

## Notice of Meeting

Notice is hereby given in accordance with Section 83 of the *Local Government Act 1999*, that an ordinary meeting of the

**Council**  
of the  
**City of Burnside**

will be held in the Council Chambers at the Civic Centre,  
401 Greenhill Road, Tusmore on

**Tuesday, 23 January 2024**

**7:00 PM**

A handwritten signature in black ink, appearing to read 'Chris Cowley', written over a light green curved background.

**Chris Cowley**  
Chief Executive Officer

# Agenda

## 1. Opening

*The Mayor will declare the meeting open at 7:00 PM.*

## 2. Acknowledgement of Traditional Owners

*We acknowledge this land that we meet on today is the traditional land of the Kaurna People and that we respect their spiritual relationship with their country.*

*We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the Kaurna people today. We pay respect to the cultural authority of Aboriginal people visiting or attending from other areas of South Australia and Australia.*

## 3. Memorial Silence

*On behalf of the City of Burnside I gratefully acknowledge and pay respect to those who gave their lives for this country and its people.*

*{A moments silence follows.}*

## 4. Opening Statement

*We seek understanding and guidance in our debate, as we make decisions that will impact on the lives of all those who reside, study, work in and visit the City of Burnside. Grant us wisdom as we serve our community.*

## 5. Announcements

*The Mayor will make announcements regarding Emergency Procedures, Live Streaming, Use of Microphones and queuing system, Mobile Phones and behavior of the Public Gallery.*

## 6. Absences

## 7. Declaration of Interest Reminder

*If a Council Member has an interest in a matter before the Council, they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.*

## 8. Confirmation of Minutes

### Recommendation

That the minutes of the Ordinary Council Meeting held on 12 December 2023 be taken as read and confirmed.

## 9. Adjourned Business

## 10. Public Presentations



## 10.1 Public Question Time

*The Council allocates 15 minutes for the community to attend the Council Meeting and ask one question. Members of the public are asked to complete the form either online prior to or at the Council Meeting to register their interest. For further information regarding Public Question Time please go to [Council's website](#).*

## 10.2 Presentations

## 10.3 Deputations

*Granted at the time of the publication of the agenda.*

## 10.4 Petitions

<b>11. Reports</b>	<b>Page</b>
11.1 Appointment of Independent Member to the Audit & Risk Committee	5
11.2 Finance End of Month Report - December 2023	11
11.3 Hewitt Avenue Reserve (Rose Park) Edible Pocket Garden Concept Plan	19
11.4 2024 Council Member Training and Development Plan	30
11.5 Greater Adelaide Freight Bypass	41
11.6 Brown Hill Keswick Creek	48
11.7 ERA Water Independent Review Request	56
11.8 CEO KPIs 2023/24 Mid-Year Review	62
11.9 Mayor's Activity Report - 23 November 2023 to 22 December 2022	90
11.10 Chief Executive Officer Report - December 2023	93
<b>12. Questions on Notice</b>	
12.1 Trees in Stonyfell	116
12.2 Code of Conduct / Complaints	117
12.3 Vehicle Accidents in Erindale Shopping Centre Car Park	118
<b>13. Motions on Notice</b>	
13.1 Rescission Motion: Dog and Cat Management Plan	119
13.2 Development Application 12 Stirling Street Tusmore	146
<b>14. Urgent Business - Subject to the Leave of the Meeting</b>	

<b>15.</b>	<b>Confidential Items</b>	<b>Page</b>
15.1	Street Tree Removal - 2 Caithness Avenue Beaumont	149
<b>16.</b>	<b>Closure</b>	

## Item No: 11.1

### Appointment of Independent Member to the Audit & Risk Committee

Report Number: 2024-1

Director: Director Corporate

Author: Group Manager Finance and Risk

#### EXECUTIVE SUMMARY

Council is required under *Local Government Act 1999* Section 126 to maintain an Audit and Risk Committee. Regulation 17 of the *Local Government (Financial Management) Regulations 2011* outlines the operations of the Committee mandating a membership of 3 to 5 members and the predominant number to be Independent Members. Council currently has a Committee made up of two Council Members and three Independents.

With one Independent Member's term expiring at the end of 2023, Council resolved (C260923/13536) to undertake a recruitment process in order to seek a new Independent Member. Part of this resolution established a Selection Panel made up of Mayor Monceaux, Cr Jones, Cr Davey and the Chief Executive Officer to complete the recruitment process. Following receipt of 35 applications for the position and interviews conducted for three (3) on 12 January 2024, the Selection Panel is recommending Peter Scargill be appointed as an Independent Member for a period of two (2) years, expiring 31 December 2025.

#### RECOMMENDATION

**That Council appoints Peter Scargill to the position of Independent Member of the City of Burnside Audit and Risk Committee for a period of two (2) years, expiring 31 December 2025.**

#### ATTACHMENTS

None

#### DISCUSSION

##### *Background*

1. The *Local Government (Financial Management) Regulations 2011*, Regulation 17, specifies that: "The Audit and Risk Committee of a Council;
  - a. must have between 3 and 5 members (inclusive); and

- b. must not include, as a member, the Council's Auditor under section 128 of the Act."
2. The *Local Government Act 1999*, Section 126 adds that the membership of the Audit and Risk Committee must:
    - a. have a majority of independent members on the committee who are not members of any council;
    - b. have skills, knowledge, and experience relevant to the functions of the Committee, including in financial management, risk management, governance, and any other prescribed matter; and
    - c. the membership of the committee
      - i. may not include an employee of the Council; and
      - ii. may include or comprised of members of another council audit and risk committee or regional audit and risk committee.
  3. The City of Burnside Audit and Risk Committee Terms of Reference (last updated C261021/12980, 26 October 2021) provides the Committee membership in line with the above.
  4. Although changes (effective from November 2023) have been made to the *Local Government Act 1999* through the Local Government Reform process updating the membership and configuration of the Audit and Risk Committee's current Terms of Reference, the membership structure is compliant with these new regulations.
  5. The current membership of the Independent Members and their terms are as follows:
 

<b>Name</b>	<b>Term</b>	<b>Commencement</b>	<b>Expiry</b>
Alan Rushbrook	3 Years	1 January 2022	31 December 2024
Emma Hinchey	3 Years	1 January 2024	31 December 2026
  6. On 26 September 2023, due to the expiring term of Council's third Independent Member, Council resolved the following to commence a new recruitment process (C260923/13536):

That Council:

1. Extends the term of office for Ms Hinchey until 31 December 2026.
2. Commences a recruitment process for the vacant position on the Audit and Risk Committee.
3. If necessary, undertakes a secret ballot process, following the Mayor inviting nominations, to appoint two Council Members to the Audit and Risk Committee Independent Member Selection Panel.
4. Appoints Mayor Monceaux, the following two Council Members and the Chief Executive Officer, to the 'Audit and Risk Committee Independent Member Selection Panel.'
  - a. Councillor Jones
  - b. Councillor Davey

*Recruitment*

7. Adverts for an Independent Member were published on the following websites for a period of two weeks:
  - a. City of Burnside
  - b. Local Government Association (LGA)
  - c. Seek
  - d. Australian Institute of Company Directors (AICD)
  - e. Women on Boards
8. At the closure of the advertised period, Council had received 35 applications.
9. These applications were scored against a predefined criteria prioritised by the Selection Panel. The criteria included:
  - a. Financial Management/Accounting Skills, Qualifications and Experience
  - b. Risk Management Skills, Qualifications and Experience
  - c. Legal/Governance Skills, Qualifications and Experience
  - d. Internal/External Audit Skills, Qualifications and Experience
  - e. Resident, Ratepayer or other demonstrable connection to the City of Burnside
10. The Selection Panel confirmed the interview of four candidates with Interviews held on Friday 12 January 2024.

11. One of the four candidates was not able to attend the interview time due to interstate travel. Due to the late notice of this inability and time pressures for the February meeting, a reschedule was not available and interviews proceeded with the three remaining candidates.
12. Although Cr Davey was an active member of the Selection Panel and contributed to the process, she was an apology and not present for the Interviews due to medical reasons.

#### *Selection & Recommendation*

13. The remaining Selection Panel Members conducted the interviews and recommended Peter Scargill be nominated for Council's appointment as Independent Member of the Audit and Risk Committee for a period of two years.
14. By engaging this Independent Member for a period of two years, it will create a staggered expiry of the membership of Independent Members. As a result, Council will have an annual opportunity to consider the expiring membership while maintaining some continuity in knowledge of the remaining members.
15. Should any personal attributes require discussion by Council, it will need to move into confidence as per the requirements under the Legislation.

## **IMPLICATIONS AND FINANCIALS**

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Previous Decisions C260923/13536

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**Risk Evaluation** As assessment has been undertaken against the risk management framework and risk appetite and the following observations should be taken into account when considering this report:

- Legal and Regulatory: Minimal/Zero and does not exceed risk appetite
- People and Safety: Cautious and does not exceed risk appetite
- Service Delivery: Balanced and does not exceed risk appetite

The risk of losing Independent Members' knowledge of City of Burnside operations has been mitigated by replacing Independent Members in alternate years as envisaged by the Terms of Reference Review.

As part of this recruitment process, independent members terms will be staggered such that a different members term will expire each year on a three year rolling timeframe.

The assessment undertaken is in regards to the recruitment of independent members only. The establishment of the Audit and Risk Committee is intended to support Council in identifying and managing risk management practices across the whole of the organisation.

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As the next Audit and Risk Committee meeting is scheduled for 19 February 2024, confirmation of the Independent Member will be needed in order to meet the quorum requirements of this meeting.

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**Finance**

There are no financial implications for the City of Burnside in respect of the recommendation.

Provisions have been made in the 2023/24 Annual Business Plan and Budget to pay Independent Member sitting fees and undertake a recruitment each year.

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**Resources**

The recruitment of an Independent Member has been completed within existing resources.

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**Legal & Legislative**

The following legislation is relevant in this instance:

- Local Government Act 1999
- Local Government (Financial Management) Regulations 2011, Regulation 17

Council is required to establish an Audit & Risk Committee formed under Section 41 of the Local Government Act 1999. The Audit & Risk Committee has specific duties as outlined in Section 126 of the Act.

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**Consultation**

The following communication / consultation has been undertaken:

- Informed the Audit and Risk Committee of the need to consider membership at its meeting held 21 August 2023;
  - The recruitment was advertised in the Positions Vacant section of the following websites:
    - City of Burnside
    - Local Government Association
    - Seek Recruitment Websites
    - AICD
    - Women on Boards
  - In addition, the position was promoted through Council's Social Media channels.
  - Copies of the applications for the interviewed candidates were provided to Council under confidential separate cover.
-

Strategic Plan      **Principles:** Governing with Integrity

**Theme:**      Spans all Strategic Plan Themes

**Goals:**      Spans all Strategic Plan Goals

**Priorities:** Spans all Strategic Plan Priorities

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Policy                      There are no policy implications or requirements associated with this recommendation.

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Environmental Sustainability      There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.

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Social Sustainability      There are no social sustainability implications for the City of Burnside in respect to the recommendation.

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CEO KPI                      There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

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END OF REPORT



## Item No: 11.2

### Finance End of Month Report - December 2023

Report Number: 2023-294

Director: Director Corporate

Author: Group Manager Finance and Risk

#### EXECUTIVE SUMMARY

This report presents the financial performance of Council comparing the Year to Date actuals with that of the Year to Date Budget.

As at the end of December YTD operating result is in line with budget, Capital and Operating projects are on track. However, it is likely that cost pressures may arise from Finance Costs and Depreciation Expenses which are being closely monitored and will be revisited in future budget reviews.

#### RECOMMENDATION

That Council receives and notes the Finance End of Month Report for December 2023.

#### ATTACHMENTS

1. EOM Financial Report - December 2023

#### DISCUSSION

1. The December 2023 Finance Report is provided in Attachment 1 and compares the actual Year to Date (YTD) performance to the Q1 Revised Budget.
2. The December YTD operating result is mostly in line with the YTD Budget. Various aspects of the budget are being reviewed and forecasted variations will be reported in the Q2 Budget Review. The following areas that are under review and likely to post material variation to the budget:
  - a. finance costs are expected to post a cost pressure to the budget due to the sustained high interest rate environment and additional 0.25% rate hike in November 2023. This is partially offset by the out of cycle 0.15 % rate reduction from LGFA (Local Government Finance Authority).

- b. a full year employee cost forecast underway to incorporate finalised enterprise agreements and management contracts, variations will be reported in the Q2 Budget Review.
  - c. Council is currently undergoing a comprehensive revaluation of all Road and Stormwater assets, depreciation expense and fair value are likely to increase due to the increased material and labour cost observed in the currently inflationary environment. The magnitude of these impacts are unable to be reliably measured in-house, however, the final result will be reported through the Quarterly Budget Review when all key input assumptions are validated by the contracted valuer.
3. There are no other significant variances to report, and Council is on track to achieve the Adopted Budget.

#### ***Statement of Comprehensive Income***

4. Council's December 2023 Actual Year to Date Operating Surplus is \$2.01m compared to the YTD Adopted Budget of \$1.94m.

#### ***Statement of Financial Position***

5. The Work in Progress (WIP) balance at the time of preparation of this report was \$9.4m indicates the capital works being undertaken but that are not yet ready for use.
6. Multi-year projects carried over from previous financial years will be captured as part of the WIP balance until these assets are complete and ready for use.

#### ***Project Status***

7. Council is progressing well with its scheduled 2023/24 annual capital renewal programs and operating projects.
8. The Financial Reports for December 2023 year to date have been provided in Attachment 1.

## **IMPLICATIONS AND FINANCIALS**

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Previous Decisions Nil

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**Risk Evaluation**      An assessment has been undertaken against the Risk Management Framework and Risk Appetite and the following observations should be taken into account when considering this report.

*Financial:* Cautious and does not exceed risk appetite  
*Reputation:* Cautious and does not exceed risk appetite

By failing to continuously monitor and/or review Council's financial performance there is a risk that financial accountability and sustainability of the organisation may be adversely impacted.

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Finance	There are no financial implications from this report. The report is prepared for the purposes of monitoring the financial performance of the organisation. Necessary updates to forecast in the budget will be considered as part of the Quarterly Budget Review process.
Resources	The preparation of the monthly financial report is facilitated within existing resources.
Legal & Legislative	The following legislations are relevant in this instance: <ul style="list-style-type: none"><li>• <i>Local Government Act 1999</i></li><li>• <i>Local Government (Financial Management) Regulations 2011</i></li></ul>
Consultation	The following communication/consultation has been undertaken: <ul style="list-style-type: none"><li>• Discussions with key internal stakeholders.</li></ul>
Strategic Plan	<b>Principles:</b> Governing with Integrity  <b>Theme:</b> Place  <b>Goals:</b> Spans all Strategic Plan Goals  <b>Priorities:</b> Spans all Strategic Plan Priorities
Policy	There are no policy implications or requirements associated with this recommendation.
Environmental Sustainability	There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.
Social Sustainability	There are no social sustainability implications for the City of Burnside in respect to the recommendation.
CEO KPI	There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

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END OF REPORT

# ATTACHMENT 1

## City of Burnside

### Business Update

as at 31 December 2023

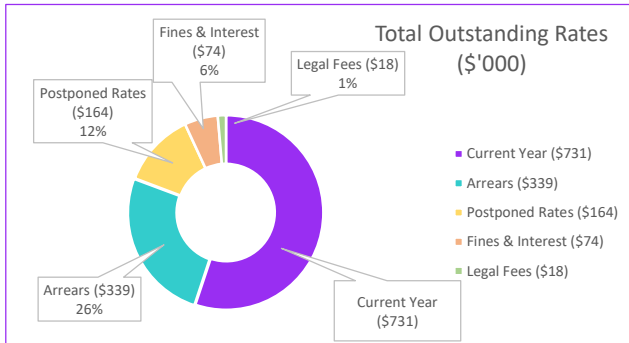
#### Operating Performance

	YTD Actual \$'000	% YTD Bud vs Act	On Track
Operating Income	\$ 29,807	101%	✓
Operating Expense	\$ 27,787	100%	✓
Operating Surplus	\$ 2,019	104%	✓
Net Surplus	\$ 2,175	102%	✓
Operating Projects	\$ 358	100%	✓
Capital Projects	\$ 7,221	103%	✓

#### Net Financial Liabilities

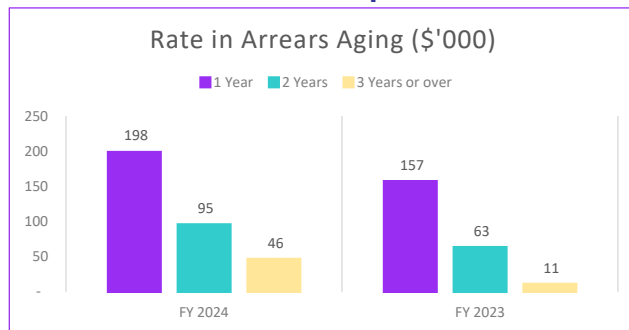
		YTD Actual \$'000
Borrowings	Fixed Term	\$ 4,870
	Cash Advance	\$ 13,950
Deposits	Cash at Bank	\$ 1,327
	Term Investment	\$ 1,141
<b>Net Financial Liabilities (Borrowings less Deposits)</b>		<b>\$ 16,351</b>

#### Total Outstanding Rates



Age	Description	Amount \$'000
Current Year	(Not Yet Due)	\$ 19,302
Current Year	(Past Instalments Not Paid)	\$ 731
Arrears	(Prior Financial Years)	\$ 339
Postponed Rates	(S.182A - Seniors)	\$ 164
Fines & Interest		\$ 74
Legal Fees		\$ 18
<b>Total</b>		<b>\$ 20,628</b>

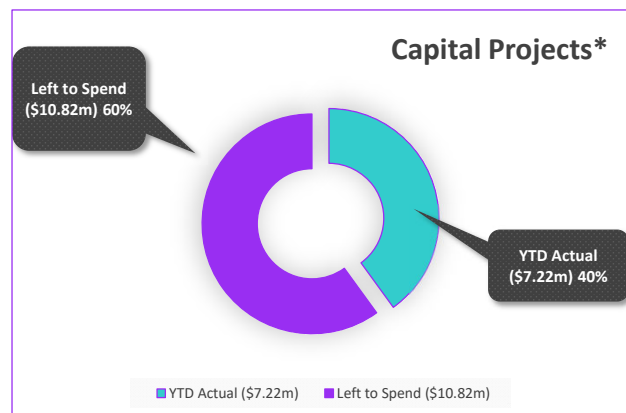
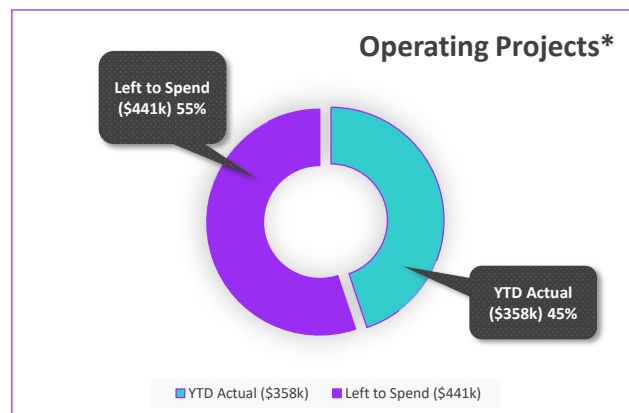
#### Annual Comparison



#### Properties in Arrears and being Monitored for Section 184

Years in Arrears	No of Properties
Over 2 Years	6
Over 3 Years	5
Resolved section 184	0

#### Project Status



\*Status Chart is based on financial completion. It should be noted that projects may not incur any cost until implementation stage commence.

# City of Burnside

## Monthly Financial Overview

as at 31 December 2023

\$'000	Notes	Q1 Revised Budget	YTD Budget	YTD Actual	% Full Year Budget Used
<b>Income</b>					
Rates Revenues		47,427	24,484	24,478	52%
Statutory Charges		1,773	1,009	1,005	57%
User Charges		2,586	1,388	1,362	53%
Reimbursements		618	137	270	44%
Other Income	1	229	103	161	70%
Grants, Subsidies & Contributions		5,447	2,465	2,483	46%
Investment Income	2	59	19	48	82%
Gain on Associated Entities		137	-	-	0%
<b>Subtotal</b>		<b>58,276</b>	<b>29,605</b>	<b>29,807</b>	
<b>Expense</b>					
Materials, Contracts & Other Expenses		(26,027)	(11,930)	(11,944)	46%
Employee Costs		(20,164)	(9,762)	(9,725)	48%
Depreciation		(11,198)	(5,599)	(5,599)	50%
Finance Costs	3	(600)	(370)	(519)	86%
Loss on Associated Entities		(293)	-	-	0%
<b>Subtotal</b>		<b>(58,282)</b>	<b>(27,661)</b>	<b>(27,787)</b>	
<b>Operating Surplus / (Deficit)</b>		<b>(6)</b>	<b>1,944</b>	<b>2,019</b>	
<b>Net Outlays on Existing Assets</b>					
Capital Expenditure on renewal and replacement of Existing Assets		(14,972)	(5,996)	(6,188)	41%
Add back Depreciation, Amortisation and Impairment		11,198	5,599	5,599	50%
Add back Proceeds from Sale of Replaced Assets		-	(36)	(36)	0%
<b>Subtotal</b>		<b>(3,774)</b>	<b>(433)</b>	<b>(626)</b>	
<b>Net Outlays on New and Upgraded Assets</b>					
Capital Expenditure on New and Upgrade Assets		(3,072)	(1,023)	(1,033)	34%
Add back Amounts received specifically for New and Upgraded Assets	4	186	191	191	103%
<b>Subtotal</b>		<b>(2,887)</b>	<b>(832)</b>	<b>(842)</b>	
<b>Annual net impact to financing activities (surplus/(deficit))</b>		<b>(6,667)</b>	<b>678</b>	<b>552</b>	

### Notes:

1. Other income is a head of the budget mainly due to the unexpected LGFA (Local Government Finance Authority) special distribution (\$34k) to all Local Government bodies that used LGFA services in 2022/23 Financial Year
2. YTD Investment Income is outperforming the original estimate due to the sustained period of high interest rate. Investment Income is closely monitored and full year investment income forecast will be revisited in Q2 Budget Review.
3. YTD Finance Costs is ahead of original budgeted position, this is closely monitored and full year forecast will be revisited in Q2 Budget Review. LGFA has announced a out of cycle 15 basis points rate reduction at end of October, this will help elevate some pressure on finance cost beyond the end of October.
4. \$185k Public Library Grant confirmed and recognised in late October. YTD actuals exceed full year budget due to the unbudgeted \$6k Stronger Community Grant passed on to Council by Linden Park Community Garden Association, This funding is in support of the footpath construction at Laurel Ave Community Garden.

# City of Burnside

## Operating Projects as at 31 December 2023

### Project Stages

- Not Started: Project not commenced.
- Preliminary: Include projects in design, consultation phase.
- In Progress: Construction or Implementation in progress.
- Completed: Construction reached practical completion.
- Carry Forward: Project carried forward to next financial year.
- Other: notes will be provided for projects under stage "Other".

Project Names	Notes	YTD Actual (\$)	% Full Year Budget Used	Stage	Original Budget *
<b>Operating Projects</b>					
Habitat Grant Scheme for Private Land		-	0%	Preliminary	
Community Centres Activation Plan		-	0%	Preliminary	
Disability Access and Inclusion Plan - Implementation		-	0%	Preliminary	
Burnside City Master Plan and Expansion of the Historic Area Overlay Code Amendments - Phase 2		-	0%	Preliminary	
City Master Plan Open Space Layer and Recreation and Sports Facility Review		-	0%	Preliminary	
Strategic Community Plan Review		8,100	40%	In Progress	
Reconciliation Action Plan Implementation		13,634	43%	In Progress	
Horticultural Landscaping and Beautification Resources for Burnside Streetscapes and Reserves		-	0%	Preliminary	
Lockwood Traffic Control		-	0%	Preliminary	
Community Consultation of 40kphr zone		7,400	32%	In Progress	
Agenda and Minutes Software		26,250	95%	Completed	
Waste Education Program (Previously Bin Tagging Program)		945	8%	In Progress	
Greenhill Rd Hallett Rd intersection upgrade - Black Spot Grant Funded		292,054	100%	Completed	
Marryatville Precinct Master Plan		9,972	13%	In Progress	
<b>Total New or Enhanced Services</b>		<b>358,354</b>	<b>45%</b>		<b>798,939</b>
<b>TOTAL</b>		<b>358,354</b>	<b>45%</b>		

\* Council does not disclose the full year budget allocation for individual project in this report in order to protect a competitive tendering process on these projects.

### Notes:

Nil

# City of Burnside

## Capital Projects as at 31 December 2023

### Project Stages

- Not Started: Project not commenced.
- Preliminary: Include projects in design, consultation phase.
- In Progress: Construction in progress.
- Completed: Construction reached practical completion.
- Carry Forward: Project carried forward to next financial year.
- Other: notes will be provided for projects under stage "Other".

