titled “Subsidised Green Organic Bin Scheme” found in Attachment B. 2. That Council requests that Administration undertake an investigation to determine how many rateable properties do not have a green organics bin and report back to the Waste Advisory Group at the December 2020 WAG meeting, recognising that the ‘investigation’ will be carried out by Administration and include a survey and / or drive-by analysis. 3. That Council requests that Administration present a report to the December Waste Advisory Group meeting with a draft framework exploring the frequency of the waste collection schedule. 	Results presented at December 2020 Council meeting	In progress	January 2021 December 2020	SP
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19/10/2020	<p>14.1.2 Collections Strategy 2020-2024</p> <p>CNC149/20-21</p> <p>1. That Council resolve to replace the Collections Policy with the Collections Strategy 2020-2024, appearing as Attachment A to this report.</p> <p>2. That Council requests that Administration undertake an audit of Council's Collection and a further report be presented to a future meeting.</p> <p>3. That Council authorise Administration to make changes of a technical or minor formatting nature to the Collections Strategy 2020-2024.</p>	<p>Completed</p> <p>Completed</p>	<p>Council resolved to adopt the 2020-2024 Collections Policy at the October 2020 Ordinary meeting of Council.</p> <p>Administration to organise an audit of Council's Collection in 2021.</p>	<p>June 2021</p>	<p>CO</p>
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19/10/2020	<p>14.3.2 Draft Gilberton Traffic & Parking Plan Report</p> <p>CNC154/20-21</p> <ol style="list-style-type: none"> 1. That Council adopts the draft <i>Gilberton Local Area Traffic and Parking Plan</i> appearing as Attachment A to this report. 2. That Council resolves to carry out the installation of 3 hour parking zones within Gilberton and Medindie as per Attachment B, supported by the proposed advertising campaign described in Attachment C. 3. That Council directs Administration to undertake initiatives T12, T13, P3, P4, P1, P2 and P5 from Attachment A. 	In progress	<p>Plans being developed, costs being finalised</p> <p>Communication plan currently being rolled out</p> <p>3 hour restrictions to be implemented on 1 July 2021.</p>	<p>March 2021</p> <p>30 June 2021</p>	GMA&I
16/11/2020	<p>14.2.1 Liquor Licence Management Policy Review</p> <p>CNC181/20-21</p> <ol style="list-style-type: none"> 1. That Council receives and notes the Liquor Licence Management Policy Review report. 2. That Council release the Liquor Licence Management Policy, appearing as Attachment A to this report, for public consultation. 	<p>Completed</p> <p>Completed</p>	<p>public consultation from 27 November 2020 to 18 December 2020. Report included in the January 2021 agenda.</p> <p><i>This item will be removed from the February 2021 list.</i></p>	January 2021	BA (P&C)/ CO

16/11/2020	<p>14.2.2 Outdoor Dining Policy Review</p> <p>CNC182/20-21</p> <ol style="list-style-type: none"> 1. That Council receives and notes the Outdoor Dining Policy Review report. 2. That on the basis that this policy has received no substantive changes, Council endorse and adopt the Outdoor Dining Policy, appearing as Attachment A to this report. 3. That Administration develop an addendum to the Policy in relation to promoting and facilitating outdoor dining. 4. That Administration be authorised to make changes of a minor technical or formatting nature to the Outdoor Dining Policy. 	<p>No further action</p> <p>No further action</p> <p>Completed</p> <p>Completed</p>	<p><i>This item will be removed from the February 2021 list.</i></p>	January 2021	BA (P&C)
16/11/2020	<p>14.3.6 Benchmarking & Performance Reporting (resubmitted)</p> <p>CNC188/20-21</p> <ol style="list-style-type: none"> 1. That Council notes that the State Government is proposing to include benchmarking as part of the Local Government (Statutes Amendment) Review Bill 2. That Council consider service level reviews as part of the 2021/ 2022 budget process and seeks a report from Administration outlining the scope of the service level reviews 		<p>No further action required</p> <p>To be included as part of the 2021/22 ABP&B process for Council consideration</p>	March 2021	CEO

