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 27 September 2011, commencing at 7pm.

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
22 September 2011
Meeting of the Council to be held on Tuesday 27 September 2011 at 7pm 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).

A G E N D A

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
   2.4 Leave of Absence

3. Confirmation of Minutes

   3.1 Council Meeting – 25 August 2011 (Folio 240-260)
   3.2 Special Council Meeting – 6 September 2011 (Folio 261-275)

4. Business Arising from Minutes

5. Mayor's Reports

6. Deputations

   6.1 Mr Alan Bennett re Margaret Street walkway closure
   6.2 Ms Anne Moroney re: RDA Barossa

7. Public Open Forum

   (Limited to a total time of up to 20 minutes)

8. Notices of Motion

   8.1 Cr B Thom

   Page No.

9. Questions on Notice

   9.1 Cr D Hughes

   Page No.

10. Petitions

    NIL
11. Corporate & Community Services

11.1 2011/2012 Financial Assistance Grant 6-7
11.2 Monthly Finance Report (August 2011) 8
11.3 Council Operating Hours – Christmas and New Year 9-12
11.4 Gawler Health Advisory Council 13-17

12. Governance, Strategy and Economic Sustainability

12.1 Gawler River Water Project – Governance 18-25
12.2 Gawler River Flood Management Authority - Charter - Discussion Paper No. 3 26-28
12.3 Gawler River Flood Management Authority – Audit Committee 29-32
12.4 Electronic Distribution of Agendas and Minutes 33-39
12.5 Regional Development Australia Barossa – Board Nominations 40-42
12.6 Organisation Restructure 43-49

13. Infrastructure & Environmental Services

13.1 Margaret Street Walkway Closure 50-56
13.2 Public & Environmental Health Act Annual Report 2010/11 57-75
13.3 Rescission of Land Management Agreement Gawler East 76-99
13.4 Easement Consent – Paternoster Road, Reid 100-104

For information only.

15. Committee Minutes

15.1 Section 41 Committees

15.1.1 Elderly Centre Management Committee – 05.08.11 103
15.1.2 Gawler Youth Advisory Committee – 05.09.11 103
15.1.3 Corporate & Community Services Committee – 13.09.11 103-104

The following subsidiaries held meetings since the last Council meeting.
(Minutes were provided separately to Elected Members and this list is provided for information only.)
15.1 Section 42 Council Subsidiary

15.1.1 NAWMA – 21 September 2011

16. Elected Members Reports (Delegates or Representatives)

16.1 Cr B Thom

17. Questions Without Notice

18. Motions Without Notice

19. Community Communications

20. Confidential Reports

20.1 Sale of Part Road Reserve Abutting Lot 50, Cameron Street, Gawler

21. Closure

22. Next Ordinary Meeting Tuesday 25th October 2011, commencing 7pm
Chief Executive Officer
Town of Gawler

Re: Notice of Motion

I provide notice that I, Deputy Mayor Cr Brian Thom, intend to move the following motion at the Council Meeting on 27th September 2011:

“That a five month trial be conducted from 1st November 2011 to 31st March 2012 inclusive, allowing travellers with recreational vehicles, who are members of the Campervan and Motorhome Club of Australia Ltd (CMCA), to park for a maximum of four nights on the area known as Goose Island.”

The following operating system would apply:
1. CMCA members would be notified of the trial through the club’s newsletters and emails;
2. CMCA members would be instructed that when they arrive in Gawler they are to call into the Visitor Information Centre (VIC) between 9am and 4.30pm to purchase a permit to park on GOOSE ISLAND;
3. Permit cost would be $50 per 24 hours, of which $10 would be refunded upon return of the 8th street gate key to the VIC.

All permit holders will acknowledge:
   a) Adherence to the CMCA rules relating to cleanliness and noise abatement;
   b) being responsible for good land care;
   c) that there is a maximum stay of 4 nights;
   d) that they need to possess and show their public liability insurance policy and current CMCA membership card;
   e) that no campfires are allowed; and
   f) that the 8th Street gate must be locked after their entry and exit.

The VIC would supply CMCA members with instructions as to how to access 8th Street and their Town of Gawler permit would need to be displayed at all times on the passenger side dashboard while parked there.

Deputy Mayor Cr Brian Thom
20 September 2011
From:     David Hughes
Sent:     Wednesday, 21 September 2011 07:14 AM
To:       Stephen Kerrigan; Mayor, Town of Gawler
Subject:  Questions on Notice for Council Meeting 27 September 2011

Dear Stephen

Questions on Notice, for Council Meeting 27 September 2011

1. How many council staff have left Council employment in the last 12 months?

2. How many written and face to face exit interviews have been undertaken for those staff?

3. What changes have followed on from issues raised at exit interviews?

4. Which new or higher pay level positions have been created by Council in the last 12 months?

5. Which of these positions have been filled by public advertisement and which by internal appointment?

Regards

Cr David Hughes

Area Councillor
Town of Gawler
Item Number: 11.1
Title: 2011/2012 FEDERAL GOVERNMENT FINANCIAL ASSISTANCE GRANT
Date: 27 September 2011
Author(s): Finance Manager (Paul Horwood)
File: CC10/376
Previous Reference/Motion: NIL

Background
Council has recently been advised by the Minister for State/Local Government Relations of its 2011/2012 Federal Government Financial Assistance Grant allocation.

Attachment(s)
Nil

Comments/Discussion
Council’s 2011/2012 grant allocation has been confirmed as follows:

<table>
<thead>
<tr>
<th>Grant Description</th>
<th>2010/11</th>
<th>Confirmed Grant 2011/12 $</th>
<th>Council Budget $</th>
<th>Variance $</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Grant</td>
<td>973,800</td>
<td>772,135</td>
<td>708,823</td>
<td>63,312</td>
</tr>
<tr>
<td>Local Roads Grant</td>
<td>364,102</td>
<td>321,887</td>
<td>193,553</td>
<td>128,334</td>
</tr>
<tr>
<td>Special Local Roads Grant (Murray Street upgrade – Stage 4)</td>
<td>399,000</td>
<td>345,000</td>
<td>345,000</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,736,902</td>
<td>1,439,022</td>
<td>1,247,376</td>
<td>191,646</td>
</tr>
</tbody>
</table>

The favourable variance is due to the increase in the General Purpose Grant from 2010/2011 (9.5%) being greater than anticipated and supplementary Local Roads Grant funding (over and above the standard Local Roads formulae funding) of $119,657.