Project Names	Notes	YTD Actual (\$)	% Full Year Budget Used	Stage	Original Budget *
<b>New/Upgrade - Other</b>					
City Master Plan Actions		-	0%	Preliminary	
Civic Centre Recycling Hub		-	0%	Preliminary	
Civic Centre Upgrades		-	0%	Preliminary	
Dog Park Improvements		276,572	80%	Completed	
Drainage New Program		37,447	6%	In Progress	
Dulwich Community Centre Fitout		28,507	36%	In Progress	
Dulwich Community Centre Redevelopment	1	518,588	102%	Completed	
Footpath New Program		43,088	25%	In Progress	
Open Space New		-	0%	Preliminary	
Public Art Reserve Fund		-	0%	Preliminary	
Traffic Calming Program		128,711	20%	In Progress	
Michael Perry Reserve		-	0%	In Progress	
		<b>1,032,914</b>	<b>34%</b>		<b>3,072,451</b>
<b>Replacement/Renewal</b>					
Buildings Emergency Program		14,744	17%	In Progress	
Bus Shelter Renewal Program	2	47,443	101%	Completed	
CCTV Security Renewal		103,222	40%	In Progress	
Community Buildings Program		193,585	15%	In Progress	
Depot Based Major Plant		424,951	39%	In Progress	
Depot Based Minor Plant		23,601	79%	In Progress	
Drainage Renewal		42,471	8%	In Progress	
Fencing Renewal		15,851	8%	In Progress	
Footpath Renewal Program		657,326	60%	In Progress	
George Bolton Play Space Floor		66,500	95%	Completed	
Hills Face Trails		13,940	18%	Preliminary	
Infrastructure Emergency Program		12,273	12%	In Progress	
Kerb Program		1,294,728	46%	In Progress	
Library Renewal	3	175,894	126%	In Progress	
Light Fleet Replacement		325,124	33%	In Progress	
Open Space Renewal		88,368	20%	In Progress	
Playgrounds		205,100	55%	In Progress	
Public Lighting Replacement		21,499	12%	In Progress	
Regal Theatre Master Plan Detailed Design		1,140	2%	Preliminary	
Reserve Lighting Renewal		62,316	47%	In Progress	
Retaining Walls Renewal		1,835	8%	Preliminary	
Road Cracksealing Program		48,800	98%	Completed	
Road Resurfacing Program		1,290,373	49%	In Progress	
Signage Renewal		15,864	35%	In Progress	
Swimming Centre Changerooms		736,928	94%	Completed	
Swimming Centre Plant Replacement		9,641	1%	Preliminary	
Tennis Courts	4	214,920	107%	Completed	
Wireless Network Upgrade For Community Centre		50,095	42%	In Progress	
Your Neighbourhood Budget		3,743	12%	In Progress	
Kensington Gardens Reserve		26,178	40%	In Progress	
		<b>6,188,453</b>	<b>41%</b>		<b>14,971,616</b>
<b>TOTAL</b>		<b>7,221,367</b>	<b>40%</b>		<b>18,044,067</b>

\* Council does not disclose the full year budget allocation for individual project in this report in order to protect a competitive tendering process on these projects.

### Notes:

1. Project Completed with minor overspend.
2. Project Completed with minor overspend.
3. Library Material Renewal tracking ahead of budget due to the recently confirmed and recognised Public Library Material Grant of \$128k (\$185k total allocation reduced by \$57k Levy), there is no cost Council and this budget will be revised in Q2 Budget Review to incorporate this Material Grant.
4. Overspend due to the increased project scope to include new net packages for all 5 tennis courts (as existing infrastructure could not be reused).



## Item No: 11.3

# Hewitt Avenue Reserve (Rose Park) Edible Pocket Garden Concept Plan

Report Number: 2023-278

Director: Chief Executive Officer

Author: Director Environment and Place

## EXECUTIVE SUMMARY

As part of the 2022/23 Annual Business Plan and Budget process, Council resolved to undertake consultation and develop a concept design for a small scale community garden in the Hewitt Avenue Reserve, Rose Park. A draft concept design for an edible pocket garden and complementary features has been developed through a community co-design consultation process and is being presented for Council consideration.

## RECOMMENDATION

That Council:

1. **Endorses the Hewitt Avenue Reserve concept design presented at Attachment 1; and**
2. **Includes a budget submission for the development to be included for consideration in the Draft 2024/25 Annual Business Plan and Budget.**

## ATTACHMENTS

1. Hewitt Avenue Reserve Rose Park Draft Concept Design

## DISCUSSION

### Site and Project Background

1. Hewitt Avenue Reserve is a small pocket park located at 5 Hewitt Avenue, Rose Park. The Reserve covers approximately 675m<sup>2</sup> and is bordered to the east and west by residential

properties, and to the north by Eliza Lane (see Figure 1: Site Overview).



Figure 1: Site Overview

2. The Reserve is mostly covered by open grass and contains a small number of juvenile and mature trees and a park bench. The Reserve does not have off-street parking and there are two hour on-street parking restrictions in the local area from 8.30am to 5.00pm on weekdays.
3. As part of the 2022/23 Annual Business Plan and Budget process, a \$17,000 budget bid was submitted for a concept design and consultation on a Rose Park community garden. The budget bid was endorsed by Council and envisaged the following elements could be included in the design:
  - a. Canopy tree on southern end;
  - b. Two wicking beds; and
  - c. Ancillaries such as paths, fencing, and a drinking fountain.
4. The Hewitt Avenue Reserve is Community Land. It is listed in the *Pocket Parks Community Land Management Plan* (PPCLMP). The PPCLMP includes a range of objectives that will need to be considered in any design or operation of a community garden at this site. Many of the objectives are complementary to those of a small-scale community garden and none are fundamentally contradictory.
5. While Council's decision to proceed with this consultation precedes the development of the City Master Plan Open Space Layer, the proposed changes are relatively minor and would not be expected to significantly impact any future decisions regarding the Reserve that may arise from the Open Space Layer.

### **Edible Pocket Garden**

6. Edible pocket gardens are an emerging trend where small sections of public areas are used by local residents for growing edible produce with little or none of the formal governance structures associated with traditional larger scale community gardens.
7. An edible pocket garden was considered to be the most appropriate type of community garden for the Hewitt Avenue Reserve given the park's small size, closeness to neighbouring residential properties, and the lack of nearby parking options. Importantly, Hewitt Avenue Reserve is an invaluable area of open space used by local people for a variety of purposes, and a pocket garden can complement these uses rather than alienating them entirely.
8. It is recommended that consideration of any plans to alienate the entire reserve for any specific purpose (such as a larger scale community garden) be postponed until Council has developed the City Master Plan Open Space Layer. The Open Space Layer will provide integrated direction for Burnside's open space, including the most appropriate use of spaces such as the Hewitt Avenue Reserve.

### **Draft Concept Plan**

9. The draft concept plan presented at Attachment 1 reflects the results of the three rounds of community consultation.
10. Key features of the draft concept plan include:
  - a. Two small wicking beds to house an edible garden with nearby watering taps;
  - b. New shade tree, espalier planting, and understorey plating;
  - c. Seating and picnic setting;
  - d. Bollards;
  - e. Meandering pathway; and
  - f. Small art installation.
11. The two responses (7%) to the original consultation not supporting the concept cited concerns about possible untidiness or vandalism, people taking produce from the garden without contributing, and the attraction to the garden of "undesirable characters".
12. The very small scale of the proposed edible pocket garden is unlikely to cause any additional anti-social behaviour that could not already be attributable to the existing presence and elements of the reserve. Should any eventual decision by Council to build a pocket garden at this location result in any significant anti-social behaviour that cannot be remedied, the small scale of the concept would allow it to be easily removed at little cost.

### **Governance Structure**

13. Feedback from one respondent in the final community survey requested the creation of a formal management committee to manage the pocket garden.
14. It is not anticipated that the implementation of a community garden consisting of only two wicking beds requires any formal structure or management committee. It is instead expected that this grass-roots initiative will appeal to a small number of proactive and

community-minded local residents who will be able to self-organise and work together without needing bureaucratic governance.

15. Council's Community Gardens Policy envisages this approach where it states that an open access garden can be self-managed by volunteers.
16. In addition to the small number of people who have already indicated their interest in the pocket garden, a nearby business has also suggested they would be willing to help out. Council may be involved to some degree in its initial setup and but its long term success will be determined by local participation and support.
17. A small-scale, informal pocket garden such as this will be a first for Council and represents a pilot project that if successful, could be considered for other appropriate areas. Given the small scale of the proposal, it is anticipated that adaptations can be made with minimal cost or resourcing when lessons are learnt.

## IMPLICATIONS AND FINANCIALS

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Previous Decisions Nil

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**Risk Evaluation**      An assessment has been undertaken against the Risk Management Framework and Risk Appetite and the following observations should be taken into account when considering this report.

*Environmental:* Minimal and does not exceed risk appetite  
*Financial:* Minimal and does not exceed risk appetite  
*Legal and Regulatory:* Minimal and does not exceed risk appetite  
*People and Safety:* Minimal and does not exceed risk appetite  
*Reputation:* Minimal and does not exceed risk appetite. A co-design approach to community consultation was undertaken as part of this project to minimise any reputational risks associated with the proposed change of use of Hewitt Avenue Reserve.  
*Service Delivery:* Minimal and does not exceed risk appetite  
*Project:* Minimal and does not exceed risk appetite

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**Finance**                      1. The following table presents cost estimates for the various elements proposed in the draft concept plan:

Item	Est. Cost
Wicking beds x2	\$4,000
Tap for wicking beds	\$12,000
Drinking fountain	\$12,000
Shade tree	\$1,000

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Understorey planting	\$1,500
Espalier planting	\$1,000
Path	\$7,000
Seat	\$3,700
Entrance sign	\$4,000
Picnic setting	\$5,500
Entrance paving	\$5,000
Bollards	\$10,000
Incidentals	\$10,000
Artwork	\$10,000
<b>Total</b>	<b>\$86,700</b>

2. A budget submission of \$76,000 will be considered as part of the 2024/25 Business Plan and Budget for implementation of the concept plan. This bid would exclude the proposed artwork, which could be considered for funding in the context of the new Public Art Implementation Plan. Fifty per cent funding is being sought from the State Government's Open Space Grant Program, which if successful would return savings back to Council.
3. Council could consider staged implementation of the concept design over several years. In this scenario, priority elements for the first year of implementation would be the wicking beds, water tap, shade tree, plantings and drinking fountain. The pocket garden community could then seek funding through the Your Neighbourhood Budget or community grants programs to bring forward some of the other proposed elements.

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Resources            It is proposed that the edible pocket garden will be self-managed by the community.

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Legal & Legislative    Nil.

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Consultation

1. Following inclusion in the 2022/23 Annual Business Plan and Budget, a three-stage co-design approach was undertaken in the development of the Hewitt Avenue Reserve edible pocket garden draft concept plan.
2. Initial community consultation was undertaken from 17 March 2023 to 7 April 2023 to seek feedback on the proposal to create a small-scale edible pocket garden at the Reserve. A letter and survey was posted

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to 223 local residences within the surrounding neighbourhood. The survey was also made available via engage.burnside.

3. A total of 29 valid responses were received, with 27 respondents (93 per cent) supporting the proposal to add a small edible pocket garden to the reserve, along with such complementary elements as wicking beds, a new canopy tree, paths and a drinking fountain.
4. Following the favourable results of the initial survey, a co-design community workshop was held at the reserve on Wednesday 17 May 2023. The co-design approach allows interested residents to be actively involved in the design process and encourages participants to explore their ideas together.
5. Nine residents attended the workshop, including representatives from the East Residents Association and the Rotary Club of Eastwood, as well as Mayor Monceaux and Councillor Henschke.
6. The workshop commenced with a Q&A session followed by an opportunity for people to work together in drawing their ideas for an edible pocket garden on large site plans. Participants were also asked to provide comments to support their choices. Some participants also provided further ideas subsequent to the workshop. Three residents registered their interest in actively looking after the garden beds should Council eventually decide to proceed with implementation.
7. Based on the survey and workshop results, a draft concept design was prepared and then distributed to the workshop participants for their feedback.
8. The draft concept design was then distributed to Council Members via Information Document on 4 August 2023 ahead of a final round of community consultation from 9 August 2023 to 4 September 2023.
9. As part of this final consultation, a survey was distributed to local residents and online via engage.burnside, asking people for feedback on the draft concept design. Thirteen responses were received.
10. The following table summarises the feedback received in response to the question, *"What do you like about the Hewitt Avenue Reserve Draft Concept Design?"*:

Response	# of Mentions
Thoughtful improvement; great improvement; improvement to non-utilised park	3
Great addition to suburb	1
Thank you for improving	1
Will be more attractive	1
Sense of community involvement	1
Will encourage people to visit and enjoy	1
Yes	1

The position on the beds for maximum sunlight	1
Looks great keen to see it built	1
Elements: table x2, chairs x2, artwork sign x2, wicking beds, benches, fountain, understory planting	2
Good concept	1
Artwork not necessary	1
Develop a committee to manage the site	1

11. The following table summarises the feedback received in response to the question, *"Are we missing anything in the draft concept design (include key features you believe are important)?"*:

Response	# of Mentions
Location of garden beds needs afternoon shade	1
What is the watering regimen; irrigation/automatic watering	2
What is the pest control regimen	1
No further suggestions x2; nothing missing	3
Seating	1
Locate seating under tree	1
Lighting please	1
Work bench near wicking beds	1
Lemon/lime trees	1
Compost area	1
A community management committee	1

12. The following table summarises the feedback received in response to the question, *"Would you be interested in looking after the pocket garden should it be supported by the community and Council decides to install it?"*:

Response	# of Respondents
No	7
Yes	5
Maybe	1

13. The following table summarises the feedback received in response to the question, "Any other feedback?":

Response	# of Mentions
Two more bench seats with arm supports to be more inclusive	1
Promote to office workers in Kensington and Fullarton Roads	1
Best of luck	1
No other feedback	3
The existing pine trees drop needles and cannot sustain undergrowth, please remove and replace	2
Include night lighting as it is not a safe area	1
Great initiative; great idea	2
Let's get it built	1
Need a functioning management committee before investment in this land, otherwise maintain as a green, pocket park with more seats and trees	1

Strategic Plan

**Principles:** Service Sustainability, Communication and Engagement, Improvement and Innovation, Governing with Integrity

**Theme:** Community

**Goal:** 1. A resilient, healthy and connected community

**Priority:** 1.1 Flexible, fit-for-purpose facilities and places

**Theme:** Community

**Goal:** 1. A resilient, healthy and connected community

**Priority:** 1.2 Resilience, wellbeing and recreation

**Theme:** Community

**Goal:** 1. A resilient, healthy and connected community

**Priority:** 1.3 A sense of community



**Theme:** Community

**Goal:** 1. A resilient, healthy and connected community

**Priority:** 1.4 Facilities, services and programs that meet our community's needs

**Theme:** Environment

**Goal:** 2. Our city will be a leading environmental custodian

**Priority:** 2.2 Canopy cover, greening and open space

**Theme:** Place

**Goal:** 3. A City of accessible and liveable precincts, open spaces, and treasured heritage

**Priority:** 3.1 Master planning our City

## Policy

The following Council Policies are applicable:

- Burnside City Master Plan
- 2030 Strategic Community Plan
- Community Engagement (Public Consultation) Policy
- Community Gardens Policy
- Community Land Management Plan
- Environmental Sustainability Strategy
- Open Space Policy
- Public Art Policy
- Urban Tree Management Policy
- Urban Tree Strategy

## Environmental Sustainability

The addition of an edible pocket garden at the Hewitt Avenue Reserve with complementary features such as an additional shade tree and other plantings represents an example of sustainable "container / small area" gardening, which can have positive small-scale community and environmental benefits.

**Social Sustainability** Community gardens can contribute to social sustainability by promoting physical health, inclusivity and a sense of belonging. Community gardens also act as a host to bring people together for a common purpose and facilitate the creation of lasting social relationships.

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**CEO KPI** There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

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END OF REPORT



# Hewitt Avenue Reserve Edible Pocket Garden Draft Concept Design

Not to scale. Images indicative.



Eliza Lane



Hewitt Avenue

## Item No: 11.4

### 2024 Council Member Training and Development Plan

Report Number: 2024-3

Director: Chief Executive Officer

Author: Director Corporate

#### EXECUTIVE SUMMARY

The Council's Council Member Training and Professional Development Policy requires that the Chief Executive Officer prepares and presents to Council an annual Training and Professional Development Plan for Council Members. In 2024 there is a requirement for Council Members to complete the mandatory refresher training modules required under the LGA Training Standards for Council Members.

This report presents the Council Member Training and Professional Development Plan for 2024 for the endorsement of Council Members.

#### RECOMMENDATION

That Council:

1. **Endorses the Council Member Training and Professional Development Plan for 2024.**
2. **Notes that the Mandatory Refresher Training Modules will be presented on 7 May 2024, 18 June 2024, 2 July 2024 and 30 July 2024.**
3. **Notes that it is each individual Council Member's responsibility to complete the mandatory training modules prior to November 2024, after which the provisions of section 80A(2b) of the *Local Government Act 1999* will apply.**

#### ATTACHMENTS

1. DRAFT - 2024 Council Member Training and Professional Development Plan

#### DISCUSSION

1. Council's Council Member Training and Professional Development Policy requires the Chief Executive Officer to prepare an annual Training and Professional Development Plan (TPD Plan) for Council Members.

2. The TPD Plan supports Council Members to develop their sector knowledge, professional development and relationship building skills.
3. The TPD Plan outlines the activities that will be provided to Council Members as a group and how individual Council Members can access individual training and professional development activities.
4. The 2024 TPD Plan consists of three key components being the:
  - a. Mandatory mid-term refresher training modules required under the LGA Training Standards endorsed by the Minister for Local Government which comprises four modules;
  - b. Cyber Security training; and
  - c. Team Building to continue to build on and develop relationships between Council Members and senior staff.
5. The mandatory mid-term refresher training modules and team building activities will be delivered in a face-to-face environment and this year the Cyber Security training will be a self paced online learning module sent to Council Members to complete at their own pace.

#### ***Mandatory mid-term refresher training***

6. Section 80A of the *Local Government Act 1999* and Regulation 8AA of the *Local Government (General) Regulations 2013*, sets out the legal requirements for training and development for Council Members.
7. This training is required under the LGA Training Standards endorsed by the Minister for Local Government and like the previous mandatory training all Council Members need to complete all of the modules, otherwise, the suspension provisions of section 80A of the *Local Government Act 1999* will apply.
8. The four training modules have been scheduled for delivery prior to the catch up sessions being conducted by the Local Government Association. Only modules 2, 3 and 4 will be available as catch up sessions. The first module, Council Leadership Workshop, will only be available when delivered to Council Members on 7 May 2024.
9. The Local Government Association will provide the training modules to Council Members ensuring that there is continuity between the content delivered at the training sessions and the catch up sessions. A brief outline of each of the mandatory Mid-term Refresher sessions are listed below with the dates for their delivery and when a catch up session is scheduled to be held.

<b>Module</b>	<b>Topic</b>	<b>Length</b>	<b>Training Date</b>	<b>Scheduled Catch-Up Training Sessions</b>
1	<a href="#">Council Leadership Workshop</a> (not available as a catch up session)  An interactive session designed to unpack the effectiveness of your council's leadership. Take a deeper dive	3 hours	7 May 2024	Not available

	into understanding how differences in leadership styles bring value.			
2	<b>Legal Refresher</b> A refresher on Integrity provisions including, duties, conflict of Interest, gifts & benefits & behavioural standards for Council Members including the Behavioural Management Framework.	2 hours	18 June 2024	16 August 2024 21 October 2024
3	<b>Council Meetings and Procedures Refresher</b> A refresher on council and committee meeting procedures, effective participation at council and committee meetings and Information or briefing sessions.	2 hours	2 July 2024	16 August 2024 21 October 2024
4	<b>Financial Management Refresher</b> A refresher on managing public funds, business planning and budgeting, understanding financial plans and reports, legislative obligations, financial terminology and understanding audited financial statements and reports.	3 hours	30 July 2024	12 August 2024 14 October 2024

10. As completion of these modules is mandatory, there are no further refresher training sessions planned for the year. If there is a need for further refresher training arises there is the ability to schedule these on an as needs basis.

### ***Cyber Security Training***

11. Council Members are asked to complete an annual Cyber Security training activity.
12. It is proposed that in 2024, Council Members complete an online program that provides information and training about phishing, building upon the previously delivered training to further develop a cybersecurity conscious culture at Council.
13. The training program will be provided in an online environment designed to educate and empower participants to recognise and respond to various cyber threats effectively. Each Council Member will be provided with an individual link to commence the training and participants can complete the session at their own pace within a 30 day window. Each training module takes approximately 15 minutes to complete and serves to strengthen Council's Cyber Security posture.

### ***Council Member Feedback***

14. The draft of the TPD Plan was circulated to Council Members in December 2023 to provide comments and feedback on the proposed program.
15. Three responses were received, one response responded in support of the proposed program and was also happy to do 2 x 5 hour sessions on Saturdays should other Council

Members request it, two responses requested that further Team Building opportunities be included in the program.

16. Following the receipt of the comments from Council Members regarding the inclusion of further team building activities have been incorporated into the 2024 plan.

### ***Team Building***

17. A provision to allow for team building has been included in the TPD Plan following Council Member feedback. The team building activities can assist in building on and developing relations between Council Members and senior staff and can assist to:
- a. Build relationships with each other based on trust and mutual respect;
  - b. Contribute to a positive and ethical culture within the governing body;
  - c. Encourage and facilitate collaboration with each other;
  - d. Work towards consensus as members of the governing body for the benefit of the community ;
  - e. Manage alternative views within the Council without damaging relationships;
  - f. Champion and communicate the council's vision and strategic plans as a cohesive team;
  - g. Respect the diversity of skills and experiences on Council; and
  - h. Communicate and uphold the decisions of Council in a respectful way, even if their own positions are not adopted.
18. The 2024 TPD Program is presented to Council for endorsement and has been prepared to ensure that Council Members can complete their mandatory training requirements within the required timeframes. In addition to the activities being provided to all Council Members in the TPD Program, Council Members are encouraged to participate in additional training and development opportunities throughout the year.

## **IMPLICATIONS AND FINANCIALS**

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Previous Decisions C240123/13338

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Risk Evaluation	<p>An assessment has been undertaken against the Risk Management Framework and Risk Appetite and the following observations should be taken into account when considering this report.</p> <p><i>Legal and Regulatory:</i> Cautious and does not exceed risk appetite  <i>People and Safety:</i> Cautious and does not exceed risk appetite  <i>Reputation:</i> Cautious and does not exceed risk appetite</p> <p>There is a risk that Council Members will not engage in and complete the Mandatory Refresher Training Modules and complete these by November 2024, which will commence the provisions of section 80A of the Local Government Act 1999 which requires the Council to suspend members from</p>
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the Council until the training is completed. Council Members should be aware that the first module of the Mandatory Mid-term Refresher training program will be delivered on 7 May 2024 and this module is not available as a catch up session at a later date and time.

Failure to attend the training session on 7 May 2024, will mean that individual Council Members may jeopardise their position on the Council by not attending.

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Finance	There are no financial implications for the City of Burnside in respect of the recommendation.
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Resources	The Council Member Training and Development Plan will be delivered through the use of skilled facilitators and subject experts.
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Legal & Legislative	<p>The following legislation is relevant in this instance:</p> <ul style="list-style-type: none"> <li>• <i>Local Government Act 1999</i></li> <li>• <i>Local Government (General) Regulations 2013</i></li> </ul>
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Consultation	<p>The following communication / consultation has been undertaken:</p> <ul style="list-style-type: none"> <li>• Discussions with LGA Training and Executive Team</li> <li>• Consultation on draft Plan with Council Members through Information Document</li> </ul>
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Strategic Plan	<p><b>Principles:</b> Governing with Integrity</p> <p><b>Theme:</b> Spans all Strategic Plan Themes</p> <p><b>Goals:</b> Spans all Strategic Plan Goals</p> <p><b>Priorities:</b> Spans all Strategic Plan Priorities</p>
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Policy	<p>The following Council Policies are applicable:</p> <ul style="list-style-type: none"> <li>• Council Member Training and Professional Development Policy</li> <li>• LGA Training Standards for Council Members as gazetted by the Minister for Local Government</li> </ul>
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Environmental Sustainability      There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.

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Social Sustainability      There are no social sustainability implications for the City of Burnside in respect to the recommendation.

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CEO KPI      There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

The requirements of the CEO KPI - Governing with Integrity - G2 - Ensure the provision of Mandatory Training for all Council Members, is being met by the mandatory mid-term refresher program being delivered to Council Members in-house and opportunities to catch up on Modules 2, 3 and 4 being available to attend through the Local Government Association.

It is each Council Members responsibility to ensure that they complete the required modules within the legislative timeframe.

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END OF REPORT



**Council Members’  
Training and Development Plan  
2024**





## Contents

Background.....	3
Council Member Mandatory Training Requirements .....	3
2024 Training Plan.....	4
Scheduled Training and Development .....	4
Team Building .....	4
Annual Refresher Training .....	4
Additional Training and Development Opportunities .....	4
Attendance at Training and Development Sessions.....	5
Payments and Reimbursements.....	5
Council Members input into the Plan .....	5

## Document History

Date	Resolution No:	Change:
24/01/2023	C240123/13338	Adoption of Council Members' Training and Development Plan for 2023

## Background

Council adopts a Council Members' Training and Development Plan annually. The Plan facilitates:

- Scheduling of legislative training requirements and other discretionary training anticipated for the financial year.
- A clear framework for management of other training opportunities available to Council Members.

The Training Program supports Council Members to develop their sector knowledge, professional development and relationship building skills.

All Council Members are required to complete the mandatory mid-term refresher training which comprises part of the annual Training Program.

## Council Member Mandatory Training Requirements

Section 80A of the *Local Government Act 1999* (the LG Act) and Regulation 8AA of the *Local Government (General) Regulations 2013* (the General Regulations), sets out the legal requirements for training and development for council members.

The mandatory mid-term refresher training modules will be delivered to Council Members in May, June, July and August ensuring that Council Members will have the opportunity to complete the training by the November 2024 completion date.

This training is required under the LGA Training Standards<sup>1</sup> endorsed by the Minister for Local Government.

The Mandatory Mid-term Refresher Training for Council Members comprises four modules which need to be completed comprising:

- Mid-term Council Leadership Workshop (3 hours)
- Mid-term Legal Refresher (2 hours)
- Mid-term Council Meetings and Procedures Refresher (2 hours)
- Mid-term Financial Management Refresher (3 hours)

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<sup>1</sup> As published on 5 October 2022 by the LGA

# 2024 Training Plan

## Scheduled Training and Development

Council's Training Program for 2024 is centred around enhancing Council Members skills and completing the Mid-term Mandatory Training.

It is planned to complete the four Mandatory Mid-term refresher sessions in May, June, July and August 2024, allowing time for Council Members to attend any catch-up sessions held in August, September, October and November.

The Mid-term Refresher training sessions will be held on the first Thursday of each month and will run for a maximum of 3 hours.

Cyber security training will be provided to all Council Members in accordance with the recommendations of the Cyber Security Internal Audits previously conducted. This training will either be conducted in a face-to-face environment or through an online training provider.

## Team Building

Team building activities may be held to build on and develop relationships between Council Members and senior staff.

