NOTICE OF MEETING

TO: Mayor
    Brian Sambell
Deputy Mayor
    Brian Thom
Area Councillors:
    Lillian Bartlett
    Patricia Dent
    Warren Dibben
    Penny Johnston
    Greg Morris
    Peter Russell
    David Strauss
    Adrian Shackley
    Tom Zorich

NOTICE is hereby given pursuant to the provisions of Section 83 (1) of the Local Government Act 1999, that the next ordinary meeting of the Council will be held in the Council Chamber, Town Hall, 89 Murray Street, Gawler, on **Tuesday 22 April 2008**, commencing at 7.00pm.

A copy of the Agenda for the above meeting is supplied as prescribed by Section 83 (3) of the said Act.

........................................
Stephen Kerrigan
Chief Executive Officer
18 April 2008
Meeting of the Council to be held on Tuesday 22 April 2008 at 7.00pm in the Council Chamber, Town Hall, 89 Murray Street, Gawler.

(Note: Council meetings are subject to a three-hour time limit; with one extension of up to a further 30 minutes).

AGENDA

1. Statement of Acknowledgement

Mayor: We would like to acknowledge this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kaurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

2. Attendance Record

2.1 Roll Call
2.2 Apologies
2.3 Motions to grant Leave of Absence

That Mayor Brian Samuell be granted Leave of Absence for the period 27 April to 11 May 2008.

2.4 Leave of Absence

3. Confirmation of Minutes

Council Meeting 25 March 2008 (Folio 219 - 235)

4. Business Arising from Minutes

5. Mayor’s Reports

6. Deputations

6.1 Drug Arm (refer Item 11.1)
6.2 Oasis Garden Village (refer Item 11.7)
6.3 Passenger Transport Division (refer Item 11.6)
6.3 Mr David Binyon (after 8pm)

7. Public Open Forum

8. Notices of Motion Nil

9. Questions on Notice Nil

10. Petitions Nil

11. Corporate & Community Services Portfolio

11.1 Drug Arm Report and Presentation 5 – 8
11.2 Council Delegations and Authorisations 9 – 11
11.3 Gawler Business Development Group Board Appointment 12 – 13
11.4 Gawler Tourism and Promotions Committee Appointment 14 – 15
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11.6 Changes to Public Transport Services – Town of Gawler 24 – 28
11.7 Waste Removal – Oasis Garden Village 29 – 31
11.9 Native Title – Funding and Processes 58 – 61
11.10 Rate Rebate – Application by Gawler & District Aged Cottage Homes Inc 62 – 65
11.11 Provision of JP Services 66 – 68
11.12 The Gawler Club Lease 69 – 73

12. Governance and Strategy Portfolio

12.1 Progress Report – March 2008 74 – 93
12.2 Amendment to Format of Progress Report 94 – 107

13. Infrastructure & Environmental Services Portfolio

13.1 Green Gully Drainage Investigation 108 – 113
13.2 Cowan Street Parking 114 – 116
13.3 Julian Terrace Parking 117 – 118
13.4 Dog Registration Fees 2008/2009 119 – 128

14. Correspondence
The following documents have been received at Council over the last month and are available for Councillors’ perusal. For further information and/or copies of the reports please contact the Executive Assistant.

<table>
<thead>
<tr>
<th>Date</th>
<th>Title/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>03.04.08</td>
<td>Adelaide City Council 2006/07 Annual Report</td>
</tr>
<tr>
<td>09.04.08</td>
<td>City of Onkaparinga Business Plan 2008/09</td>
</tr>
<tr>
<td>07.04.08</td>
<td>Certificate of Appreciation from Gawler Health Foundation– McLeods Daughters Farewell Celebration</td>
</tr>
<tr>
<td>07.04.08</td>
<td>Mayor Smith, City of Tea Tree Gully – member on the LGA State Executive</td>
</tr>
<tr>
<td>16.04.08</td>
<td>State Electoral Office of SA – Strategic Plan</td>
</tr>
</tbody>
</table>
15. Committee Minutes
   15.1 Section 41 Committees
       15.1.1 Gawler Tourism and Promotions Committee – 02.04.08
       15.1.2 Infrastructure and Environmental Services Portfolio Committee Meeting – 08.04.08
       15.1.3 Governance and Strategy Committee – 15.04.08
   15.2 Section 42 Council Subsidiary
       15.2.1 Gawler Business Development Board – 08.04.08
   15.3 Section 43 Regional Subsidiaries
       15.3.1 NAWMA – 22.04.08

16. Elected Members Reports (Delegates or Representatives)

17. Questions Without Notice

18. Motions Without Notice

19. Community Communications

20. Confidential Reports

   20.1 Confidential Report – South Australian Tourism Funding Progress Report 129

21. Closure

22. Next Ordinary Meeting Tuesday, 27 May 2008, commencing 7.00pm
Item Number: 11.1  
Title: DRUG ARM REPORT AND PRESENTATION  
Date: 22 April 2008  
Author(s): Manager Community Development (D. Tredrea)  
File: R.06.0009  
Previous Reference/Motion: CM 24/04/07 Motion 6770, That the delegated and unanimous Corporate and Community Services Committee motions of 10 April 2007 be noted.

Background

Representatives from Drug Arm previously presented to the Corporate and Community Services Portfolio meeting held on April 10, 2007.

DRUG ARM South Australia has run a Street Outreach Service (SOS) in Gawler since July of 2002. Currently the service patrols each Friday night in the Town of Gawler, offering support, information and referrals to the people it makes contact with. The SOS targets individuals who are experiencing harm associated with alcohol and other drug use, homelessness, mental health and the criminal justice system. The primary target of the SOS is young people aged 12 to 25 years, however the service will respond to anyone in need. The Town of Gawler has provided funding for the Gawler Street Outreach Service for a number of years. Council provided $5,000 for our first two financial years operating in Gawler, 2002-03 & 2003-04, then increased its support to $10,000 in 2004-05, 2005-06 and 2006-07.

Sam Raven, Drug Arm SA Outreach Manager and Glenn Clarke, Drug Arm Volunteer Support Worker will attend the Council meeting to provide a short presentation.

Attachment(s)

Copy of correspondence received from Drug Arm requesting continuation of funding at the current amount of $10,000 for the 2008/09 period.

Comments/Discussion

DRUG ARM AUSTRALASIA  
Gawler Street Outreach Service  
Prepared by: Sam Raven, SA Outreach Manager  
For: The Town Council of Gawler  

The financial support provided by Council has allowed DRUG ARM to make improvements in networking, volunteer support and training, and information dissemination amongst the Gawler community. DRUG ARM has requested that the funding for the Street Outreach Service be continued with a small CPI increase, to sustain this level of service to the Gawler community, and enable the Volunteer Support Worker to pursue opportunities for the service’s growth and expansion.
Current Statistics
The Gawler SOS is currently operating with ten volunteers from the local community, and is coordinated by the Northern Volunteer Support Worker, Glenn Clarke. The Gawler volunteers continue to report positive responses by members of the community to the presence of the service within the region.

The Gawler SOS has made approximately 650 contacts in 2007, with around 60 referrals and information provided to young people in Gawler. The financial support from the Council has enabled sufficient networking and volunteer support in order to achieve these contacts, through the building of relationships and rapport with young people of the community. Much of the information given to clients was related to alcohol use, binge drinking, and alcohol harms. Other issues the teams provided support for included illicit drug use, drink spiking, homelessness, sexual health, mental health and family relationships. In particular, the team has been providing regular support for two homeless individuals, working to ensure their safety, and encourage them to seek assistance from other agencies.

Alcohol and tobacco continue to be the most commonly used substances amongst the clients of the service. Some cannabis cases were also recorded in the past year. DRUG ARM has distributed a large amount of information regarding the use of alcohol in Gawler, as well as being able to provide regular and useful information to Council and the Gawler Drug Action Team on activity in the dry zones of the town and other known 'hot spots' where young people gather in the evening. More detailed statistics and information are available upon request.

The Northern SOS Volunteer Support Worker, Glenn Clarke, has focused extensively on networking and interagency collaboration in the past year. Some of these activities included;

- Regularly attending both the Gawler Youth Workers’ Network, Gawler Drug Action Team, and the Northern Youth Round Table.
- Presentations to Gawler TAFE students about the services DRUG ARM provide and working with young people in the region.
- Working extensively with Housing SA in the Northern region, providing referrals to the agency for clients, and training one of their workers to volunteer on the outreach service in Gawler to work with young people directly on accommodation issues.
- Presentation to Gawler Licensees about observed activities in Gawler and the dry zone after hours.
- Taking part in events and forums such as the Gawler Homelessness Forum, Carnival of the North, Drug Action Week Information Stands (Gawler Northern Market).
- Assisted in guest speaking at service clubs in Gawler, helping to raise community awareness of the work that the SOS volunteers are doing on the streets of Gawler at night.

The Future of DRUG ARM

DRUG ARM is always searching for ways in which it can expand its programs in order to respond to local and emerging needs. One such opportunity was the receipt of a National Illicit Drug Strategy, Community Partnerships Initiative Grant for the commencement of our peer leadership program, titled ‘Get Set’. This highly successful program was run previously in the North East and the new program is run from Elizabeth, based in the City of Playford’s new facility, The Northern Sound System. This program is able to take referrals from the region incorporating the Cities of Playford, Salisbury and Tea Tree Gully, and the Town of Gawler. ‘Get Set’ is a peer leadership program which links young people with mentors from their local community, to produce materials and strategies for combating the harms associated with drug use in their communities.

The Treatment division of DRUG ARM in South Australia also seeks new opportunities for
growth. Treatment Manager Carol Gannon is currently seeking funding from the National Illicit Drug Strategy Non-Government Treatment grants, as well as various other sources to expand to the operations of the highly successful Community Assessment and Response Teams (CART) program, currently operating in the Cities of Marion, Onkaparinga and Holdfast Bay. CART provides home support, assessment, brief intervention, case management and referral to individuals experiencing problems associated with illicit drug and alcohol use. CART also offers support to family members and significant others who may be experiencing difficulties coping due to another's use of alcohol or illicit drugs.

The establishment and continuation of the SOS in regions such as Gawler, provides DRUG ARM with an excellent foundation in the community, upon which to build support for initiatives such as Get Set and CART. Community and agency support is essential in order to attract the funding necessary to run such valuable programs. This is another function that the SOS performs, and another reason why it is important we continue to receive support from bodies such as the Town of Gawler.

Communication
The Drug Arm program is supported through collaborative funding being 30% from State Government, 30% from Federal Government, and 30% split between Council contributions and fund raising. Given this strong support and the type of service it provides to our community and ensuing benefits, the Community Development staff support the continuation of the program in Gawler.

Consultation
Not applicable

Policy Implications
Not applicable

Statutory Requirements
Nil

Financial/Budget Implications
Within existing budget allocation.

Strategic Implications

Objective 1: A strong, healthy, safe, learning and tolerant community
TOG Community Development Plan.

OFFICERS RECOMMENDATION

<table>
<thead>
<tr>
<th>Item</th>
<th>11.1 – Drug Arm Report and Presentation (R:06.0009)</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Council:</td>
<td>Note the report;</td>
</tr>
<tr>
<td></td>
<td>Thank Sam Raven and Glenn Clarke for their presentation; and</td>
</tr>
<tr>
<td></td>
<td>Give due consideration during budget deliberations to continue funding the Drug Arm Program for the 2008/09 period to the amount of $10,000.</td>
</tr>
</tbody>
</table>
14th March 2008

David Tredrea
Manager, Community Services
Town Council of Gawler
Nixon Terrace
Gawler SA 5118

Dear Mr Tredrea,

I am writing to request that the town Council of Gawler continues to provide financial support for DRUG ARM’s Gawler Street Outreach Service (SOS). This service covers areas exclusively within the Gawler council regions. This proposal would ensure that the Gawler SOS continues to operate from 1 July 2008 to 30 June 2009.

In the 08-09 financial year, the Gawler SOS will continue to operate throughout the town, patrolling “hot spots” as identified and requested by Council on either Friday or Saturday nights (4 patrols per month) between the hours of 8:30pm and 1:00am.

The monthly reporting procedure will provide Council with data including records of:
- Times and venues of operation in each region
- Any incidents that may have occurred during these times
- Contact that is made with security providers, agencies and police
- The number of young people contact by our volunteers
- The number of referrals provided to service providers and community groups
- Any further assistance provided to clients such as information provision, first aid or transport
- Client statistics including age, gender, cultural identity, drug and alcohol use, homelessness, mental health, physical safety and risk of harm.

SOS activity and client information will be provided to you in the form of a monthly report, as it pertains to your council region.

The amount of funding requested for the operation of the Gawler SOS in your region will be $10,000 plus GST. This service costs approximately $65,000 to operate for twelve months. We are requesting $20,000 from the State Government, while the remainder will be met by DRUG ARM’s fundraising endeavours. Other councils that contribute financially toward the SOS services in their regions include City of Port Adelaide Enfield, City of Tea Tree Gully, City of Playford, City of Marion, City of Holdfast Bay, City of Onkaparinga and the City of Salisbury.

If you have any questions please do not hesitate to contact me.

Yours Sincerely,

Sam Raven
SA Outreach Manager
DRUG ARM Australasia

Blanca Moerman
National Programs Manager
DRUG ARM Australasia
<table>
<thead>
<tr>
<th>Item Number</th>
<th>11.2</th>
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</thead>
<tbody>
<tr>
<td>Title</td>
<td>COUNCIL DELEGATIONS AND AUTHORISATIONS</td>
</tr>
<tr>
<td>Date</td>
<td>22 April 2008</td>
</tr>
<tr>
<td>Author(s)</td>
<td>Manager – Policy (J van’t Hof)</td>
</tr>
<tr>
<td>File</td>
<td>R:03.0687</td>
</tr>
<tr>
<td>Previous Reference/ Motion</td>
<td>CM 22/05/07 Motion No 5711</td>
</tr>
</tbody>
</table>

That having conducted the annual review of the Council’s Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Committee recommend to Council to:

1. authorise the amendments to the Town of Gawler Council Instruments of Delegations as delegated to the Chief Executive Officer on the 23rd day of May 2006 as per Table A below:

---

**Background**

Section 44 of the Local Government Act, 1999 provides that the Council may delegate a power or function vested or conferred under this or another Act. Some other Acts also confer a specific power of delegation.

Delegations made by Council pursuant to Section 44 may be made to a Council committee, a subsidiary of Council, an employee of Council or an authorised person. Other Acts may specify different delegates than the Local Government Act 1999.

A delegation made pursuant to Section 44 of the Local Government Act 1999 is revocable at will and does not prevent the Council from acting in a matter.

Pursuant to Section 44(3) of the Local Government Act 1999 there are a number of matters which Council cannot delegate. They include the following:

1. power to make a by-law;
2. power to declare rates or a charge with the character of a rate;
3. power to borrow money or to obtain other forms of financial accommodation;
4. power to adopt or revise a strategic management plan or budget of the council;
5. power to approve expenditure of money on works, services or operations of the council not contained in a budget approved by the council;
6. power to determine annual allowances under Chapter 5;
7. power to approve payment or reimbursement of expenses that may be paid at the discretion of the council and for which the council has not adopted a formal policy or made specific financial provisions;
8. power to establish a subsidiary, or to participate in the establishment of a regional subsidiary;
9. power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act;
10. power to fix, vary or revoke a fee under section 188(1)(d) to (h);
11. a power or function excluded from delegation by the regulations.
A delegation is given by the person or body who has been given the power by the Local Government Act, 1999 or any other Act and elects to delegate that power to another person or body and:

1. is subject to conditions and limitations determined by the council or specified by the regulations; and
2. if made to the chief executive officer authorises the sub-delegation of the delegated power or function unless the council directs otherwise and if made to anyone else authorises the sub-delegation of the delegated power or function with the approval of the council; and
3. is revocable at will and does not prevent the council from acting in a matter.

An authorisation is the responsibility given to an officer and, once appointed, allows that officer to automatically exercise those powers given to authorised persons under the Local Government Act, 1999 or any other Act.

The power to appoint authorised persons is usually delegated by the Council to the Chief Executive Officer given those duties and powers of the authorised persons are ordinarily related to the administrative (usually regulatory) functions of the Council.

The appointment must be in writing and the Chief Executive Officer advises that, subject to Council’s endorsement of the recommended delegations, authorisations and officers, the appointment will be recorded and included in the personnel file of the officer of the Council who is so appointed.

An authorised person must be issued with an identity card that contains their photo and any conditions or limitations imposed upon their appointment.

The power to revoke the appointment of an authorised person or to impose a further condition may be exercised at any time by the Council or the person who has the delegated authority to appoint authorised persons. Section 266 of the Local Government Act, 1999 provides the usual form of indemnity from civil liability for any authorised person for an honesty act or omission in the exercise, performance or discharge or purported exercise, performance or discharge of their powers, functions or duties. A person who falsely represents, by words or conduct, that he or she is an authorised person when, in fact, they are not, commits an offence –maximum penalty upon conviction $5,000.00.

Generally, the Chief Executive Officer will determine and sub-delegate responsibilities to various officers of Council subject to organisational needs and resources.

**Attachment(s)**
Nil

**Comments/Discussion**
Delegations are reviewed by Council annually to ensure consistency and currency. Over the previous year the Development Act is the only Act that has undergone any changes/amendments. Therefore Council is required to review the current Council Delegations and authorise the changes.

**Communication**
Nil Required

**Consultation**
A/DCCS
Policy Implications
Delegations and authorisations may have a direct relationship to Council policies. If any changes or amendments are required of Council Policies as a result of this Council Delegation Instrument, they will be reviewed and presented before Council for its consideration.

Statutory Requirements
Local Government Act 1999
All Acts here-in described within the Delegation Instrument

Financial/Budget Implications
Not applicable to this report

Strategic Implications
The delegation of responsibilities underpins the modern governance system of Local Government and is central to the achievement of the strategic outcomes of the organisation.

OFFICER’S RECOMMENDATION

Item 11.2 – COUNCIL DELEGATIONS AND AUTHORISATIONS (R:03.0687)

That having conducted the annual review of the Council’s Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, Council hereby authorises the amendments to the Town of Gawler Council Instruments of Delegations as delegated to the Chief Executive Officer on the 23rd day of May 2006 as per Table A below:

<table>
<thead>
<tr>
<th>Instrument</th>
<th>Para number in Instrument</th>
<th>Type of Change</th>
<th>Reason for Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instrument of Delegation under the Development Act (Appendix 17)</td>
<td>23.1</td>
<td>Amendment</td>
<td>Legislative Amendment</td>
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<td></td>
<td>23.1A</td>
<td>Addition</td>
<td>Clarification</td>
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<tr>
<td></td>
<td>23.2A</td>
<td>Addition</td>
<td>Legislative Amendment</td>
</tr>
<tr>
<td></td>
<td>57.1</td>
<td>Amendment</td>
<td>Legislative Amendment</td>
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<tr>
<td></td>
<td>63.6</td>
<td>Amendment</td>
<td>Legislative Amendment</td>
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<tr>
<td></td>
<td>73.4</td>
<td>Amendment</td>
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<tr>
<td></td>
<td>73.5</td>
<td>Amendment</td>
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<tr>
<td></td>
<td>75.1</td>
<td>Amendment</td>
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<tr>
<td></td>
<td>77.1</td>
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<tr>
<td></td>
<td>78.1</td>
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<tr>
<td></td>
<td>78.2</td>
<td>Amendment</td>
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<tr>
<td></td>
<td>87A.1</td>
<td>Addition</td>
<td>Oversight Rectification</td>
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</table>
**Item Number** 11.3  
**Title** GAWLER BUSINESS DEVELOPMENT GROUP - BOARD APPOINTMENT  
**Date** 22 April 2008  
**Author(s)** Manager, Economic Development (J Grantham)  
**File** R:03.0338  
**Previous Reference/ Motion** Nil

**Background**
The Gawler Business Development Group was established as a subsidiary pursuant to Section 42 of the Local Government Act 1999 in March 2003. The Charter of the Group was developed following extensive consultation with local business and adoption of Council.

**Attachment(s)**
Nil

**Comments/Discussion**
The Charter of the Group requires that on an annual basis they hold an open meeting for the purpose of receiving nominations for vacated positions on the board but also to provide reports of their activities over the past year and presentation of the business plan for the forthcoming year.

On 18 March 2008 the Gawler Business Development Group held its AGM. Council endorsed the nominations for the Board received at the AGM at the March Council meeting.

Vacancies on the Board for representatives from Willaston, Evanston x 2 and Other Precinct remained following the AGM. It was agreed at the AGM that personal approach to business operators in these areas would be made to fill the vacant positions.

The following nominations have now been received and considered by the Board:-

- Sam Irrang, Promotions & Function Manager, Starplex (Evanston, Expiring 31/03/10)
- Leon Angione, Proprietor, Bookends Café (Willaston, Expiring 31/03/09)

**Communication**
N/A

**Consultation**
N/A

**Policy Implications**
N/A

**Statutory Requirements**
Local Government Act 1999 (formation under Section 42 & compliance)  
Gawler Business Development Group Charter

**Financial/Budget Implications**
Nil
Strategic Implications
SO3 – A prosperous Economy; with sustainable, challenging, rewarding and fulfilling employment opportunities.

OFFICER’S RECOMMENDATION

Item 11.3 – Gawler Business Development Group Board Appointment (R:03.0338)

That Council endorse the following nominations to the Board of the Gawler Business Development Group:

a. Sam Irrang, Promotions & Function Manager, Starplex representing Evanston, Expiring 31/03/10
b. Leon Angione, Proprietor, Bookends Café, representing Willaston, Expiring 31/03/09.
Item Number 11.4
Title GAWLER TOURISM & PROMOTION COMMITTEE APPOINTMENT
Date 22 April 2008
Author(s) Manager, Economic Development (Jodie Grantham)
File R.03.0386
Previous Reference/ Motion Nil

Background
The Gawler Tourism & Promotion Committee was re-established as a committee of the Town of Gawler (Council) in 2007 under section 41 of the Local Government Act (SA) 1999 (the Act). Committee meetings are held on the first Wednesday of each month.

The purpose of the committee is to promote Gawler, to encourage the promotion of quality events which enrich our community and attract visitor and tourist interest, to educate our community about the opportunities to enhance tourism and the resulting benefits to business and employment in the Gawler region, and to encourage the delivery of the key strategies identified in the Tourism Strategic plan and ensure that such strategies are adequately resourced through the Council’s planning and budgetary processes.

Attachment(s)
Nil

Comments/Discussion
Ongoing development of key projects in line with the Gawler Tourism Strategic Plan has been occurring by the committee and staff.

The Committee have agreed that their ongoing focus will be to undertake actions as identified in Gawler Tourism Strategic Plan.

At the March meeting the committee received interest from Jacqui Law-Smith, representing community, to be a part of the committee. At that time all positions were full however the committee was aware of the possible resignation of Barry O’Brien. The nomination of Jacqui Law-Smith was accepted pending the outcome of future discussions with Barry O’Brien.

At the meeting held on 2 April 2008 the committee accepted the resignation of Barry O’Brien, due to other community commitments. This resignation enables the appointment of Jacqui Law-Smith to the Gawler Tourism & Promotions Committee to be ratified.

Communication
N/A

Consultation
N/A

Policy Implications
N/A

Statutory Requirements
The Gawler Tourism and Promotion Committee is established as a committee of the Town of Gawler (Council) under section 41 of the Local Government Act (SA) 1999 (the Act).
Financial/Budget Implications
N/A

Strategic Implication
SO 3 – A prosperous economy; with sustainable, challenging, rewarding and fulfilling employment opportunities.

E05,E06,E07,E08

Gawler Tourism & Strategic Plan

OFFICERS RECOMMENDATION

Item 11.4 – Gawler Tourism & Promotion Committee Appointment (R:03.0386)

That Council endorse Jacqui Law-Smith as a member of the Gawler Tourism & Promotions Committee, representing community, for a term to expire in line with the Terms of Reference adopted 27 March 2007, that being 31 March 2009, in this instance.
Background
The Northern Adelaide Business Enterprise Centre (NABEC) was established in 1995 by the Northern Adelaide Development Board (NADB) and involved the Councils of Elizabeth, Gawler, Munno Para and Salisbury. Through NADB sponsored consultancies in 1993 and 1994 the concept of a Business Reference Centre developed with a Business Centre opening in 1995 with the financial support of regional councils.

“Business in the Community” invited the Northern Business Centre to become part of the BEC network in 1996 so beginning the Northern Adelaide Business Enterprise Centre. The Northern Regional Commerce Association transferred its operations to the NABEC at its commencement in 1996 providing most of the Board members, membership base and a small amount of cash reserves. Financial support from State and local government on an annual basis began in 1996-97 with the appointment of a full time manager.