Communication
Nil

Consultation
Nil

Policy Implications
Nil

Statutory Requirements
Nil

Financial/Budget Implications
The favourable budget variance of $191,646 will be incorporated in the September 2011 Quarterly Budget Review.

Strategic Implications
Nil
OFFICER'S RECOMMENDATION

Item 11.1 – 2011/2012 Federal Government Financial Assistance Grant (CC10/376)

That the 2011/2012 Federal Government Financial Assistance Grant report be received.
Background
Presentation of Monthly Finance Report, in accordance with Clause 4.1.4.6 of Council’s Budget Management Policy.

Attachment(s)
Monthly Finance Report as at 31 August 2011 – provided under separate cover

Comments/Discussion
An Executive Summary outlining performance financial performance against the 2011/2012 budget (as at the reporting date) is included within the report.

Communication
Nil

Consultation
Nil

Policy Implications
Policy 6.1: Budget Management Policy

Statutory Requirements
Nil

Financial/Budget Implications
The cost of preparing the Monthly Finance Report is accommodated within the Employee Costs budget for the Financial Services team.

The preparation of the report promotes financial accountability of the Council’s financial operations.

Strategic Implications
Outcome 5.3 – Responsible Government

OFFICER’S RECOMMENDATION

Item 11.2 – Monthly Finance Report (August 2011) (CC10/3355)

That the Monthly Finance Report as at 31 August 2011 be received.
<table>
<thead>
<tr>
<th>Item Number</th>
<th>11.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>COUNCIL OPERATING HOURS – CHRISTMAS AND NEW YEAR</td>
</tr>
<tr>
<td>Date</td>
<td>27 September 2011</td>
</tr>
<tr>
<td>Author(s)</td>
<td>Executive Assistant (Cheryl Douyere)</td>
</tr>
<tr>
<td>File</td>
<td>CC10/522, CC10/874</td>
</tr>
<tr>
<td>Previous Reference/ Motion</td>
<td>Council 28/09/2010 Motion No 2010:09:295</td>
</tr>
</tbody>
</table>

**Background**
For the past six (6) years, Council offices have closed for the Christmas/New Year period on all non-public holidays, excluding the Library and the Visitors Information Centre which have normal trading hours. The Depot has operated with a skeleton crew to cater for depot functions during this time.

**Attachment(s)**
Draft advertisement which will run in local newspapers. Copies of these details will also be posted on all Council Notice Boards and where the public are able to access.

Emergency numbers still to be finalised.

**Comments/Discussion**
This year Christmas day falls on a Sunday (25 December), Proclamation Day falls on a Monday (26 December), and New Year’s Day (1 January 2012) falls on a Sunday. Therefore, the public holidays will be as follows:

- Monday 26 December 2011 (Christmas Day holiday)
- Tuesday 27 December 2011 (Proclamation Day holiday)
- Monday 2 January 2012 (New Year’s Day holiday)

Members are advised that it is the Chief Executive Officer’s intention to close the Town Hall, IES Office, Gawler Sport and Community Centre, Evanston Gardens Community Centre and the Home Assist & Community Care Office for the three (3) non-public holiday days between Christmas and New Year, being Wednesday 28, Thursday 29 and Friday 30 December 2011. All Council offices will re-open on Tuesday 3 January 2012.

Comprehensive advertising will occur prior to the Christmas period to advise the community of Council’s operating hours during the holidays. Emergency on-call staff will be rostered.

Staff will be requested to take this time off as either annual leave or accrued RDOs, TOIL or Flexi.

**Communication**
Executive and Management Group

**Consultation**
Executive and Management Group

**Policy Implications**
Nil

**Statutory Requirements**
Nil
Financial/Budget Implications
Nil

Strategic Implications
Nil

OFFICER’S RECOMMENDATION

Item No. 11.3 - Council Operating Hours – Christmas/New Year (CC10/522, CC10/874)

That:

1. The Council Operating Hours – Christmas/New Year report be received; and

2. The closure of Council offices during the non-public holiday period of 29, 30 and 31 December 2011, be noted.
The Town of Gawler would like to advise the following arrangements in relation to its Christmas/New Year closure:

**Council offices (Town Hall and IES Building) and Home Assist & Community Care Office**
Closed 3.00pm Friday, 23 December 2011 and re-open 9.00am Tuesday, 3 January 2012

**Gawler Sport and Community Centre**
Closed 12.00noon Friday, 23 December 2011 and re-open 9.00am Tuesday, 3 January 2012

**Evanston Gardens Community Centre**
Closed 3.00pm Friday, 23 December 2011 and re-open 9.00am Tuesday, 3 January 2012

**Library**
- Friday, 23 December: 9.00am to 3.00pm (in line with Council Offices)
- Saturday, 24 December: Closed
- Sunday, 25 December: Closed (Christmas Day)
- Monday, 26 December: Closed (Christmas Day – Public Holiday)
- Tuesday, 27 December: Closed (Proclamation Day - Public Holiday)
- Wednesday, 28 December: 9.00am to 5.00pm
- Thursday, 29 December: 9.00am to 5.00pm
- Friday, 30 December: 9.00am to 5.00pm
- Saturday 31 December: 9.00am to 1.00pm - Normal business day
- Sunday 1 January **2012**: Closed (New Years Day)
- Monday 2 January: Closed (New Years Day – Public Holiday)
- Tuesday 3 January: 9.00am to 1.00pm

**Waste Collection**
Normal collection dates apply. For further details please contact NAWMA on 1800 111 004.

**Waste Transfer Station**
- Friday, 23 December: Normal business day
- Saturday, 24 December: 8.00am to 12.00pm (Christmas Eve)
- Sunday, 25 December: Closed (Christmas Day – Public Holiday)
- Monday, 26 December: Closed (Public Holiday)
- Tuesday, 27 December: Closed (Proclamation Day - Public Holiday)
- Wednesday, 28 December: 8:00am to 12:00pm and 1:00pm to 3:30pm
- Thursday, 29 December: Closed
- Friday, 30 December: 8:00am to 12:00pm and 1:00pm to 3:30pm
- Saturday 31 December: 8:00am to 12:00pm and 1:00pm to 3:30pm
- Sunday 1 January **2012**: Closed (New Years Day)
- Monday 2 January: Closed (New Years Day – Public Holiday)
- Tuesday 3 January: Closed
- Wednesday 5 January: 8:00am to 12:00pm and 1:00pm to 3:30pm (normal hours)