The aim of the Team Building activities is to:

- Build relationships with each other based on trust and mutual respect
- Contribute to a positive and ethical culture within the governing body
- Encourage and facilitate collaboration with each other
- Work towards consensus as members of the governing body for the benefit of the community
- Manage alternative views within the Council without damaging relationships
- Champion and communicate the council's vision and strategic plans as a cohesive team
- Respect the diversity of skills and experiences on the Council and
- Communicate and uphold the decisions of council in a respectful way, even if their own positions are not adopted.

## Annual Refresher Training

Annual refresher training on the following topics may be provided based on need/demand:

- Values, Ethics and Behaviour
- Communication and Effective Working Relationships

## Additional Training and Development Opportunities

Opportunities are offered to Members as they become available (through Council reports and individual correspondence).

Council Members wishing to take up training and development opportunities need to be mindful of the requirements of Council's Council Members' Training and Development Policy:

- A maximum of \$4,000 each Council term to attend individual training and professional development activities. These training and professional development activities can be held within South Australia or interstate.
- Council Members must prepare and submit to the Chief Executive Officer a written report in relation to their attendance at a training and development activity, in accordance with the policy within 4 weeks of attending the relevant activity.
- Expenditure on individual training and professional development activities is published in the Council's Register of Benefits and Entitlements and is included in the Council's Annual Report.

If a Council Member wishes to attend a training opportunity, they need to complete the training request form in the Council Member Portal.

Once received, the Office of the CEO will process the request by either approving the training request if it is within the CEO's delegation and if the Council Member has available funds from their allocation for the council term.

If the training request is for an amount over \$750 or is interstate, the Office of the CEO will prepare a report to the council for its consideration.

#### *Attendance at Training and Development Sessions*

Attendance at Training and Development sessions will be noted by Staff in Council's Annual Report, the Council Members' Training Register and in the Council Members' Register of Expenses.

Council Members' will be asked to complete the training sign in sheet available at each training session to ensure that their attendance is recorded. This is the official record of their attendance at this session.

If a member misses a training session which is a mandatory requirement of the LGA training standard, they will be required to either attend another session, if possible.

#### *Payments and Reimbursements*

Where Council has approved a Council Member's attendance at a training activity, the Council Member may seek reimbursement of expenses in accordance with Council's Council Members' Allowances and Benefits Policy.

## **Council Members input into the Plan**

Council Members are invited to provide feedback and ideas in relation to Council's Training Program, when there are no mandatory training modules to be completed.

The 2024 Council Member Training and Development plan comprises the four mandatory mid-term refresher modules Council Members are required to complete and the recommended annual Cyber Security training.

## Item No: 11.5

### Greater Adelaide Freight Bypass

Report Number: 2024-296

Director: Chief Executive Officer

Author: Director Environment and Place

#### EXECUTIVE SUMMARY

The City of Burnside has consistently voiced concerns about the presence of large freight trucks using the South Eastern Freeway and subsequently navigating local streets, such as Portrush Road and Glen Osmond Road. In alignment with the City's Master Plan, which prioritizes sustainable transport and safer streets, the Council has actively engaged with Federal and State authorities to address heavy truck traffic issues. The Greater Adelaide Freight Bypass (GAFB) project holds significance for Burnside.

Despite the recent federal funding removal for some road projects in South Australia, including the Truro Bypass, the planning study for the GAFB remains active. It is recommended that Council express its support for the renewed attention on the Truro Bypass project, emphasising its critical importance for the state and urging the allocation of funds for a well-designed and ready-to-implement stage. Further, it should stress the urgency of prioritizing the GAFB's importance to the Burnside community and the broader South Australian region.

#### RECOMMENDATION

##### That Council:

1. **Writes to the Hon Tom Koutsantonis MP (Minister for Infrastructure and Transport), the Hon Catherine King MP (Federal Minister for Infrastructure, Transport, Regional Development and Local Government), the Hon Vincent Tarzia MP (Shadow Minister for Infrastructure and Transport), Senator the Hon Bridget McKenzie MP (Shadow Minister for Infrastructure, Transport and Regional Development) and Mr Jack Batty MP (Member for Bragg) regarding the City of Burnside's:**
  - a. **continuing concerns about the safety of all road users (pedestrians, cyclists and drivers) due to large freight trucks utilising the South Eastern Freeway and subsequently navigating through local streets, notably Portrush Road and Glen Osmond Road;**
  - b. **support for the renewed attention on, and funding for, the Truro Bypass project, advocating for a well-designed and shovel-ready solution that aligns with the essential needs of the region; and**

- c. **request for a commitment to the progression of the Greater Adelaide Freight Bypass as pledged, emphasizing its priority status and acknowledging its substantial significance to the Burnside community.**
  2. **Writes to the ERA region Councils to encourage support of Burnside's position and to request that they also write to the relevant Ministers with their respective Council's position on the matter.**
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## **ATTACHMENTS**

None

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## **DISCUSSION**

### ***Background***

1. The City of Burnside has consistently expressed concern regarding the increased presence of large freight trucks utilising the South Eastern Freeway and subsequently navigating through local streets, notably Portrush Road and Glen Osmond Road.
2. Over the past few years, the Council has taken proactive measures by corresponding with Federal and State Ministers to highlight the necessity for enhancements in vehicle movement and public safety. This ongoing engagement reflects the Council's dedication to addressing the concerns stemming from heavy truck traffic within the City.
3. Further, the recently adopted City of Burnside Master Plan calls specifically for advocacy on this matter, and in particular states:
  - a. “Council has a vision for increased use of sustainable transport with safer streets to encourage more walking, cycling and public transport
    - i. Living local: Supporting more local trips to schools, shopping centres, parks and reserves by walking and cycling;
    - ii. Commuting smarter: Encouraging greater use of non-private vehicles and where practicable, support commuters to travel by bus, walking and cycling; and
    - iii. Managing heavy traffic impacts: Working with the State Government in the planning and design of future infrastructure.”
  - b. “The following transport themes were developed:
    - i. Managing through traffic movements with an advocacy role for the Council to collaborate with the Department for Infrastructure and Transport (DIT) on the management of the heavy freight trucks and external commuter traffic (non-Burnside resident traffic) on arterial roads, such as Portrush Road, Magill Road, Greenhill Road, Kensington Road, Fullarton Road and Glen Osmond Road.”
  - c. “A balanced transport system needs to consider the following key transport objectives:

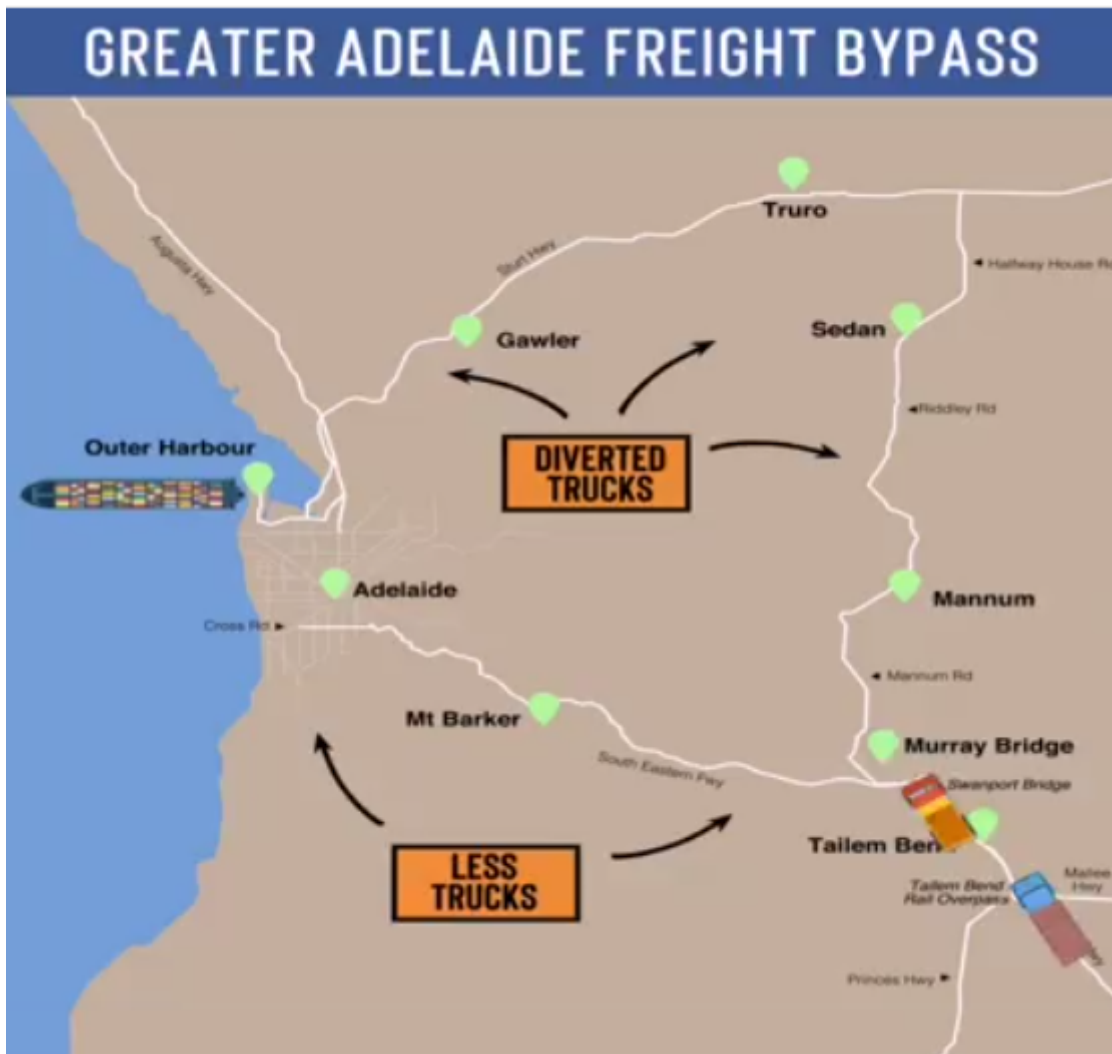


- i. Support for efficient and safe movement of all traffic including freight on the arterial road network

4. This is therefore considered a strategic priority by the City of Burnside.

**Greater Adelaide Freight Bypass Project**

- 5. The Department for Infrastructure and Transport (DIT) developed a Strategic Business Case for a High Productivity Vehicle Network (HPV), which encompasses a corridor stretching from the South Australian and Victorian border to the South Australian and Western Australia border, covering vital routes such as the Eyre, Sturt, Augusta, and Dukes Highways, as well as connecting routes around Greater Adelaide and to Outer Harbour.
- 6. This initiative represents the culmination of four Strategic Freight Studies Strategic Business Cases conducted in 2022. The specific projects under consideration were the Greater Adelaide Freight Bypass, Murray Bridge to South East Link, Swanport Bridge, and Eyre Highway Widening and Upgrade Planning Study.
- 7. Of particular significance to the City of Burnside is the Greater Adelaide Freight Bypass (GAFB) project within the broader HPV Network.



8. As part of the Department's Planning Studies Program, Road Corridor Planning Studies have been implemented along six key road corridors in Adelaide, including Payneham Road, Portrush Road, Unley Road, Cross Road, Brighton Road, and Main North Road. These studies comprehensively examine:
  - a. Patterns of living, working, visiting, and traveling within the respective road corridors.
  - b. Current challenges impacting the functionality of the road corridor.
  - c. Potential opportunities for enhancing the road corridor experience for all users.
  - d. Each study operates under the premise that roads are not merely conduits for transportation but integral locales where individuals reside, work, and engage in various activities. Anticipating future shifts in population and activity, the studies assess various indicators, such as road safety, travel times, public transport, pedestrian and cycling infrastructure, land use, heritage, environmental impact, and place experience.
9. The Corridor Study Report for Cross Road - Anzac Highway to South Eastern Freeway was made public in 2023 and is accessible on the Department of Infrastructure and Transport (DIT) website. The Study affecting Portrush Road is yet to be released, however once available, further information will be prepared and presented to Council.

#### ***Federal Announcement re Funding Removal***

10. In November 2023, the Federal Government announced the removal of federal funding for five prominent road projects in South Australia following an infrastructure review. The Hahndorf township improvement and access upgrade; the Main South Road productivity package; Mitcham's Old Belair Road upgrade; the Onkaparinga Valley Road – Tiers Road – Nairne Road intersection upgrade; and the Truro bypass.
11. Conversely, several other projects will continue as scheduled, and an additional \$2.7 billion in funding has been earmarked for the North-South Corridor – Torrens to Darlington. Emphasising a strategic approach, Infrastructure and Transport Minister Catherine King stated that the government's focus will be on initiatives designed to 'improve productivity and alleviate inflationary pressures.'
12. The Minister highlighted the outcomes of an independent review, indicating that the inherited Infrastructure Investment Program was deemed undeliverable. She emphasized the government's commitment to a proactive plan, ensuring that projects are planned and targeted to achieve substantial economic, social, and environmental objectives.

#### ***What does the Funding Removal of these projects mean?***

##### ***For Burnside:***

13. Regarding the needs and priorities of the City of Burnside, assurance has been provided that the planning study for the Greater Adelaide Freight Bypass (GAFB) remains in progress and has not been discontinued. This affirmation is based on the understanding that the Federal government's expenditure focus is strongly oriented towards productivity, and the GAFB aligns well with this overarching goal.
14. Additionally, the Department of Infrastructure and Transport (DIT) has committed to collaborating with local communities to explore interim mitigation measures along Portrush and Glen Osmond Roads while the planning work for the GAFB continues. This collaborative effort aims to address immediate concerns and enhance local conditions

during the ongoing planning phase.

*For the Region:*

15. The discontinuation of the Truro Bypass project has evoked initial disappointment among residents, particularly those residing in Truro, as it is perceived as a pivotal initial step toward the GAFB.
16. The project's suspension was attributed to its lack of readiness for implementation, and due to the realisation that the design would not achieve the intended goals. The initial study, originally designed for a single lane in both directions, revealed the inadequacy of such a configuration. Faced with the complexities and expenses associated with road duplication, a decision was made to re-evaluate the project, with the objective of achieving a comprehensive and effective solution.
17. Acknowledging the potential for negotiations between State and federal governments concerning funding for rural projects, the Mid-Murray Council is poised to collaborate with the government to enhance safety in the town during the project's hiatus. The urgency of this collaboration is underscored by safety concerns, with families expressing reluctance to permit their children to cross the road after school due to perceived dangers.

### ***Summarising the issue***

18. Importantly, the planning study for the Greater Adelaide Freight Bypass remains active and continues to be a significant focus for DIT.
19. The Truro bypass issue is not just a localised issue and is seen as an important first step for the completion of the Greater Adelaide Freight Bypass project. Therefore, to resolve the matter comprehensively for the benefit of all stakeholders, the resurgence of discussions around the Truro Bypass project and its associated funding can be viewed as an opportunity for improvement, as the current perspective indicates that the initial design was flawed.
20. There is a recognized need to reconsider and rectify the design to ensure its appropriateness, and seeking Federal commitment to re-design and fund is integral.
21. Considering these developments, it is recommended that Council express support for the renewed attention on the Truro Bypass project, advocating for a well-designed and shovel-ready solution that aligns with the essential needs of South Australia.
22. A formal letter from the Council could emphasize the project's critical importance for the entire state, urging the allocation of funds for its appropriately designed and ready-to-implement stage. Furthermore, emphasizing the vital significance of the Greater Adelaide Freight Bypass to the Burnside community is paramount, and the Council should underscore the urgency of recognizing and prioritizing this importance.

## **IMPLICATIONS AND FINANCIALS**

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Previous Decisions Nil

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Risk Evaluation      An assessment has been undertaken against the Risk Management Framework and Risk Appetite and the following observations should be taken

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into account when considering this report.

*Environmental:* Minimal or zero and does not exceed risk appetite

*Financial:* Minimal or zero and does not exceed risk appetite

*Legal and Regulatory:* Minimal or zero and does not exceed risk appetite

*People and Safety:* Minimal or zero, cautious and does not exceed risk appetite

*Reputation:* Minimal or zero and does not exceed risk appetite

*Service Delivery:* Minimal or zero and does not exceed risk appetite

*Project:* Minimal or zero and does not exceed risk appetite

**Finance**                      There are no financial implications for the City of Burnside in respect of the recommendation.

**Resources**                      This matter will be facilitated within existing resources.

**Legal & Legislative**      There are no statutory implications or requirements associated with this recommendation.

**Consultation**                      The following communication / consultation has been undertaken:

- Discussions with Department of Infrastructure and Transport staff

**Strategic Plan**                      **Principles:** Governing with Integrity

**Theme:**                      Place

**Goal:**                              3. A City of accessible and liveable precincts, open spaces, and treasured heritage

**Priority:**                          3.2 Council as an advocate and influencer to ensure our community's voices are heard

**Theme:**                      Place

**Goal:**                              3. A City of accessible and liveable precincts, open spaces, and treasured heritage

**Priority:**                          3.1 Master planning our City

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Policy                      The following Council Policies are applicable:

- *Road and Traffic Management Policy*

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Environmental Sustainability      There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.

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Social Sustainability      There are no social sustainability implications for the City of Burnside in respect to the recommendation.

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CEO KPI                      There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

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END OF REPORT

## Item No: 11.6

### Brown Hill Keswick Creek

Report Number: 2023-529

Director: Chief Executive Officer

Author: Director Corporate

#### EXECUTIVE SUMMARY

Brown Hill Keswick Creek is a Regional Subsidiary that has been established pursuant to Section 43 of the *Local Government Act 1999* and is a collaborative effort between the Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens to mitigate significant flood risks to the Brown Hill and Keswick Creeks catchment areas.

At its meeting on 8 August 2023, Council resolved to invite board members of the Brown Hill Keswick Creek Stormwater Project to brief Council on the project and to receive a subsequent report on the background, objectives and operations, including costs and benefits, for the City of Burnside being a continued member of the subsidiary as well as providing a summary of the subsidiary's charter. The Report notes that the City of Burnside's share of the capital investment is \$8.4m over the life of the Project, equating to \$480k per annum as well as 20% of the subsidiary's operating costs. The benefits include protection from flooding for private properties, infrastructure and arterial roads, as well as improving the quality of runoff and effect on receiving waters, the beneficial reuse of stormwater runoff and the protection of watercourses and riparian ecosystems.

#### RECOMMENDATION

That Council receive and note the **Brown Hill Keswick Creek Report**.

#### ATTACHMENTS

None

#### DISCUSSION

##### ***Background***

1. At the 8 August 2023 meeting of Council, Council resolved (C080823/13505):

That Council:

1. Notes that it is the determined policy of the City of Burnside that open watercourses be preserved and piped watercourses be returned to open channel where feasible, in view of the exceptional environmental and social value of creeks running in open channels.
2. Notes that on 28 April 2023 the Brownhill Keswick Creek council subsidiary wrote to the City of West Torrens expressing the view that Lower Brown Hill Creek could be "upgraded" by converting the open channel creek to a "covered culvert solution".
3. Notes that the Brownhill Keswick Creek council subsidiary has previously facilitated and celebrated the rehabilitative enclosing of creeks, for example Upper Brown Hill Creek Area 1 Everard Park.

and therefore:

1. Invites the Project Director and Chairperson of the Board of the Brownhill Keswick Creek Stormwater Project to present a Council Member Information Session on the history, strategy, operating capacity and financial affairs of the council subsidiary, and also on the objectives and delivery of the Stormwater Management Plan.
2. Receive a Report from Council Administration on the background, objectives and operations, including costs and benefits, for the City of Burnside being a continued member of the Brownhill Keswick Creek council subsidiary; in addition to receiving a summary of the Charter of the Stormwater Board.
2. A Council Member Information Session was scheduled on 5 December 2023, where the Brown Hill Keswick Creek (BHKC) Project Director and Project Manager attended and provided a presentation inclusive of the history, strategy, operating capacity and financial affairs of the Council subsidiary, as well as the objectives and delivery of the Stormwater Management Plan.
3. The following sections of this Report provide the background, objectives, charter information, and operations, including costs and benefits, for the City of Burnside being a continued member of the Brownhill Keswick Creek Council subsidiary. The information was sourced from the presentation provided by the BHKC and the Brown Hill and Keswick Creeks Stormwater Board charter.

### ***BHKC Project Background***

4. The BHKC Stormwater Project is a joint initiative by the City of Adelaide, the City of Burnside, the City of Mitcham, the City of Unley and the City of West Torrens (the Constituent Councils) to mitigate flood risk from Brown Hill, Keswick, Glen Osmond and Park Lands Creeks.
5. The Project was conducted as a joint arrangement between the Constituent Councils in accordance with a Memorandum of Agreement.
6. After over 10 years of development, the Brown Hill Keswick Creek Catchment Stormwater Management Plan 2016 (the SMP) was approved and gazetted in February 2017.
7. PA condition of the Stormwater Management Authority approving the SMP and committing funds to the project, was that a Regional Subsidiary be established to implement the plan

and manage the works. The BHKC Stormwater Board was established in February 2018 as a Regional Subsidiary of the Councils, pursuant to section 43 and schedule 2 of the *Local Government Act 1999*.

### **Objectives**

8. A Charter, prepared by the Constituent Councils and approved by the Minister for Local Government, governs the affairs of the Board by setting out its purpose, function and powers, including governance provisions.
9. The central purpose of the BHKC Stormwater Project is to effectively and efficiently deliver infrastructure works to mitigate serious flood risks and help safeguard properties across the BHKC catchment.
10. The Project is designed to provide flood protection to the community in the event of a 100-year average recurrence interval flood event which would impact almost 4,000 properties and result in a significant impact on Adelaide Airport, Ashford Hospital, major arterial roads, and freight corridors.
11. Development of the SMP involved a comprehensive assessment of flood mitigation options for the catchment, which spans approximately 70 sq km and includes both rural and urban areas.
12. The vision is underpinned by six key objectives for Adelaide stormwater management being:
  - a. protection from flooding;
  - b. quality of runoff and effect on receiving waters;
  - c. beneficial reuse of stormwater runoff;
  - d. protection of watercourses and riparian ecosystems;
  - e. effective planning outcomes; and
  - f. the management of stormwater infrastructure.

### **Operations, Costs and Benefits**

#### *Operations*

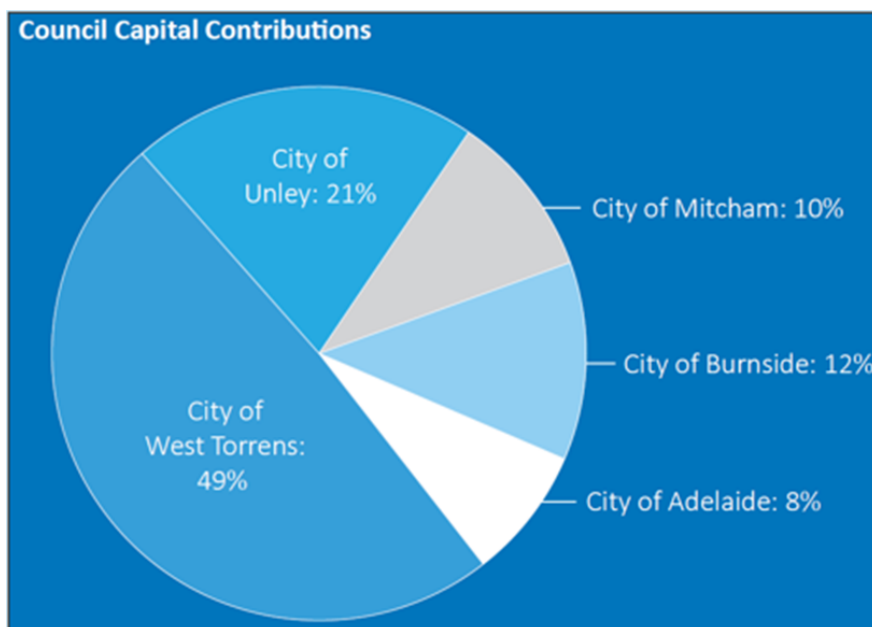
13. The BHKC Board (the Board) comprises five independent members appointed following recommendations made by a Nominations Committee of representatives from each Constituent Council. The Board meets 8 times per annum.
14. The Board's Audit & Risk Committee comprises nominated Board members along with an independent member and meets quarterly.
15. The Owners' Executive Committee is comprised of a representative from each of the Constituent Councils and meets with the Board quarterly.
16. The Board appoints a Project Director who is responsible for implementing the decisions of the Board and managing the operational requirements of the Project.
17. There is also a technical working group comprised of members from each of the Constituent Councils and provides a forum for discussion of design plans, scheduling and matters that are operational in nature.



18. As a body corporate under the *Local Government Act* 1999 and in all things acts through the Board.

*Project Funding*

19. The Project is largely funded by the Stormwater Management Authority (SMA) and the Constituent Councils, with the SMA commitment of \$70m being matched by \$70m from the Constituent Councils.
20. According to the Stormwater Management Plan, the cost-sharing between the Constituent Councils was designed to reflect both the extent of their contribution to the problem and the benefits that they each receive from any flood management actions and not be related to the specific location where those actions are implemented.
21. The capital contributions by the Constituent Councils are presented in the graph below, with the City of Burnside's commitment being 12% or \$8.4m over the life of the Project which translates to an annual capital contribution of \$480k.