The organisation continued under this structure until it was separately incorporated in 2001. NABEC is now part of a national network of 140 Business Enterprise Centres across Australia.

Salisbury Council withdrew its support and funding in 2001. The City of Playford together with the Town of Gawler, have continued to support (financially) the Northern Adelaide Business Enterprise Centre Inc.

The Town of Gawler since 2001 has contributed annually $12,000 to NABEC.

Attachment(s)
2nd Quarter Gawler Report 2007/2008
2nd Quarter Gawler Activities Report 2007/2008

Comments/Discussion
The NABEC is now well established within the Elizabeth West Industrial Precinct with a developing cluster of small to medium enterprises. The NABEC is delivering front line business advice and support for “start-up” and “small business” enterprise within the City of Playford and Town of Gawler, including home based business which is nationally the fastest business sector.

Current services of the NABEC include:
- Business advice, education and information directed at Start – up opportunities and the small business community generally
- Support and development of existing small business operators, industry clustering and networking
- Project development work includes business incubator, annual regional prosperity conferences and general training delivery
Since the Town of Gawler and NABEC entered into a Service Agreement, signed in January 2006, a more focussed approach has been made to the Gawler area. Initially the take up of the services was not strong due mainly to the lack of knowledge of their attendance in the town. As evidenced by the attached 2nd quarter Gawler Activities Report 2007/2008 (items 1 – 6) activity in Gawler is far beyond the current Service Agreement, most notably the Target Business Clients identified and number of businesses who have received advice.

The current service agreement calls for 80 visits to Gawler business per annum which has already been achieved.

Aside from the visitations and training opportunities provided NABEC has been directly involved in facilitating local networking opportunities i.e. Small Business Month Breakfast inaugural event in October 2007.

Third quarter results are now due and are expected to be received by the end of the month.

Gawler faces challenging times in business with the competitive nature that surrounds us and the changing demographics of our community. NABEC is providing a valuable source to develop our business operators into more economically sustainable positions. The services of NABEC link directly to the objectives of the Gawler Business Development Group (GBDG) as detailed in their Charter in addition to extending services to home based business.

The provision of NABEC services is directly linked to State Government funding through the Department of Trade & Economic Development (DTED). State Government have most recently confirmed funding for a further 3 year period whilst Federal funding is also being confirmed (pre-election promise).

The current funding agreement that the Town of Gawler entered into expires on 30 June 2008. Consideration to financial contribution going forward requires consideration and also fulfilling the obligations under the existing agreement. At present Council is not fulfilling its obligations under the agreement in relation to the provision of office space to enable advisor services to take place. Initially this was achieved through utilising available meeting rooms but these have been required for Council purposes which has required all services to be delivered on site.

NABEC has indicated that there is capacity for their services to be of a full time nature in Gawler thus not only lifting their profile but most importantly providing additional quality services to local business.

Previous approaches have been made to DTED to clarify delivery of small business services in line with State Strategic Boundaries. It has been indicated that the delivery point of these services continues to be at the discretion of each respective council.

To fulfil Councils obligations under the current agreement and provide quality service going forward on the basis of a full time presence in Gawler the following is proposed:-

- Free use of upstairs VIC to facilitate advisor services in line with 3 year funding agreement.

While NABEC would not require exclusive use it is recommended that the future use of this area be confined to NABEC and internal purposes only. This would enable Council to utilise the area for training where no alternative is present but would more importantly enable the area to be set up for specific business training, installing ownership amongst business operators. It would also assist to raise the profile of benefits associated with the Gawler Visitor Information Centre.

At present there are no ongoing user groups of this area and current bookings (3) could be easily accommodated in other Council meeting areas. On an annual basis
the upstairs VIC generates approx $1,500 gross income. NABEC would provide all office requirements for their functions.

The table below provides a realistic valuation on this provision.

<table>
<thead>
<tr>
<th>Provision</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Rent (verbal indicative from Real Estate Agent without inspection)</td>
<td>$20,000 pa</td>
</tr>
<tr>
<td>Reduction for shared used &amp; partial occupation</td>
<td>($5,000)</td>
</tr>
<tr>
<td>Proposed Fixed Rental(approx $250 m2)</td>
<td>$15,000 pa</td>
</tr>
<tr>
<td>Cost to convert from meeting to office</td>
<td>$5,000 once off</td>
</tr>
</tbody>
</table>

The support indicated above would be in addition to the support that is already provided to NABEC.

<table>
<thead>
<tr>
<th>Support</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 year funding agreement in line with State Government Funding (equal to current year support)</td>
<td>$12,000</td>
</tr>
<tr>
<td>Financial support, above and beyond officer support for Small Business Month Event specific in Gawler (equal to current year support – event held in October)</td>
<td>$1,000</td>
</tr>
<tr>
<td>Sponsorship of Regional Prosperity Conference (equal to current year support – conference to be held in July)</td>
<td>$1,000</td>
</tr>
<tr>
<td>Sponsorship of Business Owners Coaching Program delivered in Gawler (equal to current support – new project to commence in May)</td>
<td>$2,000</td>
</tr>
<tr>
<td>Commercial value of office provision as indicated above</td>
<td>$15,000</td>
</tr>
</tbody>
</table>

TOTAL support for 2008/2009 & beyond $31,000

The inclusion of all items as per above would provide Council with greater exposure through promotions and also enable NABEC with the potential to source other funding.

The benefits associated with having Small Business Advisors full time in Gawler will be invaluable and can be seen by those that have already utilised their services who have shown dramatic improvements in their professionalism and business profits.

Communication
Promotion of Council partnership with NABEC to the general business community through paper and direct mail.

Consultation
Through ongoing discussions with business owners feedback in relation to services of NABEC has only been positive.
Local Real Estate Agent
Director, Environment & Infrastructure Services
Policy Implications
Nil

Statutory Requirements
Local Government Act 1999 Section 7(g) “The functions of a council include to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism”

Financial/Budget Implications
$5,000 for building modifications & planning applications would be required immediately to enable use as office in lieu of meeting. This would need to be included in next budget review.

Net cost to Council (allowing for journal of $15,000 for property rent)
For 2008/2009 $16,000
For 2009/2010 $16,000
For 2010/2011 $16,000

Current draft budget allows for net support of $13,000. (funding agreement + Small Business Month support only)

Strategic Implications
Objective 3 – A prosperous economy; with sustainable, challenging, rewarding and fulfilling employment opportunities.

GBDB Charter – 2.1.3 to improve the economic viability of the commercial precincts and businesses generally within the Town of Gawler

RECOMMENDATION

Item 11.5 – Northern Adelaide Business Enterprise Centre (R 03:0330)

That Council authorise:

a. officers to prepare a 3 year licence agreement between Council and Northern Adelaide Business Enterprise Centre for the shared use of the 1st Floor of the Gawler Visitor Information Centre at no cost, expiring 30 June 2011;

b. the immediate use of the facility by Northern Adelaide Business Enterprise Centre whilst the above agreement is being prepared;

c. officers to negotiate a new 3 year service agreement with Northern Adelaide Business Enterprise Centre commencing 1 July 2008 that is reflective of increased advisor services in Gawler in addition to Council cash and in-kind support totalling $31,000 per annum for the term of the agreement;

d. the Mayor and CEO to affix the Council seal to the licence agreement and service agreement between Council and Northern Adelaide Business Enterprise Centre upon finalisation.
### Town of Gawler / NABEC Reporting Template July 2007 - June 2008

<table>
<thead>
<tr>
<th>Key performance indicators</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Target Business Clients Identified</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>251</td>
</tr>
<tr>
<td>2 Provide business advice and assistance to a minimum of 80 target enterprises per annum</td>
<td>47</td>
<td>41</td>
<td></td>
<td></td>
<td>88</td>
</tr>
<tr>
<td>3 Business Owners Coaching number of Gawler businesses participating (registered)</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>4 Better Business Series workshops conducted</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>5 Better Business Series Workshop Gawler participants</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>6 Starting Your Own Business workshops participation by Gawler residents</td>
<td>5</td>
<td>8</td>
<td></td>
<td></td>
<td>13</td>
</tr>
<tr>
<td>7 Total number of business services provided to Gawler (2,4,8,9,13,15,18)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,412</td>
</tr>
<tr>
<td>8 Total telephone contacts</td>
<td>1,148</td>
<td>910</td>
<td></td>
<td></td>
<td>2,058</td>
</tr>
<tr>
<td>9 *BLIS packages provided and / or Business Starter Kits</td>
<td>18</td>
<td>11</td>
<td></td>
<td></td>
<td>29</td>
</tr>
<tr>
<td>10 Clients assisted and details of the business service provided</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Start Up</td>
<td>21</td>
<td>14</td>
<td></td>
<td></td>
<td>35</td>
</tr>
<tr>
<td>- Coaching</td>
<td>30</td>
<td>20</td>
<td></td>
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<tr>
<td>- Employment</td>
<td>16</td>
<td>10</td>
<td></td>
<td></td>
<td>26</td>
</tr>
<tr>
<td>- Operations Management</td>
<td>57</td>
<td>37</td>
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<td></td>
<td>94</td>
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<tr>
<td>- Business Planning</td>
<td>45</td>
<td>30</td>
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<td>75</td>
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<tr>
<td>- Market Planning</td>
<td>53</td>
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<tr>
<td>- Financial Planning</td>
<td>48</td>
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<tr>
<td>- Export</td>
<td>6</td>
<td>4</td>
<td></td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>- Family Business Issues</td>
<td>15</td>
<td>10</td>
<td></td>
<td></td>
<td>25</td>
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<tr>
<td>- Legal Issues</td>
<td>30</td>
<td>20</td>
<td></td>
<td></td>
<td>50</td>
</tr>
<tr>
<td>- Selling - Buying a Business</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>---</td>
<td>------------------------------------------</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>New business established</td>
<td>6</td>
<td>2</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>New business established - Jobs Full Time</td>
<td>6</td>
<td>2</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>New business established - Jobs Part Time</td>
<td>/</td>
<td>/</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Visits to clients’ premises (Gawler)</td>
<td>140</td>
<td>180</td>
<td>320</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Network Functions run in Gawler</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Network Function Attendance</td>
<td>15</td>
<td>78</td>
<td>93</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Referrals to DTED for specialist services</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Additional Service Activity</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>*Achievements/issues of significance (attach as word document)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>*Total General Enquiries</td>
<td>57</td>
<td>51</td>
<td>108</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>*New Exporter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>*Home Based Business</td>
<td>/</td>
<td>/</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>
Northern Adelaide Business Enterprise Centre Inc.

Town of Gawler

General Activities – 2nd Quarter 2007 – 2008 – Gawler

- Employment of full time business advisor to assist in the delivery of services to small business across the northern Adelaide region.

- Small Business Month Function – very successful business breakfast at Willaston Hotel, 78 people attended featuring the Retail Road Show.

- Support to Gawler Caravan Park to organise the opening of new facilities, planning, research, implementation and provision of M.C. and equipment for the event.

- Assistance to Retail Road Show Group – business advice and planning.

- Development of Training programs specific to Gawler’s needs – Feb to Nov 2008.

- Business Owners Coaching Program – sponsorship of 2 BOCP’s per year x 5 years producing a $165K investment by State Government into Gawler and 100 businesses having direct access to a valuable, affordable coaching program. GBDB cost over 5 years - $ 25K, Business cost over 5 years - $ 30K. Group has been researched and is now in the final stages of being assembled, anticipated start in Feb / March 2008.

- NABEC nominated 3 local businesses including one Gawler based business for a National Business Award at the National Small Business Conference in Perth W.A. during October. None of our nominations achieved the final success however all 3 were declared National finalists. The Minister for Small Business has agreed to attend a small function in February to present certificates and trophies.

- Canvassing industrial areas in and around Gawler – starting a second round of calls on all businesses in the industrial areas. Specific interest in businesses who could have interest in Coaching Programs, Lean Processes, General Business Training, possible participants for a Gawler Show Trade Exhibition.

- Attended Gawler Show AGM, considering a proposal for February 2008, discussed with Show President and Economic Development Manager of Council. Draft document prepared for discussion and decision. Decision to proceed will depend on sponsorship support.

- Provided advice and support to Chair, Admin. Officer and Chair Marketing Committee, Gawler Business Development Board – ongoing.
- Continued visitation program to Gawler businesses generally – ongoing relationship development.

- Continued to involve Gawler in forward-planning 2008 to 2011 government funding for NABEC – State and Federal. Expanding thinking beyond Gawler to the immediate regions to the north and west of Gawler and using Gawler as an operational base.

- Town of Gawler included in NABEC Strategic Plan review and workshop session.
<table>
<thead>
<tr>
<th>Item Number</th>
<th>11.6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>CHANGES TO PUBLIC TRANSPORT SERVICES – TOWN OF GAWLER</td>
</tr>
<tr>
<td>Date</td>
<td>22 April 2008</td>
</tr>
<tr>
<td>Author(s)</td>
<td>Acting Director Corporate &amp; Community Services (Ron Wallace)</td>
</tr>
<tr>
<td>File</td>
<td>R:03.1375</td>
</tr>
<tr>
<td>Previous Reference/ Motion</td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Background**
The Town of Gawler is serviced by a rail service between the Town and the Central Business District (CBD) of Adelaide, with stops at other appropriate locations on route. This service provides a reasonably fast and cost effective way of commuting between the town and other locations.

**Attachment(s)**
Copy of letter from the Public Transport Division (PTD) of the Department for Transport, Energy and Infrastructure.

**Comments/Discussion**
The letter indicates that there will be a change to the rail transport services to the Town of Gawler, however these changes are not detailed in the letter, only that the changes will better meet the changing travel requirements of the majority of residents in this area and will provide a more regular, consistent and frequent service to the majority of patrons. The changes are due to be implemented on the 27 April 2008. Officers of the PTD and TransAdelaide will provide a briefing to Elected Members regarding the service changes at the Council meeting on the 22nd April 2008. Changes to the service can be accessed on-line at www.transadelaide.com.au

**Communication**
Nil

**Consultation**
Nil

**Policy Implications**
N/A

**Statutory Requirements**
N/A

**Financial/Budget Implications**
Nil

**Strategic Implications**
Public Transport - Aim 3: Advocate for the provision of adequate transport services in line with community needs.
OFFICER’S RECOMMENDATION

Item 11.6. – Changes to Public Transport Services – Town of Gawler

That officers from the Public Transport Division and TransAdelaide be thanked for their presentation to Council regarding changes to the rail transport services to Gawler and that the contents of the report be received and noted.
Government of South Australia
Department for Transport, Energy and Infrastructure

PUBLIR TRAFIC DIVISION
Roma Mitchell House
136 North Terrace
Adelaide SA 5000

PO Box 1
Walkerville SA 5081

Telephone: 04 8000 6002
Facsimile: 08 8303 6283

ABN 92 366 288 135

In reply please quote #232244
Enquiries to Suzanne Stone
Telephone 8303 0673

Mr Stephen Kerrigan
Chief Executive Officer
Town of Gawler
PO Box 130
GAWLER SA 5118

TOWN OF GAWLER
INCOMING RECEIVED
1 - APR 2008

FILE NO. DOCUMENT
03.13.75 S 28.8

Dear Mr Kerrigan

CHANGES TO PUBLIC TRANSPORT SERVICES IN THE TOWN OF GAWLER

On 27 April 2008, the Department for Transport, Energy and Infrastructure, Public Transport Division (PTD) and TransAdelaide will be introducing a change to rail public transport services in the Town of Gawler.

This change has been made to better meet the changing travel requirements of the majority of residents in this area.

In brief, this change will provide significant changes to the Gawler Line train timetable enabling a more regular, consistent and frequent service for the majority of patrons.

As part of the changes the PTD will once again conduct a public awareness campaign closer to the implementation date. This will include:

- briefings to all State and Federal Members of Parliament;
- briefings to special interest groups such as residents of retirement villages and employers of people with disabilities;
- a media advertising commencing approximately two weeks prior to the change date;
- a scheduled program of detailed customer information through timetables and kerbside information; and
- Adelaide Metro on display at major shopping centres in metropolitan Adelaide with material available to customers and the Adelaide Metro InfoTeams on the road at those locations affected by changes.

Officers of the PTD and TransAdelaide would be happy to provide a briefing to council staff and elected members regarding the service change.
If you require a briefing please contact Ms Suzanne Stone on telephone 8303 0573 to arrange a suitable time.

Yours sincerely

Heather Webster
EXECUTIVE DIRECTOR
PUBLIC TRANSPORT DIVISION

27 March
April 2008
Background
The Oasis Garden village is located at Hutchinson Road, Gawler East and is consolidated onto one assessment. As a result they are only entitled to one 140L household waste bin collected weekly and one 240L recycle bin collected fortnightly.

Attachment(s)
Letter from Oasis Garden Village

Comments/Discussion
In the letter from Marlene E Rollason-Taylor she requests that Council reconsider its position on only allowing the two bins for waste collection. Following the receipt of a letter from Council they have paid for four additional 240L waste collection bins and four additional 240L recycle bins, however she is seeking to have Council waive the charges and refund the payment made for the additional bins.

In July 2007 Council resolved to charge for bins provided in addition to the two bins that are charged on the rate notice to offset the increased cost of waste disposal and as this does not apply to all households it is considered a reasonable way in which to accomplish those results.

Contact has been made with the City of Tea Tree Gully and while Balmoral Village was not specifically mentioned, advice was received that they charge for additional waste services.

Any variation to Council’s resolution to impose a waste management charge on additional bins could be seen as a precedent for other organisations and indeed other ratepayers. This could have a detrimental impact upon rating income and the long-term viability of Council if it was to implement the granting of rebates on waste management services. Council needs to uphold its decision to charge for additional waste or upgraded waste bins and to be more stringent on the application of collecting service charges, particularly in relation to waste management.

Communication
Marlene Rollason-Taylor Managing Director, Oasis Garden Village
Andrew Taylor
Tony Piccolo MP

Consultation
Nil

Policy Implications
Nil

Statutory Requirements
Local Government Act 1999

**Financial/Budget Implications**
Potential reduction of income if rebates are granted.

**Strategic Implications**
Objective: Reduction of waste to landfill by increasing recycling and green waste usage.

**OFFICER'S RECOMMENDATION**

<table>
<thead>
<tr>
<th>Item 11.7 – Waste Removal Oasis Garden Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>That Oasis Garden Village be advised that their request for waste service charges to be waived is not supported.</td>
</tr>
</tbody>
</table>
URGENT ATTENTION

Mr. Stephen Kerrigan,
Chief Executive Office
Gawler City Council

Dear Mr. Kerrigan

Garbage Removal

I wish to ask the Council to reconsider their position that Oasis Garden Village is only allowed one garbage bin and one recycling bin for the entire facility, and that the Village pays for any further bins.

It is my opinion that the large amount of rates that the Village already pays, should cover the need of the Village to have at least ten of each bin emptied each week.

Further, the Village also owns two domestic dwellings in the same area and it totally defies logic that both houses, which pay approximately $2,000 per year in Council rates, are allowed two bins, while the Council collects a far larger rate amount from the Village and still only allows exactly the same number of bins as one domestic household.

In reconsidering Council’s position, may I remind Council that Oasis Garden Village is a Residential Support Care Facility. Most of the residents receive rental assistance from Centrelink to supplement their pension.

Currently the Village’s Accountants incorporate the Council’s rates (which are one of the biggest accounts that the Village receives) into the yearly budget. If the Council insists on charging extra fees to have additional bins emptied then this cost will be passed on to the residents, and it will be them who must find this money. The residents already have very little over from their pensions each week to live on.

I have owned and managed four other retirement villages (all of which are similar supportive care facilities) in four separate Council areas and the rates in those Council areas cover the entire garbage removal regardless of how many bins are put out. As an example, Balmoral Village which is in the Tea Tree Gully Council area pays one set of rates and can put out as many bins as are deemed necessary. There has never been a query or request to limit the number of bins. Why is it possible for such discrepancy between Councils?

I would be pleased if you could give this matter your urgent attention as the Directors, Management of Oasis Garden Village and the residents are far from happy with Council’s present suggestion.

Yours Sincerely;

Marlene E. Rollason-Taylor
Managing Director
On behalf of the Directors of Care SA Pty Ltd
0409 894 282

Phone: 8522 4145 Fax: 8522 4989 21 Hutchinson Road Gawler East
Item Number 11.8
Title COMMUNITY CONSULTATION – 2008/2009 RATING POLICY
Date 22 April 2008
Author(s) Acting Director Corporate & Community Services (Ron Wallace)
File R:03.0533
Previous Reference/ Motion Nil

Background
The draft rating policy was advertised in the Bunyip newspaper on the 5th March 2008 seeking comment on the content of the policy.

Attachment(s)
Copy of Draft Policy
Copy of Newspaper advertisement
Correspondence from Tony Piccolo MP. Member for Light
Correspondence from Allan Evans, 4 Allwood Drive, Gawler East

Comments/Discussion
Council received two responses to its community consultation on the 2008/2009 draft rating policy, both raised concerns about waste management charges, particularly in relation to green waste. This matter has been the raised at meetings of Council held over the past two months. Additional waste collection options that are available include $100 for each 240L domestic waste bin, $35 for each recycle waste bin and $55 for each green waste bin. The cost of these services is invoiced separately. As these services are additional to the standard service of one 120L domestic waste bin collected weekly and one 240L recycle bin collected fortnightly the users of these services should bear the associated cost, not the ratepayers in general. If Council was to consider moving away from this system it should consider increasing the waste management charge from $120 to $175 and provide the service to all ratepayers. The rating Policy would need to be amended to reflect this if Council decided to pursue this option.

The other issue raised was the re-introduction of the rural rebate which was removed in 2007/2008. The current system of using a general rate in the dollar could be varied by the introduction of a separate rate for “Primary Production” in lieu of providing a rebate. Primary Production comprises:

(a) farming within the meaning of the Development Regulations;
(b) horticulture within the meaning of the Development Regulations;
(c) the use of land for horse keeping or intensive animal keeping within the meaning of the Development Regulations;
(d) in respect of a dairy situated on the farm, - the use of land for a dairy within the meaning of the Development regulations; and
(e) commercial forestry.

Communication
Rates Assessment Officer
Consultation
Community consultation 5th March 2008 to 26th March 2008

Policy Implications
If resolved the waste management charges could be increased from $120 to $175, which would include a green waste service being provided to all ratepayers. The Policy already covers the possibility of differential rates for various land use categories.

Statutory Requirements
Chapter 10 – Local Government Act 1999

Financial/Budget Implications
Council needs to recover the full cost of providing services to the community.

Strategic Implications
Objective:

OFFICER'S RECOMMENDATION

Item 11.8. – Community Consultation – 2008/2009 Rating Policy

While the suggestions (waste management charges and re-introduction of rural rebates) raised during the Community Consultation process have been given due consideration the rating policy as presented be adopted by Council.
1. **INTRODUCTION**

Each year as part of the Annual Business Plan & Budget preparation process, the Town of Gawler (Council) reviews the approach to the setting of Rates. Although the Council is not required to formally adopt a Rating Policy it has decided that as best practice, to prepare and adopt a policy relating to rating matters.

The policy covers:
1. Introduction
2. Strategic focus
3. Business impact statement
4. Land Valuation
5. Rate Revenue
6. Rate concessions
7. Payment of rates
8. Late payment of rates
9. Remission and postponement of rates
10. Rebate of rates
11. Residential Rate Capping
12. Sale of land for non-payment of rates
13. Application of the policy
14. Disclaimer
15. Review of policy
16. Further information
17. Availability of Policy
2. **STRATEGIC FOCUS**

In determining the approach to rates for the 2008/2009 financial year the Council has considered the following:-

- The objectives of the Town of Gawler Strategic Plan 2007-2017. The Plan was originally adopted in 2005 following extensive community consultation. A review is conducted on an annual basis and at other times as needed.

- A 10 year long term Financial Plan supports the Strategic Plan and includes the following:
  i. completion of $40m of Capital Projects,
  ii. appropriate loan borrowings to achieve a balanced annual budget,
  iii. progressive reduction of overall debt
  iv. aim to achieve financial sustainability.

- The major source of revenue is rates, derived as a tax on land within the Council area. Prior to determining the level of rates required each year, Council considers the service delivery needs and related expenditure priorities in relation to the Strategic Plan and changing Community needs.

- Specific issues faced by the community are:-
  i. the need for a significant capital works program and upgrade of essential infrastructure assets;
  ii. the need for extensive Flood Mitigation works;
  iii. continuous development of playgrounds and recreational facilities;
  iv. extension of waste management services and recycling program

- The impact of the rate burden on the community including:-
  i. the broad principle that the rate in the dollar should be the same for all properties except where there is a different level of services available/provided to ratepayers or some other circumstance which warrants variation from the broad principle.
  ii. minimising the level of general rate required by levying fees and charges for goods and services on a user pays basis, where that is possible to recover the full cost of operating or providing the service or goods, with provision for concessions to those members of the community unable to meet the full cost;
  iii. the equity of distribution of the rate burden between ratepayers.