**Works Depot**
- Friday, 23 December: 7:15am to 2.12pm
- 24 – 27 December: Closed
- 28 – 31 December: Normal Trading
## Visiting Information Centre

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday 23 December</td>
<td>9:00am to 3:00pm</td>
</tr>
<tr>
<td>Saturday 24 December</td>
<td>10:00am to 3:00pm (Christmas Eve)</td>
</tr>
<tr>
<td>Sunday 25 December</td>
<td>Closed</td>
</tr>
<tr>
<td>Monday 26 December</td>
<td>Normal Trading (including New Years Day)</td>
</tr>
</tbody>
</table>

## Swimming Pool

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday 23 December</td>
<td>6:00am – 6:00pm (Normal Trading)</td>
</tr>
<tr>
<td>Saturday 24 December</td>
<td>7:00am – 5:00pm (Normal Trading)</td>
</tr>
<tr>
<td>Sunday 25 December</td>
<td>Closed (Christmas Day)</td>
</tr>
<tr>
<td>Monday 26 December</td>
<td>12 noon – 5:00pm</td>
</tr>
<tr>
<td>Tuesday 27 December</td>
<td>12 noon – 5:00pm</td>
</tr>
<tr>
<td>28 to 30 December</td>
<td>6:00am – 6:00pm (Normal Trading)</td>
</tr>
<tr>
<td>Saturday 31 December</td>
<td>7:00am – 5:00pm (Normal Trading)</td>
</tr>
<tr>
<td>Sunday 1 January 2012</td>
<td>8:30am – 5:00pm Normal Trading</td>
</tr>
<tr>
<td>Monday 2 January</td>
<td>12 noon – 5:00pm</td>
</tr>
<tr>
<td>Tuesday 3 January</td>
<td>onwards Normal Trading</td>
</tr>
</tbody>
</table>

Should you require any further information please contact Customer Service on 8522 9211, fax 8522 9212, or email council@gawler.sa.gov.au

### Stephen Kerrigan
Chief Executive Officer
Background
The Gawler District Health Advisory Council Inc has written to Council seeking two (2) nominations from Council to fill a position on the Health Advisory Council

Previously Cr Karen Redman and Cr David Strauss were nominated as the Town of Gawler representatives.

Attachment(s)
Attachment 1 – Correspondence received on 9 September 2011 from Gawler District Health Advisory Council Inc. (including nomination form)

Comments/Discussion
The Council is represented on a number of internal, external and regional organisations. Appointments of Elected Member to the Committees are usually at the beginning of the term of Council, but can be changed if Council wishes.

The Gawler District Health Advisory Council have advised as per their Constitution they seek two (2) nominations from the Town of Gawler to fill a position on the Health Advisory Council.

Nominations close at 5pm on Wednesday 5 October 2011.

If Elected Members are interested in a position a current curriculum vitae is required to be attached to the application form.

Communication
Nil

Consultation
Executive Team

Policy Implications
Nil

Statutory Requirements
Nil

Financial/Budget Implications
Nil

Strategic Implications
Outcome 2.2 : Services and facilities that meet community needs
Outcome 3.1 : Well informed community
Outcome 3.4 : An active community
Outcome 5.4 : Good administration
OFFICER’S RECOMMENDATION

Item 11.4 – Gawler Health Advisory Council (CC10/519)

That:

1. Council endorse the following nominations to the Gawler Health Advisory Council:
   - Cr ..........  
   - Cr ..........  

2. The Chief Executive Officer be authorised to complete, sign and return the Gawler Health Advisory Council nomination form.
Dear Sirs

Re: Nomination from the Town of Gawler to the Gawler Health Advisory Council

As per the Constitution of the Gawler Health Advisory Council (copy of reference to Local Government Member attached) we seek two (2) nominations from the Town of Gawler to fill a position on the Health Advisory Council.

Attached for your convenience is a nomination form and notice of consent for each nominee to sign.

If you have any queries please do not hesitate to contact Katherine Krollig on 8342 6488.

Yours sincerely,

Katherine Krollig
Presiding Member
Gawler Health Advisory Council
Government of South Australia

SA Health

GAWLER HEALTH ADVISORY COUNCIL INC

Form for Nomination to the Gawler Health Advisory Council Inc
Local Government Member

To: The Presiding Member of the Gawler Health Advisory Council Inc.

The Town of Gawler hereby nominates the following two (2) persons to be considered for appointment under clause 22 of the Constitution of the Gawler Health Advisory Council.

Name 1: ..................................................
Address: ..................................................

Name 2: ..................................................
Address: ..................................................

1. Evidence in writing of the consent of the two nominees is attached.
2. A current curriculum vitae for each nominee is also attached.

Endorsed by:

..........................................................  Authorised representative of local council

..........................................................  Date

Nomination forms must be received no later than 5pm on Wed 5th October 2011 in an envelope marked “The Presiding Member. Gawler Health Advisory Council, PO Box 196, Gawler SA 5118”. 
COUNCIL MEETING AGENDA
27 September 2011

Council, at least 6 weeks before the first and each subsequent Annual General Meeting at which such a Member is to be appointed, the Advisory Council will by Written Notice request the Town of Gawler to nominate to the Advisory Council 2 persons in total to be considered for appointment under this clause.

22.2. All nominations will be made in writing in the form appearing as Schedule 3 to this Constitution and will be accompanied by evidence in writing of the consent of the persons so nominated.

22.3. The Advisory Council will select one of the nominees for appointment pursuant to this clause. In the event that no nominations are received from the Town of Gawler by the date requested by the Advisory Council, then the Advisory Council will appoint a suitable person to be that Member.

22.4. The Member appointed pursuant to this clause will hold office until the conclusion of the 3rd Annual General Meeting after his or her appointment.

Local Member of Parliament

23. There must be 1 Member appointed by the Advisory Council who is a member of Parliament or nominee of a member of Parliament and who is appointed in the following manner:

23.1. In the case of the appointment of such a Member to the Advisory Council, at least 6 weeks before the first and each subsequent Annual General Meeting at which such a Member is to be appointed, the Advisory Council will by Written Notice request the local member(s) of Parliament for the Light Electoral District to nominate to the Advisory Council 1 person to be considered for appointment under this clause.

23.2. The nomination for such a position will be made in writing in the form appearing as Schedule 4 to this Constitution and will be accompanied by evidence in writing of the consent of the person so nominated.