30/11/2020	<p>3.1 Walkerville Oval Redevelopment Options Report</p> <p>CNC218/20-21</p> <p>That Council resolves to proceed with the Walkerville Oval redevelopment and in so doing:</p> <ol style="list-style-type: none"> 1. Instructs Administration to proceed with detailed designs for Option 2, being a total new building cost in the order of \$8 million; 2. Instructs Administration to submit a grant funding application as part of the State Government's Local Government Infrastructure Partnership Program, in the order of \$4 million to match the value of funds that Council will contribute; 3. Finalise the Prudential Review once funding is in place and detailed designs have been undertaken; 4. Undertake further public consultation to inform the community of Council's decision. 	<p>In progress</p> <p>In progress</p> <p>Yet to proceed</p> <p>Completed</p>	<p>Community informed of the outcome of the 30 November 2020. All ratepayers have been sent a letter from the Mayor, as well as being informed through the <i>Weekly Round Up</i> and social media.</p> <p>Administration in process of prepping grant submission (due 29/1/21) for the Local Government Infrastructure Partnership Program.</p>	30 June 2021	CEO
21/12/20	<p>12.1 Suburb Boundary Realignment</p> <p>CNC225/21-22</p> <p>That Administration investigate the impact to and interest of residents bounded by Lansdowne Tce, North East Rd, Ascot Avenue and the River Torrens to be designated as part of the suburb of Walkerville rather than Vale Park.</p>	<p>Yet to proceed</p>		30 June 2021	BA(P&C)

21/12/20	<p>12.2 Walkerville Oval Redevelopment</p> <p>CNC226/20-21</p> <p>As part of the detailed design phase for the Walkerville Oval Redevelopment, that Administration present Council with options that include but are not limited to:</p> <ul style="list-style-type: none"> • A heritage style design option for the grandstand section of the Walkerville Oval Sports Club • Access to the grandstand that allows Civic Functions • Connectivity by way of footpaths between all clubs, Memorial Gardens, carparks and road ways • Incorporates public art in accordance with Council's Public Art Strategy. 		Intend to hold a special Council meeting Feb 2021	30 June 2021	CEO/ GMPERS
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21/12/20	<p>14.2.1 Review of the Public Encroachment Policy</p> <p>CNC227/20-21</p> <p>1. That Council receives and notes the revised Public Land Encroachment Policy appearing as Attachment A to this report with the amendments to change the current statement “artificial turf is not permitted” so as to read “that as from 1 March 2021, no further artificial turf is permitted”.</p> <p>2. That Council approve the release of the revised Public Land Encroachment Policy, appearing as Attachment B to this report, for public consultation for a period of 21 days commencing in January 2021 after which time the revised Policy be presented to Council for consideration.</p> <p>3. That Council notes that Administration will include verge maintenance as part of the draft 2021/22 annual business plan for Councils consideration.</p> <p>4. That Council notes that Administration will present a further report to Council outlining legal and governance issues pertaining to the potential removal of synthetic turf verges that currently exist in and around the township.</p>	<p>Completed</p> <p>Currently out for public consultation</p> <p>To be included in 2021/22 AB&B</p>		30 June 2021	GMA&I
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21/12/20-21	<p>14.2.2 Review of the Order Making Policy</p> <p>CNC228/20-21</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the revised Order Making Policy appearing as Attachment A to this report. 2. Approves the release of the revised, Order Making Policy, appearing as Attachment A to this report, for public consultation for a minimum period of four (4) weeks after which time the revised Policy is to be presented to Council for consideration. 	<p>Currently out for public consultation</p>		March 2021	CS