- The raising of sufficient additional revenue to meet cost increases and to continue implementing infrastructure projects identified in the Strategic Plan.

- The current local, state and national economic climate and relevant factors such as inflation and interest rates and forecast changes during the next year.

- The resources required for the delivery of Council services are documented in the Annual Business Plan & Budget. These have direct links to the Strategic Plan and outline performances measures, both financial and non-financial for the delivery of services.

The Council Strategic Plan, 10 Year long term Financial Plan and the Annual
Business Plan & Budget are available for inspection at the principal Council Office. The Council regularly conducts public consultation on a broad range of issues relating to the future direction. These opportunities are advertised in local papers, distributed to householders and meetings held which ratepayers and any interested people are welcome to attend. The Council also encourages feedback at any time and these should be addressed to the CEO.

3. **BUSINESS IMPACT STATEMENT**

Council has considered the impact of rates on all businesses in the Council area, including retail, manufacturing, service industries, primary production and particularly those businesses in the Town Centre and the Town Centre fringe. Major factors include changes in valuation, special Council projects planned and infrastructure issues that specifically benefit local business.

Council assessed the following matters:

- The planned changes to the Town Centre so it will become a significant economic driver for the town;
- The Town Centre operating as the major retail/services precinct for Gawler, and adjacent metropolitan and country areas;
- Ongoing consultation with the Gawler Business Development Board and Gawler Tourism & Promotions Committee.
- Issues relevant to the business community, including:
  - Town Centre Development
  - Attracting new investment
  - Facilitating redevelopment opportunities
  - Implementation of the Traffic Management Strategy
  - Implementation of the Carparking Strategy
  - Promotion of the Town through tourism and event initiatives
  - A strong and vibrant tourism business group.

Council actively pursues the economic development of the town through:

- Planned commercial development that reinforces the built, natural and cultural heritage and character of Gawler;
- Liaison with the business community to identify development opportunities and co-ordinate tourism promotions;
- Establishment of the Gawler Business Development Board & the Gawler Tourism & Promotions Committee;
- Funding and managing the Gawler Visitor Information Centre;
- Identifying opportunities for development and supporting these with expert and infrastructure services;
- Accessing funds through the Regional Assistance Program to support businesses with appropriate and relevant expert advice;
- Bidding for national and major Events to build the image of Gawler as a tourist and visitor destination.

A number of development projects with the business community are ongoing. These include:

- the Town Centre Management Plan
- the Gawler Tourism and Promotions Committee business plan
- the Gawler Business Development Board
- Ongoing participation with the Northern Adelaide Business Enterprise Centre
4. **LAND VALUATION**

The Council may adopt one of three valuation methodologies to value the properties in its area.

They are:
- **Capital Value** – the value of the land and all of the improvements on the land
- **Site Value** – the value of the land and any improvements which permanently affect the amenity of use of the land, such as drainage works, but **excluding** the value of buildings and other improvements.
- **Annual Value** – a valuation of the rental potential of the property.

The Council has decided to continue to use capital value as the basis for valuing land within the Council area as it considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers on the following basis:
- the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth;
- property value is a relatively good indicator of wealth and capital value, which closely approximates the market value of a property and provides the best indicator of overall property value;
- the distribution of property values throughout the Council area is such that few residential ratepayers will pay significantly more than the average rate per property.

**Adoption of Valuations**

The Council has adopted the valuations made by the Valuer-General as provided to the Council. If a ratepayer is dissatisfied with the valuation made by the Valuer-General then the ratepayer may object to the Valuer-General in writing, within 60 days of receiving the notice of the valuation, explaining the basis for the objection, provided they have not:

(a) previously received a notice of this valuation under the Local Government Act, 1999, in which case the objection period is 60 days from the receipt of the first notice; or
(b) previously had an objection to the valuation considered by the Valuer-General.

The address of the Office of the Valuer-General is:

Office of the Valuer-General
GPO Box 1354
ADELAIDE SA 5001
phone: 1300 653 345
e-mail: objections@saugov.sa.gov.au

Please note that Council has no role in this process. It is also important to note that the lodgement of an objection does **not** change the due date for the payment of rates.

**Notional Values**

Certain properties may be eligible for a notional value under the Valuation of Land Act 1971, where the property is the principal place of residence of a ratepayer. This can relate to certain primary production land or where there is State heritage recognition. A notional value is generally less than the capital value and this will result in reduced rates. There are currently only a few
properties with notional values in the Town of Gawler. These are as a result of specific and unique factors relating to the individual properties. Application for a notional value must be made to the Office of the Valuer-General.

5. **RATE REVENUE**

All land within the Council area, except for land specifically exempt is rateable. The Local Government Act provides for a Council to raise revenue for the broad purposes of the Council through a general rate, which applies to all rateable properties, or through differential general rates, which apply to classes of properties. In addition, Council can raise separate rates, for specific areas of the Council or service rates or charges for specific services.

The Council also raises revenue through fees and charges, which are set giving consideration to the cost of the service provided and equity issues. (Refer Funding & Debt Management Policy.) The list of applicable fees and charges is available at the Council Office.

**Rates**

**Differential General Rates**

The Act allows the Council to set differential rates according to the land use categories and the locality of land. The main reasons for providing differential rates are not all ratepayers receive the same benefits; and to recognise the ability to pay.

Land use categories are:

1. **Residential** - comprising the use of land for a detached dwelling, group dwelling, multiple dwelling, residential flat building, row dwelling or semi-detached dwelling within the meaning of the Development Regulations.

2. **Commercial Shop** – comprising the use of land for a shop within the meaning of the Development Regulations.

3. **Commercial Office** – comprising the use of land for an office within the meaning of the Development Regulations.

4. **Commercial Other** – comprising any other commercial use of land not within categories 2 or 3.

5. **Industry Light** – comprising the use of land for a light industry within the meaning of the Development Regulations.

6. **Industry Other** – comprising any other industrial use of land not within category 5.

7. **Primary Production** – comprising:
   (a) farming within the meaning of the Development Regulations; and
   (b) horticulture within the meaning of the Development Regulations; and
   (c) the use of land for horse keeping or intensive animal keeping within the meaning of the Development Regulations; and
   (d) in respect of a dairy situated on the farm – the use of land for a dairy within the meaning of the Development Regulations; and
   (e) commercial forestry.

8. **Vacant Land** – comprising the non-use of vacant land
9. **Other** – not included in any other category (as above).

**General Rates**

The Council currently has a single General Rate for all land use categories.

If a ratepayer believes that a particular property has been wrongly classified as to its land use then an objection may be made (to the Council) within 21 days of being notified of the land use classification. Please contact the Rates Officer, on 8522 9243, who will provide information to assist with lodging an objection. It is important to note that the lodgement of an objection does not change the due date for payment of rates.

**Minimum Rate**

A Council may impose a minimum amount payable by way of rates, provided that it has not imposed a fixed charge. Where two or more adjoining properties have the same owner and are occupied by the same occupier, only one minimum rate is payable by the ratepayer (if applicable). Where a Council imposes a minimum rate it must not apply to more than 35% of properties in the Council area.

The Council has decided to impose a minimum rate, (for 2007/2008 - $600). It will affect approximately 10% of the total rateable properties. The reason for imposing a minimum rate is that the Council considers it appropriate that all rateable properties make a base level contribution to the cost of the Council activities and to the cost of creating and maintaining the physical infrastructure that supports each property.

Section 158(2)(c) of the Local Government Act 1999 states that if two or more pieces of contiguous rateable land are owned by the same owner and occupied by the same occupier, a minimum amount may only be imposed against the whole of the land and not against individual pieces of it.

Section 149 of the Act states that land will be regarded as being contiguous to other land if the land –

(a) abuts on the other land at any point; or

(b) is separated from the other land only by –

(i) a road, street, lane, footway, court, alley, railway or thoroughfare; or

(ii) a watercourse or channel; or

(iii) a reserve or other similar open space.

Where a ratepayer believes that they have contiguous rateable land and may be eligible for a reduction of rates if a minimum rate was applied, they may lodge an application for a determination and possible reduction. Rates will only be adjusted where circumstances are applicable at the date of declaration.

Applications must be in writing to the Council. The objection must contain full details of the ownership, occupants (tenants), dates of any lease agreements and date of purchase for each assessment subject to objection. It is also important to note that the lodgement of an application does not change the due date for the payment of rates. Penalties apply to unpaid rates.

If a ratepayer has any queries as to whether their land is contiguous and is eligible for the minimum rate contact the Rates Officer on 8522 9243.
Ratepayers are required to notify Council if their circumstances change and they are no longer eligible for the minimum rate.

**Separate Rates**

**Natural Resources Management Levy**

The Council is in the Adelaide & Mount Lofty Ranges Natural Resource Management Board area and is required under the Natural Resource Management Act 2004 to make specified annual contributions to the Adelaide & Mount Lofty Ranges Natural Resource Management Board. It recovers this contribution by imposing a separate rate on the properties that are in the Adelaide & Mount Lofty Ranges Natural Resource Management Board area in this Council.

The Council operates as a revenue collector for the Adelaide & Mount Lofty Ranges Natural Resource Management Board in this regard. The Council does not retain this revenue or determine how the revenue is spent.

Any enquiries about the levy and how this is spent should be directed to the Adelaide & Mount Lofty Ranges Natural Resource Management Board, contact the Gawler office on telephone (08) 8523 7700.

**Separate Differential Rates**

A Council may declare a separate rate on rateable land within a part of the area of the Council for the purpose of planning, carrying out, making available, supporting, maintaining or improving an activity that is intended to be of particular benefit to the area. The Council has decided to declare levies to recover the cost of the multi-story carpark and to support the marketing promotion of Gawler. The rates are based on the capital value of the land and the land use category.

**Car Parking Levy**

In order to raise funds to meet the cost of providing additional car parking in the Town Centre for the purpose of enhancing business viability in the centre and adjacent areas, a separate differential rate in the dollar based on the capital value of the properties will be declared on all rateable land that falls within land use categories 2, 3, 4, 5 and 6 (commercial-shop, commercial-office, commercial-other, industry-light, industry-other) and is located within the area delineated and marked “A” in Figure 1. Any deficit or excess funds identified at the end of each financial year shall be held in a Reserve fund for future works. (Refer section 154 of the Act.)

**Town Centre – Business Development and Marketing Levy**

In order to support the role of the Gawler Business Development Board to develop, fund and manage integrated programs for the economic benefit of the business community located in the Town Centre, a separate differential rate based on the capital value of the properties will be declared on all rateable land that falls within land uses of categories 2, 3, 4, 5 and 6 (commercial-shop, commercial-office, commercial-other, industry-light, industry-other) and is located within the area delineated and marked “A” in Figure 1. Any deficit or excess funds identified at the end of each financial year shall be held in a Reserve fund for future works. (Refer section 154 of the Act.)

**Business Development Levy**

In order to support the role of the Gawler Business Development Board to develop, fund and manage integrated programs for the economic benefit of the
business community located outside the Town Centre, a separate differential rate based on the capital value of the properties will be declared on all rateable land that falls within land uses of categories 2, 3, 4, 5 and 6 (commercial-shop, commercial-office, commercial-other, industry-light, industry-other) and is located in the area delineated and marked "B" in Figure 1. Any deficit or excess funds identified at the end of each financial year shall be held in a Reserve fund for future works. (Refer section 154 of the Act.)
Figure 1
Service Charges
Waste Management Charge
The Council provides a waste management service to all properties in the Town of Gawler area. This includes a kerbside waste collection service and the cost of waste disposal after allowing for the fees collected. The net cost of waste management collection and disposal to the Council will be recovered through a service charge for each property unit except land classified as 'vacant land'. The waste management service includes 1 x 140lt non-recyclable weekly domestic kerbside waste collection and 1 x 240lt fortnightly recycled kerbside waste collection service. The charge will apply to all ratepayers, who have access to the service regardless of whether or not they use the collection service. The charge will be raised against all non-rateable land except land classified as 'vacant land'. Properties that are granted a rebate of general rates in part or full are still required to pay the service charge.

Any deficit or excess funds from the Waste Management Service, identified at the end of each financial year shall be held in a Reserve fund for future works. (Refer section 155 of the Act.)

Additional waste collection options that are available and able to be purchased include $100 for each 240lt domestic waste bin, $35 for each recycle waste bin and $55 for each green waste bin. The cost of these services is invoiced separately. Further information is available from the Council offices at High Street or Town Hall Murray Street Gawler.

Rate Exemption
Some areas of land are specifically exempt from rates. This includes crown land, Council occupied land and other land as prescribed in the Act, section 147(2) specifies those types of public properties that are exempt from rates. Section 147(2)(f) of the Local Government Act 1999 specifies that land occupied or held by the Council, except land held from a Council under a lease or licence, is exempt from rates. Some community owned land that is operated under lease or licence may be eligible for rates exemption subject to the requirements of the Recreational Grounds Act.

Council may impose a service charge on non-rateable land and has decided that the Waste Management Service Charge will be raised against all properties, except vacant land.

6. RATE CONCESSIONS
The State Government, in providing equity across SA in this area, funds a range of concessions on Council rates. The concessions are administered by various State agencies who determine eligibility. These Concessions are available only on the principal place of residence.

Ratepayers who believe they are entitled to a concession should not withhold payment of rates pending assessment of an application by the State Government as penalties apply to overdue rates. A refund will be paid to an eligible person if Council is advised that a concession applies and the rates have already been paid.

State Seniors Card Ratepayers (self funded retiree)
This concession is administered by Revenue SA. A self-funded retiree and
currently holder of a State Seniors Card may be eligible for a concession towards Council rates. In the case of couples, both must qualify, or if only one holds a State Seniors Card, the other must not be in paid employment for more than 20 hours per week. For further information please contact the Revenue SA Call Centre on 1300 366 150.

Pensioner Concession
An eligible pensioner must hold a Pension Card, State Concession Card or a Repatriation Health Card marked TPI Gold, EDA Gold or war Widow and may be entitled to a concession on Council rates (and water and effluent charges where applicable). Application forms, which include information on the concessions, are available from the Council, SA Water Corporation and its District Offices or the Department for Families and Communities (DFC). This concession is administered by SA Water on behalf of the Department for Families and Communities (DFC) and further information can be obtained by telephoning SA Water Ph 1300 650 950.

Other Concessions
The Department for Families and Communities (DFC) administers Council rate concessions available to a range of eligible persons receiving State and Commonwealth allowances. This includes, but is not limited to, ratepayers who are in receipt of Austudy, Newstart, Parenting Payment, Partner Allowance, Sickness Allowance, Special Benefit, Widow Allowance, Youth Allowance, Abstudy, CDEP or a New Enterprise Initiative Scheme. It may also apply to ratepayers in receipt of a pension as a war widow under legislation of the United Kingdom or New Zealand and the holders of a State Concession Card issued by the Department for Families and Communities (DFC). All enquiries should be directed to your nearest branch office of Department for Families and Communities (DFC) or telephone the Concession Hotline 1800 307 758.

7. PAYMENT OF RATES
Rates are payable in four equal (or approximately equal) quarterly instalments due in September, December, March and June each year.

Rates may be paid by any of the following:
- BPAY, contact your bank or financial institution for further information.
- Council phone service by phoning 1300 303 201 and enter the four digit number 4338 for instructions to make payment.
- Internet by credit card payment at www.gawler.sa.gov.au
- At any Post Office; by Cash, Cheque, Direct Debit or Credit Card.
- Post Office Internet Site www.postbillpay.com.au using Credit Card or Direct Debit,
- BillExpress at selected newsagencies, call 1300 739 250 for locations;
- In person at 89 Murray Street, 9-00am to 5-00pm Monday to Friday using cash, cheque, Direct Debit or Credit Card;
- By posting a cheque/Money Order to Town of Gawler, PO Box 130, GAWLER SA 5118.

A range of payment options is available to any ratepayer who may, or is likely to, experience difficulty with meeting the standard payment arrangements. Contact the Rates Officer, on 8522 9243, to discuss alternative payment arrangements. Council has a range of payment options in case of hardship such as direct deduction from Centrelink payments, special arrangements to pay monthly, fortnightly or weekly without fines being added. These rate relief
8. **LATE PAYMENT OF RATES**

The Council imposes a penalty fine on rates that are not received within seven (7) days of the due date. A final notice letter is sent to all ratepayers to advise of the overdue amount. A payment that continues to be late is charged at an interest rate, set each year according to a formula in the Act, for each month it continues to be late (refer Local Government Act 1999). The purpose of this penalty is to act as a genuine deterrent to ratepayers who might otherwise fail to pay their rates on time, to allow Councils to recover the cost of following up unpaid rates and to cover any interest cost the Council may incur because the rates were not received by the due date.

Should rates remain unpaid more than 21 days after the issue of the final notice letter then the Council refers the matter to a debt collection agency. The debt collection agency charges collection fees that are recoverable from the ratepayer.

When the Council receives a payment in respect of overdue rates the Council applies the money received as follows:

First – to satisfy any costs awarded in connection with court proceedings;
Second – to satisfy any interest costs;
Third – in payment of any fines imposed;
Fourth – in payment of rates, in chronological order (starting with the oldest account first).

If there are special payment arrangements in place then fines will not be incurred provided that the terms of the arrangements are met. If a payment arrangement becomes overdue, fines will be charges and be immediately referred to a debt collection agency.

9. **REMISSION AND POSTPONEMENT OF RATES**

On application by a ratepayer, the Council is permitted to partially or wholly remit rates or to postpone rates, on the basis of hardship, (Section 182 of the Local Government Act). Where a ratepayer is suffering hardship in paying rates they should contact the Rates Officer, on 8522 9243, to discuss the matter. Such inquiries are treated confidentially by the Council.

**Deferral or Postponement of Rates**

- All applications for postponement or deferral of Rates will be assessed on a case by case basis and are not contingent on the level of increase in rates payable.
- All remissions of rates will be subject to the principal ratepayer making an application in the prescribed form.
- A remission of rates will be available on any residential property where the principal ratepayer satisfies the application criteria.

**Application Criteria**

A remission of rates will be available where the ratepayer satisfies the following:

- the property is the principal residence of the ratepayer and is the only property owned by the ratepayer; and
- the property has been the principal residence of the ratepayer and has been owned by the ratepayer for a period of greater than five (5) years; and
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- is the holder of a valid concessions card or if a self funded retiree, can demonstrate that they earn less than $25,000 pa,
- the Council is satisfied that the payment of the rates would cause hardship to the ratepayer,
- retrospective or continuing annual remissions will not be considered,
- remissions are subject to an application by the principal ratepayer. Any fines incurred prior to a remission of rates accepted by Council will not be remitted.

Application Criteria (continued)
- the accrued debt is a property debt payable on disposal or sale of the property or if there is a change in circumstances,
- where the ratepayer satisfies the application criteria for a rate remission, Council will grant a remission up to a maximum of 80 per cent (prior to deducting pensioner concessions) or up to an amount of $1,000 in the year of application.

All applications for remission of rates must be in writing on the prescribed application form and provide supporting documentation in order to be considered.

Postponement of Rates for State Seniors Card Holders
Section 182A of the Local Government Act 1999 provides for the option for State Seniors Card Holders to postpone part of the Rates on a long term basis. A deferred amount is subject to a monthly interest charge with the accrued debt being payable on the disposal or sale of the property. Applications are subject to the same conditions as deferral or postponement of rates.

10. REBATE OF RATES
The Local Government Act requires Councils to rebate the rates payable on some land. All applications for a rate rebate must be in writing, preferably using a Rate Rebate Application Form with supporting information securely attached. Applications should be received by the Council by 1 September to enable the assessment of the rebate and if granted, the adjustment of Rates to be made on the 2nd quarter (December) Rates Notice.

Specific provisions are made for land used for health services, community services, religious purposes, public cemeteries, the Royal Zoological Society and educational institutions (Sections 161-165 of the Act). Discretionary rebates may be granted by the Council under Section 166 of the Act. The Council also provides a rebate to some ratepayers who have restrictions on development of their property.

Mandatory Rebates
Council must grant a rebate in the amount specified in respect of those land uses which the Act provides will be granted a rebate.

Rates on the following land will be rebated at 100%:
- Health Services (Section 160)
  - Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976;
- Religious Purposes (Section 162)
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~ Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes;

• Public Cemeteries (Section 163)
  ~ Land being used for the purposes of a public cemetery; and

• Royal Zoological Society of SA (Section 164)
  ~ Land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated.

Rates on the following land will be rebated at 75%:

• Community Services (Section 161)
  ~ Land being predominantly used for service delivery and administration by a community services organisation. A "community services organisation" is defined in the Act as a body that:
    ~ is incorporated on a not for profit basis for the benefit of the public; and
    ~ provides community services without charge or for a charge that is below the cost to the body of providing the services; and
    ~ does not restrict its services to persons who are members of the body.

It is necessary for a community services organisation to first satisfy all of the above criteria and the Act further provides that eligibility for a rebate by a community services organisation is subject to it providing one or more of the following community services:

~ Emergency accommodation;
~ Food or clothing for disadvantaged persons (i.e. persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability);
~ Supported accommodation (i.e. residential care facilities in receipt of Commonwealth funding or accommodation for persons with mental health, intellectual, physical or other difficulties who require support in order to live an independent life);
~ Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
~ Legal services for disadvantaged persons;
~ Drug or alcohol rehabilitation services; or
~ The conduct of research into, or the provision of community education about, diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses.

• Educational Purposes (Section 165)
  ~ Land occupied by a government school under a lease or licence and being used for educational purposes;
  ~ Land occupied by a non-government school registered under Part 5 of the Education Act 1972 and being used for educational purposes; or
  ~ Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.

~ Where Council is satisfied from its own records or from other sources that the necessary criteria for a mandatory 100% or 75% rebate is met, Council will

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grant the rebate and it will be included on the Rates Notice. Where Council is not satisfied the completion of an application form will be required.

Where a rebate of 75% is granted, Council may, pursuant to Section 156(4) of the Act, grant up to a further 25% rebate (discretionary) upon application. Where an application is made for a rebate of up to a further 25% the Council will provide a written response to the applicant.

**Discretionary Rebates**

In determining discretionary rebates primary consideration would be directed towards Council’s strategic directions, budget considerations, the current economic climate and likely impacts on the community.

Discretionary Rebates (continued)

Council may in its absolute discretion grant a rebate of rates or service charges in any of the following cases pursuant to Section 166(1) of the Act:

(a) Where it is desirable for the purpose of securing the proper development of the area (or a part of the area);
(b) Where it is desirable for the purpose of assisting or supporting a business in its area;
(c) Where it will be conducive to the preservation of buildings or places of historic significance;
(d) Where the land is being used for educational purposes;
(e) Where the land is being used for agricultural, horticultural or floricultural exhibitions;
(f) Where the land is being used for a hospital or health centre;
(g) Where the land is being used to provide facilities or services for children or young persons;
(h) Where the land is being used to provide accommodation for the aged or disabled;
(i) Where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1987 (Commonwealth) or a day therapy centre;
(j) Where the land is being used by an organisation which, in the opinion of the Council, provides a benefit or service to the local community;
(k) Where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;
(l) Where the rebate is considered by the Council to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:
   - A redistribution of the rates burden within the community arising from a change to the basis or structure of the Council's rates; or
   - A change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.
(m) Where the rebate is considered by the Council to be appropriate to provide relief in order to avoid what would otherwise constitute:
   - A liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the Council in its annual business plan; or
   - A liability that is unfair or unreasonable;
(n) Where the rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2 of the Act (Internal Review of Council actions);

(o) Where the rebate is contemplated under another provision of this Act.

Council may grant a rebate of rates up to and including 100% of the relevant rates or service charges. Council may grant a rebate for a period exceeding one year, but not exceeding 3 years in respect of (l) and not exceeding 10 years in respect of those cases identified at (a), (b) or (k) above.

Council has an absolute discretion to grant a rebate of rates or service charges in the above cases; and to determine the amount of any such rebate. The Council has decided to grant rebates for General and Separate Rates and not for Service Charges.

All applications for a discretionary rebate must use the written application form and provide such information as stipulated on the application form and any other information that Council may reasonably require.