23.3. A Member appointed pursuant to this clause will hold office until the conclusion of the 3rd Annual General Meeting after his or her appointment.
Background
At the January 2010 Council meeting the following motions were resolved:

Motion No: 2010:01:013
That: -
1. The Gawler River Stormwater Re-use Scheme – Progress Report be received.
2. Council support the submission of an application for the Gawler River Stormwater Reuse Scheme to Round 2 of the Federal Governments Stormwater Harvesting and Reuse Projects Call.
3. Council include $150,000 of capital investment in its 2011/12 and 2012/13 budget strategy as its contribution to the Gawler River Stormwater Reuse Scheme.

Motion No: 2010:01:014
That:
1. Council limit to support to the urban development currently allowed for in Gawler Light and Barossa Councils and the deferred urban zone in Evanston / Evanston garden.
2. That Council officers investigate ownership options both short term and long term as well as Gawler River Floodplain Management Authority (GRFMA) option.

At the June 2011 Council meeting the following motion was resolved:

Motion No: 2011:06:162
That the Council:
1. Further investigate and workshop the formation of a ‘Regional Subsidiary’ in conjunction with the Light Regional Council, The Barossa Council and District Council of Mallala under Section 43 of the Local Government Act 1999 to develop and manage a non-potable water reuse scheme currently referred to as the ‘Gawler River Water Project’ and;
2. Nominate the following Elected Members:
   a. Cr A Shackley
   b. Cr K Fischer
   c. Cr K Carmody
   d. Cr B Thom
to represent the Town of Gawler at a proposed workshop with Norman Waterhouse Lawyers to be held on Wednesday 20 July 2011 (with Elected Member representatives from the Light Regional Council, The Barossa Council and the District Council of Mallala), to discuss the merits of forming a Regional Subsidiary and, if supported, develop a draft Charter for such an entity for the further consideration of each respective Council’s Elected Body.
Light Regional Council (on behalf of the Wakefield Group of Councils) has managed a preliminary feasibility study on the Gawler River Water Project and is currently directing a Commonwealth funded detailed feasibility study into the Project. A key objective of the detailed feasibility study is to prepare documentation that will support a grant application to Round 3 of the ‘Water for the Future, National Urban Water and Desalination Plan: Stormwater Harvesting and Reuse Projects’ funding programme. External funding of up to $17m is necessary to deliver the scheme.

Work has commenced on the detailed feasibility study and preliminary indications suggest that the ‘Gawler River Water Project’ will be financially viable, warranting its delivery. It is understood that the next funding round applicable to the urban water scheme will be called this year and will close in either September or October 2011. The detailed feasibility study is being progressed with a view to making a grant application to Round 3 of the Stormwater Harvesting and Reuse Projects funding programme and for such a grant to succeed it is understood that it is necessary to demonstrate that there is a suitable independent entity or body available to manage the development and operation of the scheme as a self-sustaining business. This requires the establishment of a suitable vehicle to manage the project/scheme.

The Chief Executive Officer and Councillors Fischer and Redman attended a workshop facilitated by Norman Waterhouse on the potential vehicles that could be used to deliver the Project and how they can be established. The workshop was held in the Kapunda Council chambers on Wednesday 20 July 2011 and representatives from the Light Regional Council, The Barossa Council and District Council of Mallala also attended.

The objective of this report is to provide a summary of the workshop presentation and key discussions, including a draft conditional resolution for the Council to establish a Regional Subsidiary as the vehicle for delivering the Gawler River Project.

The following summary is provided of the project so far.

1. Light Regional Council (LRC) recently entered into a $500k Funding Agreement with the Commonwealth Government to undertake a detailed feasibility study for the ‘Gawler River Water Project’;

2. The Project is being administered through LRC on behalf of other Wakefield Group member councils and has key deliverables which are expected to support an application into Round 3 of the ‘Water for the Future, National Urban Water and Desalination Plan: Stormwater Harvesting and Reuse Projects’ funding programme, which if successful will provide the $17m in funding required to deliver the scheme;

3. It is expected that the call for projects for Round 3 of the Stormwater Harvesting and Reuse Projects programme will occur later year, closing around September/October 2011;

4. For an application to the Stormwater Harvesting and Reuse Projects funding programme to succeed it is necessary to demonstrate that a suitable independent entity exists to administer/manage the operation of the scheme;

5. Accordingly, preliminary exploration of the options available for a suitable management entity have taken place involving discussions between the Chief Executive Officers of The Barossa Council, Town of Gawler, the District Council of Mallala and LRC as well as project staff;
6. The workshop involved a presentation by Norman Waterhouse on how the Gawler River Water project could be managed by a Regional Subsidiary of Constituent Council's and the steps required to form such an entity;

7. The Norman Waterhouse presentation was structured to address some of the anticipated questions likely to be raised by the Elected Member representatives from the Council, and there were opportunities to have questions answered throughout the workshop. A copy of the Norman Waterhouse presentation is attached as Attachment 1.

8. Broad support for Project was indicated by the Council representatives, however it was recognised that several of the required steps for forming a Regional Subsidiary require further consideration and that any immediate Council resolution to establish a Regional Subsidiary should be strictly conditional;

9. A draft Council conditional resolution to establish a Regional Subsidiary was presented by Norman Waterhouse at the workshop and it is recommended that this resolution be adopted by each Council given that there is no risk associated with the resolution (it is merely required to demonstrate to the Commonwealth Government that a suitable vehicle is proposed to deliver the Project should funding be granted).

Attachment(s)
Attachment 1 – Norman Waterhouse presentation (Under Separate Cover)  
Attachment 2 – Copy of letter from Department for Water

Comments/Discussion
Norman Waterhouse Lawyers facilitated a workshop for representatives from Light Regional Council, Barossa Council, Town of Gawler and the District Council of Mallala relating to potential vehicles which could be established to manage the Gawler River Water Project. As the workshop was a time-constrained session it was structured to address the envisaged key questions likely to arise from the attendees representing the Councils. The workshop allowed opportunities for the attendees to ask questions about the governance vehicles presented and critical steps in establishing them.