21/12/20-21	<p>14.2.3 Transition of Building Fire Safety Committee from <i>Development Act 1993</i> to <i>Planning, Development and Infrastructure Act 2016</i></p> <p>CNC229/20-21</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and note the report entitled <i>Transition of Building Fire Safety Committee from Development Act 1993 to Planning, Development and Infrastructure Act 2016</i>; 2. Adopt the revised Town of Walkerville & City of Prospect Building Fire Safety Committee Terms of Reference, which appear as Attachment A to this report subject to clause 6.1 being amended to read as follows: <i>'The Committee will meet at least once each quarter of the financial year and as business needs arise or as decided by the Presiding Member from time to time'.</i> 3. In conjunction with City of Prospect, establishes a body to be known as the Walkerville and Prospect Councils Building Fire Safety Committee; 4. Designates the Walkerville and Prospect Councils Building Fire Safety Committee as an 'appropriate authority' under Section 157 of the <i>Planning, Development and Infrastructure Act 2016</i>; 5. Delegates the power to appoint members to the Walkerville and Prospect Councils Building Fire Safety Committee, in accordance with Section 157(17)(a) of the 	<p>No further action required</p> <p>Completed</p> <p>Completed</p> <p>No further action required</p> <p>No further action required</p>		January 2021	GMPERS
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	<p><i>Planning, Development and Infrastructure Act 2016</i>, to Councils Chief Executive Officer;</p> <p>6. Receives and notes the Walkerville and Prospect Councils Building Fire Safety Committee Terms of Reference as attached to the report (Attachment A);</p> <p>7. Authorise Administration to make changes of a minor technical or formatting nature to the Walkerville and Prospect Councils Building Fire Safety Committee Terms of Reference.</p>	<p>No further action required</p> <p>Completed</p>	<p><i>This item will be deleted from the February 2021 list</i></p>		
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21/12/20-21	<p>14.3.1 Warwick Street Car Park - Extension of Licence Agreement with Minister for Education</p> <p>CNC230/20-21</p> <p>1. That Council approve the application made by the Minister for Education to renew the existing Licence Agreement held between Council and the Minister for Education (ABN 91 814 239 978) over the portion of land contained within Certificate of Title Volume 5255 Folio 827 (commonly known as Walkerville Oval Warwick Street Carpark) for a term of ten (10) years commencing 14 December 2020 based on the same terms and conditions as outlined in the Head Licence Agreement (dated 14 December 2010), subject to the additional inclusion of:</p> <p>a. the <i>“Redevelopment & Demolition Clause”</i> outlined in this report;</p> <p>2. That the Mayor and Chief Executive Officer be authorised to execute any/all relevant and ancillary documents pertaining to the proposed Deed of Extension of Licence Agreement between the Minister for Education and Council including affixing of the common seal of Council.</p>	<p>Completed</p> <p>Completed</p>	<p><i>This item will be removed from the February 2021 list</i></p>	February 2021	BA(P&C)
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21/12/20-21	<p>14.3.5 Bin Audit Report</p> <p>CNC235/20-21</p> <ol style="list-style-type: none"> 1. That Council requests that Administration investigate and develop a strategy for the implementation of an opt-in weekly green organics bin trial. 2. That Council requests that Administration review the financial feasibility of a green organics bin subsidy scheme as part of the 2021/22 draft budget process. 			30 June 2021	GMA&I / SP
21/12/20-21	<p>14.3.6 Green Waste Diversion – Survey Results and Education</p> <p>CNC237/20-21</p> <ol style="list-style-type: none"> 1. That Council receive and note the consultation results of the green waste survey appearing at Attachment A. 2. That Council set aside \$3,000 for a targeted green waste education program including, updated website content as part of the budget review process. 3. That Council requests that Administration liaise with East Waste Authority to seek their assistance in research initiatives focused on educational programs for waste diversion 	<p>No further action</p> <p>In progress</p> <p>In progress</p>		30 June 2021	GMA&I / SP

21/12/20-21	<p>14.3.7 Application for Rent Relief – INEA YMCA</p> <p>CNC236/20-21</p> <p>That Council, having considered INEA YMCA's request seeking a full waiver of rental fees for the months of November and December 2020, agree to waive only the amounts applicable for the period of the State Government forced lockdown closure; totalling \$257.39.</p>	Completed	<i>This item will be removed from the February 2021 list</i>	January 2021	BA(P&C)
21/12/20-21	<p>14.4.1 ERA Water First Budget Review & Long Term Financial Plan</p> <p>CNC238/20-21</p> <p>1. That Council approves the ERA Water First Budget Review Report for 2020/2021 as detailed in Attachment A to this report.</p> <p>2. That Council approves the ERA Water Long Term Financial Plan for 2021 - 2030 as detailed in Attachment B to this report, noting its concern with the Long Term Financial Plan 2021-2030 and encourages the Board to:</p> <ul style="list-style-type: none"> • work to reduce the debt levels identified • pursue sales to third parties • incorporating sales in the strategic focus • deliver a ERA Water Financial Recovery Plan. <p>3. That Administration writes to ERA Water advising of Council's decision.</p>	<p>No further action required</p> <p>No further action required</p> <p>Completed</p>	<p><i>This item will be removed from the February 2021 list</i></p>	January 2021	GMCS