The Council may take into account other matters it considers relevant including, but not limited to, the following –
- why there is a need for financial assistance through a rebate;
- the level of rebate (percentage and dollar amount) being sought and why it is appropriate;
- the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies;
- whether the applicant has made/intends to make applications to another Council;
- whether, and if so to what extent, the applicant is or will be providing a service within the Council area;
- whether the applicant is a public sector body, a private not for profit body or a private or profit body;
- whether the applicant is securing a pecuniary profit for the members of the body (or any of them) or is engaging in trade or commerce and therefore has the ability to distribute profit to its members;
- whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term;
- the desirability of granting a rebate for more than one year where allowable;
- consideration of the full financial consequences of the rebate for the Council;
- the time the application is received;
- the availability of any community grant to the applicant;
- whether the applicant is in receipt of a community grant; and
- any other matters, and policies of the Council, which the Council considers relevant.

All persons or bodies that wish to apply to the Council for a rebate of rates for the current rating period, must do so on or before 1st September. The Council reserves the right to refuse to consider applications received after that date.

However, applicants that satisfy the criteria for a mandatory rebate will be granted the rebate at any time during the current rating period provided that the rates have been paid in full.
The Council may grant a rebate of rates or charges on such conditions as the Council thinks fit and for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

Council considers that circumstances where ratepayers provide or maintain infrastructure that might otherwise be provided by the Council or where profitable organisations receive government funding, should not impact on decisions to grant a rebate of rates. However, Council recognises that it has a requirement to balance the benefits of supporting community organisations, with the impact that such rebates have on our overall rating income.

The Council will consider, in accordance with Section 159(5) of the Act, for Section 166 (1)(d), (e), (f), (g), (h), (i) and (j), the following matters -
- the nature and extent of Council services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in the Council’s area;
- the community need that is being met by activities carried out on the land for which the rebate is sought; and
- the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons.

In considering a rate rebate the Council must also grant a comparable rebate to other ratepayers so the full impact of granting a rebate must also be considered.

The Council may consider the granting of a donation to meet part or all of a rates payment for community organisations.

11. **RESIDENTIAL RATE CAPping**

Council may effectively ‘cap’ increases in rates based on property value (general rates) above limits set by the Council to provide some relief from the impact of very large increases in rates resulting from movements in valuations, (Section 153 (3) of the Act). The rate cap will only apply to the principle place of residence with a land use classification of ‘Residential’.

Property rate capping will be applied to individual properties and will be subject to application by the registered property owner, being a person or body as specified in Council’s Assessment Record. Rate capping is reviewed annually, the quantum of rate capping will also be considered annually and a maximum determined at the Council meeting as part of the rate declaration process.

The cap will be calculated as follows:
- the increase of general rates for the current year compared to the previous year, after any rebate applied and before the deduction of any concession.

The rebate will not apply where property values have increased as a result of the following events:
SPECIAL COUNCIL MINUTES
19 February 2008

- significant capital improvements on the property;
- the basis for rating or rebates has changed from the previous year;
- new building work and/or development activity;
- changes in land use, wholly or partially;
- changes in zoning;
- the ownership of the rateable property has changed from the previous year; or
- the property is no longer the principal place of residence.

The rate capping will be applied to properties that can be readily identified as being eligible and will be included on the Rate Notice. If a ratepayer considers that they could be eligible for the Rate Cap, they should contact the Rates Officer on 8522 9243 and lodge an application, which will be assessed against the eligibility criteria.

12. SALE OF LAND FOR NON-PAYMENT OF RATES

The Local Government Act provides that a Council may sell any property where the rates have been in arrears for three years or more. The Council is required to notify the owner of the land of its intention to sell the land, provide the owner with details of the outstanding amounts, and advise the owner of its intention to sell the land if payment of the outstanding amount is not received within one month.

Except in extraordinary circumstances, the Council enforces the sale of the land for arrears of rates.

13. APPLICATION OF THE POLICY

Where a ratepayer believes that the Council has failed to properly apply this policy it should raise the matter with the Council. In the first instance contact the Rates Officer on 8522 9243 to discuss the matter. If, after this initial contact, a ratepayer is still dissatisfied they should write to Chief Executive Officer, Town of Gawler, PO Box 130, GAWLER SA 5118.

14. DISCLAIMER

A rate cannot be challenged on the basis of non-compliance with this policy and must be paid in accordance with the required payment provisions.

15. REVIEW AND EVALUATION

The effectiveness of this Policy will be reviewed and evaluated on an annual basis within the Council strategic management planning framework. The Chief Executive Officer will report to Council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Policy.

The Policy will not be altered or substituted so as to affect a process already commenced.

16. FURTHER INFORMATION

Contact for further details:
Rates Officer
Phone: 08 8522 9243
Fax: 08 8522 9212
Email: council@gawler.sa.gov.au

Last Update Feb 2008
17. **AVAILABILITY OF THE POLICY**

The Policy is available for inspection during ordinary business hours at the Council principal office, Gawler Town Hall or Library Council Offices, 89-91 Murray Street, Gawler or is available from the Council website at www.gawler.sa.gov.au

A copy of this Policy will be provided to interested parties upon request, for a fee as contained in the Register of Fees and Charges.
COUNCIL MEETING
AGENDA
25 March 2008

TOWN OF GAWLER
RATING POLICY COMMUNITY CONSULTATION

The Town of Gawler is conducting a review of its Rating Policy and your views are sought on future rating structures and options, as part of the development of our Rating Policy for 2008/2009 and beyond.

Rate are a taxation system based on property values. The options open to a Council are defined in the South Australian, Local Government Act 1999.

A Community Consultation Discussion Paper is available at Council offices, and on our web page at www.gawler.sa.gov.au. A copy of the Discussion Paper will be posted to you if you telephone 08 8522 9211 during business hours.

The Discussion Paper describes the current system, options, and includes information on the legislation.

Written submissions should be received at Town Hall, 89 Murray Street Gawler by Wednesday 26 March 2008.

Stephen Kerrigan
Chief Executive Officer.

CORRECTION

A Situations Vacant ad for the South Gawler Football Club on page 33 of last week's edition incorrectly contained a logo for the Gawler Lions Club. The Lions Club of Gawler has no connection or sponsorship arrangement with the South Gawler Football Club.

DROUGHT APPEAL

The District Council of Gawler seeks expressions of interest from local residents and businesses to become a council member of the recently formed Gawler District Drought Committee.

Elsie Ey Kindergarten AGM
Will be held at the Kindy
In the Possum Room
Thursday, March 20th
at 9.15am
Guest Speaker

GAWLER RANGER BASEBALL CLUB
A.G.M.
Wednesday, April 2
2008 at 7.30pm
KARBEETH RESERVE
Enquiries: 0407 579 163

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Governor
Primary\"r

OJD PROGR
- PUBLIC MI
On 31 March 2008 there
were ther
changes made to the assurance system for producers.
Kapunda Football Club
Wednesday 11 March - 2X
Mallala Football Club
Thursday 13 March - 1X
Mt Pleasant Football (Friday 14 March - 10.5
For further information
PIRSA OJD Program M
or 0427 271 408.

Follow Wor
Maintain
This one day accreditation is for those who prepare for their next course. It will devlo
20 March 2008

Mr Stephen Kerrigan
Chief Executive Officer
Town of Gawler
PO Box 130
Gawler SA 5118

Dear Stephen

2008/2009 Rating Policy

Thank you for the opportunity to comment on the Rating Policy for 2008/2009. I also commend your Council for adopting a Rating Policy and providing for public consultation.

The Light Electorate Office has received significant feedback from constituents regarding the following two issues:

- Rural Rebates;
- Green Waste Bins.

Rural Rebates

Residents of Gawler who live in rural areas until 2006/2007 received a rural rebate in recognition of the lesser services they received; such as footpaths, lighting and sealed roads. The rural rebates were removed in 2007/2008 with limited public consultation; in fact this was an area on which I provided significant feedback to Council, last year.

The 2008/2009 rating policy does not address the issue of rural rebates.

I request on behalf of the Light Electorate Office’s constituents, who live in rural areas, that the rural rebate be reinstated and that appropriate economic modelling be done, to include a rural rebate for 2008/2009 and this be presented to Council and ratepayers.
Green Waste Bins

Constituents have approached this office to advise that they consider a green waste bin should be available to them as part of their general rate payments, albeit that it may be shown separately on their rates notice as currently occurs for Waste Management Charges.

Would you please advise of the options available for residents not to be charged an additional fee for green waste bins.

Once again thank you for the opportunity to comment on the 2008/2009 Rating Policy.

Kind regards

[Signature]

Tony Piccolo MP
Member for Light
13/03/2008

Mr Steven Kerrigan
Chief Executive Officer
Town of Gawler

A. & M. K. Evans
4 Allwood Drive
Gawler East.
SA 5118

Dear Sir,

I understand that draft 2008/09 Rate Policy is currently out for public comment. In my opinion it appears that consideration has not been duly given to ratepayers and the environment.

The fact that the Mayor and Councillors have received an increase in allowances and the ratepayers have to foot the bill by way of a charge for recycling green waste is outrageous. A lot of people will not be prepared to pay this added cost for the bin collection and the environment and Gawler will be worse off. Green waste will be put in the bin with general rubbish and end up in landfill.

Inflation and Interest rates are becoming a serious problem, the price of petrol, food, water, continue to make it hard for people and even worse for pensioners to meet ends.

The benefit of people growing trees and plants (carbon eaters) helps the environment and is a benefit to all; the re-use of composted cuttings and green waste creates employment and profits to business and so the cycle continues – Gawler is biting the hand that feed's it.

Bad Move Gawler

Yours truly,
Allan Evans

Gawler Ratepayer for 38 years.
That Council resolves:

(a) to support the development of an Indigenous Land Use Agreement (ILUA) as the preferred approach to managing native title rights in the Kaurna application to the Federal Court which covers this Council area [in whole or in part]

(b) to endorse the proposal in principle to form four regional groupings and to elect a Leadership Negotiating Group comprising one Mayor/Chairperson, on Chief Executive Officer and one Senior Officer from each group as follows:

Southern – Onkaparinga, Holdfast Bay, Marion, Yankalilla, Alexandrina and Mount Barker

Central – Adelaide, Unley, West Torrens, Charles Sturt, Prospect, Walkerville, Norwood Payneham & St Peters, Campbelltown, Burnside, Mitcham and Adelaide Hills.

Northern – Port Adelaide Enfield, Salisbury, Tea Tree Gully, Playford and Gawler.

Country – Clare & Gilbert Valleys, Light, Wakefield, Mallala, Barossa and Pt Pirie.

(c) to endorse the LGA co-ordinating a funding application to the Commonwealth Government to resource the primary costs of Local Government involvement in the development of an ILUA as proposed at (a) and (b) on the following basis:

(c.1) LGA to prepare a draft submission for consideration by Councils prior to lodging with the Commonwealth Government

(c.2) LGA will seek to ensure appropriate capacity to maintain each Council’s options for funding for legal advice where required

and delegates to the CEO the power to endorse the LGA funding submission.

**Background**

Native title is a complex issue, but in brief, it is recognition in the law of Australia of the...
laws and customs that Aboriginal people have practised over the centuries. Only those laws and customs that are currently observed and practised are recognised.

Attachment(s)
Correspondence from Wendy Campana, Executive Director, Local Government Association advising of the uncertainty over future funding for the conduct of Native Title Indigenous Land Use Agreements in South Australia.

Comments/Discussion
The Leadership Negotiating Groups have been established and have progressed negotiations on the basis of the template developed by the Local Government Association of South Australia, the State Government and the Aboriginal Legal Rights Movement Inc.
Funding for these negotiations was to come from the Commonwealth Attorney-General’s Department, however as a consequence of uncertainty over future funding for the conduct of Native Title Indigenous Land Use Agreements may need to be put on hold.
The reasons for this approach are canvassed in the letter from the Executive Director of the Local Government Association.

Communication
Nil

Consultation
Nil

Policy Implications
N/A

Statutory Requirements
N/A

Financial/Budget Implications
May mean that Council will need to contribute funds to progress the agreements.

Strategic Implications
Objective: No. 1 and 2

OFFICER’S RECOMMENDATION

Item 11.9 – Native Title – Funding and Processes

That the report on future funding of Indigenous Land Use Agreements be received and that a further report be prepared when advice is provided.
Local Government Association of South Australia

Our Reference: DME 30399/CRC/JY
Level 1, 16 Hutt St, Adelaide SA 5000
GPO Box 3965, Adelaide SA 5001
DX 546 Adelaide
ABN 83 058 386 353

Phone 08 8224 2000
Fax 08 8233 6336
Email lga@lga.sa.gov.au

1 April 2008

Mr Stephen Kerrigan
Chief Executive Officer
Town of Gawler
PO Box 130
GAWLER SA 5118

Dear Stephen

Native Title Funding and Processes

As a consequence of uncertainty over future funding for the conduct of Native Title Indigenous Land Use Agreement (ILUA) negotiations in South Australia the majority of the current range of negotiations occurring across a number of sectors may need to be put on hold. This includes the Kaurna negotiations which may impact on up to 29 Councils. The circumstances surrounding this situation have arisen for a number of reasons and these are discussed below:

- ILUA negotiations between Local Government and the Kaurna native title claimants
  - The LGA applied for funding from the Federal Attorney General’s Department (AGD) in early 2007 to support the Kaurna negotiations through funding for legal advisory support and for a Native Title Officer,
  - A response to the applications resulted in the LGA requesting a review of certain aspects of the response including rejection of funding to brief Councils on the ILUA negotiation process at the initial stage of negotiations and over levels of funding sought.
  - We expect that funding for primary elements of the legal advisory support will be approved eventually but aspects of the funding including the LGA’s role and the role of a Native Title Officer remains unclear. As a consequence, the LGA does not yet have a more certain basis on which to apply for funding in the 2008 year.
  - The LGA is currently making approaches to the AGD and the relevant Minister regarding the funding, arguing that approval of the funding is essential for its continued role as a facilitator or “agent” for Councils involved in Native Title ILUA negotiations.
- 2 -

- Funding from the SA State Government (SAG) to the Aboriginal Legal Rights Movement (ALRM) this financial year.
  - At the commencement of this financial year the SAG had reduced funding to ALRM which had the affect of ALRM having reduced capacity to service the full range of negotiations. As a consequence only those matters that were close to agreement were being resourced.
  - While recent negotiations between the SAG and ALRM has resulted in approval for the provision of an additional $150,000 (ex GST) to ALRM for the remainder of this financial year further work is being undertaken to identify how these resources should be applied to the ILUA negotiations process. As soon as the situation becomes clearer further advice will be provided to you.
  - The LGA and other peak bodies involved in ILUA negotiations propose to make representations to SAG that it provide sufficient funding to ALRM to enable the full range of ILUA negotiations to be undertaken.

I provided a report to the LGA State Executive Committee on 20 March and as a consequence it resolved to:

1. endorse the actions of the Secretariat;
2. endorse an approach to the Federal and State Attorney’s General seeking a more appropriate funding mechanism to support negotiated outcomes for native title issues; and
3. delegate to the Senior Executive Committee the power to develop appropriate criteria and determine priorities for negotiation based on the criteria, should this be required.

Consequently, given the current uncertainty regarding future funding, the negotiations with the Kaurna and other negotiations (eg First Peoples of the River Murray) have been temporarily put on hold and there is no capacity to provide Councils with briefings and advice on Native Title matters through the ILUA process. As soon as the funding arrangements become clearer further advice will be provided. If you require any clarification on these issues please contact myself or Mr Chris Russell at chris.russell@lga.sa.gov.au or 8224 2030.

Yours sincerely

[Signature]

Wendy Campana
Executive Director
Telephone: 8224 2022
Email: wendy.campana@lga.sa.gov.au
<table>
<thead>
<tr>
<th>Item Number</th>
<th>11.10</th>
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<tbody>
<tr>
<td>Title</td>
<td>RATE REBATE – APPLICATION BY GAWLER &amp; DISTRICT AGED COTTAGE HOMES INC.</td>
</tr>
<tr>
<td>Date</td>
<td>17th March 2008</td>
</tr>
<tr>
<td>Author(s)</td>
<td>Acting Director Corporate &amp; Community Services (Ron Wallace)</td>
</tr>
<tr>
<td>File</td>
<td>R.03.0574</td>
</tr>
<tr>
<td>Previous Reference/ Motion</td>
<td>C&amp;CS 13/11/2007 Motion: 6687</td>
</tr>
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</table>

That the Corporate and Community Services Committee recommend to council that the Gawler & District Aged Cottage Homes Inc be advised that their request for a Rebate of Rates for 2007/2008 is not successful.

Council 27/11/2007 Motion No: 6972
That item 10.19 be discussed at the next Corporate and Community Services Portfolio Committee to be held on 4 December 2007.

Council 18/12/2007 Motion No: 7011
That this matter be deferred to the January 2008 Council meeting.

Council 22/01/2008 Motion No: 2008:01:008
That the matter be deferred until further correspondence is received from the Gawler & District Aged Cottage Homes Inc.

**Background**

The properties known as the Gawler & District Aged Cottage Homes Inc have experienced an increase in property rates due to a change in rating and a substantial increase in property valuations. The owners have sought relief for several properties (80) with a request for consideration of a rate rebate.

The request relates to the properties occupied by independent living units. In the 2007/2008 financial year, rates for the properties (to be considered) were, in total $37,463 compared to $17,826 for the previous year. This results from an increase in valuation of 400% and tenancy apportionment of the properties for valuation and rating purposes.

Mandatory rebates of 75% of property rates, apply for educational purposes, with 100% rebates for health services, public cemeteries and religious purposes. Community services may be eligible for a rebate of 75% if they meet the following criteria:

(a) is incorporated on a not-for-profit basis for the benefit of the public; and
(b) provides community services without charge or for a charge that is below the cost to the body of providing the services; and
(c) does not restrict its services to persons who are members of the body.

Any of the following are community services:

(i) the provision of emergency accommodation;
(ii) the provision of food or clothing for disadvantaged persons;
(iii) the provision of supported accommodations;
(iv) the provision of essential service, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
(v) the provision of legal services for disadvantaged persons;
(vi) the provision of drug or alcohol rehabilitation services;
(vii) the conduct of research into, or the provision of community education about, diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses.

Council may also grant a discretionary rate rebate on land used for certain purposes as described by the Local Government Act 1999 (the Act). Several community and not-for-profit organisations have applied for a discretionary rebate for the 2007/2008 financial year.

Each application for a discretionary rate rebate is considered on merit as was the original application by Gawler & District Aged Care Homes Inc; however the application was not successful as it did not meet the provisions of s161 for the purposes of a mandatory rebate and was then considered under the provisions of a discretionary rebate and was unable to be resolved.

The matter was referred to the Council on the 22 January 2008 where it was resolved that the matter be deferred until further correspondence was received from Gawler & District Aged Cottage Homes Inc.

Attachment(s)
Application Form – Rate Rebate for Vin Rice Village
(Application forms for Governor Daly Village, Ellimatta Village, Dawes Village and Governor Gawler Village have also been received, but are not attached as they duplicate the information (other than the addresses of the cottages) provided on the copy attached.
Copy of s161 to s166 of the Local Government Act 1999.

Comments/Discussion
A letter and applications have been received from Gawler & District Aged Cottage Homes Inc seeking a mandatory rebate of rates under the Community Services provisions of s161 of the Local Government Act 1999. Community Services is defined as land being predominantly used for service delivery and administration by community services organisations who meet the following criteria.
(a) is incorporated on a not-for-profit basis for the benefit of the public; and
(b) provides community services without charge or for a charge that is below the cost to the body of providing the services; and
(c) does not restrict its services to persons who are members of the body.

Any of the following are community services:
(viii) the provision of emergency accommodation;
(ix) the provision of food or clothing for disadvantaged persons;
(x) the provision of supported accommodations;
(xi) the provision of essential service, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
(xii) the provision of legal services for disadvantaged persons;
(xiii) the provision of drug or alcohol rehabilitation services;
(xiv) the conduct of research into, or the provision of community education about,
diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses.

Gawler & District Aged Cottage Homes Inc are seeking a rate rebate based on the provision of emergency accommodation and the provision of supported accommodation. Section 161(4)(b) that subject to the operation of item 1, a body that receives funds from the State or Commonwealth Governments in order to subsidise it cost or charges will be taken to satisfy the requirements of subsection (3)(b).

The Gawler & District Aged Cottage Homes Inc advises that these properties are dedicated as ‘Retirement Villages’. Under s161(3) of the Act all provisions must be met to be eligible for a mandatory rate rebate. Gawler & District Aged Cottage Homes Inc are not established as providers of emergency accommodation or supported accommodation by not having on-site carers or facilities, being independent living units they do not meet the criteria for consideration of a mandatory rebate under the provisions of section 161 of the Act as a community service provider.

The application could be considered as a discretionary rebate under section 166 of the Local Government Act 1999 however there is no obligation to grant a rebate for a ‘retirement village’. The Act specifies that Council may grant a rebate of rates or service charges in certain cases as described in the Act, there is no requirement for Council to grant a rebate.

If the Gawler & District Aged Cottage Homes Inc services were compared to other providers of accommodation, those that are eligible to receive a rebate under the Act are recognised as and receive other Government funding for supported accommodation facilities (not independent living units). Gawler & District Aged Cottage Homes Inc does not receive other Government funding and therefore do not meet the guidelines for a rate rebate under the community services provisions of the Act. When considering the application Council should also consider the number of similar facilities that do not receive any rebates, such as the South Australian Housing Trust home and unit tenants.

Other Retirement Villages in the Town of Gawler have facilitated the provision of occupier information so that they are able to access State Government concessions, with the exception of one who have advised that they will be proceeding with this approach in the future. They have not sought a rebate as it is their understanding that there is no provision in the Act. If the Gawler & District Cottage Homes Inc were to access State Government concessions and assuming that all were eligible then the amount of support would be an estimated amount of $19,000. Council could provide staff assistance to complete the application process.

Council is constantly under pressure to grant rate rebates to various organisations and should be conscious of the need to protect its own rate base for the purpose of providing services to the community. The aim of the Rating strategy is that all users of Council services need to make an equitable contribution to Council revenue.

Gawler & District Aged Cottage Homes Inc indicates that the waste management charge is related to a bin collection service and they are seeking a rebate on this charge by a reduction in the number of bins at their various complexes. If this is to be considered Council needs to be aware that the provisions of s159 will also apply, in that other ratepayers should receive similar consideration and this could have a significant impact on Council’s budget.
The Gawler & District Aged Cottage Homes Inc have experienced large increases in rates due to a substantial rise in the valuation for the properties occupied by independent living units. There are many properties across the Council area that have similar issues and has meant that there is also an associated rate rise even though Council has reduced its rate in the dollar.

Based on the latest information and that provided previously Gawler & District Aged Care Homes Inc are not eligible for a mandatory Rate Rebate under the provisions of the Act and Council believes that it is not able to provide relief within the discretionary rebate provisions of the Act, without causing a serious impact on the Council's budget.

Communication
Chief Executive Officer
Director Environmental & Infrastructure Services
Rates Officer
Executive Assistant

Consultation
Gawler & District Aged Cottage Homes Inc.

Policy Implications
N/A

Statutory Requirements
Local Government Act 1999, s159, 161, 166

Financial/Budget Implications
None if recommendation is adopted.

Strategic Implications
Goal 4: Financial Sustainability and Reinvestment in Infrastructure
S4. 1: Implement rates policies to produce a more equitable rates system and to ensure that Council has sufficient resources to carry out community priorities.

OFFICER’S RECOMMENDATION

Item 11.10. – Rate Rebate – Gawler & District Aged Cottage Homes Inc

That Gawler & District Aged Cottage Homes Inc be advised that Council is unable to grant a mandatory or discretionary rate rebate for 2007/2008 on the Vin Rice Village, Governor Daly Village, Ellimatta Village, Dawes Village and Governor Gawler Village, or vary the waste management charges, however Council is prepared to provide staff assistance to complete the application forms to access Government concessions.
Item Number 11.11
Title PROVISION OF JP SERVICES
Date 22 April 2008
Author(s) Acting Director Corporate & Community Services (Ron Wallace)
File R:03.0116
Previous Reference/ Motion Council – 25/9/2007 Motion No: 6943
That Council Officers investigate the possibility of re-establishing a JP service at the Council Office for ratepayers

Background
A JP Service operated at the Library for a number of years however around the middle of last year the Barossa & District Justices Group withdrew their support for providing this service on the grounds that the Library Reading Room was not sufficiently private enough for discussing personal issues with people seeking the services of a JP.

People coming into the Council Office or Library have subsequently been directed to alternate JP service locations within the Town of Gawler (Services SA and the local MPs office).

Attachment(s)
Email from Barossa & District Justice Group

Comments/Discussion
In September 2007 Council resolved that staff investigate the possibility of re-establishing a JP service at the Council Office.