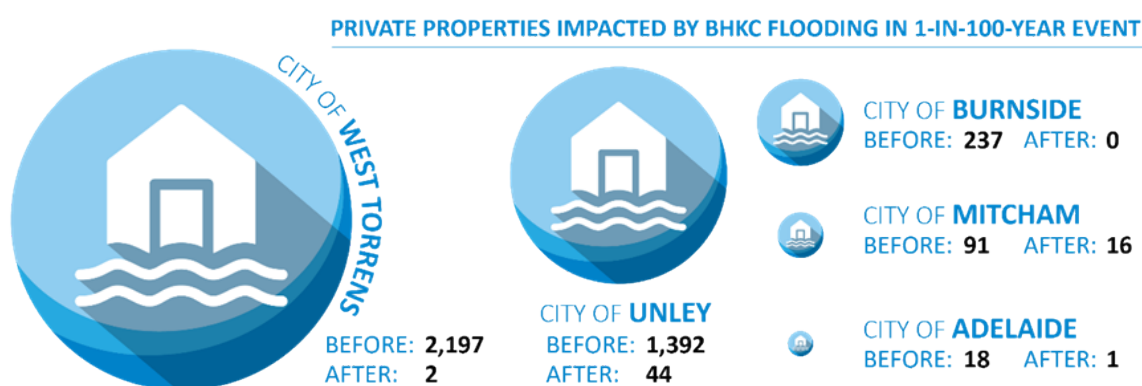


22. The operating contribution is evenly split between the five Constituent Councils at 20% each which for the City of Burnside is \$140k per annum.
23. Any shortfall that exists beyond the \$140m total from SMA and Constituent Councils is being pursued through targeted bids to State and Commonwealth Government and from available grant opportunities with a focus on disaster prevention, flood resilience and urban stormwater management. \$21m of Commonwealth grant funding has been secured in the past 18 months.
24. The Board's annual budget sets out the capital and operating funds that are required from Constituent Councils and the SMA. These amounts are determined following engagement with the Councils and SMA, including review of long-term financial plans and confirmation as to the level of funding available. Following adoption of the final budget, the Board has never requested additional funds from any of the Constituent Councils or the SMA. Project works are managed within budget annually.

25. Sufficient reserves are held by BHKC to ensure requests for additional funding from the Constituent Councils are not required and to provide the required matching funds in the event a grant funding submission is successful.

### *Benefits*

26. The whole-of-catchment flood mitigation strategy will reduce the number of properties at risk of creek flooding in a 1-in-100-year (1% Annual Exceedance Probability) event from 3,935 to 63.
27. Total damage estimates associated with a significant flood event is \$418.5m and the completed project will reduce that damage estimate to \$7.5m, a net benefit of \$411m. The infographic below highlights the benefit to private properties in each of the Constituent Councils, with the Project having 237 properties impacted by BHKC flooding in a 1-100 year event and the Project aiming to reduce that figure to zero.



28. The undertaking is also part of a regional effort to protect the community and infrastructure assets along major arterial roads and freight corridors as well as the Ashford Hospital and the Adelaide Airport.
29. Other beneficial objectives of the Stormwater Project, besides flood mitigation, include improving the quality of runoff and its effect on receiving waters, beneficial reuse of stormwater runoff, the protection of watercourses and riparian ecosystems, effective planning outcomes, and the management of stormwater infrastructure.

### ***Charter Summary***

30. The Charter of Brown Hill and Keswick Creeks Stormwater Board (the Charter), prepared by the Constituent Councils and approved by the Minister for Local Government, governs the affairs of the Board by setting out its purpose, function, and powers, including governance provisions.
31. The Charter also provides the Constituent Councils with a legally enforceable agreement specifying their rights and obligations in achieving common interests. It is not dissimilar to a contract between parties to jointly achieve a common objective.
32. The Charter includes the establishment of the Board as a Regional Subsidiary of the Constituent Councils, pursuant to section 43 and schedule 2 of the *Local Government Act 1999* and establishes among other things, the purpose, powers, functions of the Board, reporting requirements, insurance requirements and dispute resolution mechanisms.

*Financial and Reporting Key Points*

33. The Charter specifies the financial contributions by the Constituent Councils and specifies that the Regional Subsidiary may enter into separate funding arrangements with Constituent Councils and with any State or Federal Government or their agencies in respect of any project undertaken or to be undertaken by or on behalf of the Regional Subsidiary.
34. The Charter allows for an individual Constituent Council, with the agreement of the Board by resolution acquire, deal with, operate and/or manage a specific infrastructure asset or project whether in whole or part, provided such asset does not encroach across Council boundaries.
35. The Charter includes requirements for the Regional Subsidiary to have a business plan, budget, a long-term financial plan, an infrastructure management plan, and must submit an annual report including all works and operations to each Constituent Council before 30 September of the subsequent year.
36. The Charter specifies that within two weeks following each ordinary meeting of the Board, the Constituent Councils shall be provided with a Key Outcomes Summary of the meeting which shall include the achievements of the Regional Subsidiary against the business plan.

*Constituent Councils Directing the Regional Subsidiary*

37. The Charter requires that a determination or direction or other decision of the Constituent Councils must be made/given in the same or substantially the same terms.

*Alteration of the Charter*

38. The Charter may be altered by resolutions passed in the same, or substantially the same terms by the Constituent Councils. The Constituent Councils must take into account any recommendations of the Board prior to voting on an amended Charter.

*Withdrawal of a Constituent Council*

39. It is possible for a Constituent Council to withdraw from the Regional Subsidiary, providing at least 12 months written notice of the withdrawal (expiring on 30 June of a subsequent financial year) and enters into a binding agreement with, and to the satisfaction of the Regional Subsidiary and the other Constituent Councils to make payment(s) equivalent to the amounts it would otherwise be required to make as a continuing Constituent Council in respect of the full implementation of the Plan and the maintenance and renewal of the infrastructure assets and the administration costs of the Regional Subsidiary.
40. A withdrawal is subject to the other Constituent Councils approval as well as the Minister's approval.

*Dissolution of the Regional Subsidiary*

41. The Charter specifies that the Regional Subsidiary may be dissolved by the Minister in the circumstances envisaged by the Act.
42. In the event of there being net assets upon dissolution and after realisation of all assets and meeting all liabilities, the net assets will be distributed to the then Constituent Councils on the basis of their equitable interest (Capital Works) in the Regional Subsidiary.

43. In the event of there being an insolvency of the Regional Subsidiary at the time of dissolution, the then Constituent Councils will be responsible jointly and severally to pay the liabilities of the Regional Subsidiary and between themselves in the proportion of their equitable interest (Capital Works).

*Additional Information and Full Charter*

44. Council Resolution (C080823/13505) requires a Report on the background, objectives and operations, including costs and benefits, for the City of Burnside being a continued member of the Brownhill Keswick Creek council subsidiary; in addition to receiving a summary of the Charter of the Stormwater Board.
45. A copy of the Charter and additional information about the Project are available online at [Brown Hill Creak Stomwater Project](#) page.

## IMPLICATIONS AND FINANCIALS

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Previous Decisions C080823/13505

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**Risk Evaluation** An assessment has been undertaken against the Risk Management Framework and Risk Appetite and the following observations should be taken into account when considering this report.

*Environmental:* Minimal or zero does not exceed risk appetite  
*Financial:* Minimal or zero does not exceed risk appetite  
*People and Safety:* Minimal or zero does not exceed risk appetite  
*Project:* Minimal or zero does not exceed risk appetite

There are no further risks to Council with respect to the recommendation of receiving and noting the Report, however, risks were considered as part of Council's commitment to the Brown Hill Keswick Creek Stormwater Project which considered the financial and project risks against the risks to the community in the event of a 100-year average recurrence interval flood event.

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**Finance** There are no additional financial implications with respect to the recommendation of receiving and noting the Report, however, the existing commitment for the City of Burnside has been included in the body of this Report.

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**Resources** There are no resource implications associated with this recommendation.

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**Legal & Legislative** There are no statutory implications or requirements associated with this recommendation.

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Consultation	Nil
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Strategic Plan	<p><b>Principles:</b> Service Sustainability, Communication and Engagement, Improvement and Innovation, Governing with Integrity</p> <p><b>Theme:</b> Spans all Strategic Plan Themes</p> <p><b>Goals:</b> Spans all Strategic Plan Goals</p> <p><b>Priorities:</b> Spans all Strategic Plan Priorities</p>
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Policy	There are no policy implications or requirements associated with this recommendation.
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Environmental Sustainability	There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.
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Social Sustainability	There are no social sustainability implications for the City of Burnside in respect to the recommendation.
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CEO KPI	There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.
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END OF REPORT

## Item No: 11.7

### ERA Water Independent Review Request

Report Number: 2023-530

Director: Chief Executive Officer

Author: Director Corporate

#### EXECUTIVE SUMMARY

ERA Water is a Regional Subsidiary that has been established pursuant to Section 43 of the *Local Government Act 1999* and is a collaborative effort between the City of Burnside, City of Norwood, Payneham and St Peters and the Town of Walkerville. The purpose of the subsidiary is to develop, implement, oversee, and manage practical solutions to provide water supply diversity within and outside the Region and to primarily implement the Waterproofing Eastern Adelaide Project.

Correspondence has been received from the Town of Walkerville requesting the City of Burnside and the City of Norwood, Payneham and St Peters invest in an Independent Review of the subsidiary. With the efforts of ERA Water to expand its operations to maturity, and noting that previous reviews have been undertaken in recent years, along with improved reporting and ongoing monitoring, the report does not recommend undertaking an Independent Review at this time

#### RECOMMENDATION

**The Council does not support funding an external independent review of ERA Water at this time.**

#### ATTACHMENTS

1. ERA Water Letter - Request for Support

#### DISCUSSION

1. ERA Water is a Regional Subsidiary that has been formed by the City of Burnside together with the City of Norwood, Payneham and St Peters and the Town of Walkerville (the Constituent Councils) and established under Section 43 of the *Local Government Act 1999*. ERA Water's purpose is to develop, implement, oversee, and manage practical solutions to provide water supply diversity within and outside the Region and to primarily implement the Waterproofing Eastern Adelaide Project (the Scheme).

2. On Wednesday 1 November 2023, the Chief Executive Officer (CEO) of the Town of Walkerville wrote to the CEOs of the City of Norwood Payneham & St Peters and the City of Burnside to request the Constituent Councils for funding to jointly undertake an independent external consultant to undertake a comprehensive review of ERA Water's feasibility and long-term sustainability. A copy of the letter has been included in Attachment 1.
3. The letter is the result of its meeting held on 15 May 2023, where the Town of Walkerville Council resolved:
  1. That Council receive and note the ERA Water Draft Budget 2023-24 report.
  2. That Council adopt the ERA Water Draft Budget 2023-24 including an equity investment of \$200,000 and a Water Security Charge of \$33,000 for the 2023-24 financial year.
  3. That due to recent concerns raised by the Town of Walkerville's Audit Committee, Council directs Administration to commence discussions with the Administrations of both the Cities of Burnside and Norwood, Payneham & St Peters with the view of jointly engaging an independent external consultant in the first quarter of the 2023-24 financial year to undertake a comprehensive review of ERA Water, the feasibility of its long-term financial sustainability, and any risks associated with both the continuation and/or cessation of the subsidiary.

**CARRIED UNANIMOUSLY**

4. The concern of the Town of Walkerville Audit and Risk Committee, as noted in its meeting minutes from 27 April 2023, is that it views "*ERA Water as the most substantial risk to the Town of Walkerville*".
5. Although the Town of Walkerville is interested in investing in another independent review of ERA Water, on top of the cost of the review being unbudgeted, a review is not recommended at this stage for the reasons set out below.

***Business Operations***

6. ERA Water commenced operations in December 2018, with its establishment driven by the Constituent Councils' acknowledgment of financial benefits. These advantages include cost savings on park and reserve irrigation during drought periods, improving discharged water quality into the Spencer Gulf, and lessening reliance on the Murray River by utilizing recycled water.
7. Comprising two treatment sites and a 46-kilometer distribution network across three Council areas, ERA Water aims not only to supply its immediate constituents but also to extend recycled water availability to customers both within and beyond the Council jurisdictions.
8. Despite facing challenges such as dry weather conditions and lower-than-anticipated water injection and sales in its initial years, ERA Water encountered additional hurdles in 2020. SA Water's 18.5% reduction in water costs significantly impacted ERA Water, as the subsidiary sells water at or below the SA Water rate. Despite these obstacles, ERA Water has demonstrated notable progress in enhancing its operational and financial performance

as the subsidiary continues to grow its operations to reach maturity.

### ***Past Reviews***

9. Since its establishment, ERA Water has been subject to a number of reviews, including a review conducted in 2019 by Tonkin Consulting who were engaged to undertake an independent review which was tabled at the 10 December 2019 meeting of Council.
10. Another review was conducted by BRM Advisory in 2020 relating to divestment considerations following a commercial in-confidence offer by an entity to purchase ERA Water. BRM Advisory, as part of the process to determine the financial and commercial impacts of the Offer, including the financial and risk outcomes, assessed the forecast outcomes with ERA Water continuing to operate the assets over a 40 year period, based on ERA Water's Long Term Plan at that time.
11. The report concluded that there was no material value in the transfer of ERA Water's assets to the entity with the offer and following further discussion with the entity, including a counteroffer, the entity ultimately suspended the process. The ERA Water Board concluded that although the board remains open to further discussions with that acquirer or any other acquirer, the focus of the Board was to create value on behalf of the Constituent Councils by expanding the Scheme to spread the fixed costs per ML of water over a larger supply volume and securing a more reliable harvestable supply of stormwater.

### ***Responsibilities of the Board and Ongoing Reporting***

12. *The Local Government Act 1999* has specific functions for the board including Schedule 2(6)(c) "*that the council is advised, as soon as practicable, of any material development that affects the financial or operating capacity of the subsidiary or gives rise to the expectation that the subsidiary may not be able to meet its debts as and when they fall due.*"
13. Council's CEO has been appointed as a board member on behalf of the City of Burnside and continues to actively monitor ERA Water through increased reporting of the subsidiary to Council, as a standing item at the Executive Team agenda, and with increased financial reporting being provided by ERA Water.

### ***Constituent Councils Positions***

14. As of this writing, only the Town of Walkerville's position is known as the initiator of the request and the City of Norwood, Payneham and St Peters have not resolved a decision on the matter.

### ***Recommendation***

15. It is premature to proceed with another independent review at this time while the Scheme has not reached maturity, and supported by the fact that recent reviews have been undertaken and that there is ongoing and active monitoring of the finances and monitoring of ERA Water.
16. If Council wishes to proceed with another independent review of ERA Water, the resolution would need to specify whether it is willing to do so, noting the additional cost should the City of Norwood, Payneham and St Peters decide not to fund the undertaking.



## IMPLICATIONS AND FINANCIALS

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Previous Decisions Nil

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**Risk Evaluation** An assessment has been undertaken against the Risk Management Framework and Risk Appetite and the following observations should be taken into account when considering this report.

*Environmental: Minimal or zero does not exceed risk appetite*

*Financial: Balanced and does not exceed risk appetite*

*Reputation: Cautious and does not exceed risk appetite*

There is a known risk in Council's Strategic Risk Register that the performance of a regional subsidiary could negatively impact upon Council.

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**Finance** The following financial issues have been identified:

- The estimated cost of the Independent Review, according to the Town of Walkerville, is \$30,000. Should all three Councils resolve to proceed with the Independent Review the cost pressure to the City of Burnside would be approximately \$10,000 which has not been budgeted for the 2023/24 financial year.
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**Resources** The reports recommendations will be facilitated within existing resources.

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**Legal & Legislative** There are no statutory implications or requirements associated with this recommendation.

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**Consultation** The following communication / consultation has been undertaken:

- Council Member Information Session was held on Thursday 20 April 2023 to provide an overview of the ERA Water Subsidiary.
  - Letter received on 1 November 2023 from the Town of Walkerville regarding an ERA Water Independent Review.
  - Discussions with the Town of Walkerville and the City of Norwood, Payneham and St Peters.
  - Discussions with Council's Executive Team
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Strategic Plan      **Principles:** Service Sustainability, Communication and Engagement, Improvement and Innovation, Governing with Integrity

**Theme:**      Spans all Strategic Plan Themes

**Goals:**      Spans all Strategic Plan Goals

**Priorities:** Spans all Strategic Plan Priorities

---

Policy      There are no policy implications or requirements associated with this recommendation.

---

Environmental Sustainability      There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.

---

Social Sustainability      There are no social sustainability implications for the City of Burnside in respect to the recommendation.

---

CEO KPI      There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

---

END OF REPORT

# ATTACHMENT 1

The Corporation of the Town of Walkerville

ABN 49 190 949 882

66 Walkerville Terrace, Gilberton SA 5081

PO Box 55, Walkerville SA 5081

TOWN OF



WALKERVILLE

File Number: 40.6.5.3

Please Quote Ref: OLT202362965

Contact Officer: EA to the Mayor & CEO, Emma Spencer

Telephone: (08) 8342 7100

Facsimile: (08) 8269 7820

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

[www.walkerville.sa.gov.au](http://www.walkerville.sa.gov.au)

1 November 2023

Mario Barone Chief Executive Officer  
City of Norwood Payneham & St Peters

Chris Cowley Chief Executive Officer  
City of Burnside

Via Email: [MBarone@npsp.sa.gov.au](mailto:MBarone@npsp.sa.gov.au) / [CCowley@burnside.sa.gov.au](mailto:CCowley@burnside.sa.gov.au)

## Re: ERA Water Independent Review

Dear Mario & Chris,

As you are aware at its meeting held on 15 May 2023 the Town of Walkerville Council resolved that discussions be initiated with the ERA Water constituent council Chief Executive Officers. The view of jointly engaging an independent external consultant to undertake a comprehensive review of ERA Water's feasibility and long-term sustainability. This decision resulted from concerns raised by the Town of Walkerville's Audit & Risk Committee.

As agreed at our ERA Water constituent council CEO meeting held 11 October 2023, I am writing to request the support of your council to jointly undertake the engagement of an independent external consultant to undertake a comprehensive review of ERA Water's feasibility and long-term sustainability.

I'd like to now open these discussions and welcome your feedback regarding your interest in pursuing such a review.

Yours sincerely,

Andrew MacDonald  
**Chief Executive Officer.**

### Copy to:

Andrew Aitken  
General Manager  
ERA Water

[gm@erawater.com.au](mailto:gm@erawater.com.au)

## Item No: 11.8

### CEO KPIs 2023/24 Mid-Year Review

Report Number: 2023-399

Director: Director Corporate

Author: Group Manager People and Innovation

#### EXECUTIVE SUMMARY

In accordance with the CEO Review Committee Terms of Reference, the Chief Executive Officer was invited to provide a verbal presentation of the 2023/24 Financial Year Mid-Year Review KPIs as set out in the 2023/24 Performance Plan. Upon receiving the mid-year update, the CEO Review Committee determines if any changes are needed in the 2023/24 Performance Plan.

A flaw in the calculation for the KPI relating to Customer Requests has been discovered and the CEO Review Committee recommends to Council that it endorses an amendment of the KPI, so that the calculation for overdue customer requests is against a monthly average of lodged requests rather than against current open requests.

#### RECOMMENDATION

That Council:

1. **Endorses the CEO Review Committee's recommended amendment to the 2023/24 Financial Year CEO KPIs from *"Reduce the number of Customer Requests which are exceeding Council's set timeframes by more than 20 days, to under 5% of the total open customer requests."* to *"Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdues"* as presented in Attachment 2.**
2. **Receives and notes the CEO Review Committee minutes from 11 December 2023.**
3. **Receives and notes the CEO KPI Mid-Year 2023/24 presentation.**

#### ATTACHMENTS

1. Council Endorsed - CEO KPIs 2023-24
2. Proposed Amended - CEO KPI's 2023-24
3. 11 December 2023 - Minutes - CEO Committee
4. CEO KPI Mid Year Update 2023/24 Presentation

## DISCUSSION

1. The CEO Review Committee ("CEO Committee") Terms of Reference require the following steps to be undertaken when establishing a Performance Plan for the CEO:
  - a. The Committee's role is to, on an annual basis, and in conjunction with the Chief Executive Officer, establish the Key Performance Indicators (KPIs) aligned to Council's Strategic Plan, against which the performance review is to be conducted.
  - b. The Committee will seek input from Council Members and the CEO regarding the KPIs to be set for the CEO and will prepare a final Performance Plan with the assistance of a qualified independent person to be presented to Council.
2. The Committee finalises the Performance Plan inclusive of any amendments resolved by Council and distributes the final document to Council Members and the CEO.
3. The CEO Committee Terms of Reference require that the Committee will seek feedback after six months of the performance review period from the CEO to determine the CEO's progress in achieving the KPIs set out in the Performance Plan, and will determine any changes needed in the Performance Plan based on that feedback. Should any amendments be required to the Performance Plan those amendments will also be presented to Council.
4. At its meeting on 8 May 2023, the CEO Review Committee resolved (CP080523/0515):
  - a. *"Receive and endorse the draft CEO KPIs for the 2023/24 Financial Year subject to the discussed changes, and authorise the Mayor, as Presiding Member, to distribute them to Council Members for their feedback and commentary."*
  - b. *"Undertake a 360 feedback assessment of the CEO's Performance Plan as part of the CEO's Performance Appraisal for 2022/23."*

### **2023/24 Performance Plan - Customer Request Algorithm Issue**

5. Following consultation by the City of Burnside's Leadership Team, Council Members, and endorsement by the CEO Review Committee at the meeting held on 26 June 2023, the CEO KPIs for the 2023/24 financial year, included as Attachment 1, were endorsed by Council on 11 July 2023 (C110723/13498).
6. As part of the review of the 2023/24 CEO KPIs, it has been noted that KPI 'C3' contradicts itself, in the sense that the more Customer Requests (CRs) that are left open (but not overdue), the better the score. The tables below provide an example of the current reporting algorithm, with the shaded areas highlighting the data being used for the calculation.

Scenario 1: 995 of 1000 requests completed with one (1) overdue

<b>CRs Lodged</b>	<b>CRs Completed</b>	<b>=20%</b>
1000	995	
<b>CRs Open</b>	<b>CRs Overdue</b>	
5	1	

Scenario 2: 980 of 1000 requests completed with one (1) overdue

<b>CRs Lodged</b>	<b>CRs Completed</b>	<b>=5%</b>
1000	980	
<b>CR's Open</b>	<b>CRs Overdue</b>	
20	1	

**2023/24 Performance Plan - Proposed Customer Request Algorithm Solution**

7. With the current model and the flaw in the algorithm, it would encourage employees to leave requests open (but not 20 days overdue), in order to facilitate meeting the KPI, rather than focusing on completing requests as soon as possible.
8. Given the flaw in the algorithm, it is recommended by the CEO Review Committee that the KPI 'C3' is amended from *'Reduce the number of Customer Requests which are exceeding Council's set timeframes by more than 20 days, to under 5% of the total open customer requests'* to *'Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdues'* as set out in Attachment 2. This amendment will allow for valid and comparable reporting data while encouraging a higher level of customer service in terms of request completion.
9. The change will result in the status of that KPI from the current level of 13.60% to approximately 7.70%. There is still more work to do to reduce the number of requests that exceed 20 days overdue, however, the change to the algorithm rewards efficiency rather than penalises it.
10. It is important to note that the majority of requests exceeding 20 days overdue are due to awaiting contractors/consultants to perform the work, awaiting materials, or awaiting responses from the customer or third parties, however, the aged analysis for overdue requests adds an additional level of attention monitoring significantly overdue requests over time.
11. As part of its Terms of Reference, the CEO Committee provides a copy of the minutes from committee meetings to Council. A copy of the minutes from the 11 December 2023 meeting of the CEO Committee has been included as Attachment 3. At that meeting, the CEO Committee resolved (CRC11122023/380):

- a. " That the CEO Committee recommend to Council an amendment to the 2023/24 Financial Year CEO KPIs from 'Reduce the number of Customer Requests which are exceeding Council's set timeframes by more than 20 days, to under 5% of the total open customer requests.' to 'Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdues as presented in Attachment 2.'"

12. Having considered the feedback and recommendation from the CEO Review Committee, it is recommended that Council endorse the wording amendment to the 2023/24 Financial Year CEO KPIs and receive and note the minutes from CEO Review Committee meeting held on the 11 December 2023.

## IMPLICATIONS AND FINANCIALS

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Previous Decisions CP080523/0515  
C110723/13498

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Risk Evaluation An assessment has been undertaken against the Risk Management Framework and Risk Appetite and the following observations should be taken into account when considering this report.  
*Environmental:* Minimal or zero, does not exceed risk appetite  
*Financial:* Minimal or zero, does not exceed risk appetite  
*Legal and Regulatory:* Minimal or zero does not exceed risk appetite  
*People and Safety:* Minimal or zero does not exceed risk appetite  
*Reputation:* Minimal or zero does not exceed risk appetite  
*Service Delivery:* Minimal or zero does not exceed risk appetite  
*Project:* Minimal or zero does not exceed risk appetite

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Finance There are no financial implications for the City of Burnside in respect of the recommendation.

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Resources This CEO Review Committee is facilitated within existing resources.

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Legal & Legislative The following legislation is relevant in this instance:

- *Local Government Act 1999*
- 

Consultation The following communication / consultation has been undertaken:

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- The City of Burnside Leadership Team inclusive of Departmental Group Managers and Directors, were invited to provide a status update and commentary on the 2023/24 CEO KPIs.
- Consultation with the Chief Executive Officer regarding the proposed amendment to the KPI relating to Customer Requests.

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Strategic Plan      **Principles:** Service Sustainability, Communication and Engagement, Improvement and Innovation, Governing with Integrity

**Theme:**      Spans all Strategic Plan Themes

**Goals:**      Spans all Strategic Plan Goals

**Priorities:** Spans all Strategic Plan Priorities

---

Policy      The following Council Policy and documentation are relevant in this instance:

- *CEO Review Committee - Terms of Reference*

---

Environmental Sustainability      There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.

---

Social Sustainability      There are no social sustainability implications for the City of Burnside in respect to the recommendation.

---

CEO KPI      Any potential impacts on or threats to achieving the CEO's Key Performance Indicators will be discussed as part of the verbal presentation.

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END OF REPORT



## City of Burnside Chief Executive Officer Key Performance Indicators 2023/24 Financial Year

### Community

**C1 - Explore** future options and directions for Council Aged Care service offerings, noting pending changes related to Aged Care Reforms and ceasing of the Commonwealth Home Support Program.

**C2 - Advance** the City of Burnside Reflect Reconciliation Action Plan (RAP) and the Disability Access and Inclusion Plan (DAIP) within the endorsed 2023/24 timeframes.

**C3 - Reduce** the number of Customer Requests which are exceeding Council's set timeframes by more than 20 days, to under 5% of the total open customer requests.

### Environment

**E1 - Ensure** ongoing mitigation of corporate greenhouse gas emissions to meet carbon neutrality by 2030.

**E2 - Monitor** and report on tree canopy coverage, and advance canopy improvement strategies.

### Place

**P1 - Progress** development of the Marryatville Precinct Master Plan and detailed design and costings of the Regal Theatre Precinct Master Plan in line with endorsed timeframes.