Whilst there was general agreement amongst the Council representatives who attended the workshop that the Gawler River Water Project was an attractive opportunity for the constituent Councils involved, several issues were raised as follows:

1. As the detailed feasibility study is yet to be completed, will the Project be economically viable?
2. What investment and benefit (or proportion thereof) would apply to each of the constituent Council’s in operating, managing and maintaining the Gawler River Water Project?
3. Could a Council elect not to establish the Regional Subsidiary, but join later?
4. What Council resources and funding would need to be injected into the project to:
   a. Establish the Regional Subsidiary?
   b. Manage the Regional Subsidiary?
5. What are the critical timeframes involved for establishing a Regional Subsidiary?
6. Who will manage and pay for the development of annual business plans and prudential reports required to be completed before establishing a Regional Subsidiary?
It was recognised that the detailed feasibility study currently underway would provide additional information to address some of the issues raised, however others would need to be addressed by the constituent Councils during an interim period between when the Commonwealth Government funding decision is made and when the Regional Subsidiary would need to be established (should the funding application be successful).

In order to submit an application into Round 3 of the ‘Water for the Future, National Urban Water and Desalination Plan: Stormwater Harvesting and Reuse Projects’ funding programme, any proposed constituent Council’s will formally need to resolve to establish a Regional Subsidiary prior to submitting the funding submission. The majority of the issues raised at the governance workshop are unlikely to be resolved or addressed prior to finalising the funding submission, therefore it is recommended that the constituent Councils adopt a conditional resolution.

The recommended Council resolution presents minimal risk to the Council should it be passed as it gives several options for the Council to withdraw from establishing a Regional Subsidiary should it wish to do so.

It is expected that future Council reports and workshops will be arranged to address the governance issues raised at the 20 July 2011 workshop, to develop a strategy for establishing the Regional Subsidiary proposed.

The Department for Water was approached for a letter of support for the grant application and a copy of their response is provided (Refer attachment 2)

**Conclusion**

The governance workshop facilitated by Norman Waterhouse to present potential vehicles for managing the Gawler River Water Project provided a good introduction for the constituent Councils proposed to establish a Regional Subsidiary. The workshop raised several issues relating to process, timeframes and Council obligations associated with the forming a Regional Subsidiary for the Project. A conditional Council resolution has been recommended in order to justify an application to the Commonwealth Government for funding to construct the Project, whilst giving the proposed constituent Councils the opportunity to withdraw from establishing a Regional Subsidiary should the issues raised not be resolved to their satisfaction.

**Communication**

Nil

**Consultation**

Chief Executive Officer – Light Regional Council
Chief Executive Officer – The Barossa Council
Chief Executive Officer – District Council of Mallala

**Policy Implications**

Nil

**Statutory Requirements**

Local Government Act 1999

**Financial/Budget Implications**

There will be some costs to be shared initially to set up a regional subsidiary and then ongoing financial support may be required in the early years, if not funded within the grants.
No funding has been provided in the 2011/12 budget for this project. In the longer term, it is envisaged that this project would be self-funding.

**Strategic Implications**
Outcome 1.2: Well presented Gawler assets
Outcome 2.1: Invest in planning related to growth
Outcome 2.2: Services and facilities that meet community needs
Outcome 2.3: A local government that is financially viable
Outcome 4.1: Innovative urban planning
Outcome 4.2: Good quality open space that responds to community needs and attracts use
Outcome 4.3: Sustainable asset management
Outcome 4.4: A better environment
Outcome 5.1: Sustainable financial management
Outcome 5.2: Creating a future
Outcome 5.3: Responsible government
Outcome 5.4: Good administration

**OFFICER’S RECOMMENDATION**

Item 12.1– Gawler River Water Project - Governance (CC10/2421)

That Council will establish a regional subsidiary, comprising the Council and one or more Councils as constituent Councils for an urban stormwater reuse scheme for areas within and/or adjacent to the constituent Councils subject to:

1. securing funding from the Commonwealth Water for the Future fund; and
2. reaching an agreement among the constituent Councils on a Business Plan and Charter for the regional subsidiary; and
3. the completion of a prudential report under Section 48 of the Local Government Act 1999 to the satisfaction of Council; and
4. satisfying all other relevant and prudential requirements.
26 August 2011

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

Dear Mr Kerrigan,

As you would be aware, the Gawler River Water project (led by the Light Regional Council and including the Town of Gawler and the Barossa Council) has been undertaking the Waterproothing Greater Gawler Managed Aquifer Recharge Feasibility Study (the Feasibility Study), after receiving funding from the Commonwealth Government’s National Urban Water and Desalination Plan (the Plan). I understand that on completion of the Feasibility Study, Gawler River Water intend to submit an application to the third round of competitive grants under the Plan in order to implement this project.

The Department for Water (DFW) received a letter from Mr Chris Kaufmann of Infrastructure Funding & Advice (providing a consultancy service to Light Regional Council) dated 2 June 2011, seeking a letter of support for the project from the Hon Paul Caica, Minister for Water, an in principle endorsement of providing approval to take water from the Gawler River under Section 128 of the Natural Resources Management Act 2004 (NRM Act) and in principle support for operating a Managed Aquifer Recharge scheme at Kangaroo Flat. Mr Kaufmann also met with representatives of DFW and the Adelaide and Mount Lofty Ranges Natural Resources Management Board on 22 July 2011 to discuss the Feasibility Study.

I understand that several issues were raised during the meeting in relation to requirements under the NRM Act for the development of a managed aquifer recharge (MAR) project in the Gawler area and section 128 authorisations. I have written to Mr Kaufmann to advise him of the steps to secure the necessary authorisations to develop and operate a MAR system.
I have been advised that the scope of the Feasibility Study includes areas within the Western Mount Lofty Ranges Prescribed Water Resources Area and Kangaroo Flat within the Northern Adelaide Plains Prescribed Wells Area. In this context, three separate authorisations are required:

- An authorisation to take watercourse water from the Gawler River or surface water from the Western Mount Lofty Ranges Prescribed Water Resources Area. The watercourse and surface water in the Western Mount Lofty Ranges (which includes the Gawler River) are currently under a notice of prohibition, under section 132 of the NRM Act. However, an authorisation can be issued under section 128 of the NRM Act as the notice of prohibition provides exemptions for such authorisations. The issuing of a section 128 authorisation is subject to conditions discussed later in this letter. Section 128 authorisations are generally for a set period of time and it should not be assumed that on the expiry of an authorisation, the approval will be replaced with an equivalent licensed water allocation. Where there is less water for allocation than demand, an available option is to secure licensed allocations through a market process, in accordance with the policies contained in the water allocation plan.