While many Councils offer this service using local JP’s on a roster system they all have an area where people can come in and discuss their private issues in confidence. An approach has been made to Customer Services Officers to establish whether any of them would consider becoming a Justice of the Peace, however even if they were willing there is still the matter of where they would be located to provide privacy. There is insufficient space in the current administration area where they could be accommodated. The Customer Service Officers really have no capacity to take on additional work. Another issue to be considered is that this is not normally a staff provided service in South Australian Local Government.

This matter should be re-addressed when the redevelopment of the Civic Centre is undertaken and additional meeting rooms provided.

Communication
Nil

Consultation
Manager Library Services

Policy Implications
Nil
Statutory Requirements
Nil

Financial/Budget Implications
Nil

Strategic Implications
Objective: To be responsive to need and support the community’s capacity to address issues.

OFFICER’S RECOMMENDATION

<table>
<thead>
<tr>
<th>Item 11.11 – Provision of JP Services</th>
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<tbody>
<tr>
<td>That the issue of re-establishing JP services at the Council Office be delayed until such time as the Civic Centre redevelopment is undertaken and an area set aside where these services could be provided in privacy.</td>
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</tbody>
</table>
Dear Helen

As Chairman of the Barossa & Districts Justices Group, please be advised that as from 7th June 2007 Justice Duty in the Gawler Library will cease. Thursday the 7th June being the last day. This decision has been taken due to the dwindling numbers of people coming into the library for Justices service, and also members of the public having expectations of privacy when discussing personal documents.

If at some time in the future a private area could be made available we would reconsider the above decision.

On behalf of the group I thank you and your staff for the courteous and friendly manner that has been shown to our members over the past years.

Yours faithfully

Warren Dibben - Chairman.
Item Number 11.12
Title THE GAWLER CLUB INC. LEASE EXTENSION
Date 22 April 2008
Author(s) Manager - Policy (J Van’t Hof)
File LF:03.0077
Previous Reference/ Motion CM 27.09.05 Motion No 6311

That:
Council advise the Gawler Club that delays in commencement to repairs in the Town Hall basement and any inconvenience to the Club are regretted; and that the Council will honour the term of the current lease, but will consider office accommodation and multi-purpose community meeting space needs as a priority in future plans for the Civic Centre Redevelopment; and
Council assist the Club in finding a new location if the space is required by Council at the expiry of the lease in 2008;

Background
The Gawler Club Inc (Club) is a Men’s Club established in 1873 and currently has between 20 & 30 members. They have leased three rooms located in the basement of the Town Hall. The premises are to be used for the purpose of providing facilities for the playing of the games of snooker and billiards, recreational and social activities concerned with the aforementioned games and conducting competitive and semi-competitive events for the promotion of the above games. Under the terms of the current lease the Club have use of the rooms for a period of five years commencing 1 July 2003 and expiring 1 July 2008, with an option of a further five years.

The Council resolved on 22 October 2002 as follows (Motion No 4851):

That the annual leasing fee for 2003/2004 be $500 plus GST and that the rent be increased each year by the Average Rate Increase for the Town of Gawler experienced in the previous year.

A lease was signed and sealed on 3 June 2003, but there is no record of a resolution of Council approving the affixing of the Common Seal. The term was for a period of five years from 1 July 2003 until 1 July 2008, with an option of a further five years (but not a ‘right’ as defined in clause 5.6.3).

In late 2005 the then CEO, Neil Jacobs wrote to the Club to advise that should Council require the space now used by the Club or that redevelopment of the Town Hall take place during the term of the Lease then the Club would be required to vacate the premises. The CEO also agreed that Council would assist in finding a new location should this occur.

Attachment(s)
Proposed letter to the Gawler Club Inc.

Comments/Discussion
The President of the Gawler Club Inc. has written to the Council wishing to exercise its right to extend the lease by a further 5 years under the extension clauses of the Lease.

Officers have a number of concerns with the use of the area and its condition. Additionally Council has previously expressed concerns about the lease and the area in use in discussions on the matter. Therefore Officers have sought legal opinion on the right of extension of the lease for the following reasons;

Safety. The safety of the basement in the Town Hall and Institute is very poor. It has ingress/egress issues, poor fire escapes/extinguishers, excessive dust and ventilation issues and poor electrical wiring.

Location of Rooms. The Club rooms are directly below the chambers and Council meeting discussions can be heard from these rooms.

Possible Future Development. Although no immediate development plans are available it is understood that action/development of some sort is being considered by Council in the next 5 years.

Cleanliness of the Rooms. The Council Property Officer has on occasions been required to have the rooms cleaned and vermin removed.

Appropriate Use of Premises. Due to the low membership number and membership being available to men only, Officers would question the use of community facilities for such a club.

All of the above raise concerns however Officers have received legal advice that it would be difficult to deny an extension of the Lease by the Gawler Club Inc.

The facilities although in poor condition, have been in poor condition for many years and the lease recognises that no warranty has been given to the Club in respect of the suitability of the premises. A rental of $600 per annum (or less than $12 per week) including electricity and water costs, is token. The token rent and its acceptance by the Club implies use of the premises on an ‘as is’ condition and the Club has used the area in accordance with the terms of the lease.

Additionally although the Officers have had to address the cleanliness of the area and removal of vermin no written complaint has ever been lodged by the Council to the Club. The Club has also abided by its requirement to seek the extension within 3 to 6 months of the expiry.

On the above basis it appears unlikely the Council has grounds to terminate the Lease. In the event the Council purports to terminate the Lease without grounds, the Council is exposing itself to potential action from the Club seeking damages for breach of contract, not to mention any negative publicity the action may attract. The Club’s claim could include the cost of having to rent comparable premises (in size rather than condition) for the remainder of the term, together with any relocation costs.

It is therefore proposed a letter be sent the Gawler Club Inc. agreeing to the extension of the lease for the prescribed term however that the following be noted in the letter:
- No further extensions, renewals or a new lease will be entered into;
- The Club will be required to vacate the premises;
- The Club will be required to remove all fixtures and fittings as per the existing lease; and
- That during the next 5 years the Club must keep the premises in good repair and in a clean and sanitary condition.

Officers have prepared a letter in consultation with legal advice to the Gawler Club Inc (refer attached) and will forward the letter if approved by Council.

Communication
On approval by Council the attached letter will be sent to the Gawler Club Inc. No other communication is needed as the Lease is an existing Lease and therefore no public consultation is required.

Consultation
Norman Waterhouse Lawyers
Senior Management Team
Property Officer

Policy Implications
No

Statutory Requirements
Local Government Act 1999
Retail and Commercial Leases Act 1995

Financial/Budget Implications
No further cost unless Council pursues termination of Lease.

Strategic Implications
No

OFFICER’S RECOMMENDATION

Item 11.12 – The Gawler Club Inc. Lease Extension (LF:03.0077)

That Council;

a. Approve the extension of the Gawler Club Inc. Lease for a further 5 years;
b. The Gawler Club Inc. is advised that no further extensions or leases will be provided after the expiry of the renewed term;
c. The premises must be maintained in a clean and sanity condition; and
d. All fixtures and fittings owned by the Gawler Club Inc. are removed at the end of the Lease term.
TOWN OF GAWLER

30 Murray Street
Gawler, SA 5118

Telephone (08) 8522 5211
Facsimile (08) 8522 5218
Email: gawler@adelaide.sa.gov.au

Chairman: J. Van Hout

Date: 16 April 2008

Dear David,

RE: Extension of Lease of Club Premises

We refer to your letter dated 7 March 2008 requesting an extension of the lease granted to The Gawler Club Incorporated (Club) by the Town of Gawler (Council) in respect of the premises located within the basement of the Gawler Town Hall (Premises).

Pursuant to clause 5.6 of the Lease, the Club is entitled to apply to the Council to extend the Lease for a further five year term (Extension). The Club is required to comply with certain procedures in requesting the Extension. The Council is satisfied that such requirements have been complied with. Therefore, the Council has resolved to grant the Extension. In this respect, we confirm the following:

1. the Lease will be extended for a further term of five years;
2. the Extension will commence on 1 July 2008 and expire on 30 June 2013; and
3. the Extension will be on the same terms and conditions as the Lease.

Please note that after the Extension expires, the Council will not grant any further extension of the Lease or any new lease in respect of the Premises to the Club. The Club will be required to vacate the Premises on or before 30 June 2013. At that time, pursuant to clause 3.10 of the Lease the Club must, if required, remove all fixtures and fittings brought onto the Premises by the Club and repair any damage caused as a result.
Please note that pursuant to clause 3.4 of the Lease, the Club is required to:

1. keep the Premises in good repair; and
2. keep the Premises in a clean and sanitary condition, free from dirt, rubbish and vermin.

To date, it is the Council's opinion that the Club has not kept the Premises to the standard of cleanliness reasonably expected by the Council. On previous occasions the Council has been required to take action to ensure appropriate standards were maintained.

The Club must ensure that throughout the Extension it complies with its maintenance and repair obligations as set out in clause 3.4 of the Lease. In this regard, officers of the Council will be inspecting the Premises (with prior notice) once every six months.

If you have any queries about this letter or any other issue relating to the Lease, please feel free to contact us.

Yours sincerely,

John Van't Hof
Manager - Policy
Direct Line - (04) 8522 9223
E-mail - john.vanthof@oawter.sa.gov.au
Item Number 12.1
Title PROGRESS ON IMPLEMENTING COUNCIL RESOLUTIONS FROM MARCH 2008
Date 22 April 2008
Author(s) Executive Assistant
File
Previous Reference/ Motion 22/8/06 CM 5693: That the Chief Executive Officer produce to each Council meeting a summary of actions in response to the previous month Committee and Council resolutions.

BACKGROUND
The Council has requested a monthly update of the progress of implementation of items arising from the previous month of Council and committee meetings.

COMMENTS/DISCUSSION
The following lists the relevant substantive motions from the previous month’s Council and Committee meeting. Procedural and “noted” Items are excluded.

INFRASTRUCTURE & ENVIRONMENT COMMITTEE 17/10/06

Item No. 10.5 – Local Area Traffic Study – Gawler South / Evanston Park (R:03.1616; R:03.1619)
Motion No: 6099
1. Council Officers commence data collection for an intended traffic study in the area bounded by Adelaide Road, Seventh Street, One Tree Hill Road and Potts Road.

2. Funding for the preparation of a traffic strategy for the area bounded by Adelaide Road, Seventh Street, One Tree Hill Road and Potts Road (Local Area Traffic Management Study – Gawler South / Evanston Park) be referred to the 2007/08 budget for consideration.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MPW</td>
<td>Data collection currently being undertaken for LATM Study</td>
<td>Data collection completed March 08</td>
<td>March 08</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Funding referred to 07/08 in June 07</td>
<td></td>
</tr>
</tbody>
</table>

14.5 That the Senior Manager Infrastructure & Environmental Services discuss the matters of sensitive road directional signage and consultation with the Regional Manager of Transport SA.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Regional Manager contacted to arrange meeting.</td>
<td>Meetings held Feb/Mar</td>
<td>ongoing</td>
</tr>
</tbody>
</table>
COUNCIL MEETING
AGENDA
25 March 2008

COUNCIL 19.12.06

Item No 15.1 – Confidential Item - Tiver Road / Main North Road Traffic Signals (R06.0085)
Confidential Orders apply

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDS</td>
<td>Ongoing</td>
<td></td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

I & E SERVICES COMMITTEE 20.03.07

Addendum to Item 15.2 – Land Management Corporation (CN.06.0026)
Confidential Orders apply

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDS</td>
<td>Discussion with land owners</td>
<td>March 07</td>
<td>ongoing</td>
</tr>
</tbody>
</table>

COUNCIL 24.07.07

Motion No: 6238
That the Director of Infrastructure and Environmental Services report on potential action by Council in regard to waste initiatives by State Government or other authorities (EPA, Zero Waste and NAWMA).

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Further Report</td>
<td>Report to be presented for 2008/09 budget discussion</td>
<td></td>
</tr>
</tbody>
</table>

COUNCIL MEETING 28.08.07

Item 11.3 – Gawler Horse Festival (R:05.0118)
Motion No. 6906
That the Council:
1. considers the request of the Gawler Horse Festival Committee,
2. indicates support for a future festival, with equestrian involvement; and
1. request officers to provide a further report to September Corporate and Community Services Committee meeting indicating potential budget implications associated with the appointment of an additional officer and structure to support same.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MED</td>
<td>Further report to Sept C&amp;CS 11/09/07 Report to C &amp; CS Extension sought Report to be provided to Feb Council –</td>
<td>Report in March 2008 council</td>
<td>25.3.08</td>
</tr>
</tbody>
</table>
COUNCIL MEETING
AGENDA
25 March 2008

Item 19.1 – Confidential Item - Land Acquisition – Redbanks/Main North Roads, Willaston (R.07.0074)
Motion No: 6925(b)
Confidential Orders apply

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Officer/CEO</td>
<td>Application for Ministers consent to acquisition</td>
<td>30/9/07</td>
<td></td>
</tr>
</tbody>
</table>

COUNCIL 25.9.07

Item 17 - Motions Without Notice
Motion No: 6943
That Council Officers investigate the possibility of re-establishing a JP service at the Council offices for ratepayers.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
</table>

Item 17 – Motions Without Notice
Motion No: 6944
That staff report to Infrastructure and Environment Services Committee re installation of a suitable pedestrian crossing be installed outside the Elderly Centre.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MPW</td>
<td>Investigation of pedestrian crossing outside Elderly Centre</td>
<td>Further pedestrian survey being conducted. Report June IES.</td>
<td></td>
</tr>
</tbody>
</table>

COUNCIL MEETING 23.10.07

Item 13.2 (EIS Item 14.2) – Motions Without Notice - Church Hill State Heritage Area
Motion No: 6269
That Council officers prepare a report for a subsequent Infrastructure and Environmental Services Portfolio Committee on parking in Church Hill State Heritage Area affecting bluestone kerbing.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Prepare report for EIS Committee</td>
<td>Report to April Council</td>
<td></td>
</tr>
</tbody>
</table>

Item No 13.7 – Criterion Hotel – Request to use the footpath area for the consumption of liquor (file no. R.07 0046)
Motion No: 6763
That licensing of the footpath areas not be further considered until and after the smoking laws have been in place over a three (3) month period (end January 2008).
COUNCIL MEETING
AGENDA
25 March 2008

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDS</td>
<td>Further consideration end January 2008</td>
<td>Monitor. commenced 01.11.07 Report to February 08 IES Further report to 01 April 2008 IES meeting</td>
<td></td>
</tr>
</tbody>
</table>

COUNCIL 27.11.07

Item 10.1 – Petitions
Motion No: 6969
That Council request officers to prepare a report to the next appropriate Infrastructure and Environmental Services Committee meeting with their recommendations on the proposed closure of the walkway from Main North Road into Parham Court and Rowe Street.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MPW</td>
<td>Report to next appropriate IES Cttee on proposed closure of walkway</td>
<td>Report to Jan IES</td>
<td>15.01.08</td>
</tr>
</tbody>
</table>

Item 10.19 – Rate Rebate – Application for Discretionary Rebate of Rates by Gawler & District Aged Cottage Homes Inc
Motion No: 6687
That the Corporate and Community Services Committee recommend to Council that the Gawler & District Aged Cottage Homes Inc be advised that their request for a Rebate of Rates for 2007/2008 is not successful.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCCS</td>
<td>Notify Gawler &amp; District Aged Cottage Homes that their request is unsuccessful.</td>
<td>18/12/07 22/1/08 Deferred pending further information from G&amp;DACH. Jan 08 Min 2008.01.08 Meeting held Jan. Report to March Council</td>
<td></td>
</tr>
</tbody>
</table>

Item 13.2 (IES Item 10.13) – Rail Stations in Gawler – Strategic Functions and Development (R06.0076)
Motion No: 6286
That:
1. the contents of the report be noted and a further report be provided on the progress of the application;
2. The project be included as part of the 2008/09 budget, if funding application is successful.
3. Council considers that the relative contributions of stakeholders should better reflect capacity to pay.
Item 16.1 - Murray Street Upgrade
Motion No: 6985
That when officers prepare the further main street report in relation to street furniture and pedestrian locations (Motion No 6961, Council meeting 23 October 2007 that it now also include the following elements:
1) specific recommendations for street tree varieties and suitable locations;
2) specific recommendations for planter box styles, plant varieties and suitable locations;
3) specific recommendations for heritage style seating and other street furniture (such as bins) which is in keeping with the historical identity of the main street and endorsed by the Tourism Strategic Plan.

Item 12.8 – Appointments to Regional & External Organisations (R:03.0653)
Motion No: 6983
That Council approve the following appointment of delegates to the Regional and External Organisations as listed below:

<table>
<thead>
<tr>
<th>ORGANISATION</th>
<th>LEGAL STATUS</th>
<th>REPRESENTATION</th>
<th>DELEGATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAWMA</td>
<td>Section 42</td>
<td>Two Councillors (one as substitute)</td>
<td>Cr Strauss Cr Morris Cr Russell (sub)</td>
</tr>
<tr>
<td>Gawler River Floodplain</td>
<td>Section 43</td>
<td>One Councillor</td>
<td>Cr Thom Cr Johnston (sub)</td>
</tr>
<tr>
<td>Management Authority</td>
<td></td>
<td>One CEO</td>
<td></td>
</tr>
<tr>
<td>Wakefield Group</td>
<td>Nil – Mayors &amp; Chief Executive Officer’s from Councils in Wakefield Electorate</td>
<td>Mayor CEO</td>
<td>Mayor Sambell Cr Thom (sub)</td>
</tr>
<tr>
<td>Local Government Association AGM</td>
<td>Incorporated</td>
<td>Mayor Deputy Mayor</td>
<td>Mayor Sambell Cr Thom</td>
</tr>
</tbody>
</table>
### Local Government Finance Authority AGM

Body Corporate under Local Government Finance Act

<table>
<thead>
<tr>
<th>Mayor</th>
<th>Deputy Mayor</th>
<th>Interim Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Sambell</td>
<td>Cr Thom</td>
<td>Letters being prepared</td>
</tr>
</tbody>
</table>

### Gawler Business Development Board

Section 42

| One member at the discretion of Council | Cr Zorich |

### Gawler Neighbourhood House

Incorporated

| One Councillor | Mayor Sambell |

### Gawler Horse Festival

Section 41

| Mayor | Mayor Sambell Cr Dent (sub) |

### Gawler 150th Consultative Committee

Section 41

| Mayor | Mayor Sambell |

### Elderly Centre Management Committee

Section 41

| One Councillor | Cr Bartlett Mayor Sambell Cr Dibben (sub) |

### Gawler Tourism & Promotions Committee

Section 41

| Two Councillors | Cr Johnston Cr Dent |

### Gawler High School Governing Council

The Council can choose to be represented on this school council.

| One Councillor | Mayor Sambell Cr Russell (sub) |

### Gawler Volunteer Advisory Committee

Section 41

| One Councillor | Cr Dent |

### Gawler Rivers Junction Committee

Section 41

| One Councillor | Cr Shackley |

### Civic Centre Management Committee

Section 41

| One Councillor | Cr Bartlett Cr Dibben |

### Friends of the Library Inc.

| One Councillor Cr Officer | Cr Dibben Cr Johnston |

### Youth Advisory Committee

Section 41

| One Councillor | Cr Dent |

### Gawler Community House

Inc

| One Councillor | Mayor Sambell |

| Officer | Cr Dibben Cr Johnston |

### EA

| To advise external bodies of re-appointments | Letters being prepared | Letters sent 14.04.08 |
Motion No. 7001
That Cr P Russell also be allowed to sit on the Bicycle and Pedestrian Plan Reference Group and that the group’s terms of reference be altered to allow two.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Terms of reference be altered</td>
<td></td>
<td>Dec 07</td>
</tr>
</tbody>
</table>

18.1 Gawler High School – Mrs Lowry
Motion No:6991
That a reception be held in Library Reading Room to thank Mrs Lowry for her services to Gawler High School and the community.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>EA</td>
<td>To organise reception</td>
<td>Pending school year resuming</td>
<td>Invite sent 15.04.08</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contact school for address Feb 08; advice rec’d March 08</td>
<td></td>
</tr>
</tbody>
</table>

COUNCIL – 18.12.07

Item 11.1 – Rate Rebate – Application for Discretionary Rebate of Rates by Gawler & District Aged Cottage Homes Inc R.03.0574
Motion No:
That this matter be deferred to the January 2008 Council meeting.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCCS</td>
<td>Submit a report to the January 2008 Council meeting</td>
<td>Deferred, awaiting further correspondence from applicant</td>
<td>25.03.08</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Report March 08 Council</td>
<td></td>
</tr>
</tbody>
</table>

Item 11.4 – Lease Of Council Land – Caltex Australia Petroleum Pty Ltd Lease Renewal (LF:03.0013; LF:06.0060)
Motion No: 7014
That the Council:
1. Approve the Lease to Caltex Petroleum Australia Pty Ltd for Lot 18 Paxton Street, Willaston; and:
   i. a term of five (5) years from July 1 2007; with one five (5) year renewal option
   ii. for a lease amount of Sixteen Thousand, Five Hundred Dollars per annum ($16,500.00) plus GST, to be indexed annually by CPI; at
2. Authorise the Mayor and CEO to sign and affix the Town of Gawler seal to execute the document.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>EA</td>
<td>To organise signing and affixing of seal</td>
<td>With solicitors pending issue of new lease, report to March 08</td>
<td>25.03.08</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Refer March actions</td>
<td></td>
</tr>
</tbody>
</table>
Item 11.12 Zonta International – Women’s Art Exhibition 2008 (R03.1140)
Motion No: 7017
That Council support the Zonta Club of Gawler and Barossa to host the Women’s Art Exhibition 2008 with:-
  a. $1,000 cash sponsorship from Contribution and Donations other – 7012/998/792
  b. inkind support covering hire of Visitor Information Centre upstairs room and waste management provisions in Pioneer Park and
  c. authorise officers to negotiate sponsorship recognition in accordance with Council policy.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MED</td>
<td>To arrange payment of sponsorship</td>
<td>Ongoing discussions, event is pending other grant applications</td>
<td>13.04.08</td>
</tr>
</tbody>
</table>

Item No 19.2 – Confidential Item – Sale Of Bellevue Court – Request By Master Plan On Behalf Of Southern Cross Care
Motion No: 7031(a)
Confidential Orders apply

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEO</td>
<td>ongoing</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

COUNCIL 22.01.08

Item 11.3 – Rate Rebate – Application for Discretionary Rebate of Rates by Gawler & District Aged Cottage Homes Inc R.03.0574
Motion No: 2008:01:008
That the matter be deferred until further correspondence is received from Gawler & District Aged Cottage Homes Inc.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCCS</td>
<td>Further report when correspondence received from applicant</td>
<td>Report to March council meeting</td>
<td>25.03.08</td>
</tr>
</tbody>
</table>

Item 12.2 – Informal Gatherings – Policy
Motion No: 2008:01:012
That Council:
1. conduct Information Briefings prior to monthly Council meetings and at other times as determined by the Mayor;
2. review the needs and benefits of Information Briefings at their June 2008 meeting; and
3. adopt the Informal Gatherings policy as presented/amended.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEO</td>
<td>Review needs and benefits of Information Briefings June 2008</td>
<td>February 2008</td>
<td></td>
</tr>
</tbody>
</table>
**Item 12.5 Committee Meeting Frequency (R:03.0656))**

Motion No: 2008:01:014

That Council

1. undertake a trial of bimonthly portfolio committee meetings as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>EIS</td>
<td>CCS</td>
</tr>
<tr>
<td>February</td>
<td>March</td>
</tr>
<tr>
<td>April</td>
<td>May</td>
</tr>
<tr>
<td>June</td>
<td>July</td>
</tr>
<tr>
<td>August</td>
<td>September</td>
</tr>
</tbody>
</table>

(see attached proposed dates schedule)

and

2. review the trial of bimonthly committee meetings of the EIS, CCS and Audit Committees in August 2008.

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEO</td>
<td>Review trial of bimonthly committee meetings of the EIS, CCS and Audit Committees in August 2008</td>
<td>February 2008</td>
<td></td>
</tr>
</tbody>
</table>

**Item No. 12.6 – Local Government Association-Comparative Performance Measurement Survey (R: 03.0780)**

Motion No: 2008:01:015

That Council agree to participate in the 2008 LGA Community Survey at a cost of $8,367.25.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>EA</td>
<td>Arrange participation and payment</td>
<td></td>
<td>Letter confirming attendance sent</td>
</tr>
</tbody>
</table>

**Item 13.4 – Urban Growth Boundary (R03.0087 and R03.0155)**

Motion No: 2008:01:020

That

1. the contents of the report be noted; and

2. a submission to the Minister on the Rural Green Belt be prepared and the Local Member of Parliament's assistance be sought in progressing a satisfactory outcome.