**P2 - Undertake** the Historic Area Overlay and City Master Plan code amendments in line with endorsed timeframes.

**P3 - Undertake** development of the City Master Plan Open Space/Recreation and Sport Layer.

**P4 - Subject** to Council and State Government approval, **implement** the results of the 40kph zones approved from community consultation on the City Master Plan - Connecting People to Places.

### Governing with Integrity

**G1 - Review** the Burnside 2030 Strategic Community Plan and Environmental Sustainability Strategy in line with endorsed timeframes.

**G2 - Ensure** the provision of Mandatory Training for all Council Members.

### Improvement and Innovation

**I1 - Ensure** the migration of Council's primary Enterprise Resource Planning system from on-premise to a cloud environment.

**I2 - Continue** to deliver effective staff retention strategies to maintain a turnover rate at or below the industry average.



## City of Burnside Chief Executive Officer Amended Key Performance Indicators 2023/24 Financial Year

### Community

**C1 - Explore** future options and directions for Council Aged Care service offerings, noting pending changes related to Aged Care Reforms and ceasing of the Commonwealth Home Support Program.

**C2 - Advance** the City of Burnside Reflect Reconciliation Action Plan (RAP) and the Disability Access and Inclusion Plan (DAIP) within the endorsed 2023/24 timeframes.

**C3 - Reduce** the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdues

### Environment

**E1 - Ensure** ongoing mitigation of corporate greenhouse gas emissions to meet carbon neutrality by 2030.

**E2 - Monitor** and report on tree canopy coverage, and advance canopy improvement strategies.

### Place

**P1 - Progress** development of the Marryatville Precinct Master Plan and detailed design and costings of the Regal Theatre Precinct Master Plan in line with endorsed timeframes.

**P2 - Undertake** the Historic Area Overlay and City Master Plan code amendments in line with endorsed timeframes.

**P3 - Undertake** development of the City Master Plan Open Space/Recreation and Sport Layer.

**P4 - Subject** to Council and State Government approval, **implement** the results of the 40kph zones approved from community consultation on the City Master Plan - Connecting People to Places.

### Governing with Integrity

**G1 - Review** the Burnside 2030 Strategic Community Plan and Environmental Sustainability Strategy in line with endorsed timeframes.

**G2 - Ensure** the provision of Mandatory Training for all Council Members.

### Improvement and Innovation

**I1 - Ensure** the migration of Council's primary Enterprise Resource Planning system from on-premise to a cloud environment.

**I2 - Continue** to deliver effective staff retention strategies to maintain a turnover rate at or below the industry average.

## Council Meeting – Minutes

11 December 2023 | 6:00 PM  
Council Chambers at the Civic Centre,  
401 Greenhill Road, Tasmore

### Attendance

**Members Present:** Councillor Cornish, Councillor Daws, Councillor Harvey, Mayor Monceaux

**Staff Present:** Chris Cowley, Chief Executive Officer  
Ashleigh King, Group Manager People and Innovation  
Kyla Soden, People and Innovation Project Officer

### 1 Opening

Her Worship the Mayor declared the meeting open at 06:00 PM

### 2 Acknowledgement of Traditional Owners

With the opening of the meeting Her Worship the Mayor stated:

*We acknowledge this land that we meet on today is the traditional land of the Kaurna People and that we respect their spiritual relationship with their country.*

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

*We pay respect to the cultural authority of Aboriginal people visiting or attending from other areas of South Australia and Australia.*

### 3 Announcements

Her Worship the Mayor made announcements to the Chamber regarding Emergency Procedures, Use of Microphones and Queuing System, Mobile Phones and Public Gallery.

### 4 Absences

Apologies - Nil

Absent - Nil

Leave of Absence - Nil

### 5 Declaration of Interest

Members were reminded to declare their interest before each item.

### 6 Confirmation of Minutes



**6.1 Confirmation of Minutes**

The CEO Review Committee Meeting Minutes from 11 September 2023 and 13 November 2023 are presented for confirmation by the Committee.

**Motion**

Moved Councillor Cornish, Seconded Councillor Daws

That the minutes of the CEO Review Committee Meeting held on 11 September 2023 and 13 November 2023 be taken as read and confirmed.

**CARRIED  
CRC11122023/378**

**7 Adjourned Business**

Nil

**8 Reports**

**8.1 CEO KPIs 2023/24 Financial Year Mid-Year Review**

As part of the CEO Review Committee Terms of Reference, the Chief Executive Officer was invited to provide a verbal presentation of the 2023/24 Financial Year Mid-Year Review KPIs as set out in the 2023/24 Performance Plan. Upon receiving the mid-year update, the CEO Review Committee determines if any changes are needed in the 2023/24 Performance Plan.

A flaw in the calculation for the KPI relating to Customer Requests has been discovered and it is recommended that the CEO Review Committee consider amending that KPI so that the calculation for overdue customer requests is against a monthly average of lodged requests rather than against current open requests.

**Motion**

Moved Councillor Cornish, Seconded Mayor Monceaux

That Council suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period for a period sufficient to facilitate informal discussion in relation to CEO KPIs 2023/24 Financial Year Mid-Year Review and will resume at the discretion of Her Worship the Mayor).

**CARRIED  
CRC11122023/379**

The Short term suspension of Meeting Procedures commenced at 6.02pm and concluded at 6.45pm.

**Motion**

Moved Councillor Cornish, Seconded Councillor Harvey

That the CEO Committee recommend to Council an amendment to the 2023/24 Financial Year CEO KPIs from *"Reduce the number of Customer Requests which are exceeding Council's set timeframes by more than 20 days, to under 5% of the total open customer requests."* to *"Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdues"* as presented in Attachment 2.

**CARRIED  
CRC11122023/380**

**9 Urgent Business - Subject to the Leave of the Meeting**

Nil

**10 Closure**

The meeting closed at 06:49 PM.

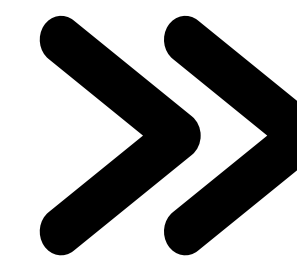
Minutes confirmed this                      day of                      2024

Mayor / Presiding Member

# CEO KPI'S

2023 / 24

MID YEAR UPDATE



# CEO KPI's THEMES

COMMUNITY

ENVIRONMENT

PLACE

GOVERNING WITH INTEGRITY

IMPROVEMENT AND INNOVATION

# COMMUNITY

**Explore future options and directions for Council Aged Care service offerings, noting pending changes related to Aged Care Reforms and ceasing of the Commonwealth Home Support Program**

**Ongoing  
- on track**

The following actions have been completed in this reporting period:

- A preliminary external review was completed by an independent consultant in September 2023
- Council Member Briefing regarding Aged Care and future recommendations for Burnside completed on 16 November 2023
- A Report was delivered to to Audit and Risk Committee on 20 November 2023
- At the 28 November 2023 Council Meeting, Council approved a business case to explore expanding services to non-CHSP funded residents. A Council decision about the future of Aged Care Services in Burnside is scheduled for 1st Quarter 2024/25. Administration will continue to review information released by the Department of Health and Aged Care as it arises.



# Advance the City of Burnside Reflect Reconciliation Action Plan (RAP) and the Disability Access and Inclusion Plan (DAIP) within the endorsed 2023/24 timeframes

## Reconciliation Action Plan (RAP)

**RAP IS ON TRACK TO BE COMPLETED BY DEC 2023**

82% of actions are Complete and 18% are In Progress.

Notable achievements of the Reflect RAP for this reporting period include:

- Drafting of a Kurna Cultural Heritage Management Plan
- Participation in The Circle First Nations Business Showcase
- Review of cultural learning needs of the organisation
- Cultural Awareness Training for Staff and Council Members.

## Disability Access and Inclusion Plan (DAIP)

**DAIP IS ON TRACK FOR COMPLETION BY DEC 2024**

67% are Complete and 20% are In Progress, and 13% are yet to commence.

The following actions are in planning or delivery stage:

- Disability and inclusion awareness and support training for local sporting and recreational clubs
- Staff Disability Access and Inclusion Training
- A Disability Expo is planned for 2024, connecting our community to disability services and programs in and around the City of Burnside.
- A review of the Advisory Group structure is underway to ensure the group actively contributes and provides value to Council programs, projects and decisions.

**In progress  
- on track**

We are proposing a change to that KPI to change it from:

*'Reduce the number of Customer Requests which are exceeding Council's set timeframes by more than 20 days, to under 5% of the total open customer requests'*

to

*'Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdue'*

The reason is that it may not be achievable unless we encourage staff to leave as many requests open for as long as possible without being overdue by 20 days. By comparing overdue requests against the monthly average of lodged requests instead of open requests, we get better data, improves customer service, and makes the KPI achievable without having to leave requests open.

**In progress  
- on track**

**Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdue**

### AMENDED KPI WORDING

Scenario 1: 995 of 1000 requests completed with one (1) overdue

CRs Lodged	CRs Completed	=20%
1000	995	
CRs Open	CRs Overdue	
5	1	

Scenario 2: 980 of 1000 requests completed with one (1) overdue

CRs Lodged	CRs Completed	=5%
1000	980	
CR's Open	CRs Overdue	
20	1	

The above example scenarios demonstrate that the more open CR's decrease the percentage, however this contradicts what we are trying to achieve, which is to close more CR's rather than keep them open.

## AMENDED KPI WORDING

Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly rolling average of lodged requests and including the presentation of an aged analysis of the overdues

### Current Data

CRS OPEN	
626	
CRS OVERDUE	= 12.60%
79	

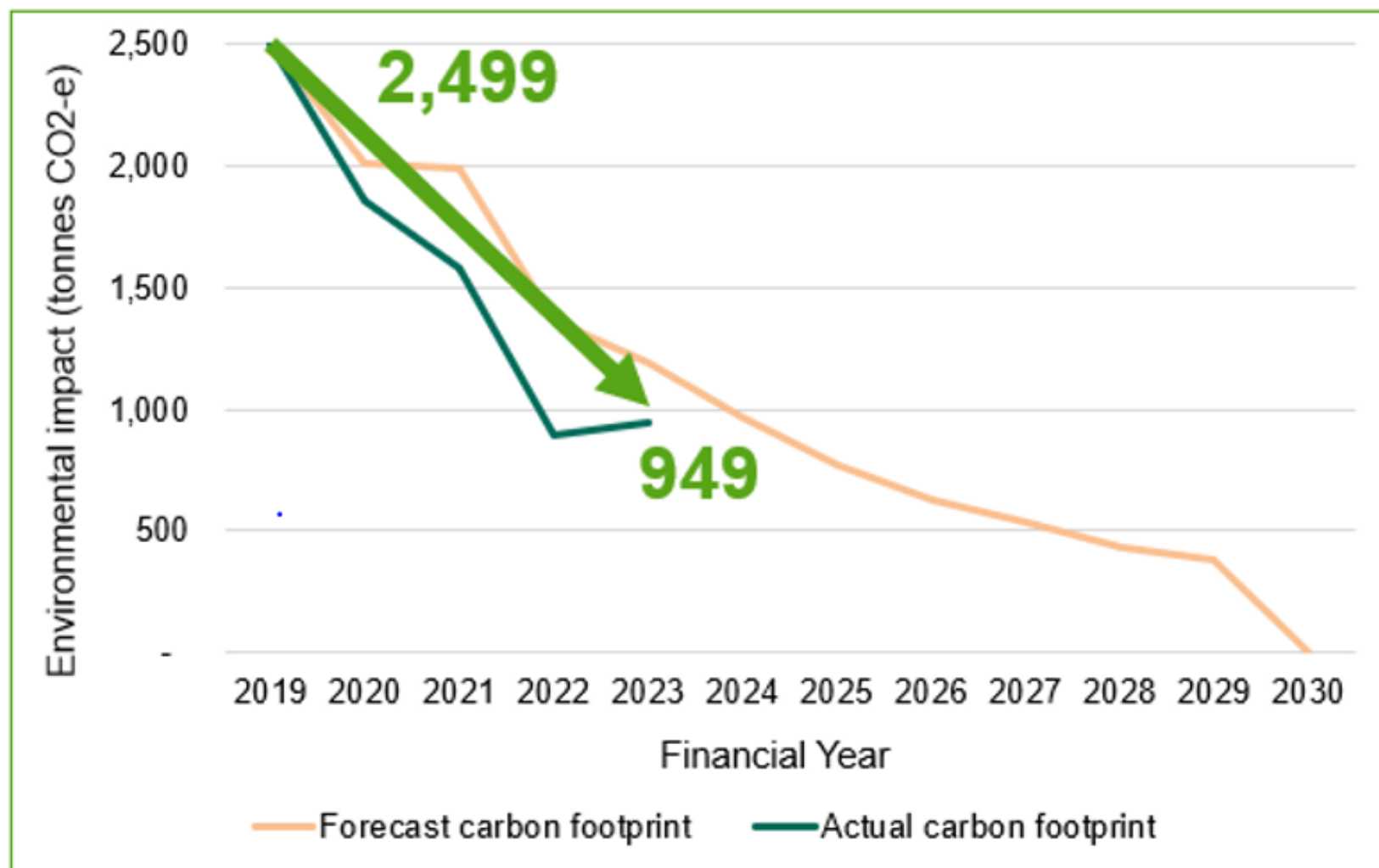
### Proposed Amendment Data

CRs Lodged (Average Monthly Lodged Requests 2023/24)	
1008	
CRS OVERDUE	= 7.84%
79	

# ENVIRONMENT

**Ensure ongoing mitigation of corporate greenhouse gas emissions to meet carbon neutrality by 2030**

**In progress  
- on track**



During 2023 (calendar year), solar panel systems were installed on several Council facilities including the Glynburn Depot, George Bolton Swim Centre and Dulwich Community Centre.

During 2024, an additional solar panel system will be installed at the Burnside Civic Centre. Additionally, the gas water heater at the George Bolton Swimming Centre will be replaced with a more efficient electric unit during the pool's off-season, between May and August 2024.

Other measures that are underway to reduce emissions and increase energy efficiency include the transition of fleet vehicles to hybrids and electric vehicles; progressive upgrades to building lighting and air-conditioning; participating in a project with Resilient East to assess carbon offsetting opportunities; exploring opportunities to establish a Power Purchasing Agreement for the purchase of renewable energy and lower electricity expenditure; and exploring opportunities to support the development of a community renewables initiative(s).



A comprehensive report on tree canopy is expected in early 2024. Council has been supporting state government to deliver this metro-wide project, with individual reporting for each local government area.

The 2024 report will be more precise than previous canopy coverage reporting.

Canopy improvement strategies are ongoing and on track, including: council tree planting programs (e.g., street trees, urban reserve trees, hills face reserve trees, and historic garden trees) and support for tree retention and planting on private land (e.g., native tree giveaway, biodiversity nursery giveaway, tree assistance fund, and a trial of a habitat grant scheme).

**Monitor and report on tree canopy coverage, and advance canopy improvement strategies.**



**In progress  
- on track**

# PLACE

**Progress development of the Marryatville Precinct Master Plan and detailed design and costings of the Regal Theatre Precinct Master Plan in line with endorsed timeframes.**

The first stage of community consultation on the Marryatville precinct master plan was undertaken in September 2023 and focussed on gathering ideas and aspirations from residents, businesses, and visitors to the precinct.

A draft master plan is being prepared on the basis of the results of the community consultation and a joint-Information Session for Council Members from both councils held on 21 November 2023. The draft master plan will be subject to a second stage of engagement scheduled for March 2024.

**In progress  
- on track**

**Undertake the Historic Area Overlay and City Master Plan code amendments in line with endorsed timeframes.**

**In progress  
- on track**

Council endorsed the City of Burnside City Master Plan on 9 August 2022 (C090822/13249).

The Plan seeks to balance the increasing demand for new housing in Burnside with the protection of the character our residents most value, while providing various traffic and transport improvements. Two Code Amendments are currently being prepared as a key step in putting the City Master Plan into action.

An Information Session explaining the City Master Plan was held on 14 February 2023, and a Confidential Session to introduce the proposed Code Amendments was held on 15 June 2023. A Confidential Session to further explain the content of the proposed Code Amendments was held on 18 July 2023 and meetings were held with Ward Councillors throughout August 2023.

The Proposal to Initiate the Code Amendments is being finalised for presentation to Council by February/March 2024. The date of the Council meeting that this will be presented will be advised once agreed. Community consultation can commence after the Proposal to Initiate, Code Amendment Package, and Engagement Plan for both Code Amendments have been endorsed by Council, and subsequently approved to proceed by the Minister for Planning.

## **Undertake development of the City Master Plan Open Space/Recreation and Sport Layer.**



**The City Master Plan Open Space/Recreation and Sport Layer Project Plan is currently being prepared.**

**The Project Plan is anticipated to be prepared by January 2024.**

**In progress  
- on track**



**Subject to Council and State Government approval, implement the results of the 40kph zones approved from community consultation on the City Master Plan - Connecting People to Places.**

The Burnside City Master Plan endorsed by Council in 2022 provides a strategic approach to managing population growth, development, and transport in Burnside. Council also approved an action plan setting out how the City Master Plan will be delivered. This included an action to undertake community consultation on 40km/h speed zones in specified areas.

Following consultation in March 2023, Council resolved in June 2023 (C270623/13479) to implement 40km/h speed zones in Rose Park, Dulwich, Toorak Gardens, Beulah Park, Kensington Park, Frewville, Glenunga, and Glen Osmond. Council also resolved in May 2023 (C090523/13438) to undertake consultation to introduce 40km/h speed zones in the suburbs of Magill and Kensington Gardens.

Consultation finished in October 2023 and in November 2023, Council resolved (C281123/13583) to implement 40km/h speed zones in Magill and Kensington Gardens. A submission to the Department for Infrastructure and Transport seeking approval from the Commissioner of Highways to install the 40km/h signs is currently being prepared and installation is scheduled to commence this financial year, pending DIT approval timeframes. The Submission is anticipated to go to the department by January 2024.



# GOVERNING WITH INTEGRITY

**Ensure the provision of  
Mandatory Training for all  
Council Members**

**Complete -  
Ongoing**

**All Council Members have been provided with their initial Mandatory Training and have completed all available modules.**

**The mandatory mid term refresher training content for the 2024/25 FY has not been determined by the Minister for LG and the LGA.**

**Council endorsed the draft Burnside 2030 Strategic Community Plan and draft Environmental Sustainability Strategy for the purpose of community consultation in September 2023 (C260923/13537).**

**Consultation on both strategies is scheduled to run from 15 November 2023 to 20 December 2023.**

**Review the Burnside 2030 Strategic Community Plan and Environmental Sustainability Strategy in line with endorsed timeframes.**



# IMPROVEMENT AND INNOVATION

**Ensure the migration of Council's primary Enterprise Resource Planning system from on-premise to a cloud environment.**

**In progress  
- on track**

**Solution design workshop was held and SaaS Transition Plan has been approved.**

**Data has been transferred to Technology One to build the Test environment. Spatial and cloud configuration is due for completion in March 2024 with user acceptance testing due in May 2024.**



**Continue to deliver effective staff retention strategies to maintain a turnover rate at or below the industry average.**



**In progress  
- on track**

Current calendar year turnover stats are at 10.09% in comparison to 12.9% for 2022 (This time last year).

The following actions are in planning or delivery stage:

- Reviewed Employee Exit Survey to dig deeper and highlight any areas for focus
- Strong focus on providing a psychological safe work environment for employees, with additional reporting measure in a confidential register
- Review of Reward and Recognition protocol following Ombudsman's Report - near competition
- Executive Team endorsed a heavy focus on Leadership Development for 2024
- Challenges discussed in the Special CEO Committee Meeting held on 13 November 2023.










# 2023/24 KPI PROGRESS SUMMARY







KEY:

 On Track/In Progress

 Complete

 At Risk

Explore future options and directions for Council Aged Care service offerings, noting pending changes related to Aged Care Reforms and ceasing of the Commonwealth Home Support Program	
Advance the City of Burnside Reflect Reconciliation Action Plan (RAP) and the Disability Access and Inclusion Plan (DAIP) within the endorsed 2023/24 timeframes	
Reduce the number of Customer Requests that are exceeding 20 days overdue to be below 5% against the monthly average of lodged requests	
Ensure ongoing mitigation of corporate greenhouse gas emissions to meet carbon neutrality by 2030	
Monitor and report on tree canopy coverage, and advance canopy improvement strategies.	
Progress development of the Marryatville Precinct Master Plan and detailed design and costings of the Regal Theatre Precinct Master Plan in line with endorsed timeframes.	
Undertake the Historic Area Overlay and City Master Plan code amendments in line with endorsed timeframes.	

Undertake development of the City Master Plan Open Space/Recreation and Sport Layer.	
Subject to Council and State Government approval, implement the results of the 40kph zones approved from community consultation on the City Master Plan - Connecting People to Places.	
Ensure the provision of Mandatory Training for all Council Members	
Review the Burnside 2030 Strategic Community Plan and Environmental Sustainability Strategy in line with endorsed timeframes.	
Ensure the migration of Council's primary Enterprise Resource Planning system from on-premise to a cloud environment.	
Continue to deliver effective staff retention strategies to maintain a turnover rate at or below the industry average.	



**Any Questions ?**

**Item No: 11.9****Mayor's Activity Report - 23 November 2023 to 22 December 2022**

Report Number: 2024-304

Director:

Author: Mayor

**EXECUTIVE SUMMARY**

This report presents the Mayor's Activities for the period 23 November 2023 to 22 December 2023 for the information of Council Members.

**RECOMMENDATION**

**That Council receives and notes the Mayor's Activity Report - 23 November 2023 to 22 December 2023.**

**ATTACHMENTS**

None

**DISCUSSION*****Activity Report***

- Visited Beatty Street RSL for anniversary of the Regiment on November 24th.
- Spoke at the East Residents' Association AGM on November 26th.
- Thanked the Volunteers at the event at The Regal on November 28th.
- Met with the CEO on 28th November and 12th December.
- Recorded Burnside Highlights on November 30th and December 13th.
- Addressed the Rotary Club of Burnside's Christmas lunch for seniors on December 3rd.
- Attended the Carer and Community Support Network Christmas event on November 30th.
- Turned on the Christmas lights outside the Town Hall on November 30th.



- Attended the Council Information Sessions on November 30th and December 5th.
- Attended the ERA Mayors' Breakfast on December 1st.
- Attended the Lions Club of Burnside Second Chance Sale on December 2nd.
- Spoke at the Eastwood Community Centre's Christmas Party and celebration on December 3rd.
- Presented the winners of the Mayor's Christmas Card competition with their prizes on December 4th.
- Judged a competition at Glenunga International High School on December 5th.
- Attended the SA Film Corporation Launch of Screen Circle at Government House on December 5th.
- Spoke to the Home Support Program participants and staff at their Christmas party on December 6th.
- Participated in the judging of the Citizen of the Year Awards on December 6th.
- Attended Sr Peters Girls Year 12 Graduation on December 7th.
- Hosted the Mayor's Christmas Dinner on December 9th.
- Presided over the CEO Review Committee meeting on December 11th.
- Joined the ERA Mayors for dinner on December 14th.
- Attended the Disability and Inclusion Community Advisory meeting on 18th December.
- Thanked the Burnside CFS Christmas Party on December 21st.
- Joined the Pineview Residents for Christmas on December 22nd.

## IMPLICATIONS AND FINANCIALS

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Previous Decisions NA

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Risk Evaluation NA

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Finance There are no financial implications for the City of Burnside in respect of the recommendation.

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Resources NA

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Legal & Legislative NA

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Consultation NA

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Strategic Plan NA

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Policy NA

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Environmental Sustainability NA

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Social Sustainability There are no social sustainability implications for the City of Burnside in respect to the recommendation.

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CEO KPI There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

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END OF REPORT

## Item No: 11.10

### Chief Executive Officer Report - December 2023

Report Number: 2023-526

Director:

Author: Chief Executive Officer

#### EXECUTIVE SUMMARY

This report provides Council with:

- Key activities and issues aligned to Council's Strategic Plan '*Burnside 2030*', undertaken by the Chief Executive Officer (CEO) in December 2023;
- A list of reports that have been requested by Council and their status, reports initiated by Administration, and future workshops; and
- An update on key strategic projects, significant operations and deliverables for the organisation.

#### RECOMMENDATION

That Council:

1. **Receives and notes the Chief Executive Officer Report - December 2023;**
2. **Determines:**
  - a. **that it will hold Information and Briefing sessions:**
    - i. **as required on the first and third Tuesdays of each month commencing at 6pm and running for a maximum of 2.5 hours, noting that in rare circumstances involving external stakeholders or due to timing that some Information or Briefing Sessions may be required to be held on days other than Tuesdays;**
    - ii. **will be predominately held in the Linden and Tusmore rooms located on Level 1 of the Burnside Civic Centre;**
    - iii. **will be chaired by the CEO or their delegate;**
  - b. **that Council Member Training and Professional development sessions are held for a maximum of 3 hours in accordance with the endorsed Council Member Training and Development Plan.**
  - c. **that the CEO is delegated the authority to determine the dates, times and locations of Information and Briefing or Council Member Training and Professional Development sessions.**

### 3. Notes the Behavioural Support Policy workshop will be held on Thursday 29 February 2024.

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## ATTACHMENTS

1. Reports and Workshops Register
  2. Council Dashboard
  3. BHKCS Project Update - November 2023
- 

## DISCUSSION

### *Confidential Items Released*

There were no confidential items released.

### *Monthly Activity*

The CEO attended the following meetings in December 2023:

- Meetings with Mayor Monceaux to discuss general Council business, as required;
- Fortnightly 1:1 with Directors of Community and Development, Environment and Place, and Corporate to discuss administrative matters and items of concern;
- Met with various Group Managers 1:1 to discuss administrative matters and items of concern;
- Met with Council Members 1:1 to discuss administrative matters and items of concern;
- Attended the LGA Research & Development Scheme online meeting;
- Attended the Resilient Water Futures Briefing;
- Attended the OLG Online Information Session 1 – Participation and Elections Review;
- Met with East Torrens Kensington Gardens Tennis Club Representative.