- An EPA licence or a DFW permit to discharge water into an aquifer. EPA licences are issued under Part 6 of the Environment Protection Act 1993 (EPA Act), for proposed drainage water that has been captured from an area of greater than one hectare, within the Adelaide metropolitan area. The EPA licence will specify an annual drainage volume, a receiving aquifer and minimum water quality parameters. Other conditions, such as monitoring and reporting requirements may also be attached to the licence. DFW permits are required where the proposed drainage water has been sourced from a groundwater source (for system commissioning purposes) of an area less than one hectare within the metropolitan area, or mains water. This may be required during the commissioning stage of the MAR scheme and conditions similar to those for an EPA licence will be applicable.

- A water licence or a section 128 authorisation is required to extract water injected into an aquifer. The conditions relating to the recovery of injected water are subject to the policies in the water allocation plan applicable to the relevant aquifer and management area or, in the case of a section 128 authorisation, the conditions on the authorisation. Kangaroo Flat was incorporated into the Northern Adelaide Plains Prescribed Wells Area in July 2004. Therefore, any proposal to inject water into the Tertiary Aquifer (T2) and later extraction, should meet the requirements of the current Water Allocation Plan for the Northern Adelaide Plains Prescribed Wells Area. The water allocation plan is being revised and will be incorporated with the new water allocation plan for the Adelaide Plains Prescribed Wells Area in due course.

In considering the application for a section 128 authorisation, the Minister must be satisfied that there would be no hydrological or hydrogeological concerns with the proposed extraction of the source water on downstream users and ecosystems. Strict conditions are placed on authorisations to assist in the prevention of potential detrimental impacts to the resource or other users. These conditions generally align with proposed management arrangements for the water resource under a notice of prohibition. If a section 128 authorisation is granted by the Minister for the purpose of taking source water from the Gawler River it must be noted that this authorisation does not provide the proponent with any taking rights from the prescribed groundwater resource following injection of water. A water licence for taking groundwater will be required under the water allocation plan applicable to the prescribed groundwater resource at the time of application.
In assessing a section 128 authorisation, the Minister may consider the following (but is not limited to):

- How much water is proposed to be taken, from what sources and at what locations, and for how long it will be taken;
- Where the water will be stored, and what are the alternative storage options;
- The impact of any proposed extraction on the resource, existing users and ecosystems, and
- The possible implications for water allocation planning and on water licensing processes in the prescribed area.

The Minister cannot provide in-principle agreement for a section 128 authorisation, nor issue an open-ended authorisation. Further to this, appropriate DFW permits, Environment Protection Authority licences and Department of Health requirements will need to be taken into account.

Mr Kaufmann has been provided with a form titled Information Required for Consideration of Section 128 Authorisations for MAR Schemes to assist in the development of the Gawler River Water proposal and its progression to an application for the relevant approvals. To progress to an application stage, the form must be completed, with supporting information where relevant, and returned to the Department. In addition, a summary sheet of process steps for section 128 authorisations has also been provided to Mr Kaufmann, noting that the expected time for the full process is of the order of 2-4 months (depending on complexity and information completeness) after formally lodging an application.

The South Australian Government is a strong supporter of stormwater harvesting and re-use schemes as an element of providing future water security for the State. However, it is important that current legislative requirements for such schemes are adhered to.

Due to the number of interested parties in the proposal, I have written to the Mayors and Chief Executive Officers of the Limestone Coast Council, the Barossa Council and the Town of Gawler for their information.

I wish the proponents all the best with their funding proposal to the Federal Government for this project.

Yours sincerely

Scott Asby
CHIEF EXECUTIVE
Item Number 12.2
Title GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY – CHARTER - DISCUSSION PAPER NO. 3
Date 27 September 2011
Author(s) Executive Assistant (Cheryl Douyere)
Reference CC10/229; CR11/22131
Previous Reference/ Motion 23/02/2010 Council Motion No: 2010:02:028
25/05/2010 Council Motion No: 2010:05:130

Background
Six Councils form the regional subsidiary (under Section 43 of the Local Government Act) known as Gawler River Floodplain Management Authority (GRFMA). The Authority was formed to address flood mitigation treatments on the Gawler River and projects have included the construction of the Bruce Eastick North Para Flood Mitigation Dam, flood mapping and assessment of further treatment options.

Council is represented by Cr B Thom (Cr P Koch – proxy) and Mr Stephen Kerrigan (Mr Alec Shaw – proxy).

Attachment(s)
GRFMA letter received 31 August 2011 (Attachment 1)
GRFMA Discussion Paper No. 3 – dated 25 August 2011 (Attachment Under Separate Cover)

Comments/Discussion
GRFMA last reviewed its charter in 2006 and is required to review the charter every four years. Member Councils were asked for comment regarding the GRFMA charter in September 2009. The Town of Gawler provided no suggested changes to the charter.

The City of Playford requested the Authority prepare a discussion paper to review the role and function, structure and membership to ensure the GRFMA is the appropriate mechanism to deal with the identified issues, future opportunities and challenges that face the GRFMA.

A report was present at the 23 February 2010 and 25 May 2010 Council meetings and the following was resolved:

Council meeting 23 February 2010
Motion No: 2010:02:028
That the:
1. Gawler River Floodplain Management Authority (GRFMA) – Review of Charter report be received.
2. Proposed responses contained in the body of the report, subject to any changes be provided to the Gawler River Floodplain Management Authority (GRFMA).

Council meeting 25 May 2010
Motion No: 2010:05:130
That:
1. The Gawler River Floodplain Management Authority - Charter Discussion Paper No 2 be received.
2. Council agree to amend the Charter of the Gawler River Floodplain Management Authority to allow the Authority to be more responsive to floodplain issues.
Discussion Paper No. 3 (Attachment 2 – under separate cover) provides:
- background
- summary of proposed changes
- legal advice on two (2) occasions from Wallmans Lawyers
- Charter of the GRFMA with draft changes for discussion

The GRFMA seeks consideration of the recommendations from the GRFMA meeting held on 25 August 2011, which were:

- The Council notes the recommendation of the GRFMA Board pursuant to Clause 17.3 of the Charter to amend the Charter as proposed.
- That pursuant to Section 19(4) Part 2, Schedule 2, Local Government Act 1999, that the Gawler River Floodplain Management Authority Charter be amended by the adoption of the draft amended Charter attached to the report.

Communication
Nil

Consultation
Executive Team

Policy Implications
Nil

Statutory Requirements
Local Government Act 1999

Financial/Budget Implications
Dependent on Council's involvement there may be additional contributions.