3. that further consideration be given to this matter after receipt of any available information after changes to the Gawler southern urban area.

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<tbody>
<tr>
<td>MDS</td>
<td>A submission to the Minister on the Rural Green Belt be prepared and the Local Member of Parliament's assistance be sought</td>
<td>January 2008</td>
<td>Feb 2008</td>
</tr>
<tr>
<td></td>
<td>That further consideration be given to this matter after receipt of any available information after changes to the Gawler southern urban area.</td>
<td></td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
Item 13.6 – Residential Character Study (R. new file)
Motion No: 2008:01:022
That a further report be submitted to the April IES committee meeting.

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<tbody>
<tr>
<td>MDS</td>
<td>Further report be submitted to the April IES committee meeting</td>
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</tbody>
</table>

Item 13.8 – Parham Court Petition (S:Rowe Street)
Motion No: 2008:01:024
That:
1. The petition from residents of Parham Court, Evanston Park be received and noted;
2. Further community consultation be undertaken by Council officers to determine the level of use of the laneway by the wider community;
3. The traffic classifiers be installed on Rowe Street to check vehicle speeds on this road;
4. A subsequent report be presented to the April IES Committee of Council with the findings of the above investigations; and
5. The head petitioner be advised of the content of this report and of Council’s decision regarding this matter.

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<tbody>
<tr>
<td>MPW</td>
<td>Further community consultation be undertaken by Council officers to determine the level of use of the laneway by the wider community</td>
<td>April IES</td>
<td>08.04.08</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MPW</td>
<td>The traffic classifiers be installed on Rowe Street to check vehicle speeds on this road</td>
<td>April IES</td>
<td>08.04.08</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MPW</td>
<td>A subsequent report be presented to the April IES Committee of Council with the findings of the above investigations</td>
<td>April IES</td>
<td>08.04.08</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MPW</td>
<td>The head petitioner be advised of the content of this report and of Council’s decision regarding this matter</td>
<td>April IES</td>
<td>08.04.08</td>
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</table>

SPECIAL COUNCIL – 19.2.08
Motion No: 2008:02:027
That staff prepare a report by the end of the financial year for Corporate and Community Services Portfolio Committee with analysis of current vehicles and a five year plan, employee contributions, fuel and running costs and replacement costs.

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<th>ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Prepare a report by the end of the financial year.</td>
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</table>
**COUNCIL – 26.2.08**

**Item 11.3 - Christmas Street Festival, 2nd December 2007 - R:07.0006**

Motion No: 2008:02:034

That Council

a. note the feedback in relation to the 2007 Gawler Christmas Street Festival

b. approve the staging and management by Council officers of the 2008 Gawler Christmas Street Festival, from 11am to 3pm on Sunday 7th December 2008

c. request officers to provide a further report in relation to the closure of Murray Street (between Calton Road and Lyndoch Road), Tod Street and Jacob Street in line with statutory obligations

d. include $27,500 in the 2008/09 budget to stage the 2008 Gawler Christmas Street Festival (the $27,500 does not include costs associated with the co-ordination and management of the event).

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</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Report in relation to the closure of Murray Street (between Calton Road and Lyndoch Road), Tod Street and Jacob Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MED</td>
<td>Arrange staging and management of 2008 Gawler Christmas Street Festival</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DCCS</td>
<td>Include $27,500 in the 2008/09 budget to stage the 2008 Gawler Christmas Street Festival.</td>
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</tbody>
</table>

**Item 11.7 - Gawler & Districts Tennis Association - R:03.1226**

Motion No: 2008:02:035

That Council

a. support the 2008 annual Easter Tournament hosted by Gawler and Districts Tennis Association Inc by way of Gold Sponsorship to the value of $150

b. charge the costs associated with the sponsorship to Community Development Grants 7012/998/792.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>DCCS/ MCD</td>
<td>Charge costs associated with the sponsorship to Community Development Grants 7012/998/792</td>
<td></td>
<td></td>
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</tbody>
</table>

**Item 11.1 – Sport And Recreation Centre – Gawler Rotary Club – Request For Discounted Hire Rate (R:03.0107, R:03.1291)**

Motion No: 2008:02:036

That:

1. Council agree to the hire rate of the “Rotary Room” at the Sport and Recreation Centre to the Gawler Rotary Club for five (5) years from 1 Feb 2008 to 30 Jan 2013 for the purpose of weekly meeting held each Monday;

2. the hire rate for the Gawler “Rotary Room” be $1.00 per session with a review of the hire rate to be charged from 1 Jan 2010; reviewed annually there after and subject to agreement of the conditions of the Hire Agreement.
Item 12.6 - Development Assessment Panel – Public Officer(R:03.0263)

Motion No: 2008:02:042

That the Chief Executive Officer, Mr Stephen Kerrigan, be appointed the Public Officer of the Town of Gawler Development Assessment Panel for the purposes of Section 56A (22) of the Development Act.

Item 13.1 (IES Item 10.6) - Civic Centre Redevelopment – Progress Report

Motion No: 2008:02:054

1. That the contents of the report be noted.
2. That this matter be an item on the agenda and for a report to the March Council meeting.

Item 13.1 (IES Item 10.8) - Murray Street South Upgrade - PLEC Funding Grant

Motion No: 2008:02:054

That:
1. the contents of the report be noted
2. Council consider allocating funds as part of its 2008/2009 budget deliberations for
   a. undergrounding of power lines in Murray Street South - $183,000
   b. construction of stage 1 civil works for the Murray Street South rejuvenation - $250,000

Item 13.1 (IES Item 10.9) Twenty Fourth Street (Unsealed Street) Proposals – Progress Report No. 2 (S:40379 (Twenty Fourth St))

Motion No: 2008:02:054

That
1. Council resolve not to proceed with the short term closure of Twenty Fourth Street.
2. Council endorse Option 2 as its preferred option,
3. The residents and property owners previously consulted be advised of the content of this report and of Council’s decision regarding this matter.

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<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Advised residents and property owners of the content of this report and Council’s decision</td>
<td></td>
<td>26.02.08</td>
</tr>
</tbody>
</table>

**Item 17 – Motions Without Notice - Hiring Agreement at the Sport and Recreation Centre**

Motion No: 2008:02:058

That officers present by the June 2008 Council meeting:

a. their recommendations relating to the Hiring Agreement at the Sport and Recreation Centre with Service Clubs and other stakeholders; and

b. bring forward for consideration a Council Policy to address these Sport and Recreation Centre hiring issues and for other Council facilities.

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<tbody>
<tr>
<td>DCCS</td>
<td>Prepare Council Policy to address hiring issues</td>
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<td></td>
</tr>
</tbody>
</table>

**Item 17 – Motions Without Notice – 2020 Workshop for Wakefield Residents**

Motion No: 2008:02:059

That Council:

a. supports a 2020 Workshop for Wakefield residents on 6 April 2008 or a suitable date managed by the Council in conjunction with Mr Nick Champion MHR and other interested parties;

b. that the CEO and Mayor be authorised to negotiate arrangements with a report to councillors as soon as possible.

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<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>CEO</td>
<td>The CEO and Mayor be authorised to negotiate arrangements with a report to councillors as soon as possible</td>
<td>Member for Wakefield has sent out invites</td>
<td></td>
</tr>
</tbody>
</table>

**Item 17 – Motions Without Notice – Repairs to Gawler Cultural Walking Trail Sign**

Motion No: 2008:02:060

That a report on possible repairs to the Gawler Cultural Walking Trail sign be prepared for the April IES meeting.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>DEIS</td>
<td>Report on possible repairs to the Gawler Cultural Walking Trail sign be prepared for the April IES meeting.</td>
<td>To June IES</td>
<td></td>
</tr>
</tbody>
</table>
COUNCIL – 25.3.08

Item 11.2 – Gawler Business Development Group (R: 03.0338)
Motion No: 2008:03:063
That Council
1. endorse the following nominations to the Board of the Gawler Business Development Group
   a. Tony Harnett to represent Town Centre expiring 31/03/10
   b. Natalie Hoskyns to represent Town Centre expiring 31/03/10
   c. John Giannitto to represent Gawler South/ Adelaide Rd expiring 31/03/10
   d. Michael Griffiths to represent Willaston expiring 31/03/10
2. Thank representatives of the Board for their verbal presentation; and

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<tbody>
<tr>
<td>MED</td>
<td>Advise the Gawler Business Development Board that Council agrees in principle to the inclusion of the Business Plan 2008/2009 and Draft Budget 2008/2009 in the Town of Gawler’s Annual Business Plan subject to a further report from the Board providing detailed analysis of Charter compliance and the acceptance of a satisfactory service level.</td>
<td>Officer report provided at Board meeting detailing the above motion</td>
<td>08.04.08</td>
</tr>
</tbody>
</table>

Item 11.13 – Gawler Centrals Football Club - Request To Waive Oval Hire Fee (LF:03.0059)
Motion No: 2008:03:064
That Council waive the 2008 Prince’s Park Oval hire fee for the Junior Football Competition Training and Matches conducted by Gawler Central Football Club.

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<tbody>
<tr>
<td>Manager Policy</td>
<td>Advise Gawler Centrals Football Club of waiving of hire fee</td>
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</table>

Item 11.1 – Gawler Horse Festival - (R05:0118)
Motion No: 2008:03:065
That the Council
1. advise the current Gawler Horse Festival committee members that it is prepared to consider supporting a 2009 Gawler Horse Festival as a sponsor
2. authorise council officers to arrange a meeting with key industry parties to discuss future auspice arrangements
3. include event sponsorship up to $10,000, either cash or in-kind, in the 2008/2009 budget for a 2009 Gawler Horse Festival dependant upon a suitable application from relevant auspice body
4. acknowledge the efforts of the Gawler Horse Festival committee members and dissolve the committee.

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<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>MED</td>
<td>Advise Gawler Horse Festival committee of Council's decision regarding sponsorship and arrange meeting</td>
<td>16/04/08</td>
<td>To date only verbal contact has been made with select members. Written advice &amp; meeting date to be advised by 25/04/08</td>
</tr>
</tbody>
</table>

**Item 11.3 – Gawler Visitor Information Centre Accreditation (R:07.0106)**

That Council supports the ongoing application of requirements to ensure that the Gawler Visitor Information Centre meets all qualifying criteria for the South Australian Accredited Visitor Information Centre Program.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>MED</td>
<td>Ensure the Gawler Visitor Information Centre meets all qualifying criteria for the South Australian Accredited Visitor Information Centre Program.</td>
<td>Immediate actions completed ie staff relocation Site visit 27.05.08</td>
<td>14.04.08</td>
</tr>
</tbody>
</table>

**Item 11.4 – Tourism and Event Management (R:03.0302)**

Motion No: 2008:03:067

That Council authorise staff to develop and provide a further report on a Tourism & Events Development Grant policy.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>MED</td>
<td>Provide a further report on Tourism &amp; Events Development Grant policy.</td>
<td>Policy &amp; process currently being developed. Further report anticipated May</td>
<td></td>
</tr>
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</table>

**Item 11.10 – Willaston Netball Club Court Replacement (R.03.1255)**

Motion No: 2008:03:068

That the Council advise the Willaston Netball Club that Council will support the Club by borrowing $30,000.00 through the LGFA with the relevant Clubs being responsible for repayment of the principle and interest and any associated costs and that the CEO be responsible for negotiating a suitable arrangement as soon as possible.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>CEO/ DCCS</td>
<td>Advise the Willaston Netball Club that Council supports borrowings and Clubs responsible for repayment of principle, interest and any associated costs.</td>
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<td></td>
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</tbody>
</table>
Item 11.5 – Rate Rebate – Gawler & District Aged Cottage Homes Inc
Motion No: 2008:03:069
That the CEO and officers be requested to provide a further report to the April council meeting in relation to discretionary rate rebate and waste management charges for the Gawler and District Aged Cottage Homes Inc.

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<tbody>
<tr>
<td>DCCS</td>
<td>Provide a further report to April Council meeting.</td>
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</table>

Item 11.6 – Waste Management System – Fees & Charges (R.03.0376)
Motion No: 2008:03:070
That a further report on waste charges be prepared for consideration at the first council meeting on the 2008/09 budget discussions.

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<tbody>
<tr>
<td>DCCS</td>
<td>Further report to first council meeting on 2008/09 budget discussions</td>
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</table>

Item 11.7 – Lease Of Council Land – Caltex Australia Petroleum Pty Ltd Lease Renewal (LF:03.0013)

That Council:
   a. note the progress report on the lease of Council land at 18 Paxton Street Willaston to Caltex Pty Ltd; and
   b. request a further report to be presented by June 2008.

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<tr>
<td>DCCS/Property Officer</td>
<td>Further report to June 2008 Council meeting.</td>
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</table>

Item 11.8 – Update On Lease Of Council Land – Telstra Communications Tower (LF:06.0005)
Motion No: 2008:03:072
That Council
   a. note the progress report on the lease of the portion of Council land at Eldred Riggs Recreation Reserve to Telstra Pty Ltd; and
   b. request a further report to be presented by May 2008.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>DCCS/Property Officer</td>
<td>Further report to May 2008 Council meeting</td>
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</table>

Item 11.11 - Trevor Bellchambers Community Swimming Centre – Operational Procedures and Charges
Motion No: 2008:03:074
That this matter be referred back to staff for a report on the operating procedures of the Trevor Bellchambers Community Swimming Centre including daily fees.
and implications of extended hours of operation with appropriate signage for daily opening times for consideration at the first council meeting on the 2008/09 budget discussions.

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<tbody>
<tr>
<td>DCCS/Co-ord</td>
<td>Further report to first council meeting on 2008/09 budget discussions.</td>
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**Item No. 12.2 - Gawler River Floodplain Management Authority (R:03.0359)**

Motion No: 2008:03:076

That the Gawler River Floodplain Management Authority be advised the Council agrees to its draft budget for 2008/09.

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<tbody>
<tr>
<td>EA</td>
<td>Advise Gawler River Floodplain Management Authority Councils agrees to it draft budget for 2008/09</td>
<td></td>
<td>15.04.08</td>
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</table>

**Item 12.1 – Careers Expo – 2 & 3 May 2008 (R:03.0776)**

Motion No: 2008:03:077

That Council

a. support the LGMA SA stand at the 2008 Careers Expo by donating $500 from the 2007/2008 budget line 1005/336/166 to assist with costs;

b. Request the LGA and LGMA to develop a fairer contribution for rural and metropolitan councils that better reflects the expected benefits to councils.

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<tbody>
<tr>
<td>EA</td>
<td>Support the LGMA SA stand at the 2008 Careers Expo by donating $500 Request the LGA and LGMA to develop a fairer contribution for rural and metropolitan councils that better reflects the expected benefits to councils.</td>
<td></td>
<td>15.04.08</td>
<td></td>
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</table>

**Item 13.1– NAWMA – Charter Review - (R03.0424)**

Motion No: 2008:03:079

That the Town of Gawler endorse the proposed changes to the Northern Adelaide Waste Management Authority Charter, clauses 4.7, 4.9, 8.3 and 8.4 as recommended by the NAWMA Board in correspondence dated 27 February, 2008.

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<tr>
<td>DEIS</td>
<td>Advise NAWMA Board of endorsement Letter being prepared</td>
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</tbody>
</table>
Item 13.2 – NAWMA Service Agreement - (R03.0424)
Motion No: 2008:03:080
That:
  a. this matter be deferred to the April IES meeting; and
  b. Cr Shackley liaise with the DEIS prior to the April IES meeting and
     prepare comments for consideration at that time.

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<th>DATE ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>DEIS</td>
<td>Liaise with Cr Shackley and report to April IES meeting</td>
<td>Report to April IES</td>
<td>08.04.08</td>
</tr>
</tbody>
</table>

Item 15.1.1 – Audit Committee meeting 11/3/08

Model Format for Long Term Financial Plans - R07.0043
Motion No: AC:2008:03:002
That a further report be prepared on the implications of the Model Format for Long Term Financial Plans following the information paper being read and fully understood.

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<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>DCCS</td>
<td>Further report</td>
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</table>

Item 15.1.2 – Corporate & Community Services Portfolio Committee meeting held 11.03.08

Rate Rebate – Mr L Tobitt, 12 Little Paxton Street, Willaston (R.03.0574)
Motion No: CCS:2008:03:011
Mr Tobitt’s rates be waived for the 2006/2007 year for the Assessment 101562 tenancy apportioned property located at 12 (Lot 7) Little Paxton Street, Willaston and any other associated costs including fees, charges and fines be waived.

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<th>DATE ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>DCCS</td>
<td>Advise Mr Tobbit of waiving of rates</td>
<td></td>
<td>03.04.08</td>
</tr>
</tbody>
</table>

Naming of the Gawler Youth Space – R07.0045
Motion No: CCS:2008:03:012
That the Corporate and Community Services Portfolio Committee under delegated authority endorse the Gawler Youth Advisory Committee to undertake the process of consulting with young people regarding a name for the Gawler Youth Space during Youth Week 2008.

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<th>ACTION</th>
<th>DATE INTERIM</th>
<th>DATE ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>MCD</td>
<td>Consult with young people regarding a name for the Gawler Youth Space during Youth Week 2008</td>
<td></td>
<td></td>
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</table>
Membership of the Gawler Youth Space and Development Reference Group R07.0045

Motion No: CCS:2008:03:014

That the Corporate and Community Services Portfolio Committee under delegated authority endorse the following list of names as official members of the Youth Space and Youth Development Reference Group:

1. Cr. Patricia Dent - Town of Gawler
2. Vesna Thon (CDO) - Town of Gawler
3. David Tredrea (MCD) - Town of Gawler
4. Gawler Youth Advisory Committee Representative
5. Glenn Clarke - (Gawler Youth Worker's Network/ Drug Arm)
6. Debbie Grose - (Gawler Children's Centre Enabling Group)
7. Chris Gill - South Australian Police
8. Gawler Health Service representative
9. Representative for young disabled people
10. Amanda Putrus - Office for Youth
11. Beryl Tearle - Lion’s Club of Gawler

Waste Management System – Fees and Charges – R03.0376

Motion No: CCS:2008:03:023

That a report be prepared for the next Council meeting on the Green Waste issue the report including the following suggestions:

(a) that the draft content of future communications to ratepayers/public on the green waste bin issues be first presented in a timely manner to Council;
(b) that any future sticker system have a street number and name appropriately marked on the sticker by Staff when they are issuing the stocker to deter theft of the sticker;
(c) that any future sticker system have a different coloured sticker for the next year for easier identification by the truck driver;
(d) that eligible Pensioner and State Government Seniors card holders be allowed a $10 discount;
(e) that any request for a replacement sticker due to theft be agreed to by Council staff at no fee;
(f) that any future increases to this fee be flagged by a press release to the community several months before the issue of the next year’s fee notice; and
(g) that if there is a separate fee then there by 60 days grace for payment.

Gawler Gourmet and Heritage Festival (Liquor Licensing)

Motion No: CCS:2008:03:024

That the Manager Developmental Services be delegated authority to support the application from the Gawler Gourmet and Heritage
Festival providing there is a satisfactory Event Application assessment.

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<tr>
<th>OFFICER</th>
<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>MDS</td>
<td>Support the application providing there is a satisfactory Event application assessment.</td>
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Motion No: CCS:2008:03:027
That the Customer Service Unit staff be advised of the appreciation of Elected Members for the manner in which they have dealt with numerous waste management enquiries.

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<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
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<tbody>
<tr>
<td>CEO</td>
<td>Convey thanks to CSU staff</td>
<td></td>
<td>27.03.08</td>
</tr>
</tbody>
</table>

18. Motions Without Notice
18.2 Motion No: 2008:03:086
That Council notes that Cr Strauss has tendered his resignation as Council representative on the Development Assessment Panel, effective immediately.

Result of secret ballot Cr Morris is declared successful as Council representative on the Development Assessment Panel.

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<tbody>
<tr>
<td>MDS</td>
<td>Note change of DAP member</td>
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18.3 Motion No: 2008:03:087
That Council meet the costs associated with the site inspection of Mawson Lakes and Golden Grove on Saturday, 5 April 2008.

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<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED</th>
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</thead>
<tbody>
<tr>
<td>EA</td>
<td>Approve costs associated with site inspection.</td>
<td></td>
<td>Advised Delfin 27.03.08</td>
</tr>
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</table>

ADDITION Item 20.2 Confidential Item - Manager Developmental Services (CN:00.0247)
Motion No: 2008:03:089 (b)
Details omitted to maintain confidentiality.

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<th>DATE ACTION COMPLETED</th>
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<tr>
<td>CEO</td>
<td>Prepare necessary paperwork</td>
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OFFICER’S RECOMMENDATION

Item 12.1 - Progress on Implementing Council Resolutions

That the March 2008 report be noted and those items implemented, be deleted from the list for next month’s report.
Item Number 12.2
Title AMENDMENT TO FORMAT OF PROGRESS REPORTS
Date 22 April 2008
Author(s) CEO (S.Kerrigan)
File R:03.0551
Previous Reference/Motion Nil

Background
Council have discussed over the last few months, options to improve the layout of the report to monitor progress of implementing Council decisions.

Attachment(s)
Proposed amended report.

Comments/Discussion
Components of the current report include the:
1. Meeting date (and whether Council or Committee)
2. Heading of matter as listed in agenda and minutes
3. Minute Number
4. Full wording of Motion
5. Responsible Officer
6. Action to satisfy decision of Council
7. Interim progress
8. Date of completion

The wording of the motion will dictate the action required and therefore relate directly to the date of completion being when that action has been undertaken.

Many decisions of Council touch on various issues related to the same topic and a clear and concise approach needs to be part of the reporting of progress.

The suggested change includes:
1. Meeting date (and whether Council or Committee)
2. Header
3. Minute No
4. Summary of Decision
5. Responsible Officer
6. Action to satisfy decision of Council
7. Interim progress
8. Date of completion

The two reports are tools to assist Elected Members understand what progress is being made and the reports do not need to be a component of the agenda but rather more like a memo report to Elected Members on a monthly basis.

The heading of ‘Progress Report/Project Report’ would remain a feature of the agenda so that any queries could be made at the Council Meeting.
Communication
Nil

Consultation
Leadership Team

Policy Implications
Nil

Statutory Requirements
Nil

Financial/Budget Implications
Nil

Strategic Implications
Better governance.