### *Reports and Workshops Register*

The following registers are contained in Attachment 1:

1. Reports Requested by Resolution of Council;
2. Future Agenda Reports
3. Future Workshops
4. Information Documents

### *Council Dashboard*

The Council Dashboard provided in Attachment 2 reports on a number of key data including

Customer Requests, Council Resolutions, Turnover Rate, Financial Performance and WHS; and aims to provide visibility, aid with decision making and track progress towards goals.

### *Human Resources*

- As at 2 January 2024, the current Full Time Equivalent (FTE) staff count is 178.48 FTE.
- There are eight (8) of these positions vacant/available. The positions vacant/available and their current status is as follows:

<b>Position</b>	<b>Status</b>
Youth Development Officer	Council approved position for July 2024.
Team Member Arboriculture	Council approved position for July 2024.
Transport Planner	Position to be recruited February 2024.
Historical & Cultural Officer	Position to be recruited January 2024 (Part-time temporary contract)
Group Manager Technical Services & Operations	Position to be recruited January 2024.
People Experience Programs Officer	Position to be recruited January 2024.
Accounts Payable Officer	Position to be recruited January 2024.
Coordinator Property & Facilities	Position currently being recruited.

### *Work Health and Safety (WHS)*

The WHS and Risk Team facilitated the annual WHS management system review and planning discussion with the Executive Team on 19 December 2023. The key outputs of this discussion will form the basis of a new 2024 WHS Plan. As part of the 2023 WHS plan, Council's Leadership Team undertook Mental Health First Aid Training during November in order to prepare Council's people leaders should they face the need to provide initial help to someone experiencing a mental health problem before professional help is sought.

### *Notifiable or Dangerous Incidents (as defined by WHS Act)*

Nil to report.

### *Insurance Issues*

Nil to report.

### *Risk Management Issues*

The Council engaged the Battleground Group to facilitate a crisis management exercise for the Crisis Management Team (CMT) on November 27, 2023. The exercise simulated a cyber-attack resulting in the Council losing access to and control over the Enterprise Resource Planning (ERP) system. A Ransomware demand was subsequently received prompting the CMT to consider both the technology disruption impacts and the response to the Ransomware demand.

*Regional Subsidiaries and Related Parties Update*

This section provides brief updates for the regional subsidiaries and related parties.

**Status**

**ERA WATER**



There are no areas of concern to report. Future updates will include the external water sales volume for Council Members information.

**HIGHBURY LANDFILL AUTHORITY**



There are no areas of concern to report.

**EAST WASTE**



There are no areas of concern to report.

**EASTERN HEALTH AUTHORITY & REGIONAL HEALTH PLAN**



Due to the time of year and competing calendars and interests, The Eastern Health Authority has been unable to convene a meeting of CEOs and Mayors to progress further discussions about the Charter. This will now occur early in 2024. One option that will be explored is using an early ERA meeting to discuss the matter.

The EHA CEO is in the process of preparing for the Annual Business Plan and Budget for 2024/25.

**BROWN HILL KESWICK CREEK STORMWATER PROJECT**



Refer to attachment 3 - Brown Hill and Keswick Creeks Stormwater Board Project Update November 2023.

**BURNSIDE RETIREMENT SERVICES INC.**




There are no areas of concern to report.

**BURNSIDE WAR MEMORIAL HOSPITAL**



There are no areas of concern to report.

**Status Indicator**

-  No problems
-  Monitor/Council decision required

- Active Council intervention required

## OTHER UPDATES AND INFORMATION

### *Information and Briefing Sessions*

- Council at its meeting held on 13 December 2022, determined that Information or briefing sessions would be held on Tuesdays or if required on a Thursday commencing at 6pm and running for a maximum of 1.5 hours and that Training and Professional Development sessions would run for a maximum of 2 hours on either Tuesdays or Thursday nights.
- In October 2023, an Information Session was conducted with Council Members where the feedback received indicated that there was a preference to limit Information or Briefing sessions to the first and third Tuesdays of each month allowing more time during those sessions. This would replace the practice and potential costs associated with hosting two Information and briefing sessions per week with one longer session.
- To ensure that Council completes its second round of Mandatory Training it is necessary to extend the time period of the Training and Professional Development sessions to a maximum of 3 hours. This will allow for sessions to cover the key learning outcomes in the time available without being split over a number of sessions. The larger window for training also allows for more flexibility for potential team-building sessions.
- Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 allows the Chief Executive Officer, through a report to the Council to amend or change a decision made by the Council in this Council term through a report to Council for its consideration.
- It is therefore recommended that Council schedule information or briefing sessions on the first and third Tuesdays of the month commencing at 6pm and concluding by 8:30pm.
- Additionally, Council resolution C260423/13425 requires that a Behavioural Support Policy is prepared and brought back to Council for endorsement for public consultation prior to adoption. In balancing the feedback from some Council Members to workshop this Policy early in the 2024 calendar year, while ensuring facilitator availability, it is recommended that Council note that the workshop will be held on Thursday 29 February 2024.

### *City Master Plan (Urban Form and Transport)*

- Council endorsed the City of Burnside City Master Plan on 9 August 2022 (C090822/13249). The Plan seeks to balance the increasing demand for new housing in Burnside with the protection of the character our residents most value, while providing various traffic and transport improvements.
- The Proposal to Initiate two Code Amendments to implement key aspects of the City Master Plan is being finalised for presentation to Council. Community consultation can commence after the Proposal to Initiate, Code Amendment Package, and Engagement Plan for both Code Amendments have been endorsed by Council, and subsequently approved to proceed by the Minister for Planning.

### *City Master Plan Traffic Initiatives*

- Work is underway on a submission to the Department of Transport and Infrastructure seeking approval of the 40km/h speed limit areas endorsed by Council on 27 June 2023 (C270623/13478) and 28 November (C281123/13583).

- The first stage of consultation on precinct plans / traffic management plans for Rose Park, Dulwich, Toorak Gardens, Frewville and Glenunga concluded on 15 December 2023. Meetings with relevant Ward Councillors will be arranged to discuss high level ideas and concerns and draft precinct plans / traffic management will then be prepared for the consideration of Council Members.

#### *Marryatville Precinct Master Plan*

- The first stage of community consultation on the Marryatville precinct master plan was undertaken in September 2023. This first stage focussed on gathering ideas and aspirations from residents, businesses, and visitors to the precinct.
- A draft master plan is being prepared on the basis of the results of the community consultation and a joint-Information Session for Council Members from both councils held on 21 November 2023. The draft master plan will be subject to a second stage of engagement scheduled for March 2024.

#### *Strategic Plans*

- Council endorsed the draft Burnside 2030 Strategic Community Plan and draft Environmental Sustainability Strategy for the purpose of community consultation on 26 September 2023
- Consultation on both strategies ran from from 15 November 2023 to 20 December 2023 and final strategies are being prepared for consideration by Council Members.

#### *Conyngham Street Dog Park*

- Construction on the Conyngham Street Dog Park was completed in November September 2023. The opening event originally scheduled for 25 November 2023 but postponed due to inclement weather was held on 20 January 2024.

#### *Recent Storm Event*

- On Monday 11 December 2023, the metropolitan area of Adelaide experienced a single day storm event with winds measured at 69 kph and gusting (BoM), and the preceding day was the highest rain total for the month at 30.6mm for Adelaide.
- As a result of this event, the City of Burnside was affected with many reports of tree failures and damage throughout the City, and during the first two and a half hours of business, Council received 150 customer contacts relating to the event.
- An initial high level summary of the outcomes of the event includes:
  - Approximately 520 work requests actioned
  - 1,818 rapid tree assessments completed, followed by 932 'Level 1' tree assessments (when deemed as required)
  - 160 trees identified for pruning and/or maintenance as a result of the event, including 42 removals
  - NB - All trees removed will be replaced in future planting seasons
  - 1 week of dedicated internal labour (all available field service staff and TSO technical staff) were used to initially respond, survey, make safe and finally clear.



- 1 and half weeks of suspended services, excluding essential and regulated services, to assist with the clean-up.
- Approximately \$50,000 in expenditure for arboriculture consultants, contractors and waste removal (still being invoiced), which will be assessed and considered in line with existing operational budgets.
- Any budget impacts will be fully assessed and reported to Council through the monthly budget reports.

## IMPLICATIONS AND FINANCIALS

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Previous Decisions N/A

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Risk Evaluation There are no risks associated with this recommendation.

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Finance In accordance with the Procurement Policy, the Office of the CEO is required to notify Council of any Procurement dispensations approved over \$100,000. For the month of December 2023 there were no dispensation approvals exceeding this value.

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Resources N/A

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Legal & Legislative There are no statutory implications or requirements associated with this recommendation.

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Consultation The following communication / consultation has been undertaken:

- Communication has been undertaken with internal staff and with external organisations as described in the body of the report.

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Strategic Plan

**Principles:** Governing with Integrity

**Theme:** Spans all Strategic Plan Themes

**Goals:** Spans all Strategic Plan Goals

**Priorities:** Spans all Strategic Plan Priorities

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Policy                      There are no policy implications or requirements associated with this recommendation.

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Environmental Sustainability                      There are no environmental sustainability implications for the City of Burnside in respect to the recommendation.

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Social Sustainability                      There are no social sustainability implications for the City of Burnside in respect to the recommendation.

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CEO KPI                      There are no impacts on or threats to achieving the CEO's Performance Indicators with this recommendation.

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END OF REPORT

1. REPORTS REQUESTED BY RESOLUTION OF COUNCIL

NO.	MEETING DATE	SUBJECT	OFFICER	TARGET DATE	STATUS
1.	26/04/2023	<p><b>Consideration of Adoption of Behavioural Support Policy under section 75F of the <i>Local Government Act 1999</i> (Report No. 096-23)</b></p> <p><b>(C260423/13425)</b></p> <p>That in accordance with section 75F of the <i>Local Government Act 1999</i> a Behavioural Support Policy is prepared which is brought back to Council for endorsement for public consultation purposes prior to adoption.</p>	DC	April 2024	On Track
2.	22/08/2023	<p><b>Traffic Management Winchester Lane One-Way Traffic Flow (Report No. 169-23)</b></p> <p><b>C220823/13509</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Approves the trial implementation of one-way traffic flow along Winchester Lane from south to north between Hewitt Avenue and Eliza Lane, Rose Park for up to twelve months.</li> <li>2. Notes that the Council will continue to monitor Winchester Lane with a particular focus on identifying illegal traffic flow with the support of SA Police and a report be presented to Council with the outcome of the trial.</li> </ol>	DEP	July 2024	On track
3.	16/09/2023	<p><b>Traffic Management Beulah Park and Kensington Park</b></p> <p><b>C120923/13527</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes that Beulah Park and Kensington Park are included in the Burnside City Master Plan as a medium term priority for precinct-wide traffic management planning.</li> </ol>	DEP	April 2024	On Track

## 1. REPORTS REQUESTED BY RESOLUTION OF COUNCIL

NO.	MEETING DATE	SUBJECT	OFFICER	TARGET DATE	STATUS
		<ol style="list-style-type: none"> <li data-bbox="373 350 1291 537">2. In the meantime, conducts a traffic management and road safety assessment of Walsall and Holden Streets and adjacent area of The Parade, Kensington Park and provides a report to be presented to Council by February 2024 focussing on ways to improve traffic flow, decrease congestion, and methods to improve the safety for local residents, pedestrians and students.</li> <li data-bbox="373 553 1291 643">3. Requests that the above report considers the implementation and impacts of prohibiting right turn movements from Walsall and Holden Street onto The Parade during school pick-up times.</li> <li data-bbox="373 659 1291 748">4. Engages with Pembroke School, local residents of Walsall and Holden Streets and local MPs to advise them of this motion and to seek comment.</li> </ol>			
4.	26/09/2023	<p data-bbox="373 789 989 821"><b>Leasing and Licensing of Community Facilities</b></p> <p data-bbox="373 837 569 862"><b>C260923/13541</b></p> <p data-bbox="373 878 537 902">That Council:</p> <ol style="list-style-type: none"> <li data-bbox="373 927 1291 1081">1. Notes that currently, under the Leasing and Licensing of Community Facilities Policy, many community groups provide sporting and social events in the City of Burnside and enjoy a peppercorn rent of \$1 per annum provided the tenant is responsible for maintenance of the facility.</li> <li data-bbox="373 1097 1291 1187">2. Notes that in local government jurisdictions throughout Adelaide, there are varied approaches to the charging of rent for community leases, including rent for buildings.</li> <li data-bbox="373 1203 1291 1390">3. In light of the above, obtain a report from Council Administration by the end of February 2024, summarising these varied approaches and provides options for a rationale that is more in line with current financial times, of charging sporting clubs rent for leased clubrooms in addition to any existing maintenance responsibilities that already apply.</li> </ol>	DEP	Feb 2024	On Track

## 1. REPORTS REQUESTED BY RESOLUTION OF COUNCIL

NO.	MEETING DATE	SUBJECT	OFFICER	TARGET DATE	STATUS
5.	10/10/2023	<p><b>Dog On-Leash Areas for Protection of Wildlife</b> <b>C101023/13545</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Conducts community consultation to determine support for declaring the following areas of Local Government Land as dog on-leash areas:               <ol style="list-style-type: none"> <li>a. Chambers Gully Reserve;</li> <li>b. Heatherbank Reserve;</li> <li>c. Michael Perry Reserve; and</li> <li>d. Wetland area at Kensington Gardens Reserve/Kensington Wama.</li> </ol> </li> <li>2. Be presented with the results of the community consultation to inform final decision making on the dog on-leash areas.</li> <li>3. In liaison with National Parks and Wildlife Carers, continues to monitor dog attacks of Koalas and other fauna in all Council reserves.</li> <li>4. Engages with State Government and advocates for greater haste in amending the Dog and Cat Management Act to implement stricter and consistent controls of pet cats.</li> </ol>	DC / DEP	May 2024	Consultation will be undertaken via a survey in the March Focus to be delivered in March
6.	14/11/2023	<p><b>Penfold Road Traffic Investigation</b> <b>C141123/13559</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Undertakes the preliminary investigation, inclusive of traffic surveys, accident analysis and funding estimates, of the following options for the Stonyfell Road / Penfold Road intersection:               <ul style="list-style-type: none"> <li>• A roundabout;</li> <li>• A different road surface treatment; and</li> </ul> </li> </ol>	DEP	April 2024	Due to the consultant not being available the report will now be presented in April.

## 1. REPORTS REQUESTED BY RESOLUTION OF COUNCIL

NO.	MEETING DATE	SUBJECT	OFFICER	TARGET DATE	STATUS
		<ul style="list-style-type: none"> <li>• Modification of the existing intersection layout, considering the banning of turning movements and closing of Penfold Road South.</li> <li>2. Allocates additional operational funding within the current budget of \$10,000 for a consultant to undertake the preliminary investigation.</li> <li>3. Receives a report on the investigation findings by the end of February 2024.</li> </ul>			
7.	28/11/2023	<p><b>Beaumont Common Management Plan</b> <b>C281123/13585</b></p> <p>That Council approves the draft Beaumont Common Management Plan to proceed to community consultation and receives a report with the results for further consideration.</p>	DEP	TBA	
8.	28/11/2023	<p><b>Civic Centre Masterplan</b> <b>C28/11/23/13588</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives a briefing or workshop by end February 2024 which considers and addresses the status of the Civic Centre Masterplan and in particular updates the following aspects:             <ol style="list-style-type: none"> <li>a. Background and summary of the Masterplan;</li> <li>b. Condition data and use of current assets on the Civic Centre site;</li> <li>c. Council Member facilities including Council Chambers, and a brief discussion with respect to limitations and issues with the current location;</li> </ol> </li> </ol>	DEP	April/May	Briefing date to be finalised.

## 1. REPORTS REQUESTED BY RESOLUTION OF COUNCIL

NO.	MEETING DATE	SUBJECT	OFFICER	TARGET DATE	STATUS
		<p>d. Detail on external facilities at the site with respect to landscaping, tree health, car parking etc.; and</p> <p>e. Open discussion on the previous draft Plan and opportunity for Council Members to provide their thoughts on what they would like to be considered.</p> <p>2. Receives a Report, following the briefing, which presents options for revising or updating the Master Plan, and that any resource requirements including additional budgets for progressing are clearly identified for Council consideration.</p>			
9.	28/11/2023	<p><b>Regal Theatre Precinct Master Plan Concept Design</b> <b>C281123/13590</b></p> <p>Confidential Resolution – further information will be provided to Council.</p>	DEP	June	On Track

## 2. FUTURE AGENDA REPORTS *(Initiated by Administration)*

NO.	MEETING DATE	SUBJECT	OFFICER	TARGET DATE	STATUS
		Asset Management Plans	DEP	Feb 2024	Pending
		Kensington Gardens Rugby and Cricket Clubroom Upgrade	DEP	March 2024	Pending
		Requests for Council Contribution to Community Facility Upgrade	DEP	March 2024	Pending
		Annual Review of Confidential Items	DC	April 2024	Pending
		Code Amendments	DEP	TBA	Pending
		Aged Care Services Report	DCD	2024 TBC	Pending
		Policy Review <ul style="list-style-type: none"> <li>- Procurement</li> <li>- Unsolicited Proposals</li> <li>- S270</li> </ul>	DC	2024	Pending



### 3. FUTURE WORKSHOPS

*(Note this does not include Mandatory and Essential Training)*

DATE	TOPIC
29/02/2024	Behavioural Support Policy
5/03/2024	Budget Briefing 1
14/03/2024	Budget Briefing 2
19/03/2024	Budget Briefing 3
4/06/2024	Budget Briefing 4

*2024 Council Member Information Sessions are currently being finalised and will be added to the Future Workshops table in the Chief Executive Officer Report - January 2024.*

#### 4. INFORMATION DOCUMENTS ISSUED

Date	Topic
10/01/2024	Draft Dog & Cat Management Plan 2024
	Hills Face Road Verge Management
	Telecommunications Facilities on Council Land Policy
17/01/2024	LG Participation and Elections Review Consultation
	Air Apartment Update
	Community Grants Program 2024/25, Applications Open and Updated Guidelines

Council Member Dashboard

COUNCIL RESOLUTIONS

ITEM	TARGET	ACTUAL	
Overdue Council Resolutions	0	0	●

There were no overdue Council Resolutions in December 2023.

PROPOSED NEW CALCULATION V3 - CUSTOMER SERVICE REQUESTS

ITEM	TARGET	ACTUAL	CRs Lodged Last Month	Avg. No. of CRs Lodged per Month	CRs More Than 20 Days Overdue
Number of Requests 20+ days overdue to be below 5% against the monthly rolling average of lodged requests	< 5%	3.2%	1220	102	40

A change to this KPI and Reporting has been recommended by the CEO Review Committee for Council Adoption on 23 January 2024 and reflected on this dashboard.

AGED ANALYSIS OF OVERDUE REQUESTS

20 to 30 days overdue	30 to 60 days overdue	60 to 90 days overdue	90 to 120 days overdue	120+ days overdue
20	15	1	2	2

Many of the significantly overdue requests are due to complexity, waiting for the customer, or are awaiting third parties and are being monitored.

FINANCIAL PERFORMANCE

ITEM	TARGET	ACTUAL	
Operating Surplus (YTD Actual vs YTD Budget)	100%	103%	●

December YTD operating surplus is on par with the budgeted position.

STAFF TURNOVER

ITEM	TARGET	ACTUAL	
Rolling 12 Month Staff Turnover Rate (updated quarterly)	< 15%	12.79%	●

The 12 Month turnover rate at December 2023 was below the 15% Australian LGA average.

- On Track
- Receiving Attention

This report provides an update to our owner Councils and interested parties on the current financial performance of the Brown Hill and Keswick Creeks Stormwater Board, an overview of capital works projects, and recent activities of interest.

Prepared by Peta Mantzarapis, Project Director

## Financial Summary

as at 31 October 2023

### FY24 YTD Operating Summary

	Actual YTD	Budget YTD	Variance \$
Income	\$514,892	\$464,299	\$50,593
Expenses	(\$324,505)	(\$304,431)	(\$20,075)
<b>Net Surplus</b>	<b>\$190,387</b>	<b>\$159,868</b>	<b>\$30,519</b>
Depreciation	(\$56,174)	(\$56,176)	\$2

### FY24 YTD Capital Income Summary

	Actual YTD	Budget YTD	Variance \$
Constituent Councils	\$2,000,000	\$2,000,000	\$0
SMA Funding	\$0	\$4,000,000	(\$4,000,000)
Federal Funding	\$0 <sup>1</sup>	\$0	\$0

<sup>1</sup>The Statement of Comprehensive Income shows Federal Funding of \$3,534,178 for July 2023. This is a reallocation of funds previously received but not yet spent in the 2022/23 financial year.

## Project Delivery

The Stormwater Management Plan outlines a whole of catchment flood mitigation strategy that comprises 4 stages:

**Stage 1 – Flood detention (Complete)**  
Detention storages in the upper catchment that will reduce the downstream flow rates.

**Stage 2 – Lower Brown Hill Creek (In Progress)**  
Upgrading the flow capacity of Lower Brown Hill Creek so that it can receive the diverted flows from Keswick Creek.

**Stage 3 – Flow Diversions (On Hold)**  
Diversion of flows from Keswick Creek to Brown Hill Creek before they can 'break-out' of the channel.

**Stage 4 – Upper Brown Hill Creek (In Progress)**  
Upgrading the flow capacity of Upper Brown Hill Creek and Glen Osmond Creek to prevent 'break-outs' and flooding of private property.

The Project has a funding shortfall which impacts on the ability for all remaining works to be delivered under the current funding model. Additional funding contributions are therefore required to ensure project completion.

While priority remains on securing additional project funding to 'fill the gap', the Board's current delivery schedule prioritises completion of Lower Brown Hill Creek upgrades and targeted priority areas within Upper Brown Hill Creek. The Keswick Creek Flow Diversions remain unfunded under the current funding model and delivery will be reliant upon an injection of project funding.

The Board continues to pursue new funding opportunities.



## Funding Applications

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The Australian Government's **Disaster Ready Fund** will provide up to \$1 billion in funding over the next 5 years, with up to \$200m in funding available annually. The fund aims to build natural disaster resilience and risk reduction, with a focus on delivery of infrastructure projects and systemic risk reduction projects.

Two applications were submitted for funding under round 1 and both of these applications were successful:

1. \$3.7m in funding awarded to upgrade a 320 metre section of Upper Brown Hill Creek in Forestville. Delivery of this section will mark completion of the Area 1 upgrades of Upper Brown Hill Creek. Total project cost \$7.4m.
2. \$2.387m in funding awarded to upgrade a 230 metre section of Upper Brown Hill Creek in Hawthorn. The channel runs through private properties that were inundated in 2016 and remain vulnerable to flooding. Total project cost \$4.774m.

The Australian Government's **Urban Rivers and Catchments Program** is aimed at restoring the health of urban waterways for native plants and animals, and local communities. A commitment of \$4.93m has been made for delivery of works within key areas of public open space including Forestville Reserve, Orphanage Park and Betty Long Gardens.

A funding application was recently submitted under the Commonwealth Government's Disaster Risk Reduction program. This application seeks funds to prepare whole-of-catchment model using the flood model data from both the Board and Constituent Councils. This model will provide a greater understanding of existing and residual flood risk.

Expressions of Interest have been called for Round 2 of the Disaster Ready Fund, with formal applications to open in January 2024. Round 2 of the Urban Rivers and Catchments Program has also recently opened. Funding applications will be prepared for both of these programs.

## Stakeholder Engagement

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Recent and scheduled future presentations to stakeholders includes:

- **City of West Torrens** elected member briefing in June 2023
- **Industry briefing** associated with the new packages of Lower Brown Hill Creek upgrades in August 2023
- Presentation to the **Mitcham Historical Society** in September 2023
- **City of Mitcham** elected member briefing in October 2023
- **Stormwater Management Authority Board** briefing in October 2023
- **Lower Brown Hill Creek community** information session in October 2023
- **City of Burnside** elected member briefing scheduled for December 2023
- **City of Unley** audit committee briefing scheduled for early in 2024

## Lower Brown Hill Creek, Packages 1-3

Packages 1 to 3 of the Lower Brown Hill Creek Upgrade will involve doubling the flow capacity of a 1.7-kilometre-long section of channel beginning at the south-eastern corner of Adelaide Airport and ending at Birdwood Terrace. The channel is primarily situated within a 12-metre-wide reserve owned by City of West Torrens.

### Key Messages

Construction has resumed on Package 1A: Channel Upgrade – Keswick Creek to Watson Avenue and Package 1C: Crossing Upgrade – Watson Avenue is approaching Practical Completion. The tender process has concluded for Package 1B: Channel Upgrade – Watson Avenue to Marion Road and Package 1D: Crossing Upgrade – Harvey Avenue, and advanced works have commenced for those packages (including service authority relocations). Detailed design is nearing completion for the remaining work packages.

A Community Information Session was held on 26 October 2023. The session was advertised in City of West Torrens' Talking Points magazine and on social media, and hardcopy invitations were sent to all properties in Netley and North Plympton (2,700 in total). Roughly 40 people attended the session and the feedback on the project was overwhelmingly positive.

### Recent Works and Focus Areas

#### September and October activities included:

- Resumption of construction activities for Package 1A and Package 1C.
- Tender evaluation and recommendation for contract award for Packages 1B and 1D.
- Casting of precast culverts for the Harvey Avenue crossing.
- Commencement of service authority relocations at Harvey Avenue.

- Community information session and continued one-on-one engagement with property owners that are directly affected by packages 1B and 1D and establishment of Licence Agreements for property access.
- Detailed design of remaining work packages.

#### November and December activities will include:

- Substantial completion of Package 1A and completion of Package 1C.
- Contractor mobilisation and advance works for Package 1B and Package 1D.
- Continuation of service authority relocations at Harvey Avenue.
- Commence one-on-one engagement with property owners that are directly affected by Packages 2, 3A and 3B for construction in 2024/25.





## Upper Brown Hill Creek, Area 3 Millswood

This sub-project involves increasing the size and capacity of the section of Brown Hill Creek from just downstream of Regent Street to just upstream of Avenue Street Millswood, including upgrade of the Regent Street culvert. The creek passes through several privately owned properties and the project team have been engaging closely with owners over the course of the design development.