Strategic Implications
Outcome 5.3 : Responsible government

OFFICER’S RECOMMENDATION

Item 12.2 – Gawler River Floodplain Management Authority – Charter - Discussion Paper No. 3 (CC10/229; CR11/22131)

That:

1. The Gawler River Floodplain Management Authority (GRFMA) Discussion Paper No. 3 be received.

2. Council note the recommendations of the Gawler River Floodplain Management Authority (GRFMA) Board pursuant to Clause 17.3 of the Charter to amend the Charter as proposed.

3. Pursuant to Section 19(4) Part 2, Schedule 2, Local Government Act 1999, that the Gawler River Floodplain Management Authority Charter be amended by the adoption of the draft amended Charter attached to the report.
30th August 2011

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

Dear Stephen,

RE: REVIEW OF GRFMA CHARTER - DISCUSSION PAPER NO 3

I refer to the review of the GRFMA Charter that commenced in September 2009.

I advise that the GRFMA Board has sought legal advice on two further occasions and that advice recommended further changes to the Charter to provide that the additional powers, proposed in Clause 3.1.4.1 and 3.1.4.2, can only be exercised by the application of one or more Councils reaching an agreement with the Authority.

I advise that the GRFMA Board at its meeting on 25th August 2011 received the GRFMA Discussion Paper No 3 - Review of GRFMA Charter and recommends pursuant to Clause 17.3 of the Charter that the Charter be amended as proposed by making the following resolution:

That Council notes the recommendations of the GRFMA Board pursuant to Clause 17.3 of the Charter to amend the Charter as proposed.

That pursuant to Section 19(4) Part 2, Schedule 2, Local Government Act 1999, that the Gawler River Floodplain Management Authority Charter be amended by the adoption of the draft amended Charter attached to the report.

Please place this matter before Council for its consideration.

Yours faithfully

Fred Pedler
EXECUTIVE OFFICER

Item Number 12.3  
Title GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY – AUDIT COMMITTEE MEMBERSHIP  
Date 27 September 2011  
Author(s) Executive Assistant (Cheryl Douyere)  
Reference CC10/ 229, CR11/1441, CR11/22867  
Previous Reference/ Motion 22/02/2010 Council Motion No: 2011:02:046

Background
Six Councils form the regional subsidiary (under Section 43 of the Local Government Act) known as Gawler River Floodplain Management Authority (GRFMA). The Authority was formed to address flood mitigation treatments on the Gawler River and projects have included the construction of the Bruce Eastick North Para Flood Mitigation Dam, flood mapping and assessment of further treatment options.

Council is represented by Cr B Thom (Cr P Koch – proxy) and Mr Stephen Kerrigan (Mr Alec Shaw – proxy).

Attachment(s)
GRFMA letter received 6 September 2011 (Attachment 1)

Comments/Discussion
The Local Government (Accountability Framework) Amendment Act 2009 on 1 July 2010 changed the internal audit provisions of regional subsidiaries.

The GRFMA have received three (3) registrations of interested from:

- Mr Allen Bolaffi
- Mr Peter Peppin
- Mr Charles Mansueto

The GRFMA wrote to Council in January 2011 advising that at its meeting on 21 October 2010 the GRFMA Board recommended that the constituent Councils endorse this action and make the following resolution.

That pursuant to Section 30(3) Schedule 2 Part 2 of the Local Government Act 1999 the following appointments to the GRFMA Audit Committee be endorsed:

1. Mr Allen Bolaffi – independent person with financial experience relevant to the functions of an audit committee.
2. Mr Peter Peppin – CEO, Adelaide Hills Council, GRFMA Board Member, an officer of a constituent council with experience relevant to the functions of the Audit Committee.
3. Mr Charles Mansueto – CEO, District Council of Malalla, GRFMA Board Member, officer of a constituent council with experience relevant to the functions of the Audit Committee.

It should be noted that Mr Allen Bolaffi is a current independent member of Council’s Audit Committee.
A report was presented at the February 2011 meeting of Council and the following motion was resolved:

Motion No: 2011:02:046

That pursuant to Section 30(3) Schedule 2 Part 2 of the Local Government Act 1999 the following appointments to the GRFMA Audit Committee be endorsed:

1. Mr Allen Bolaffi – independent person with financial experience relevant to the functions of an audit committee.
2. Mr Peter Peppin – CEO, Adelaide Hills Council, GRFMA Board Member, an officer of a constituent council with experience relevant to the functions of the Audit Committee.
3. Mr Charles Mansueto – CEO, District Council of Malalla, GRFMA Board Member, officer of a constituent council with experience relevant to the functions of the Audit Committee.

On the 6 September 2011 Council received further correspondence (Attachment 1) requesting the reappointment of the members of the GRFMA Audit Committee pursuant to Section 30(3) Section 2 Part 2 of the Local Government Act 1999 be considered and approved by Council for a term expiring on 21 October 2012.

Communication
Nil

Consultation
Nil

Policy Implications
Nil

Statutory Requirements
Local Government Act 1999

Financial/Budget Implications
Nil

Strategic Implications
Outcome 5.3 – Responsible Government
OFFICER’S RECOMMENDATION

Item 12.3 – Gawler River Floodplain Management Authority – Audit Committee Membership (CC10/229, CR11/1441.)

That pursuant to Section 30(3) Schedule 2 Part 2 of the Local Government Act 1999 the following re-appointments expiring on 21 October 2012 to the Gawler River Floodplain Management Authority (GRFMA) Audit Committee be approved:

1. Mr Allen Bolaffi
2. Mr Peter Peppin
3. Mr Charles Mansueto

and the Chief Executive Officer advise the Gawler River Floodplain Management Authority.
5 September 2011

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

Dear Stephen,

RE: AUDIT COMMITTEE MEMBERSHIP

I advise that at the GRFMA Board at its August meeting conducted an Operations Review and noted that the term of office of the members of the GRFMA Audit Committee will expire on 21st October 2011 and subsequently moved:

That pursuant to Clause 5 of the GRFMA Audit Committee Terms of Reference that the current members of the Audit Committee be reappointed for a further term of 12 months until 21st October 2012. (GRB 11/0041 of 25th August 2011)

The members of the Audit Committee are:

Mr Allen Bolaifi, Partner UHY Haines Norton - Independent Chair
Mr Peter Peppin – CEO, Adelaide Hills Council, GRFMA Board Member
Mr Charles Mansueto – CEO, District Council of Malala, GRFMA Board Member.

Please place this matter before your Council to approve the reappointment of the members of the GRFMA Audit Committee pursuant to Section 30(3) Section 2 Part 2 of the Local Government Act 1999.