OFFICER’S RECOMMENDATION

Item 12.2 – Amendment to Format of Progress Reports (R:03.0551)

That the CEO introduce a modified method of reporting to Council on the implementation of Council decisions based on the report to the April meeting, for a trial period of three months, and present a report to Council on the trial at the end of that trial period.
ATTACHMENT TO COUNCIL MINUTES – MEETING 22nd April 2008

Item No. 12.1 - PROGRESS ON IMPLEMENTING COUNCIL RESOLUTIONS FROM SEPTEMBER 2007

INFRASTRUCTURE & ENVIRONMENT COMMITTEE 17/10/06

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>MOTION NO</th>
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<th>ACTION</th>
<th>DATE INTERIM ACTION</th>
<th>DATE ACTION COMPLETED OR TRANSFERRED</th>
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<tbody>
<tr>
<td>10.5</td>
<td>6099</td>
<td>Local Area Traffic Study – Gawler South / Evanston Park (R:03.1616; R:03.1619)</td>
<td>MPW</td>
<td>Traffic data collection undertaken for LATM Study. Brief finalised.</td>
<td>Data collection completed March 08</td>
<td>March 08 TRFR to Projects List 22.4.08</td>
</tr>
<tr>
<td>14.5</td>
<td>6116</td>
<td>Motions With Notice Sensitive directional signage - DTEI</td>
<td>DEIS</td>
<td>Regional Manager contacted to arrange meeting.</td>
<td>Meetings held Feb/Mar Ongoing</td>
<td></td>
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COUNCIL 19/12/06

<table>
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<tr>
<th>ITEM NO.</th>
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<tbody>
<tr>
<td>15.1</td>
<td>Confidential</td>
<td>Tiver Road / Main North Road Traffic Signals (R06.0085) Detail Omitted</td>
<td>MDS</td>
<td>Ongoing</td>
<td>Ongoing Report to May Council meeting</td>
<td></td>
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</table>

INFRASTRUCTURE & ENVIRONMENTAL SERVICES COMMITTEE ACTION LIST 20.03.07

<table>
<thead>
<tr>
<th>ITEM NO</th>
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<tbody>
<tr>
<td>15.2</td>
<td></td>
<td>Land Management</td>
<td>MDS</td>
<td>Discussion with land owners</td>
<td>March 07</td>
<td></td>
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</table>
### COUNCIL 24/07/07

<table>
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<tbody>
<tr>
<td>10.7</td>
<td>6238</td>
<td>LGA Proposed Strategy for Solid Waste Levy (R.03.0748)</td>
<td>DEIS</td>
<td>Report to be presented for 2008/09 budget discussion</td>
<td></td>
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### COUNCIL 28/08/07

<table>
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<tr>
<th>ITEM NO</th>
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<th>DATE ACTION COMPLETED OR TRANSFERRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.3</td>
<td>6906</td>
<td>Gawler Horse Festival (R:05.0118)</td>
<td>MED</td>
<td>Further report to Sept C&amp;CS 11/09/07 report to C &amp; CS Extension sought Report to be provided to February Council</td>
<td>Reported to March 2008 Council meeting</td>
<td>COMPLETED 25.3.08</td>
</tr>
<tr>
<td>19.1</td>
<td></td>
<td>Land Acquisition – Redbanks/Main North Roads, Willaston (R.07.0074) Motion No: 6925(b) Confidential Item</td>
<td>Property Officer/Acting CEO</td>
<td>Application for Ministers consent to acquisition</td>
<td>30/9/07 Report to May Council meeting</td>
<td></td>
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### COUNCIL 25/9/07

<table>
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<tr>
<th>ITEM NO</th>
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## COUNCIL MEETING
### AGENDA
#### 22 April 2008

<table>
<thead>
<tr>
<th>ITEM NO</th>
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<tbody>
<tr>
<td>17</td>
<td>6943</td>
<td>Motions Without Notice Justice of the Peace service</td>
<td>DCCS</td>
<td>Investigate re-establishing a JP service at Council Offices for ratepayers</td>
<td>Contact Barossa JP group for comment ongoing</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>6944</td>
<td>Motions Without Notice Pedestrian Crossing – Elderly Centre</td>
<td>MPW</td>
<td>Report to EIS Committee on Installation of pedestrian crossing outside Elderly Centre</td>
<td>Further pedestrian survey being conducted Ongoing</td>
<td></td>
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</tbody>
</table>

## COUNCIL MEETING 23.10.07

<table>
<thead>
<tr>
<th>ITEM NO</th>
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<tbody>
<tr>
<td>13.2</td>
<td>6269</td>
<td>Motions Without Notice - Church Hill State Heritage Area parking and bluestone kerbing</td>
<td>DEIS</td>
<td>Prepare report for EIS Committee Report to go to April IES Committee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.7</td>
<td>6763</td>
<td>Criterion Hotel – Request to use the footpath area for the consumption of liquor (file no. R.07 0046)</td>
<td>MDS</td>
<td>Further consideration end January 2008 Monitor. commenced 01.11.07 Report to April IES Committee</td>
<td>IES Committee 8.4.08 Confirm completion April Council meeting</td>
<td></td>
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## COUNCIL 27/11/07

<table>
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<tr>
<th>ITEM NO</th>
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</thead>
<tbody>
<tr>
<td>10.1</td>
<td>6969</td>
<td>Petitions Walkway to Parham Court</td>
<td>MPW</td>
<td>Report to April IES Cttee on proposed closure of walkway</td>
<td>IES Committee 8.4.08</td>
<td></td>
</tr>
<tr>
<td>10.19</td>
<td>6687</td>
<td>Rate Rebate – Application for Discretionary Rebate of Rates by Gawler &amp; District Aged Cottage Homes Inc</td>
<td>DCCS</td>
<td>Notify Gawler &amp; District Aged Cottage Homes that their request is unsuccessful.</td>
<td>27/11/07 18/12/07 D Deferred pending further information from G&amp;DACH. Jan 08 Min 2008.01.08</td>
<td></td>
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</table>
### RECONVENED COUNCIL 4/12/07

<table>
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<tr>
<th>ITEM NO</th>
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<tbody>
<tr>
<td>12.8</td>
<td>6994</td>
<td>Appointments to Regional &amp; External Organisations (R.03.0653)</td>
<td>EA</td>
<td>Letters being prepared to advise external bodies of re-appointments</td>
<td></td>
<td></td>
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<tr>
<td>17</td>
<td>7001</td>
<td>Council representative on Bicycle &amp; Pedestrian Plan Reference Group</td>
<td>EA</td>
<td>Amend terms of reference</td>
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COUNCIL MEETING
AGENDA
22 April 2008

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<tr>
<th>ITEM NO</th>
<th>MOTION NO</th>
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<tbody>
<tr>
<td>18</td>
<td>7002</td>
<td>Gawler High School – Mrs Lowry</td>
<td>EA</td>
<td>To organise reception</td>
<td>Pending school year resuming Contact school for address Feb 08; advice rec’d March 08</td>
<td></td>
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COUNCIL 18/12/07

<table>
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<tr>
<th>ITEM NO</th>
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<tbody>
<tr>
<td>19.2</td>
<td>7031(a)</td>
<td>Sale of Bellevue Court – Request by Master Plan on Behalf of Southern Cross Care Confidential Item</td>
<td>CEO</td>
<td>Ongoing</td>
<td></td>
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COUNCIL 22/01/08

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<tr>
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<tbody>
<tr>
<td>12.5</td>
<td>2008:01:014</td>
<td>Committee Meeting Frequency (R.03.0656)</td>
<td>CEO</td>
<td>Review trial of bimonthly committee meetings of the EIS, CCS and Audit Committees in August 2008</td>
<td>February 2008</td>
<td></td>
</tr>
<tr>
<td>12.6</td>
<td>2008:01:015</td>
<td>Local Government Association – Comparative Performance Measurement Survey (R.03.0708)</td>
<td>EA</td>
<td>Arrange participation and payment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.4</td>
<td>2008:01:020</td>
<td>Urban Growth Boundary (R.030087; R.03.0155)</td>
<td>MDS</td>
<td>A submission to the Minister on the Rural Green Belt be prepared and the Local Member of Parliament’s</td>
<td>January 2008</td>
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13.6 2008:01:022 Residential Character Study (R.new file) MDS Further report be submitted to the April IES committee meeting

13.8 2008:01:024 Parham Court Petition (S:Rowe Street) MPW Further community consultation be undertaken by Council officers to determine the level of use of the laneway by the wider community  April IES 08.04.08

MPW The traffic classifiers be installed on Rowe Street to check vehicle speeds on this road  April IES 08.04.08

MPW A subsequent report be presented to the April IES Committee of Council with the findings of the above investigations  April IES 08.04.08

MPW The head petitioner be advised of the content of this report and of Council's decision regarding this matter  April IES 08.04.08

### SPECIAL COUNCIL 19/02/08

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</thead>
<tbody>
<tr>
<td>2008:02:027</td>
<td>DEIS</td>
<td>Prepare a report by the end of the financial year for CCS Cttee with analysis of current vehicles and a five year plan, employee contributions, fuel and running costs and replacement costs.</td>
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<tr>
<td>11.3</td>
<td>2008:02:034</td>
<td>Christmas Street Festival, 2\textsuperscript{nd} December 2007 - R:07.0006</td>
<td>DEIS</td>
<td>Report in relation to the closure of Murray Street (between Calton Road and Lyndoch Road), Tod Street and Jacob Street.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>MED</td>
<td>Arrange staging and management of 2008 Gawler Christmas Street Festival.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>DCCS</td>
<td>Include $27,500 in the 2008/09 budget to stage the 2008 Gawler Christmas Street Festival.</td>
</tr>
<tr>
<td>11.7</td>
<td>2008:02:035</td>
<td>Gawler &amp; Districts Tennis Association - R:03.1226</td>
<td>DCCS/ MCD</td>
<td>Charge costs associated with the sponsorship to Community Development Grants 7012/998/792.</td>
</tr>
<tr>
<td>11.1</td>
<td>2008:02:036</td>
<td>Sport And Recreation Centre – Gawler Rotary Club – Request For Discounted Hire Rate (R:03.0107, R:03.1291)</td>
<td>DCCS</td>
<td>Review of the hire rate to be charged from 1 January 2010</td>
</tr>
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<td>25.03.2008</td>
</tr>
<tr>
<td>12.6</td>
<td>2008:02:042</td>
<td>Development Assessment Panel – Public Officer (R.03.0263)</td>
<td>EA</td>
<td>CEO be appointed the Public Officer of the Town of Gawler Development Assessment Panel</td>
</tr>
</tbody>
</table>
### COUNCIL MEETING
#### AGENDA
22 April 2008

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<thead>
<tr>
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<th>INTERIM COMPLETED OR TRANSFERRED</th>
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<tbody>
<tr>
<td>11.2</td>
<td>2008:03:063</td>
<td>Gawler Business Development Group (R.03.0338)</td>
<td>MED</td>
<td>Advise the Gawler Business Development Board that Council agrees in principle to the inclusion of the Business Plan 2008/2009 and Draft</td>
<td>Officer report provided at Board meeting detailing the above motion</td>
<td>8/04/08</td>
</tr>
<tr>
<td>Item</td>
<td>Date</td>
<td>Description</td>
<td>Responsible Officer</td>
<td>Notes</td>
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<td>Budget 2008/2009 in the Town of Gawler’s Annual Business Plan subject to a further report from the Board providing detailed analysis of Charter compliance and the acceptance of a satisfactory service level.</td>
<td></td>
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</tr>
<tr>
<td>11.1</td>
<td>2008:03:065</td>
<td>Gawler Horse Festival (R.05.0118)</td>
<td>MED</td>
<td>Advise Gawler Horse Festival committee of Council’s decision regarding sponsorship and arrange meeting.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>MED</td>
<td></td>
<td>16/04/08 To date only verbal contact has been made with select members. Written advice &amp; meeting date to be advised by 25/04/08</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.3</td>
<td>2008:03:066</td>
<td>Gawler Visitor Information Centre Accreditation (R.07.0106)</td>
<td>MED</td>
<td>Ensure the Gawler Visitor Information Centre meets all qualifying criteria for the South Australian Accredited Visitor Information Centre Program</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>MED</td>
<td></td>
<td>Immediate actions completed ie staff relocation Site visit 27.05.08</td>
<td></td>
<td></td>
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<tr>
<td>11.4</td>
<td>2008:03:067</td>
<td>Tourism and Event Management (R.03.0302)</td>
<td>MED</td>
<td>Provide a further report on Tourism and Events Development Grant policy</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>MED</td>
<td></td>
<td>Policy &amp; process currently being developed. Further report anticipated May</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Time</td>
<td>Code</td>
<td>Item Description</td>
<td>Responsible Officer</td>
<td>Details</td>
<td></td>
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<tr>
<td>11.10</td>
<td>2008:03:068</td>
<td>Willaston Netball Club Court Replacement (R.03.1255)</td>
<td>CEO/DCCS</td>
<td>Advise the Willaston Netball Club that Council supports borrowings and Clubs responsible for repayment of principle, interest and any associated costs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.5</td>
<td>2008:03:069</td>
<td>Rate Rebate – Gawler &amp; District Aged Cottage Homes Inc</td>
<td>DCCS</td>
<td>Provide a further report to April Council meeting.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.6</td>
<td>2008:03:070</td>
<td>Waste Management System – Fees 7 Charges (R.03.0376)</td>
<td>DCCS</td>
<td>Further report to first Council meeting on 2008/09 budget discussions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.7</td>
<td>2008:03:071</td>
<td>Lease of Council Land – Caltex Australia Petroleum Pty Ltd Lease Renewal (LF:03.0013)</td>
<td>DCCS/Property Officer</td>
<td>Further report to June 2008 Council meeting.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.8</td>
<td>2008:03:072</td>
<td>Update on Lease of Council Land – Telstra Communications Tower (LF:06.0005)</td>
<td>DCCS/Property Officer</td>
<td>Further report to May 2008 Council meeting.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.11</td>
<td>2008:03:L074</td>
<td>Trevor Bellchambrs Community Swimming Centre – Operational Procedures and Charges</td>
<td>DCCS/Co-ord TBSC</td>
<td>Further report to first Council meeting on 2008/09 budget discussions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.1</td>
<td>2008:03:079</td>
<td>NAWMA – charter Review (R03.0424)</td>
<td>DEIS</td>
<td>Advise NAWMA Board of endorsement</td>
<td>Letter being prepared</td>
<td></td>
</tr>
<tr>
<td>13.2</td>
<td>2008:03:080</td>
<td>NAWMA Service Agreement (R03.0424)</td>
<td>DEIS</td>
<td>Liaise with Cr Shackley and report to April IES meeting</td>
<td>Report to April IES 08.04.2008</td>
<td></td>
</tr>
<tr>
<td>15.1.2</td>
<td>CCS:2008:03:011</td>
<td>Rate Rebate – Mr L Tobitt, 12 Little Paxton Street, Willaston (R.03.0574)</td>
<td>DCCS</td>
<td>Advise Mr Tobbit of waiving of rates</td>
<td>03.04.2008</td>
<td></td>
</tr>
<tr>
<td>15.1.2</td>
<td>CCS:2008:03:012</td>
<td>Naming of the Gawler Youth Space (R.07.0045)</td>
<td>MCD</td>
<td>Consult with young people regarding a name for the Gawler Youth Space during Youth Week 2008</td>
<td></td>
<td></td>
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<tr>
<td>15.1.2</td>
<td>CCS:2008:03:014</td>
<td>Membership of the Gawler Youth Space and Development Reference Group (R.07.0045)</td>
<td>MCD</td>
<td>Note new membership of committee</td>
<td></td>
<td></td>
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<tr>
<td>15.1.2</td>
<td>CCS:2008:03:023</td>
<td>Waste Management System – Fees and Charges (R.03.0376)</td>
<td>DEIS</td>
<td>Report to next Council meeting on Green Waste issue</td>
<td>Report to April Council</td>
<td></td>
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<tr>
<td>15.1.2</td>
<td>CCS:2008:03:024</td>
<td>Gawler Gourmet and Heritage Festival (Liquor Licensing)</td>
<td>MDS</td>
<td>Support the application providing there is a satisfactory Event application assessment</td>
<td></td>
<td></td>
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<tr>
<td>15.1.2</td>
<td>CCS:2008:03:027</td>
<td>Elected Members Reports – Staff Thanks’</td>
<td>CEO</td>
<td>Convey thanks to CSU staff</td>
<td>27.03.2008</td>
<td></td>
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<tr>
<td></td>
<td>Date</td>
<td>Item Description</td>
<td>Responsible Party</td>
<td>Notes</td>
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<td>------------------------------------------</td>
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<tr>
<td>18.2</td>
<td>2008:03:086</td>
<td>Motions Without Notice</td>
<td>MDS</td>
<td>Note change of DAP member</td>
<td></td>
<td></td>
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<tr>
<td>18.3</td>
<td>2008:03:087</td>
<td>Motions without Notice</td>
<td>EA</td>
<td>Approve costs associated with site inspection</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Advised Delfin 27.03.2008</td>
<td></td>
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<tr>
<td>20.2</td>
<td>2008:03:089 (b)</td>
<td>Manager Developmental Services</td>
<td>CEO</td>
<td>Prepare necessary paperwork</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Confidential Item</td>
<td></td>
<td></td>
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<td>Item Number</td>
<td>13.1</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>GREEN GULLY DRAINAGE INVESTIGATION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>22 April 2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Author(s)</td>
<td>Director Environmental &amp; Infrastructure Services (Terry Spurling)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>File</td>
<td>R:06.0063</td>
<td></td>
<td></td>
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</table>
| Previous Reference/ Motion | Motion No 6070 - IESPC 15/8/06  
2. Further analysis continue to determine options for stormwater management in Green Gully; for a final report with appropriate options and costings to the Infrastructure & Environmental Services meeting in October 2006.  
Motion No 6105 - IESPC 17/10/06  
That  
1) the Committee notes the ‘in principle’ agreement by the Craig’s to accommodate stormwater within a defined area of the gully, subject to appropriate controls being implemented for erosion protection, bank stability and public liability and to allow an easement over a defined portion of the gully to be maintained by Council as a drainage reserve.  
2) the Senior Manager arrange the necessary design works and permits as required by the Natural Resources Management Act in consultation with the affected landowners.  
3) funding for and prioritisation of works be considered in a further report to the December meeting.  
Motion No 6128  
1. Council endorse (“in principle”) the schedule for the proposed immediate works within Mr Craig’s property.  
2. Council Officers seek Mr Craig’s endorsement (in writing) of the schedule of works within his property and the establishment of an easement.  
3. Council allocate $30K from its Drainage Reserve Fund for the proposed immediate works within Mr Craig’s property, at its December budget review and commence work in January 2007, subject to (2) above. |

**Background**  
Members will no doubt recall that the issue of uncontrolled discharge of stormwater onto the unmade road reserve that traverses Green Gully (Thorrups Ravine) has been under discussion for a number of years. In brief, Mr Craig alleges that the discharge of stormwater has resulted in the erosion of the sides of the gully within his property and reduced amenity of his land due to intermittent flooding. He has requested that Council rectify the situation.
Council staff have spent considerable time and effort in trying to find a solution but have been unable to reach a satisfactory agreement with Mr Craig.

Attachment(s)
1. Site Plan

Comments/Discussion
Following the latest representation to Council by Mr Craig an onsite meeting was held with Mr Craig, Mayor Sambell, Deputy Mayor Thom and Director Environmental & Infrastructure Services.

An inspection of the area of concern was carried out and Director Environmental & Infrastructure Services outlined the proposal to provide erosion protection and a ponding area within an area that extends into Mr Craig’s property, requiring an easement for the ponding area and rights of access from Gozzard St to construct and maintain the works. Mr Craig raised the matter of compensation for the easement and indicated that he was not prepared to grant access but considered that Council should construct an access roadway from Turner Street which would provide access to the works and also to Mr Craig’s property. Director Environmental & Infrastructure Services indicated that this was physically and economically impractical.

As Mr Craig indicated that he considers the land to be an investment for his retirement, he was asked whether he would consider subdividing and selling the “gully” to Council as a drainage reserve. It was agreed that a valuation be obtained and a firm proposal be made for this option.

Mr Craig subsequently contacted the Director Environmental & Infrastructure Services’ office and advised that he was not interested in selling. The valuation exercise was cancelled.

At the present time no agreement has been reached regarding an easement for the proposed ponding area and Mr Craig has indicated that he is not prepared to grant ongoing rights of access through his property to construct or maintain any Council structures.

Summary of Investigations
The gully appears on topographic maps of the town area as a natural drainage feature. Notwithstanding that its form has been changed since European settlement by virtue of mining in its upper reaches (within both the Craig and Dadswell properties upstream of Duffield Street) and infill in its lower reaches (through the area originally occupied by James Martins factory through to the river bank, downstream of Duffield Street). Upstream of Duffield Street it is still shown on Government maps as a watercourse for the purposes of the NRM Act.

Considerable erosion of the bank below the Turner Street outlet has occurred and it is this area that is the principal target for protective works. Erosion and collapse of banks within Mr Craig’s land is not in my view the result of water being discharged via Turner Street pipe but is more likely the result of natural runoff from adjoining land affecting the more friable materials at the base of the banks.

Modelling of the contributing catchments upstream of Turner Street has been undertaken by Council staff.

The analysis indicates that the existing drainage system serving this catchment is inadequate for even minor events.
At the upstream end, there is no underground system until flows reach East Terrace. Despite the installation of multiple pits, the capacity of the pits to accept flows in the steep terrain is limited and overflows occur for all but very minor events. Much of the overflow continues on to Gozzard Street on the road surface. The Gozzard Street roadway has limited capacity to keep flows within the kerb lines and overflow on the northern side is likely to occur for events greater than 1 in 1 year Average Recurrence Interval (ARI). There is no underground system in Gozzard Street. Pits at the corner of Gozzard and McKinlay discharge directly to the gully. It is this discharge that has led to Mr Craig’s concerns. Again the capacity of these pits to accept the flow is limited and much of the flow will continue down Rudall Street to Duffield Street in minor events. In larger storms, flows are likely to leave the roadway and travel overland to the gully at East Terrace, along Gozzard Street and at the McKinlay/Rudall corner. Flows that continue down Rudall Street are potentially able to overflow the kerb in Duffield Street and flow through properties on the western side of Duffield Street.

Long Term options
The current situation has existed for many years and while there appears to be a potential for property damage, Council records do not appear to provide evidence that this has eventuated. This is most likely due to the existence of a number of uncontrolled flow paths being available for flows to reach the gully via driveways and similar. However if Council were to undertake works to prevent water entering the gully it could create a liability for any consequent damage.

The ability to construct an underground system capable of capturing major storm flows is limited in terrain such as this. Even on relatively flat ground underground systems are usually designed to operate up to 1 in 5 Year ARI events, with larger storms accommodated on the roadway. Extension of the East Terrace drain up Deland Avenue and increasing the capacity in East Terrace would likely cost in the order of several hundred thousand dollars and would still only address the lower order (less than 1 in 5 yr ARI) events. Raising the kerb line along Gozzard Street can potentially divert up to 1 in 20 Yr ARI events from overflowing the Gozzard Street kerb (at a cost of at least $25,000), but would still leave these flows to be captured or diverted elsewhere.

Options for dealing with the long term stormwater issue could either divert all flows away from the gully or divert all flows to the gully and use its natural features to effect a safe disposal.

A. Flow Diversion away from Gully

In addition to extending the East Terrace drain as mentioned above, the overflows that currently occur along Gozzard and Rudall Streets in minor events would also need to be picked up in an underground system and diverted to the Duffield Street drain. Again the ability to underground events greater than 1 in 5 ARI becomes economically unreasonable and the status quo would remain for those larger events. For events greater than a 1 in 20 Yr ARI the ability to contain flows on the road network is diminished and considerable overflow to the gully is likely to occur.

B. Flow Diversion into Gully

The gully represents an area of significant potential storage and anecdotally its base has a high infiltration coefficient that allows water to readily soak away. Whether this soakage represents an aquifer recharge or whether the flows simply find their way to the South Para via underground stream flow is unclear. Potentially quite large events could be captured within the gully without risk to surrounding properties. The Local Government Act (s215) provides that Council may carry out roadwork to allow water
from the road to drain into adjoining property if there is no significant risk of damage to adjoining property or if the work does not increase the risk. Council is not obliged to seek an easement over the affected property but it would normally do so to ensure the ongoing ability to operate the drainage system and to clarify the owners consent. The Act also provides that a Court may award damages only if it deems that Council has acted unreasonably.

In short if Council is satisfied that the discharge of water to the gully does not pose a significant risk or increase the risk to the adjoining properties it could undertake further work to discharge stormwater into the gully via the Turner Street road reserve notwithstanding the lack of consent from adjoining owners.

As the gully is designated a watercourse in government plans of the area Council would be obliged to seek a permit from the Department of Water Land and Biodiversity to undertake a water affecting activity. Advice would also be sought from that department as to the suitability of proposed erosion protection works. It would also be suggested to Mr Craig that he obtain advice from the Department regarding erosion of the banks on his land.

**Short Term Options**

In the short term some action is required to arrest the erosion of the Southern Bank of the gully within the unmade road reserve. Several potential solutions have been investigated. All are costly and require access either from neighbouring properties or from the road reserve itself. Access from the road reserve by way of a constructed roadway, as requested by Mr Craig has already been discounted as not economically viable. It may however be possible to construct the required work with access from the road by crane and scaffolding. Vehicle access to the gully would only be essential if the proposed detention dam was to be constructed. Initially it was proposed that an easement be obtained over Mr Craig’s property sufficient to provide a ponding area. Mr Craig’s suggestion that compensation for the grant of easement should include provision of access to his property from Turner Street casts some doubt as to whether this solution could be achieved. The natural topography of the gully provides considerable storage capacity without the need to construct a holding dam.

As the gully is deemed to be a watercourse under NRM legislation, the relevant permits would need to be obtained both for the discharge of water and for any construction proposed. The NRM Act places responsibility for maintenance of a watercourse on the owner of the land. Council therefore has an ongoing liability for maintenance of that portion of the gully that is within the road reserve. In the absence of an easement Mr Craig would be responsible for maintenance of the watercourse within his own land.

**Summary**

The ability to achieve a safe, economic and effective stormwater drainage solution that does not rely on the use of ‘Green Gully’ as a ponding area is limited by the steep terrain and the natural fall toward the gully. The gully is recognised as a watercourse on government maps of the area. Controlled discharge of stormwater to the gully via Turner Street is not likely to create or increase the risk of damage to adjoining properties. To prevent further environmental damage Council needs to provide a gross pollutant trap and construct erosion control structures at the outlet from the McKinlay Avenue drain on the southern bank of the gully. Approval should be obtained from the DWLBC (NRM Board) for any proposed works within the watercourse. While it would assist with construction of proposed erosion control structures to have access through the Craig property, it is possible for such work to be carried out without such access. Council could if warranted exercise its powers pursuant to s295 of the Local Government Act, to enter the land for purposes of carrying out work (ie repair or maintenance of infrastructure).
Communication
Adjoining property owners should be advised of council’s intentions

Consultation
Ongoing consultation with property owners, NRM & DWLBC staff will be required

Policy Implications
Nil

Statutory Requirements
Local Government Act
Natural Resource Management Act

Financial/Budget Implications
A budget sum of $30,000 is allowed in 07/08 budget. This may need review when work is put to tender.