### Key Messages

Multiple work fronts have been operating throughout September and October 2023 with substantial progress being made on-site. The culvert upgrades will be completed by mid-December 2023, together with a majority of the channel upgrades. The stone veneer installation has commenced for properties that have opted for high amenity finishes. Camco expect to demobilise from site by the end of January 2024, with some landscaping and private property reinstatement works to be completed in April and May 2024 when the weather is more favourable for new plantings.

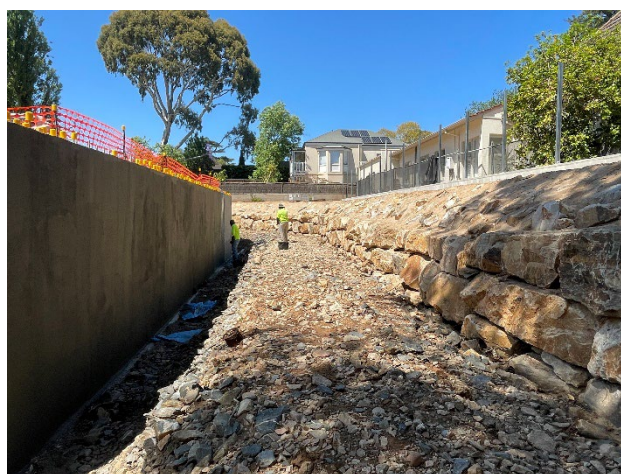
### Recent Works and Focus Areas

September and October activities included:

- Completed civil works for 15 Avenue Street – Channel Upgrades, including the flood protection plinth along the boundary of 15/17 Avenue Street.
- Road closure implemented for Regent Street – Culvert Upgrades. Demolition, excavation and new base slab completed for the culvert upgrades.
- Commenced works in 14 Avenue Street and resolved an alternative design solution to the satisfaction of the property owners.
- Continued liaison with the affected property owners regarding construction scheduling and site matters.

November and December activities will include:

- Culvert installation and road reinstatement to complete the Regent Street – Culvert Upgrades and re-open the road prior to Christmas.
- Complete a majority of civil works for Avenue Street to Regent Street – Channel Upgrades.
- Commence stone veneer installation for properties that have opted for high amenity finishes.
- Continued liaison with the affected property owners regarding construction scheduling and site matters.



# Brown Hill and Keswick Creeks Stormwater Board

Completed Works  
Maintenance & Operating Report  
To 31 October 2023

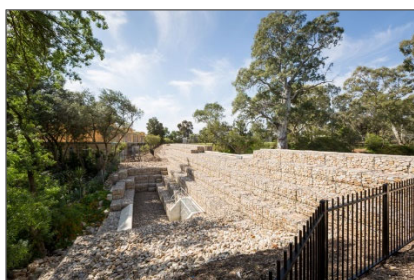
This report provides an update on the maintenance and operational requirements for completed works to 31 October 2023.

Prepared by Peta Mantzarapis, Project Director

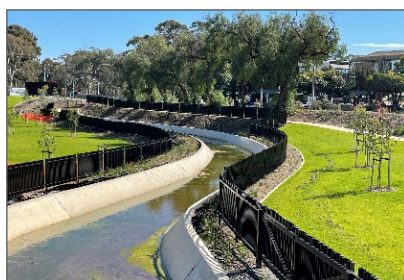
## Summary of Completed Works as at 31 October 2023

Stage	Sub-project	Responsibility for Maintenance <sup>1</sup>
Flood Detention	Ridge Park Flood Control Dam	City of Unley
	Glenside Flood Detention Basin	BHKCSB – stormwater infrastructure delivered under the plan. City of Burnside – all non-stormwater assets located on site.
	South Park Lands Wetland & Creek Works	BHKCSB – stormwater infrastructure delivered under the plan. City of Adelaide – all existing infrastructure and non-stormwater assets located on site.
LBHC	LBHC – Daly Street Bridge	BHKCSB – stormwater infrastructure delivered under the plan. City of West Torrens – road components of the project.
UBHC	UBHC Area 1 Everard Park	BHKCSB – stormwater infrastructure delivered under the plan (culvert). City of Unley – ground level improvements associated with the shared use path.
	UBHC Diversion – DPTI Culvert	DPTI
	UBHC Hawthorn Reserve	BHKCSB – stormwater infrastructure delivered under the plan. City of Mitcham – all existing infrastructure and non-stormwater assets located on site

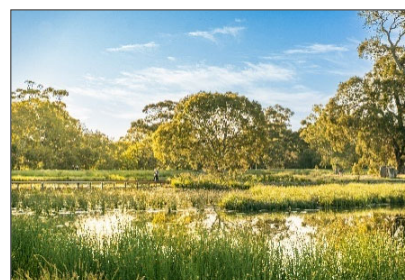
<sup>1</sup> Responsibility for clearing blockages within the creek is always the responsibility of the property owner.



1 Ridge Park Dam



2 Glenside Detention Basin- Channel



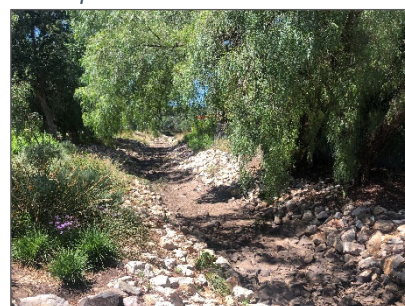
3 Pakapakanthi Wetland



4 LBHC Daly Street Bridge



5 UBHC Everard Park



6 UBHC Hawthorn Reserve



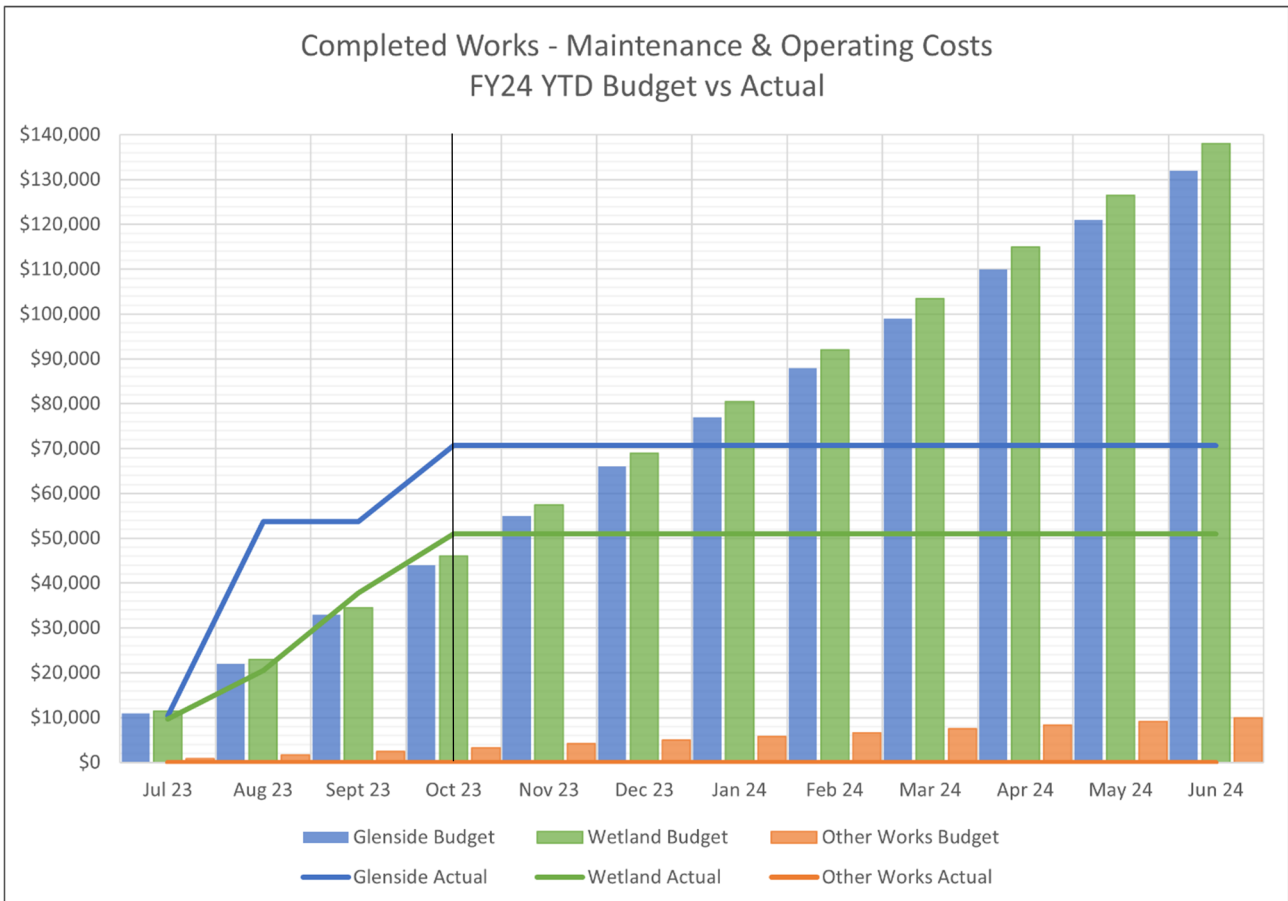
## YTD Budget vs Actual by Completed Project

### YTD Annual Maintenance Budget vs Actual

	Actual to 31 October 2023	Budget to 31 October 2023	Variance \$
Glenside Detention Basin <sup>1</sup>	\$70,681	\$44,000	\$26,681
Pakapakanthi Wetland <sup>2</sup>	\$50,933	\$46,000	\$4,933
Other Works	\$0	\$3,333	(\$3,333)

<sup>1</sup> Glenside actuals include once a year clean behind screens which was undertaken in August.

<sup>2</sup> Wetland actuals include targeted algae and weed (Eragrostis and Kikuyu) removal in October which is common in Spring during establishment phase.



## Item No: 12.1

### Trees in Stonyfell

Item Number: 2024-11

Author: Councillor Turnbull

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#### PREAMBLE

The following Questions on Notice has been received from Councillor Turnbull .

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#### QUESTIONS

1. In the past 5 years, how many Council street trees have been planted in the suburb of Stonyfell?
  2. What is currently the survival rate of these trees?
  3. Of the deceased trees, how many have been replaced?
  4. How can we improve on the rate of attrition?
  5. When eucalypts are planted in Stonyfell, on the average what is the age of the newly planted trees?
  6. When planting trees, what provision is made to allow for tree losses within the early months, rather than wait for 2 years to replace them?
- 

#### ATTACHMENTS

None

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#### ANSWER

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In accordance with Chapter 2, Section 9(7) of the Council's Code of Practice – Procedures at Meetings the answer to this Question on Notice will be provided in writing to members prior to the Council Meeting and included in the Council Meeting Minutes.

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END OF REPORT

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**Item No: 12.2**  
**Code of Conduct / Complaints**

Item Number: 2024-299

Author: Councillor Harvey

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**PREAMBLE**

The following Questions on Notice has been received from Councillor Harvey .

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**QUESTIONS**

How many Council Member Code of Conducts / Complaints have there been over the last 5 years and how much were the associated legal fees, mediation costs and other reimbursements?

---

**ATTACHMENTS**

None

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**ANSWER**

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In accordance with Chapter 2, Section 9(7) of the Council's Code of Practice – Procedures at Meetings the answer to this Question on Notice will be provided in writing to members prior to the Council Meeting and included in the Council Meeting Minutes.

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END OF REPORT

**Item No: 12.3**  
**Vehicle Accidents in Erindale Shopping Centre Car Park**

Item Number: 2024-300

Author: Councillor Harvey

**PREAMBLE**

The following Questions on Notice has been received from Councillor Harvey .

**QUESTIONS**

How many accidents have occurred in the last 5 years with out of control vehicles colliding with force into shops at the Erindale Shopping Centre?

**ATTACHMENTS**

None

**ANSWER**

In accordance with Chapter 2, Section 9(7) of the Council's Code of Practice – Procedures at Meetings the answer to this Question on Notice will be provided in writing to members prior to the Council Meeting and included in the Council Meeting Minutes.

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END OF REPORT

## Item No: 13.1

### Rescission Motion: Dog and Cat Management Plan

Report Number: 2023-528

Author: Councillor Jones

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#### PREAMBLE

Councillor Jones has given notice of their intention to move the following motion at the Council Meeting held on 23 January 2024.

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#### RECOMMENDATION

That Council:

1. Rescinds Item 11.3 of the 12 December 2023 Council meeting: That Council approves \$30,000 through the mid-year budget review for a review of the Council's Dog and Cat Management Plan, to be undertaken in the first half of 2024.
  2. Adopts the draft Dog and Cat Management Plan 2024 (Attachment 1) for public consultation and that a copy be forwarded to the Dog and Cat Management Board for comment.
- 

#### ATTACHMENTS

1. Draft Dog & Cat Management Plan 2024
- 

#### BACKGROUND INFORMATION

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Discussion 1. Rescind motion to allow for debate - Council Resolution C121223/13594

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Strategic Plan **Principles:** Service Sustainability  
**Theme:** Spans all Strategic Plan Themes

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**Goal:** Spans all Strategic Plan Goals  
**Priority:** 1.1 Flexible, fit-for-purpose facilities and places

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**Policy** The following Council Policies are applicable:  
Dog and Cat Management

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**Consultation** Nil.

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**Legal & Legislative** Nil.

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**Risk Evaluation** Nil.

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**Finance** Save \$30,000.

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## **CEO COMMENT**

Nil.

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END OF REPORT

## Council Members' Information Document

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**To** Council Members  
**From** Martin Cooper, Director Community & Development  
**Date** 10 January 2023  
**Contact** Magnus Heinrich, Group Manager City Development & Safety  
(8366 4136; mheinrich@burnside.sa.gov.au)  
**Subject** DRAFT DOG AND CAT MANAGEMENT PLAN 2024  
**Attachments** 1. DRAFT DOG AND CAT MANAGEMENT PLAN 2024

---

**Information Only**

**For Action**

Dear Mayor and Councillors,

### Council Resolution

At its meeting of 12 December 2023, the Council considered a report in relation to the Dog and Cat Management Plan Review and resolved C121223/13594:

*That Council approves \$30,000 through the mid-year budget review for a review of the Council's Dog and Cat Management Plan, to be undertaken in the first half of 2024.*

### Rescission Motion

Cr Jones has submitted a Motion on Notice for the meeting of Council on 23 January 2024 to rescind the above resolution to allow for a debate about the cost of undertaking a comprehensive review of the Plan ahead of the possible legislative changes to the Dog and Cat Management Act. This follows the Dog and Cat Management Board's (the Board) review of the current Act.

### Another Option

Magnus and his team have considered the minimum requirements to update the Dog and Cat Management Plan without the need to engage a consultant.

The Board has prepared a template that provides the basis for a minimum standard for the Dog and Cat Management Plan. Magnus has prepared a draft Plan for Council's

consideration, utilising this template. The draft Plan is essentially a reorganisation of the existing Plan with relevant updates as required. Key updates in the draft plan relate to:

- The establishment and use of Council's '72 hour' dog holding facility;
- The improvements to the Conyngham Steet Dog Park;
- The recognition of Councils Dog on Leash Area and Dog Free Areas and
- The amendment to processes associated with cat management.

Some further refinements to the draft Plan (Attachment 1), including adding graphics, will be made before finalisation and consultation.

If Council decides this meets its requirements and wishes to save the \$30,000 expenditure resolved in December 2023, the attached draft Plan can be used to inform the outcome of the Rescission Motion and would be used for a 'light' community consultation process using Council's existing communication techniques and adopted after that.

Regards

Martin





**CITY OF BURNSIDE**

# **Plan of Management relating to dogs and cats 2024-2029**

Approved by Dog and Cat Management Board: DD/MM/2024

Date Plan comes into effect: DD/MM/2024

Review Date: DD/MM/2028



# CITY OF BURNSIDE PLAN OF MANAGEMENT RELATING TO DOGS AND CATS

## Contents

<b>1. Executive Summary</b>	<b>3</b>
<b>2. Background</b>	<b>4</b>
<b>3. Management of Dogs</b>	<b>6</b>
3.1. Registration of Dogs	6
3.2. Control of Dogs in Public Reserves and Roads	6
3.3. General Offences	7
3.4. Control Orders	7
3.5. Exemptions	8
3.6. Prescribed Breeds	8
3.7. Appointment and role of a Registrar	8
3.8. Role of the Dog and Cat Management Board	8
3.9. By-laws	9
3.10. Dog and Cat Management in the City of Burnside	9
3.11. Revenue	10
<b>4. Management of Cats</b>	<b>11</b>
<b>5. General Council Management of Dogs and Cats</b>	<b>13</b>
<b>6. Objectives, Strategies and KPIs</b>	<b>14</b>
<b>7. Links to Related Documents</b>	<b>21</b>
<b>Appendix A: On-leash and Off-leash Parks</b>	<b>22</b>





## 1. EXECUTIVE SUMMARY

The Dog and Cat Management Act 1995 (the Act) requires all Councils in South Australia to prepare a plan for managing dogs and cats in their area. The City of Burnside Dog and Cat Management Plan 2024-2029 (the Plan) has been prepared in accordance with the Act and will guide the management of dogs and cats within the council area for the next five years.

This Plan contains recommendations for a wide range of actions to be undertaken by the City of Burnside to achieve the aims and desired outcomes of the City's Strategic Community Plan 2030. It provides a basis and direction for the Council to plan and make future decisions that relate to the broader council policy context. The Plan will be subject to ongoing review in line with any legislative changes to requirements.

This Plan takes a proactive approach to dog and cat management, and it is acknowledged that some of the implementation of strategies in this Plan will need to be partnered with the State Government, the Dog and Cat Management Board, and other relevant stakeholders.



## 2. BACKGROUND

The Dog and Cat Management Act 1995 aims to provide a balanced range of options for managing dogs and cats within Council areas, whereby problems can be addressed to a solution in the community's best interests.

The objectives of the Act are to:

- Encourage responsible dog and cat ownership.
- Reduce public and environmental nuisance caused by dogs and cats.
- Promote the effective management of dogs and cats (including through encouraging the desexing of dogs and cats).

The Act states that:

- (1) *Each Council must, in accordance with this section, prepare a plan relating to the management of dogs and cats within its area.*
- (2) *A management plan must include provisions for parks where dogs may be exercised off-leash and for parks where dogs must be under effective control using physical restraint. It may also include provisions for parks where dogs are prohibited.*
- (3) *A management plan must cover 5-year periods, and each Plan must be prepared and presented to the Board at least six months before it takes effect.*
- (4) *The Board must approve a management plan before it takes effect.*
- (5) *A council may amend a management plan at any time during the 5-year period covered by the Plan with the approval of the Board.*

The City of Burnside covers 2,752 ha, with a residential population above 45,000 and almost 20,000 dwellings.

There were 5,556 dogs registered in the City of Burnside in the 2022/2023 financial year.

The evidence supporting the benefits of owning pets is considerable, promoting physical, mental, emotional, and social health. Pets provide companionship, decrease loneliness, give purpose in life, and help reduce stress and anxiety. Dog ownership encourages people to exercise and precipitates the informal gathering of community members in an increasingly disconnected society. The Council's role is not to hinder this benefit but to maintain the ability of the community to continue to own dogs and cats. Councils must take a strategic approach to managing domestic pets within their community.

The Council's management of urban animal issues impacts the health, well-being, and lives of the whole community and the welfare of animals in the City. This Plan is, therefore, designed for everyone in the City of Burnside, from dog and cat owners to those who have no pets, and provides the direction for the Council in dog and cat management for the next five years (unless reviewed and amended earlier).

The mission of dog and cat management service delivery in the City of Burnside is:

“To create an environment in the City of Burnside in which all community members are kept well informed about the benefits and responsibilities of dog and cat ownership and are committed to being a responsible dog and cat owner.”

This Dog and Cat Management Plan aims to:

- Ensure the Council meets its obligations under the Dog and Cat Management Act 1995.
- Investigate and implement best practices in promoting responsible pet ownership.
- Consider ways the Council could harness the benefits of owning pets.
- Establish priorities for animal management in the City of Burnside for the next five years.

The objectives of this Dog and Cat Management Plan are to:

- Promote the benefits of dog and cat ownership.
- Encourage responsible dog and cat ownership.
- Increase public safety and reduce public and environmental nuisances from dogs and cats.
- Minimise impact on native animals and birdlife.
- Ensure Council delivers effective, efficient, and innovative dog and cat management services.

Prospective pet owners are to consider the responsibilities of pet ownership and obtain advice on appropriate breed choices to suit their lifestyle and living environment to avoid later problems.

In addition to the legislative requirements of registration, microchipping, and desexing, pet owners should meet standard requirements for immunisation and provide an enriching home environment for their pet, which provides confinement of their pet to their property. All dogs should undergo basic obedience training, be adequately socialised around other animals, and exercise regularly.

### 3. MANAGEMENT OF DOGS

#### 3.1 Registration of Dogs

Under the Act, a Council manages dogs in its council area. Every dog of three months or over must be registered and wear a collar with a registration disc attached. Registration expires on 30 June each year and must be renewed by 31 August of the same year.

Although the revenue is received by DACO, dog registration fees and other fees concerning the management of dogs are set by the Council.

There is a provision for business registration for the owner or operator of a business that consists of or involves a kennel at which dogs are bred or trained or the provision of security or other services involving the use of dogs.

The following organisations are exempted from registering dogs held in their custody:

- Royal Society Prevention of Cruelty to Animals (RSPCA),
- Animal Welfare League (AWL),
- Guide Dogs Association, Lions Hearing Dogs,
- Member of the Police Force, and
- Registered Veterinarians.

Accredited Guide Dogs and Assistance Dogs must be registered, but no fee is applicable. These dogs have certain exemptions under the Act.

#### 3.2 Control of Dogs in Public Reserves and Roads

Dogs are required to be *under effective control* at all times:

- Effective control using a *physical restraint* on roads, footpaths, or other designated areas.

Effective control under *physical restraint* means:

- Controlled on a chain, cord, or leash not exceeding 2 m in length restraining the dog.
- Placed in a cage, vehicle, or other object or structure.
- Tethering to a fixed object using a chain, cord, or leash not exceeding 2 m in length.

- Effective control by virtue of *physical restraint* or *'by command'* in parks, unless a Resolution of Council requires dogs to be leashed in specified areas.

Effective control *'by command'* means that the dog is responsive to commands, is maintained close to the person, and the person can see the dog at all times.

- Greyhounds must be muzzled and controlled on a leash when exercised in public

places unless they are granted exemption from the Dog and Cat Management Board and hold a Greyhound Muzzle Exemption Certificate.

- Guard dogs, attack-trained dogs, and patrol dogs must wear a specific collar and be under a person's effective control by physical restraint in any public place.

The Act allows the Council to declare dog-prohibited areas and on-leash restrictions. There are some controlled areas in reserves in Burnside. These are listed under 3.9.

### **3.3 General Offences**

3.3.1 Dogs are not permitted to:

- Wander at large.
- Attack or harass persons or owned animals, whether or not actual injury is caused.
- Cause injury to a person lawfully entering premises.
- Be transported unrestrained in open vehicles such as the open tray of a utility vehicle, truck, or similar.
- Rush at or chase vehicles in public places.
- Cause nuisance, in particular, barking nuisance.

3.3.2 Dogs other than Assistance dogs are not permitted to:

- Enter the grounds of a school, kindergarten, childcare, or preschool centre, except with the permission of the person in charge.
- Enter any shop unless it is a pet shop, grooming parlour, or premises associated with a registered veterinary surgery.

3.3.3 Dog owners must pick up and lawfully dispose of dog faeces in public places.

### **3.4 Control Orders**

Council's Dog Management Officers have powers to seize and detain dogs in the following circumstances:

- Wandering at large in private or public places.
- To prevent a dog from attacking, harassing, or chasing a person or an owned animal or bird.
- To carry out an Order.
- If considered unduly dangerous.

Law courts may issue Destruction and Control Orders in certain circumstances, whether on the Council's initiative or complaint.

Dogs wandering at large, retrieved by council Rangers, are checked for identification (registration tag and microchip) and temporarily detained at the Council's holding facility until collected.

### **3.5 Exemptions**

The Act does not apply to dogs owned by or on behalf of the Crown (in the right of the Commonwealth or the State) and is used for security, emergency, or law enforcement purposes, eg Police Dogs, Armed Forces Dogs.

### **3.6 Prescribed Breeds**

Five prescribed dog breeds can only be kept under certain conditions (refer Dog and Cat Management Board).

These dogs are:

- American Pit Bull Terrier,
- Fila Brasileiro,
- Japanese Tosa,
- Dogo Argentina,
- Presa Canario.

### **3.7 Appointment and Role of a Registrar**

Each Council is required to administer and enforce the provisions of the Act relating to dogs within its area and appoint a suitable person to be Registrar. The Registrar has specific responsibilities under the Dog and Cat Management Act 1995 as follows:

- dogs must be registered;
- registration procedure for individual dogs;
- registration procedure for businesses involving dogs;
- duration and renewal of registration;
- notifications to ensure the accuracy of registers;
- transfer of ownership of dog;
- rectification of register; and
- applications and fees.

The Registrar must ensure that all staff involved in the registration of dogs are trained sufficiently and have the knowledge to deal with dog owners and public members on behalf of the Registrar. The Registrar may also delegate powers to appropriate persons.

### **3.8 Role of the Dog and Cat Management Board**

Arrangements made by the Council under the Act must be made to the satisfaction of the Dog and Cat Management Board. It is the role of the Dog and Cat Management Board to oversee and administer the provisions of the Act related to dogs and cats, and the Council and the Board must work in close cooperation.

The Board requires statistics to be supplied to them by all Councils annually to carry out its responsibilities in research and general management of dogs and cats throughout



South Australia. These statistics can also be beneficial to the Council with its planning and management processes.

### **3.9 By-laws**

Councils can make by-laws to control or manage dogs in their areas.

The City of Burnside's By-law No. 5 - Dogs limits the number of dogs kept on a property to one dog in a small dwelling, such as a flat or home unit, or up to two dogs in any other dwelling. This by-law also states that:

- Dogs must not remain in any area that has been designated as a Dog-Free Area.
- Dogs must be held on a lead no longer than 2 metres in any area that has been designated as an On Lead Area.
- In all other areas, dogs must remain under effective control either by physical restraint or command, within close proximity of the person, and in sight of the person at all times.