CONFIDENTIAL ITEMS – CURRENTLY BEING ACTIONED

Date	Agenda Item / Title / Resolution Number	Progress	Council Report
17/08/2020	<p data-bbox="468 296 1384 328">19.1 Strategic Property Project – Smith & Fuller EOI Evaluation Panel</p> <p data-bbox="468 363 647 395">CNC85/20-21</p> <p data-bbox="468 430 1615 699">That having considered Agenda Item 19.1 Strategic Property Project – Smith & Fuller EOI Evaluation Panel in confidence under section 90(2) and (3)(k) of the <i>Local Government Act 1999</i>, the Council, pursuant to section 91(7) of the Act orders that the documents and/or minutes relative to this Agenda Item be retained in confidence for a period of 18 months or until the matter has been finalised excepting that Council authorises the release of the minutes to substantive party/parties to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the <i>Local Government Act 1999</i> the Council delegates to the Chief Executive Officer the power to review and revoke this Order.</p>	<p data-bbox="1637 395 1872 746">In progress Update report to be presented to Council as part of the November 2020 agenda. Update report to be presented to Council as part of the 18 January 2021 agenda.</p>	<p data-bbox="1921 296 2148 328">BA (P&C)</p>

In reply please quote our reference: ECM 724840 AD/MD

4 January 2021

Mayor Elizabeth Fricker
Corporation of the Town of Walkerville
PO Box 55
WALKERVILLE SA 5081
Emailed: efricker@walkerville.sa.gov.au

Dear Mayor Fricker

Greater Adelaide Regional Organisation of Councils (GAROC) Annual Business Plan 2021-22

I am writing on behalf of the Local Government Association's GAROC committee to seek your input into the development of our Annual Business Plan 2021-22.

The Annual Plan is a key driver of GAROC's mission *to provide advocacy, policy initiation and review, leadership, engagement and capacity building in collaboration with the LGA for the benefit of metropolitan South Australian councils and their communities.*

Through our Strategic Plan 2019-23, GAROC has committed to prioritise and address issues that are common across the metropolitan region, and to be responsive to the needs of metropolitan councils. We look forward to working with you and GAROC members to advance the following strategic themes.

Economic Development

Metropolitan Adelaide is a key driver of South Australia's economy. GAROC recognises the important role of councils to enable, facilitate and enhance local economic opportunities.

What are the ways in which GAROC can support metropolitan councils to play their important role in stimulating the economic growth in post COVID-19 recovery?

Design, Planning and Placemaking

GAROC recognises the importance of good decision making that enhances the built environment and supports well-considered planning processes that achieve quality design outcomes and the preservation of tree canopy, character and local heritage.

How can metropolitan councils come together through GAROC to maintain our positive influence planning reforms?

Environmental Reform

GAROC acknowledges local government's role in protecting and enhancing the environment and recognises that climate change poses a serious risk to local communities and ecosystems.

How can GAROC support climate change mitigation and adaptation efforts within metropolitan councils?

Are there any other key issues, under these themes or our fourth Strategic Theme of Reform and Innovation that you would like GAROC to focus on in the coming year?

A copy of the current GAROC Annual Business Plan may be accessed via this link: [GAROC Annual Business Plan 2020-21](#) for further reference.

GAROC is keen to increase our engagement with all metropolitan councils and provide opportunities for staff and members to contribute to and learn about the work we are doing together. I encourage you to discuss ideas with your fellow mayors in GAROC's regions (North, South, East, West). The GAROC committee members from each region are provided as an attachment.

We welcome your initial written response by **Friday, 5 February 2021**. Subsequently, GAROC will host a series of workshops commencing in February 2021 with council members, CEOs and managers/practitioners to facilitate discussion and input in setting the 2021-22 Annual Business Plan.

If you have any questions, or require further information, please email Allison Down, Executive Coordinator GAROC & SAROC Committees, at allison.down@lga.sa.gov.au or telephone 8224 2054.

Thank you in advance for your input. Together we can continue play an essential role in the long-term prosperity, sustainability and wellbeing of the Greater Adelaide community.