Strategic Implications
PE10 – Prepare a plan to identify and address stormwater management problems.

OFFICERS RECOMMENDATION

Item 13.1 – Green Gully Drainage Investigation (R:06.0063)

That Council:

1. Acknowledges that the ongoing discharge of stormwater into Green Gully (Thorup’s Ravine) from the Turner Street road reserve will not create a significant risk or increase the risk to adjoining properties.
2. Endorses the proposal to apply for the relevant permits under the Natural Resource Management Act to construct erosion protection structures at the outlet to the McKinlay Avenue drain.
3. Advise Mr Craig that it does not wish to acquire easements for drainage over his property but may exercise its rights pursuant to s295 of the Local Government Act to access the area for construction and maintenance purposes.
Item Number 13.2
Title COWAN STREET PARKING
Date 22 April 2008
Author(s) Technical Officer (S Hyde) /Senior General Inspector (G Powell)
File R:03.1625
Previous Reference/ Motion IESPC 16/10/07 - Motion No. 6269
That Council officers prepare a report for a subsequent Infrastructure and Environmental Services Portfolio Committee on parking in Church Hill State Heritage Area affecting bluestone kerbing.

Background
In addition to the above motion complaints have been received regarding pedestrian access on the northern and southern sides of Cowan Street (see attached aerial photo map) when vehicles are parked at 45 degrees to the road. The situation was investigated and it was found that the area is sign posted for 45 degree angle parking but this does not comply with Australian Standard AS2890.5 for on street parking. The distance between the front property boundaries and the edge of the road does not meet the minimum requirement specified in Figure 2.3 of the Standard.

Attachment(s)
1. Aerial photo map of location

Comments/Discussion
To remedy the pedestrian access situation and the non-compliance with Australian Standard AS2890.5 for on street parking it is recommended that the existing 45 degree Angle Parking be revoked and the area sign posted to permit parallel parking. This should also reduce the incidence of vehicles impacting the blue stone kerb. Rehabilitation of the kerbing will be addressed in a future works program.

Communication
The residents in this section of Cowan Street are to be advised of the proposed changes to parking requirements.

Consultation
Director Environmental & Infrastructure Services

Policy Implications
Nil

Statutory Requirements
Australian Standards AS2890.5 and AS1742.1

Financial/Budget Implications
The work be completed under the routine operating budget.

Strategic Implications
Nil
OFFICER’S RECOMMENDATION

Item 13.2 – Cowan Street Parking (R:03.1625)

That the existing 45 degree Angle Parking, in Cowan Street, be revoked to meet Australian Standards and the street be sign posted for parallel parking.
Item Number 13.3
Title JULIAN TERRACE PARKING
Date 22 April 2008
Author(s) Technical Officer (S Hyde) / Senior General Inspector (G Powell)
File R:03.1625
Previous Reference/ Motion Motion No. IES:2008:02:025
That a report be presented to the next IES meeting on options for a limited number of car park time limits being placed along Julian Terrace.

Background
Following the request from the February Infrastructure & Environmental Services Portfolio Committee meeting an investigation of car parking usage along Julian Terrace was undertaken.

Attachment(s)
1. Aerial photo map of location

Comments/Discussion
The situation has been monitored and appears to confirm that the available spaces are mainly being used for all day parking during business hours. To provide parking for tourists and other casual users of Apex Park it is proposed to implement timed Two Hour parking during business hours for ten spaces north and ten spaces south of the existing Disabled Permit Parking space as indicated on the attached aerial photo map.

Communication
The owners of vehicles parking in this section of Julian Terrace are to be advised of the proposed changes to parking requirements.

Consultation
Director Environmental & Infrastructure Services

Policy Implications
Nil

Statutory Requirements
Australian Standards AS2890.5 and AS1742.1

Financial/Budget Implications
The work be completed under the routine operating budget.

Strategic Implications
Nil

OFFICER’S RECOMMENDATION

Item 13.3 – Julian Terrace Parking (R:03.1625)

That timed Two Hour parking during business hours, for the ten spaces north and the ten spaces south of the existing Disabled Permit Parking space on Julian Terrace be implemented.
20 parking spaces (10 each side of the Disabled Permit Park) to be timed 2 hour during business hours.
Item Number 13.4  
Title DOG REGISTRATION FEES 2008/2009  
Date 22 April 2008  
Author(s) Director Environmental & Infrastructure Services (T Spurling)  
File R. 03.0015  
Previous Reference/ Motion Nil

Background
In June 2004 the Dog and Cat Management Act was amended so that the dog registration fees are set by each individual Council instead of State Government. The Minister must approve any changes to fees set by a Council and has set the maximum registration fee at $45.00.

Attachment(s)
Nil

Comments/Discussion
Since 2004, Councils maximum dog registration fee has been set at $40.00.

Below is a comparison of Fees, if the rebates remained the same and the maximum fee was set at $45.

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<tr>
<th>Registration Type</th>
<th>2004/05-2007/08</th>
<th>Rounded up</th>
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<tr>
<td>Full Registration</td>
<td>$40</td>
<td>$45</td>
</tr>
<tr>
<td>De sexed</td>
<td>$20</td>
<td>$27</td>
</tr>
<tr>
<td>Micro chipped</td>
<td>$36</td>
<td>$41</td>
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<tr>
<td>Trained</td>
<td>$30</td>
<td>$41</td>
</tr>
<tr>
<td>Concession</td>
<td>$20</td>
<td>$23</td>
</tr>
<tr>
<td>Working – One set fee</td>
<td>$20</td>
<td>$12</td>
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<tr>
<td>De sexed/Concession</td>
<td>$10</td>
<td>$14</td>
</tr>
<tr>
<td>De sexed/Micro chipped</td>
<td>$18</td>
<td>$23</td>
</tr>
<tr>
<td>De sexed/Micro chipped &amp; Concession</td>
<td>$9</td>
<td>$12</td>
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<tr>
<td>De sexed/Trained</td>
<td>$15</td>
<td>$23</td>
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<tr>
<td>De sexed/Trained &amp; Concession</td>
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<td>$12</td>
</tr>
<tr>
<td>De sexed/Trained/Micro chipped/Concession</td>
<td>$6</td>
<td>$9</td>
</tr>
<tr>
<td>Trained/Micro chipped</td>
<td>$27</td>
<td>$36</td>
</tr>
<tr>
<td>Trained/Concession</td>
<td>$15</td>
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<tr>
<td>Micro chipped/Concession</td>
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<tr>
<td>Micro chipped/Trained/Concession</td>
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<td>$18</td>
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<td>Greyhounds (Registered with Racing Board)</td>
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<td>Business Registrations per dog</td>
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<td>New Disc or replacement</td>
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<td>$5</td>
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<tr>
<td>Late Registration Renewal Fee (if paid after 31 August)</td>
<td>$20</td>
<td>$20</td>
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</table>

Any new fee would take effect on 1 July 2008.
Legislation states that Councils shall give a rebate for dogs that are desexed, and/or microchipped, and/or obedience trained. The amount of rebate is not specified by legislation.

**Communication**

If Council agrees with a recommendation of a dog registration fee increase then Council would place an advertisement in the local newspaper to advise the public of a fee rise for dog registrations.

**Consultation**

Discussions have taken place with Director Environmental & Infrastructure Services, Senior General Inspector and Manager of Finance.

**Policy Implications**

Nil

**Statutory Requirements**

Dog and Cat Management Act

**Financial/Budget Implications**

Potential increase in income of $15,000 to $20,000.

**Strategic Implications**

Strategic Action 017- Review of fees and charges.

**OFFICER’S RECOMMENDATION**

Item 13.4 – Dog Registration Fees 2008/2009 (R:03.0015)

That Council adopt, with the approval of the Minister, the following fees in relation to registration of dogs for the 2008/2009 financial year.

**Maximum Dog Registration Fee $45.00**

<table>
<thead>
<tr>
<th>Registration Type</th>
<th>2007/2008</th>
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<tbody>
<tr>
<td>Full Registration</td>
<td>$45</td>
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<tr>
<td>Desexed</td>
<td>$27</td>
</tr>
<tr>
<td>Microchipped</td>
<td>$41</td>
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<tr>
<td>Trained</td>
<td>$41</td>
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<tr>
<td>Concession</td>
<td>$23</td>
</tr>
<tr>
<td>Working – One set fee</td>
<td>$12</td>
</tr>
<tr>
<td>Desexed/Concession</td>
<td>$14</td>
</tr>
<tr>
<td>Desexed/Microchipped</td>
<td>$23</td>
</tr>
<tr>
<td>Desexed/Microchipped &amp; Concession</td>
<td>$12</td>
</tr>
<tr>
<td>Desexed/Trained</td>
<td>$23</td>
</tr>
<tr>
<td>Desexed/Trained &amp; Concession</td>
<td>$12</td>
</tr>
<tr>
<td>Desexed/Trained/Microchipped</td>
<td>$18</td>
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<tr>
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<td>$9</td>
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<tr>
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<tr>
<td>Trained/Concession</td>
<td>$21</td>
</tr>
<tr>
<td>Microchipped/Concession</td>
<td>$21</td>
</tr>
<tr>
<td>Microchipped/Trained/Concession</td>
<td>$18</td>
</tr>
<tr>
<td>Greyhounds (Registered with Racing Board)</td>
<td>$12</td>
</tr>
<tr>
<td>Business Registrations per dog</td>
<td>$45</td>
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<tr>
<td>Guide Dogs</td>
<td>Free</td>
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<tr>
<td>Registration Type</td>
<td>2007/2008</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Transfer fee from other Councils</td>
<td>$5</td>
</tr>
<tr>
<td>New Disc or replacement</td>
<td>$5</td>
</tr>
<tr>
<td>Late Registration Renewal Fee (if paid after 31 August)</td>
<td>$20</td>
</tr>
<tr>
<td>Puppies, under 3 months at 1st Jan (Rebates Available)</td>
<td>$23</td>
</tr>
<tr>
<td>Dog impounding Fees</td>
<td>$40</td>
</tr>
<tr>
<td>Plus daily pound charge</td>
<td>$10</td>
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</tbody>
</table>
15. **COMMITTEE MINUTES**

15.1 **SECTION 41 COMMITTEES**

15.1.1 **Gawler Tourism and Promotions Committee – 02.04.08**

That Council endorse the recommendations from the Gawler Tourism and Promotions Committee held 2 April 2008, being:

**Election of Presiding Member and Deputy Presiding Member**
Motion No: GTPC:2008:04:001
The Tourism & Promotions Committee appoints Gary Iremonger as Presiding Member for the term commencing 1 April 2008 expiring 31 March 2009.

Motion No: GTPC:2008:04:002
The Tourism & Promotions Committee appoints Heather Pettina as Deputy Presiding Member for the term commencing 1 April 2008 expiring 31 March 2009.

**Item 11.4 – Visitation Figures – February 2008 (R:03.0386)**
Motion No: GTPC:2008:04:004
That the Committee note the Visitation Figures 2008.

**Item 11.1 – Gawler Tourism & Promotions Committee – Logo Design (R:03:0386)**
Motion No: GTPC:2008:04:005
That the Committee authorise officers to approach designer for alternative design options.

**Item 11.2 – Memoirs of McLeods – Progress Report 1 (R:08:0016).**
Motion No: GTPC:2008:04:006
That the Committee note the contents of Memoirs of McLeod’s – Progress Report 1.

Motion No: GTPC:2008:04:007
That the Committee accept the officers report and ongoing focus will be the Tourism Strategic Plan 2005 – 2009.

13. **Correspondence**
Motion No: GTPC:2008:04:008
That email from Barry O'Brien – Tendering Resignation and Email from Light Regional Council – McLeod’s be received.

**Resignation of Barry O'Brien**
Motion No: GTPC:2008:04:009
That Barry O'Brien’s resignation as a member of the Gawler Tourism and Promotions Committee be accepted.

**Light Regional Council – McLeod’s Trail**
Motion No: GTPC:2008:04:010
That the committee endorse officers to negotiate with Light Regional Council for cross promotion of the Memoirs of McLeod’s Trail brochure.
15.1.2 Infrastructure and Environmental Services Portfolio Committee meeting held on 08.04.08

That Council endorse the recommendations from the Infrastructure and Environmental Services Portfolio Committee held 8 April 2008, being:

Item No. 10.1 – Information Item – Progress Reports (R:03.0101)
Motion No: IES:2008:04:027
That the contents of the Progress Reports be noted.

Item 10.4 – Parham Court Petition – Update Report (S80531)
Motion No: IES:2008:04:028
That:-
1. The laneway between Parham Court and Main North Road not be closed; and
2. The head petitioner and residents of Parham Court be advised of the decision on this matter.

Item 10.6 – Telstra Telecommunications Tower, Town Centre (DA490/484/2006 R.03.1073)
Motion No: IES:2008:04:029
That the contents of the Telstra Telecommunications Tower, Town Centre Report be noted.

Item 10.2 – Progress of Works Reports (R.03.0637)
Motion No: IES:2008:04:030
That it be noted that due to leave of Manager, Public Works, no report was available.

Item No 10.3 - Information Item - Progress Report – Strategic Projects (R.04.0111)
Motion No: IES:2008:04:031
That the contents of the Progress Report – Strategic Projects be noted.

Item 10.5 – Liquor Licensing Smoking Rules and Use of footpaths (R05.0007)
Motion No: IES:2008:04:032
That Council indicate to the proprietors of the Criterion Hotel that it is prepared to favourably consider use of the footpath for dining and or consumption of alcohol subject to:
• the outcome of Council's usual consultation process (noting this may not be favourable and a licence may not be granted);
• imposition of design requirements; as follows:
  ➢ The Area to be licensed to include the immediate area outside the Hotel, including the footpath and designated smoking area. Licensing of the entire area will enable a distinction to be made between a clear thoroughfare for the general public (where no Smoking or drinking would occur), but also to provide for patrons to walk with a drink from the hotel to the designated drinking/smoking area;
  ➢ All persons drinking and smoking must be seated at seats and tables provided;
  ➢ A limit on overall numbers;
  ➢ No outdoor entertainment.
• the requirements of Council’s footpath licensing guidelines;
• a trial period of 12 months (which may result in the licence being withdrawn or modified), and which is measured against a predetermined set of criteria set by staff.

Item 10.7 – Significant Tree Removal Applications
Motion No: IES:2008:04:033
That the Committee recommend to Council that the scope of officer’s delegated authority be amended to include approval of development applications for significant tree removal and pruning, where Council officers determine that safety at large is a significant issue in the application.

Item 10.8 – Planning Institute of Australia – Development Assessment – The Inside View (R03.0266)
Motion No: IES:2008:04:034
1. That the contents of the report regarding Planning Institute of Australia – Development Assessment – The Inside View be noted
2. That the matter of cost recovery in relation to development applications be an agenda item for the next IES Committee meeting

Item 10.9 – General Inspectorate Quarterly Update (R:03.0001)
Motion No: IES:2008:04:035
That the General Inspectorate Quarterly Update Report be noted.

Item 10.10 – Murray Street Upgrade, Progress Report No. 3 (R06.0074)
Motion No: IES:2008:04:036
That:
1) The Murray Street Upgrade, Progress Report No. 3 be noted; and
2) A landscape specialist be engaged to create a theme for the street furniture (including planter boxes) and vegetation on Murray Street and that a further report be presented to this committee; and
3) The selection of the Charcoal (Satin) powder coat colour (88351) for the banner poles be endorsed.

Item 10.11 – NAWMA Service Agreement - (R03.0424)
Motion No: IES:2008:04:037
That:-
1 (a) Council endorse the draft service agreement with Northern Adelaide Waste Management Authority for 2008/2009, subject to the substitution of new paragraph in relation to green waste viz:
Residents may elect to purchase a new or secondhand 240 litre MGB and NAWMA will empty these bins identified as being registered for the service by way of a visible identification sticker issued by the Council.
(b) Director of Environmental and Infrastructure Services be authorised to agree on appropriate figures for missed bins with NAWMA
2. NAWMA be advised that a full review of the Service Agreement will be required prior to the introduction of the new service contracts during 2008/2009.

Item 15.1 – Confidential Item - Flood Risk Mapping (R.03.1510)
Motion No: IES:2008:04:039
Details omitted to maintain confidentiality.

Item No 15.2 – Confidential Item – Rural Green Belt (R:06.0087)
Motion No: IES:2008:04:041
Details omitted to maintain confidentiality.
Item No 15.3  – Confidential Item – Southern Urban Development, Method for Infrastructure Provision (R:05.0062) – Refer Appendix
Motion No: IES:2008:04:043
Details omitted to maintain confidentiality.

15.1.4 Governance and Strategy Committee meeting held on 15.04.08

There were no decisions requiring Council endorsement at the meeting held 15 April 2008.

15.2 Section 42 Council Subsidiary

15.2.1 Gawler Business Development Group – 08.04.08

NB: At the time of agenda preparation the minutes had not been received by Council.

15.3 Section 43 Regional Subsidiaries

15.3.1 NAWMA – 22.04.08

That Council receive the attached minutes of the Northern Adelaide Waste Management Authority meeting held on 22 April 2008 (See attached minutes).
Minutes of the Board meeting held on Wednesday 19 March 2008 at NAWMA Offices, Elizabeth West, commencing at 6:00 pm.

Present:

Cr Greg Morris                           Cr Betty Gill
Mr Leigh Hall                            Mr Greg Pattinson
Cr Peter Fisher (Proxy)                  Mr Terry Sparling
Cr Brian Goodall                         Mr Brian King (Executive Officer)
Mr Matthew Pears                         Mr David Diprose (Operations Manager)
                                          Mrs Gaynor Garnish (Minute Secretary)

1 Welcome and Apologies
Apologies received from Cr David Strauss and Mr Colin Pitman. Mayor Brian Santell, Town of Gawler, was in attendance as an observer.

2 Confirmation of Minutes
2.1 Minutes dated 20 February 2008
2.2 Confidential Minutes dated 20 February 2008

Moved: Mr Leigh Hall  Seconded: Cr Greg Morris

That the Minutes and Confidential Minutes dated 20 February 2008 be confirmed as a true and accurate record of proceedings.

CARRIED

3 Business Arising
3.1 Board Action List

Moved: Cr Greg Morris  Seconded: Mr Greg Pattinson

That the report be received.

CARRIED

4 Chairman’s Report
The Technical Working Group are still working through an assessment of the Executive Officer’s remuneration package.

5 Information Items
5.1 NAWMA’s Promotional Report

Moved: Mr Greg Pattinson  Seconded: Mr Leigh Hall

That the report be received.

CARRIED

5.2 State of The Region Report

Moved: Cr Greg Morris  Seconded: Cr Peter Fisher

That the report be received.

CARRIED
5.3 Tender Advertisement for Contracts 01/08 and 02/08

Moved: Cr Greg Morris    Seconded: Mr Leigh Hall

That the information be received and noted.

CARRIED

6 Statistical/Performance Data (domestic waste, recycling & garden waste).

Moved: Mr Leigh Hall    Seconded: Cr Greg Morris

That the information report be received

CARRIED

7 NAWMA Baled Landfill

7.1 Progress report on operations at the Uleybury Landfill and Elizabeth West.

There appears to be market opportunity in remediation of LCL soils on site as there is a need for clean soils within various industry developments. The transport contract is still in negotiation with Allisons through our Solicitors, Mr Leigh Hall requested that future reports quote indicative costs when referring to items to be purchased.

Moved: Cr Greg Morris    Seconded: Cr Betty Gill

That the NAWMA Operations Report be received and noted

CARRIED

7.2 Request to purchase Medlow Road property

Moved: Cr Betty Gill    Seconded: Cr Peter Fisher

That the item be moved to the end of the Agenda as a Confidential Item

CARRIED

8 General Business

Mr Leigh Hall will be an apology for next meeting.

9 Questions Without Notice

Nil

10 Motions Without Notice

Nil

11 Audit Committee Function

The Executive Officer advised the Board that NAWMA’s Auditors have completed a preliminary audit and will prepare a report for presentation to the Board.

The Executive Officer is currently reviewing NAWMA’s Policies and Procedures and will involve John Conrie to ratify a list as necessary and request his attendance at a Board meeting if required. An Audit Work Plan to be included in future Board agendas. Mr Matthew Pears to pass on information to the Executive Officer regarding detail on operational and strategic information at Board meetings.

Moved: Mr Leigh Hall    Seconded: Cr Greg Morris

That the information be received

CARRIED
Next meeting Wednesday 16 April 2008 at NAWMA (car Peachey & Bellchambers Rd, Elizabeth West) at 6pm.

Confidential Item

Moved: Cr Betty Gill  Seconded: Cr Peter Fisher
1. That under provision of Section 90 (3) (d) (ii) of the Local Government Act 1999 an order be made that the public be excluded from attendance at the meeting in order to consider the Agenda Item 7.2 in confidence.
2. That NAWMA Staff and Gawler Mayor remain in attendance
CARRIED

7.2 Request to purchase Medlow Road property

Moved: Cr Greg Morris  Seconded: Mr Terry Spurling.
1. That in accordance with Section 91 (7)(a) of the Local Government Act 1999 the report and Board resolution be kept confidential, to be reviewed in twelve months
2. Pursuant to Part 4, Section 91 of the Local Government Act 1999, the power to revoke the Order under Section 91 (9)(c) be delegated to the Executive Officer.
CARRIED

Moved: Mr Leigh Hall  Seconded: Mr Matthew Pears
That the meeting move out of confidence
CARRIED

Meeting Closed 7.20 pm.
In accordance with the authority delegated to the Chief Executive Officer by the Council – pursuant to provisions of Section 44 of the Local Government Act, 1999 – the Chief Executive Officer has determined that this item is to remain confidential until the Council resolves how this item is to be classified.

A further written report will be considered by Members at the Meeting after the following recommendation is carried.

**Item No 20.1 – Confidential Item – South Australian Tourism Commission Funding Agreement – Progress Report**

That:

1. under the provisions of the Section 90(2) of the Local Government Act, 1999, an order be made that the public be excluded from attendance at the Meeting (excepting the CEO and Minute Taker and Director Corporate and Community Services and Director Environment and Infrastructure Services in order to consider Item 20.1 in confidence, under the provisions of Section 90(3)(d) of the Act regarding information relating to:

   (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—

   (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

   (ii) would, on balance, be contrary to the public interest;

2. accordingly, on this basis, the principle that Meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.
NOTE:  
Confidential Minute No:  2008:04:042 and 2008:04:043  
Have been revoked and are now no longer Confidential.

Chief Executive Officer authorised to revoke the orders when the Plan was released for public consultation. The Chief Executive officer has used that delegation and the report and minutes are now released from confidential orders.

Item No 15.3 – Confidential Item – Southern Urban Development, Method for Infrastructure Provision (R:05.0062)
Moved by Cr B Thom  
Seconded by Cr P Russell  
Motion No:  IES:2008:04:042

That:
1. under the provisions of the Section 90(2) of the Local Government Act, 1999, an order be made that the public be excluded from attendance at the Meeting (excepting the CEO, Director Environment and Infrastructure Services, Minute Taker and Manager Developmental Services) in order to consider Item 20.2 in confidence, under the provisions of Section 90(3)(h) of the Act regarding information relating to:
   (h) legal advice;
2. accordingly, on this basis, the principle that Meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

CARRIED

Item 15.3 – Southern Urban Development, Method for Infrastructure Provision (R:05.0062)
Moved by Cr B Thom  
Seconded by Cr P Russell  
Motion No:  IES:2008:04:043

a) That Council endorse the conceptual framework of the Southern Urban Development for infrastructure provision and potentially development/design control, as a precondition of any rezoning scheme being instigated based on the following three elements as minimum requirements.
   1. Deed/Heads of Agreement;
   2. Land Management Agreement;

b) An order be made under the provisions of Section 91(7) of the Local Government Act, 1999, that the further written report including the Minutes of the Council relating to discussion of the subject matter, having been dealt with on a confidential basis under Section 90(3)(h) of the Act, should be kept confidential regarding legal advice, or advice from a person employed or engaged by the Council to provide specialist professional advice.
c) accordingly, on this basis, the principle that Meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

c) the Chief Executive Officer be authorised to revoke the order made when the Plan Amendment Report relating to the amendment is released for public consultation under that Act or as such time as the Minister releases the Discussion Paper for public comment.

d) the Chief Executive Officer advise the Council of the revocation of this order at the first Council meeting after such revocation has occurred.

CARRIED