The Council has declared the following areas to be Dog Free Areas;

- the Tusmore Wading Pool and Glenunga Hub play space

The Council has declared the following areas to be Dog on Leash areas;

- All public playgrounds and land within ten metres of public playgrounds (excluding Dog Free areas);
- All land within fenced areas associated with public playgrounds (excluding Dog Free areas);
- All land within twenty metres of the Tusmore wading pool;
- All land on and within ten metres of organised sporting ovals, pitches, courts, and fields (unenclosed) during such time as there is organised sport being carried out and during such time as there is organised training for sports being carried out and
- All land used as the external dining area associated with the George Bolton Swimming Centre Kiosk/Café and all land outside the perimeter of the pool area, which is within ten metres of the outer edge of the external dining area associated with the George Bolton Swimming Centre Kiosk/Café.

### **3.10 Dog and Cat Management in the City of Burnside**

Dog and cat management in the City of Burnside is the responsibility of the Ranger Section of the City Development and Safety Department. The Council's Customer Service Centre handles general enquiries during normal office hours, and Council's after-hours service provider manages out-of-hours enquiries.

Rangers are available Monday to Sunday, 8.30 am to 9.30 pm.

Outside these hours, Rangers are on-call for dog-related emergencies.

Phone: 08 8366 4200.

### 3.11 Revenue

Dog owners must register their dogs online directly to the Dog and Cat Management Board via the Dogs and Cats Online website (DACO), a central database for all microchipped and registered dogs and cats in South Australia. DACO is also used for breeder registrations as well as all registration payments.

Seventy-six per cent of the revenue that the Dog and Cat Management Board collect is forwarded to the relevant local Council, who use funds to administer and enforce the Act's provisions in managing dogs and cats within their city.

The Dog and Cat Management Act 1995 requires that councils utilise all registration revenue for the express purpose of the administration and enforcement of the provisions of the Act.



#### 4. MANAGEMENT OF CATS

According to the Australian Veterinary Association, cats are companion animals for almost a third of Australian households.

The Dog and Cat Management Act 1995 requires that:

- All cats, regardless of when they were born, are to be identified with a microchip.
- All cats born after 1 July 2018 are to be desexed.

Under the current legislative regime, dealing with cats alleged to be a nuisance has limitations.

The Dog and Cat Management Act provides powers for certain officers to seize and detail a cat or destroy a cat. Those powers do not extend to Council officers or members of the public. As such, the Council has ceased its practices of trapping cats and lending cages to community members for the same purpose.

The Council does not have a By-law concerning the management of cats.

Nuisance cats are investigated using powers in the *Local Nuisance and Litter Control Act 2016*.

For the purposes of this Act, a local nuisance includes;

- (a) any adverse effect on an amenity value of an area that—
- (i) is caused by—
    - (A) noise, odour, smoke, fumes, aerosols or dust; or
    - (B) **animals**, whether dead or alive; or
    - (C) any other agent or class of agent declared by Schedule 1; and
  - (ii) unreasonably interferes with or is likely to interfere unreasonably with the enjoyment of the area by persons occupying a place within, or lawfully resorting to, the area.

Complaints concerning possible nuisance cats are dealt with using a flowchart that is published on the Council's website;

<https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/nuisance-cat-complaint-flow-chart.pdf>

To assist in the responsible ownership of cats, the Council's website also contains links to documents published by The Dog and Cat Management Board;

[https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat\\_owners\\_handbook.pdf](https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat_owners_handbook.pdf)

[https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good\\_cats\\_play\\_at\\_home.pdf](https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good_cats_play_at_home.pdf)

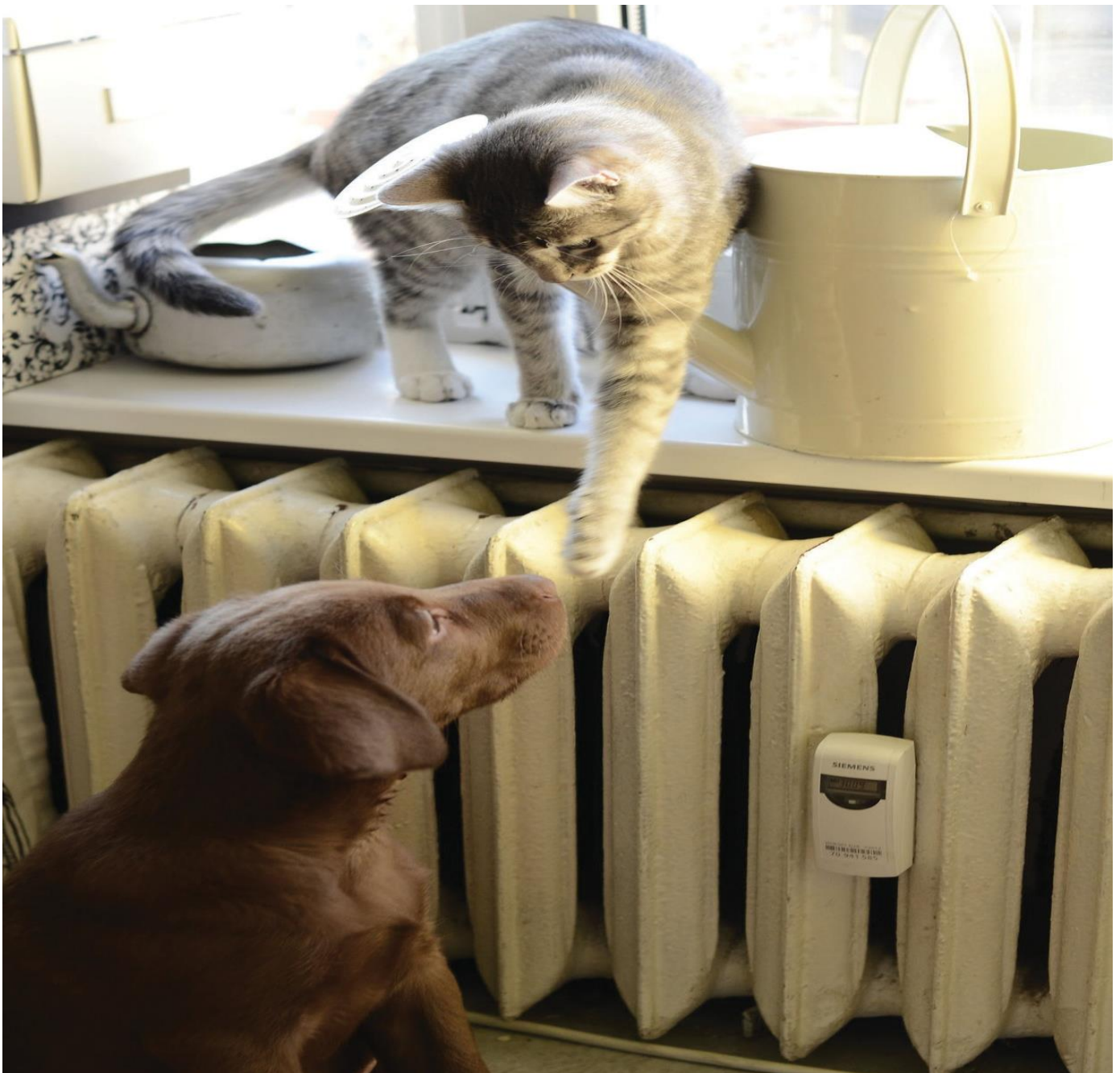
In December 2022, the Dog and Cat Management Board presented a report on reviewing the Dog and Cat Management Act to the Minister for Climate, Environment and Water.

The review covered all aspects of the Act. Concerning the management of cats, the recommendation is:

*Amend the Act to support a statewide approach to cat management. Further consultation on specific policy options including registration, prohibition on wandering at large, and nuisance offences, should be undertaken with the community and stakeholders.*

The Board's discussion in the report concerning the management of cats can be found using the link below on pages 14-16:

[https://cdn.dogandcatboard.com.au/dogandcatboard/docs/About/Final\\_Act\\_review\\_report.pdf](https://cdn.dogandcatboard.com.au/dogandcatboard/docs/About/Final_Act_review_report.pdf)



## **5. GENERAL COUNCIL MANAGEMENT OF DOGS AND CATS**

The Council's Rangers are Authorised Officers under the Dog and Cat Management Act and are experienced in dealing with issues arising from animal behaviour.

The Rangers' administration team assists with processing customer complaints and assists the Rangers in providing information to the community. The Council's website is also a source of information to help the community and visitors to the area.

Our Rangers' standard work hours include weekends, and they also work on call outside of normal hours for emergencies relating to dog management.

## 6. OBJECTIVES, STRATEGIES AND KPIS

Dog and Cat Management		
Objective	Strategies (from 2018-23)	Measures, Key Performance Indicators and Achievements
Raise awareness of the benefits of pet ownership.	<ul style="list-style-type: none"> <li>Promotion via Council website, publications, and specific education programs/projects.</li> </ul>	<ul style="list-style-type: none"> <li>Include education material for distribution via the Council website, Burnside Focus distribution, and in the Council's public contact areas.</li> <li>Update Council website</li> </ul> <p>KPI: Number of posts and publications</p>
Encourage responsible pet ownership.	<ul style="list-style-type: none"> <li>Increase community knowledge of dog and cat legislative provisions.</li> </ul>	<ul style="list-style-type: none"> <li>Include in educational material for distribution</li> <li>Update Council website</li> </ul> <p>KPI: Number of posts and publications</p>
	<ul style="list-style-type: none"> <li>Maximise registration of dogs.</li> </ul>	<ul style="list-style-type: none"> <li>Increased number of dog registrations</li> </ul> <p>KPI: Number of registrations</p> <p>5,556 dogs registered in the 2022/23 Financial Year (compared with 5,192 in 2016/17)</p>
	<ul style="list-style-type: none"> <li>Encourage recording of cat microchip numbers as required under the Act.</li> </ul>	<ul style="list-style-type: none"> <li>Increased recording of cat microchip numbers</li> </ul> <p>KPI: Number of cats micro-chipped</p>



	<ul style="list-style-type: none"> <li>Promote microchipping of both dogs and cats.</li> </ul>	<ul style="list-style-type: none"> <li>Include in educational material for distribution.</li> <li>Update Council website</li> <li>Explore the possibility of teaming with adjacent councils for microchipping events.</li> </ul> <p>KPI: Number of events held</p>
	<ul style="list-style-type: none"> <li>Promote the desexing of both dogs and cats.</li> </ul>	<ul style="list-style-type: none"> <li>Include in educational material for distribution.</li> <li>Update Council website</li> </ul> <p>KPI: Number of posts and publications</p>
	<ul style="list-style-type: none"> <li>Encourage dog owners to train and socialise their dogs from an early age.</li> </ul>	<ul style="list-style-type: none"> <li>Promote organisations offering opportunities for dog socialisation and training.</li> </ul> <p>KPI: Number of organisations promoted</p>
	<ul style="list-style-type: none"> <li>Provide dog owners best practice advice and tools for managing nuisance barking or behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>Include educational material for distribution</li> <li>Update Council website</li> <li>Provide one-to-one advice as needs arise</li> </ul> <p>KPI: Number of posts and publications</p>
Appropriately train staff	<ul style="list-style-type: none"> <li>Inform and train staff regarding new legislation and future changes as they arise.</li> </ul>	<ul style="list-style-type: none"> <li>Provision of training to existing staff as changes arise</li> <li>New staff training on commencement</li> </ul>

<p>Minimise the potential for dogs to interfere with organised sporting events.</p>	<ul style="list-style-type: none"> <li>• Explore on-lead dog restrictions to certain parks during times of organised sporting events.</li> </ul>	<p>Council resolution from 11 February 2020 includes Dog on Leash requirement concerning sporting activities. The following is declared as a Dog on Leash area:</p> <p><i>All land on and within ten metres of organised sporting ovals, pitches, courts, and fields (unenclosed) during such time as there is organised sport being carried out and during such time as there is organised training for sports being carried out.</i></p> <p>An A-Frame sign is available to participating clubs to display while sport or training is carried out.</p>
<p>Minimise possibilities for dog interference in designated children's playgrounds.</p>	<ul style="list-style-type: none"> <li>• Investigate the possibility of fencing Tusmore Wading Pool and children's playgrounds, particularly in the larger reserves.</li> </ul>	<p>Council resolution from 11 February 2020 includes Dog on Leash requirement concerning fenced playgrounds and Tusmore Pool.</p> <p>The following is declared as a Dog on Leash area;</p> <p><i>All land within fenced areas associated with public playgrounds (excluding Dog Free areas);</i></p> <p><i>All land within twenty metres of the Tusmore wading pool.</i></p> <p>Council resolution from 11 February 2020 includes Dog-Free requirement concerning two locations. The following is declared as a Dog-Free area;</p> <p><i>The Tusmore Wading Pool and Glenunga Hub play space.</i></p> <p>The Tusmore Pool is now fenced, leading to a possibility of amended restrictions to suit the new arrangement.</p>



	<ul style="list-style-type: none"> <li>Explore on-lead restrictions for 10 m around unfenced playground equipment.</li> </ul>	<p>Council resolution from 11 February 2020 includes Dog on Leash requirement in relation to playground equipment:</p> <p><i>All public playgrounds and land within ten metres of public playgrounds (excluding Dog Free areas);</i></p> <p><i>All land within fenced areas associated with public playgrounds (excluding Dog Free areas)</i></p>
Increase provision for safe, enclosed dog exercise areas	<ul style="list-style-type: none"> <li>Explore the location(s) of a new fenced dog exercise park.</li> </ul>	<ul style="list-style-type: none"> <li>Identify potential location(s) for a new fenced dog exercise park</li> </ul> <p>Community consultation revealed a community desire for a dog park in the city's eastern half.</p> <p>A new site for a dog park is yet to be identified.</p> <p>The existing dog park in Conyngham Street, Glenside, has been improved with new facilities and items for dogs. The park has been divided into separate areas for dogs of different sizes.</p>
Reduce dog faeces in public areas.	<ul style="list-style-type: none"> <li>Increase the number of dog-bags and bins in strategic locations such as popular walking trails, footpaths, and parks.</li> </ul>	<ul style="list-style-type: none"> <li>New bins at popular dog walking locations (for example, at exit and entry points of walking trails)</li> <li>New signage relevant to the requirements in parks and public areas</li> </ul> <p>Signs have been established where new Resolutions concerning dog control have been made. A complete list is available in Appendix 1 of this Plan.</p>
Reduce the number of dogs wandering at large.	Educate and inform the community regarding council policies and operational	<ul style="list-style-type: none"> <li>Recorded a decrease in dogs wandering at significant incidents.</li> </ul>

	<p>procedures on dogs wandering at large.</p> <ul style="list-style-type: none"> <li>Educate and inform the community regarding the potential dangers and hazards to animals of fireworks, storm conditions, and certain events.</li> </ul>	
Reduce dog barking nuisance.	<p>Promote information on dog barking nuisance policies and operational procedures.</p> <ul style="list-style-type: none"> <li>Provide a list of animal behaviourists who can assist dog owners with solving problems.</li> </ul>	<ul style="list-style-type: none"> <li>Include educational material for distribution via the Council website, Burnside Focus, and in the Council's public contact areas.</li> </ul> <p>In 2022, the Council developed a Barking Dog Complaint procedure;</p> <p><a href="https://www.burnside.sa.gov.au/files/assets/public/v/1/about-council/policies-plans-amp-reports/policies/copy-of-ecm_31862744_v1_barking_dog_complaint_procedure.pdf">https://www.burnside.sa.gov.au/files/assets/public/v/1/about-council/policies-plans-amp-reports/policies/copy-of-ecm_31862744_v1_barking_dog_complaint_procedure.pdf</a></p>
Reduce the time and cost associated with managing lost and found dogs.	Provide a temporary short-term detention facility for lost dogs.	<ul style="list-style-type: none"> <li>Maintain facility</li> </ul> <p>The Council initially established a dog detention facility for day-holding purposes. This facility has now been upgraded to a suitable '72 hour' holding facility, reducing the travel time and costs associated with transferring dogs to the Animal Welfare League (AWL).</p> <p>The Council has agreements with the Cities of Unley, Mitcham and Norwood, Payneham and St Peters. The agreements allow for the housing of dogs from those local government areas (subject to availability), assisting those councils with their dog management programs.</p>

<p>Improve incident and complaint recording records and system.</p>	<p>Revise existing incident and complaint recording system to record, with easy retrieval, details of the nature, type, and severity of the incident or complaint (eg animal to animal, animal to human, or animal to property).</p>	<ul style="list-style-type: none"> <li>• Accurate and detailed reporting and statistics of incidents and complaints</li> </ul> <p>Incident and complaint recordings are processed through Dog and Cats Online (DACO).</p>
<p>Incorporate the needs of pet owners in urban planning and open space planning.</p>	<p>Consideration in all urban planning and open space planning reviews.</p>	<ul style="list-style-type: none"> <li>• Increased provision for pet needs in documents governing future planning of urban development and open space areas</li> </ul> <p>The Planning and Design Code does not contain policies designed specifically for pet ownership. However, information concerning responsible pet ownership is made available by the Dog and Cat Management Board and is included on the Council's website;</p> <p><a href="https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat_owners_handbook.pdf">https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat_owners_handbook.pdf</a></p> <p><a href="https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good_cats_play_at_home.pdf">https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good_cats_play_at_home.pdf</a></p>
<p>Reduce the number of cats wandering at large.</p>	<p>Promote the keeping of cats inside at night. Promote containment of cats on an owners property.</p> <p>Educate and inform the community regarding the benefits of containing cats on owners' property.</p>	<ul style="list-style-type: none"> <li>• Include educational material for distribution via the Council website, Burnside Focus, and in the Council's public contact areas.</li> <li>• Recorded decrease in complaints about cat nuisance.</li> </ul> <p>Information concerning responsible pet ownership is made available by the Dog and Cat Management Board and is included on the Council's website;</p>

		<p><a href="https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat_owners_handbook.pdf">https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat_owners_handbook.pdf</a></p> <p><a href="https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good_cats_play_at_home.pdf">https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good_cats_play_at_home.pdf</a></p>
<p>Reduce the number of feral cats / unowned / wandering cats and loss of wildlife.</p>	<p>Making cat cage traps available for residents to borrow to catch feral cats (which the Council would then handle) is currently suspended.</p>	<ul style="list-style-type: none"> <li>• Promotion via the Focus Magazine and Council website the availability of cat cage traps for residents to borrow to catch feral cats, is currently suspended.</li> </ul> <p>The Dog and Cat Management Act provides powers for certain officers to seize and detail a cat or destroy a cat. Those powers do not extend to Council officers or members of the public. As such, the Council has ceased its practices of trapping cats and lending cages to community members for the same purpose.</p> <p>There is potential for change in this regard, subject to amendments to the Dog and Cat Management Act.</p>

## **7. LINKS TO RELATED DOCUMENTS**

### Council Strategic Community Plan

<https://www.burnside.sa.gov.au/About-Council/Policies-Plans-Reports/Strategies/Burnside-2030-Strategic-Community-Plan>

### Council's By-law No.5 - Dogs

<https://www.burnside.sa.gov.au/About-Council/Policies-Plans-Reports/By-Laws>

### Council's website information and Dogs and Cats

<https://www.burnside.sa.gov.au/Environment-Sustainability/Animals/Dogs-Cats>

### Council's Barking Dog Complaints Procedure

[https://www.burnside.sa.gov.au/files/assets/public/v/1/about-council/policies-plans-amp-reports/policies/copy-of-ecm\\_31862744\\_v1\\_barking\\_dog\\_complaint\\_procedure.pdf](https://www.burnside.sa.gov.au/files/assets/public/v/1/about-council/policies-plans-amp-reports/policies/copy-of-ecm_31862744_v1_barking_dog_complaint_procedure.pdf)

### Links to documentation concerning responsible cat management

[https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat\\_owners\\_handbook.pdf](https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/cat_owners_handbook.pdf)

[https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good\\_cats\\_play\\_at\\_home.pdf](https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/good_cats_play_at_home.pdf)

### Nuisance cat complaint flowchart

<https://www.burnside.sa.gov.au/files/assets/public/v/1/environment-amp-sustainability/animals/dogs-amp-cats/cat-responsibilities/nuisance-cat-complaint-flow-chart.pdf>

### Dog and Cat Management Board; 2022 Review of the Dog and Cat Management Act – Final Report

[https://cdn.dogandcatboard.com.au/dogandcatboard/docs/About/Final\\_Act\\_review\\_report.pdf](https://cdn.dogandcatboard.com.au/dogandcatboard/docs/About/Final_Act_review_report.pdf)

## APPENDIX A: ON-LEASH AND OFF-LEASH PARKS

<b>ON-LEASH PARKS</b>	
<b>Location/Address</b>	<b>Comments</b>
<p>All public playgrounds and land within ten metres of public playgrounds (excluding Dog Free areas):</p> <p>Various locations</p>	<i>Dogs must be on-leash at all times.</i>
<p>All land within fenced areas associated with public playgrounds (excluding Dog Free areas):</p> <p>Various locations</p>	<i>Dogs must be on-leash at all times.</i>
<p>All land within twenty metres of the Tusmore wading pool:</p> <p>25C Stirling Street, Tusmore</p>	<i>Dogs must be on-leash at all times.</i>
<p>All land on and within ten metres of organised sporting ovals, pitches, courts, and fields (unenclosed) during such time as there is organised sport being carried out and during such time as there is organised training for sports being carried out.</p> <p>Various locations</p>	<i>Dogs must be on-leash at all times.</i>
<p>All land used as the external dining area associated with the George Bolton Swimming Centre Kiosk/Café and all land outside the perimeter of the pool area, which is within ten metres of the outer edge of the external dining area associated with the George Bolton Swimming Centre Kiosk/Café</p> <p>Hazelwood Park Reserve – Greenhill Road, Hazelwood Park</p>	<i>Dogs must be on-leash at all times.</i>

<b>OFF-LEASH PARKS</b>	
<b>Location/Address</b>	<b>Comments</b>
<i>All Council-owned reserves not listed elsewhere in this Appendix.</i>	<i>Dogs are permitted off-leash at all times.</i>
<i>Note: State Government Reserves are subject to State laws and State management</i>	

<b>DOG PROHIBITED AREAS</b>	
<b>Location/Address</b>	<b>Comments</b>
<i>Within the fenced play space at Glenunga Reserve (east of the Community Hub Building)</i>  L'Estrange Street, Glenunga	<i>Dogs are prohibited at all times.</i>
<i>Within the Tusmore Wading Pool</i>  25C Stirling Street, Tusmore	<i>Dogs are prohibited during sporting events.</i>

## Item No: 13.2

### Development Application 12 Stirling Street Tusmore

Report Number: 2024-302

Author: Councillor Henschke

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#### PREAMBLE

Councillor Henschke has given notice of their intention to move the following motion at the Council Meeting held on 23 January 2024.

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#### RECOMMENDATION

That Council:

1. Writes to the Minister for Planning to request that the State Government consider undertaking a Code Amendment which has the effect of reducing the ability of non-residential uses to be established in Zones where the primary purpose is residential, particularly where there is a Historic Area Overlay; and
  2. Consideration should be given to including policies to the same effect as Resolution 1 in Council's Masterplan Code Amendment.
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#### ATTACHMENTS

None

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#### BACKGROUND INFORMATION

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Discussion Not provided.

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Strategic Plan **Principles:** Governing with Integrity

**Theme:** Community

**Goal:** 3.A City of accessible and liveable precincts, open spaces, and treasured heritage

**Priority:** 1.1 Flexible, fit-for-purpose facilities and places

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Policy	Not provided.
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Consultation	Not provided.
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Legal & Legislative	Not provided.
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Risk Evaluation	Not provided.
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Finance	Not provided.
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## CEO COMMENT

Changes made by the State Government in the transition to the new Planning and Design Code in 2021 allowed greater opportunity for commercial development in existing residential areas. Council made several submissions in 2020 to the State Planning Commission on the draft Code raising objections to this change. Council's submissions requested those land uses that were classified as non-complying under the previous planning system should continue to be discouraged and be classified as 'restricted development' under the new Code.

The Commission denied Council's request and stated, "*The Commission maintains that the provision of complementary non-residential land uses within residential areas of great importance to enable neighbourhoods to be provided with a range of facilities and services within convenient walking distance.*"

It is noted that under the current Planning and Design Code, Development Applications for non-residential land uses in residential areas are still assessed on a case-by-case basis against a range of provisions. In addition, as the Code applies throughout the whole of South Australia, any Code Amendment which proposes changes to Zone policy could have broad-reaching impact across the State and not just the City of Burnside. Accordingly, Plan SA state in their Code Amendment guide, "*it may not be appropriate for a private proponent, government agency, council or joint planning board to initiate a change to general policy (such as types of uses envisaged in a particular zone), unless there are exceptional circumstances to justify the change*".

Nevertheless, Council can write to the Minister for Planning to again raise the concerns previously covered in Council's submissions on the draft Planning and Design Code and

suggest that a Code Amendment be undertaken by the State Government to address this matter.

Council can also raise with the Code Control Group the possibility of pursuing changes to Zone policy which might only apply in the City of Burnside as part of the City Master Plan Code Amendments process.

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END OF REPORT

# CONFIDENTIAL REPORT

## Item No: 15.1

### Street Tree Removal - 2 Caithness Avenue Beaumont

*Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council will consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:*

- h. legal advice.
- i. information relating to actual litigation, or litigation that the council believes on reasonable grounds will take place, involving the council or an employee of the council.

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END OF REPORT

**Item No: 15.1****Street Tree Removal - 2 Caithness Avenue Beaumont**

Report Number: 2023-387

Director: Chief Executive Officer

Author: Director Environment and Place

**RECOMMENDATION****Exclusion of the Public – Section 90(3) (h and I) Order**

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except the Council Members of the City of Burnside, the Chief Executive Officer, Director Corporate, Director Community and Development, Director Environment and Place, Governance Officer, and Executive Assistant to CEO, Mayor Executive Support Officer and Councillors be excluded from attendance at the meeting for Item 15.1 ‘Street Tree Removal – 2 Caithness Avenue, Beaumont (Report No. 2023-387).
2. The Council is satisfied that:
  - h. 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 from our legal providers relating to this matter.
  - i. pursuant to section 90(3)(i) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information relating to litigation that the Council believes on reasonable grounds will take place.
3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

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END OF REPORT