Yours sincerely



Mayer David O'Loughlin

Chairperson - Greater Adelaide Region Organisation of Councils (GAROC)

Email: lgasa@lga.sa.gov.au

Copy – CEO Kiki Cristol

GAROC groupings, members, and committee members

Regional Grouping of Members	Members	GAROC committee Members
North	Gawler Playford Salisbury Tea Tree Gully	Mayor Karen Redman Mayor Gillian Aldridge OAM
West	Charles Sturt Holdfast Bay Port Adelaide Enfield West Torrens	Mayor Angela Evans Mayor Claire Boan
South	Marion Mitcham Onkaparinga	Mayor Dr Heather Holmes-Ross Mayor Erin Thompson
East	Adelaide Hills Burnside Campbelltown Norwood Payneham & St Peters Prospect Unley Walkerville	Mayor Dr Jan-Claire Wisdom Mayor David O'Loughlin
* Plus	Adelaide	Lord Mayor Sandy Verschoor



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4 December 2020

Councillor Elizabeth Fricker
Mayor
Corporation of the Town of Walkerville
PO Box 55
GILBERTON SA 5081

My dear Mayor

**2021 Asia Pacific Cities Summit & Mayors' Forum Special Edition
(2021APCS Special Edition)
'Redefining Cities through Opportunities and Challenges'
Wednesday 8 September – Sunday 12 September 2021**

It is with great pleasure that I announce the 2021 Asia Pacific Cities Summit & Mayors' Forum Special Edition (**2021APCS Special Edition**) will be held **in Brisbane** from **8-12 September 2021**. As the world reshapes, cities play an increasingly important role in recovery and I am keen to ensure you have these dates committed in your calendar.

The 2021APCS Special Edition will be a unique and highly significant event for city leaders to discuss recovery, exchange knowledge and ideas, and reconnect with urban, business and industry leaders. In these unprecedented times we have experienced tremendous adversity, with significant challenges to our local societies, economies, business, city management and lifestyle. The Summit will enable senior city and business leaders to share their experiences on rebuilding local economies, including city tourism, as well as learnings on how the city landscape has been redefined.

Since its establishment in 1996 by Brisbane City Council, the APCS has become a leading platform for cities and industry to identify common challenges, exchange knowledge and drive commercial outcomes. The APCS & Mayors' Forum – in its 25th year – is the Asia Pacific region's premier Summit. Additionally, the 2019APCS was recently **awarded** the **'Best Congress or Conference'** at the 2020 Australian Event Awards. Building on this history, proven track record and recent prestigious accolade, I am delighted to host the Special Edition of the Summit in 2021 in Brisbane, home of the APCS.

The overarching theme of the 2021APCS Special Edition is 'Redefining Cities through Opportunities and Challenges', with sub-themes consisting of:

- **Healthy Cities** – strengthening agility, wellbeing and sustainability
- **Vibrant Cities** – celebrating and enhancing creativity, diversity and tourism
- **Connected Cities** – redefining connections and movement
- **Intelligent Cities** – harnessing and supporting talent, innovation and business.

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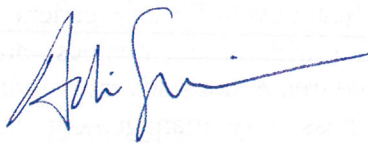
The cornerstone of the Summit is the Mayors' Forum, which will provide elected leaders with an intimate and exclusive opportunity to come together, share insights and common experiences, and openly discuss the issues affecting our cities. The Mayors' Forum is more important than ever before as we look ahead and gain inspiration from our shared experiences to rebuild our cities and adjust to the new normal.

I am also pleased to announce that the 2021 APCS Special Edition will include, for the first time, a City Leaders' Forum. This will be an opportunity for city leaders, such as CEOs, Divisional Managers, Economic Development Managers and Smart City Leaders, to network with their peers, share the experiences and activities of their cities, and learn from one another. I strongly encourage you to share this opportunity with the leaders throughout your organisation.

To discuss the opportunities available at the Summit for you and your delegation, please contact Ms Edel Melia in my International Relations and Multicultural Affairs Unit, which is also the APCS Secretariat, by phone on 07 3178 1723 or by email at edel.melia@brisbane.qld.gov.au. Alternatively, you may wish to visit the official APCS website at www.apcsummit.org.

I wish you and your city the very best of health and prosperity in these most challenging circumstances. I sincerely look forward to welcoming you and a delegation from your region to Brisbane for this special event.

Yours sincerely



Adrian Schinner
LORD MAYOR

Ref: LM06728-2020