Please give this matter your consideration.

Yours faithfully

Fred Pedler
EXECUTIVE OFFICER
Background

At the January 2011 Council meeting the following motion was resolved:

   Motion No: 2011:01:09
   That:
   1. The Electronic Distribution of Agendas and Minutes report be received.
   2. Council defer the funding of the proposed iPADS to the Budget discussions for the 2011 / 12 year.
   3. Council staff continues to explore the options for distribution by electronic means.

Elected Members have sought information regarding the use of Apple iPADs.

This report provides technical and financial analysis about usage of iPADs or other options for delivering agendas, minutes and other documents to Elected Members.

Under existing Policy 3.4 Council Members – Allowances & Benefits.

   “Pursuant to Section 78 of the Act, Council has considered and is satisfied that the following facilities and support are necessary or expedient for all Council members to assist them in performing or discharging their official functions and duties:

   Personal computer, a printer, an allowance of $10/month for internet access and consumables.”

In the past Elected Members were provided with desktop or laptop computers and printers if requested. However, only a small number of Elected Members requested such facilities – only two in the previous term. This was due to many factors including Members owning their own computers, or not being comfortable with the use of electronic information or use of programs etc.

This report includes a proposal for the use of Apple iPADs and an alternative of the use of a portal by Elected Members for electronic distribution of Agendas and Minutes and also other Council related documentation.

This report does not address the provision of access to independent members of the Development Assessment Panel and Audit Committee.
Attachment(s)
Attachment 1 – Cost/Benefit Analysis
Attachment 2 – Report from Crs Redman and Fischer to the 23 August 2011 Council Meeting

Comments/Discussion

Option 1 – iPads + Portal

The experience of the Manager, Information and Communication Technology is that, iPads are easier to use than ordinary computers and offer better protection from accidental change of system settings. There are many software applications available for free or at a low cost which can be used for business purposes.

Elected Members Portal based on Microsoft and Telstra TSuite technologies would be used as a hosting solution for all Agendas, Minutes and other documents, announcements and notifications for Elected Members, calendar items.

Email accounts for all Elected Members would be created in the Council’s mail system. In other words, each Elected Member would be allocated a Council email address. Those email accounts would be used and synchronised with iPads for all council related correspondence.

An analysis of previous agendas and minutes indicate that in most case the size of documents will be capable of downloading from Council’s website or home computer. Larger corporate documents will be loaded onto the iPads prior to distribution. Updated versions of large documents will be loaded by staff when iPads are recalled for this purpose.

At this time, the current iPad design does not include the ability for other storage devices to be connected. DAP agendas have not been included in this arrangement due to the large size of the documents.

The Cost/Benefit Analysis contained in Attachment 1 shows that the cost of providing iPads for all Elected Members is $13,970. The additional estimated annual operating cost is $5,973. Offsetting the annual operating cost are estimated approximately $5,952 excluding costs such as electricity etc.

This proposal will significantly improve access by Elected Members to Council documents with added environmental advantage particularly reducing the carbon footprint.

Those benefits would be achieved as a result of all Elected Members participation in the proposal.

Option 2 – Use of Portal only

Town of Gawler to setup Elected Members Portal only. This website will be secured and password protected to ensure no confidential data will be exposed to a wider audience.

Security of the Portal will rely on the compliance of members to protect passwords etc.

All of Option 1 is applicable to this second proposal except that Elected Members will have to use own equipment and internet broadband. Access devices can be – iPad, laptop with broadband card, connected home computer, and any other internet enabled devices.
As some Elected Members will choose to only use their home computer to access the Portal, they will still need a printed copy of agenda to bring to the meeting. This will reduce savings but not to the same extent as Option 1.

This option will significantly improve Elected Member access to documents and is estimated to cost $2,145.

Option 3 – Current

To leave all agendas and minutes printed in hard copies with annual expense of $5,952.

Communication
Nil

Consultation
Executive Team
Discussion with Elected Members

Policy Implications
May need to review Policy 3.4 – Council Members – Allowances and Benefits.

Statutory Requirements
Nil

Financial/Budget Implications
Current Budget Allocation is $20,000 expenditure less contribution from Elected Members of $11,000 – Net budget of $9,000 expenditure.

Strategic Implications
Outcome 2.3 : A local government that is financially viable
Outcome 5.1 : Sustainable financial management
Outcome 5.4 : Good administration

OFFICER’S RECOMMENDATION

Item 12.4 – Electronic Distribution of Agendas and Minutes (CC10/2647)

That:

1. The Electronic Distribution of Agendas and Minutes report be received.

2. Council approve the funding of $2,145 for delivery of a Portal for use by Elected Members.
## PROVISION OF iPADS FOR ELECTED MEMBERS

### COST/BENEFIT ANALYSIS

#### OPTION 1 – iPADS + PORTAL

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<thead>
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<td><strong>Capital Costs</strong></td>
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<tr>
<td>iPAD Devices including covers</td>
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<td><strong>(Monthly Operating Cost = $498)</strong></td>
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### ESTIMATED ANNUAL SAVINGS

**Assumptions**
- Number of pages based on '2010 Council agendas and minutes: 4,000
- Number of hard copies printed for Elected Members, Public Gallery and Staff: 20

#### Estimated Cost Savings
- Cost of paper assuming double sided printing 20 copies: $360
- Printing Costs (Toner, Printer Maintenance etc): $560
- Labour Costs based on 34 meetings estimated 4 hours for each meeting = 136 hours at Infrastructure & Environmental Services Committee (6 meetings per year): $5,032
  - Corporate & Community Services Committee (6 meetings per year)
  - Governance, Strategy & Economic Sustainability Committee (6 meetings per year)
  - Council (12 meetings per year)
  - Audit Committee (4 meetings per year)
  (Labour costs based on $37/hour which includes oncosts)

**Total Cost Savings**: $5,952
## PROVISION OF iPADS FOR ELECTED MEMBERS

### COST/BENEFIT ANALYSIS

#### OPTION 2 – PORTAL ONLY

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<td><strong>Total Capital</strong></td>
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<td><strong>Total Annual Operating Costs (paid monthly)</strong></td>
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<td>(Monthly Operating Cost = $179)</td>
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### ESTIMATED ANNUAL SAVINGS

#### Assumptions

- Number of pages based on '2010 Council agendas and minutes: 4,000
- Number of hard copies printed for Elected Members, Public Gallery and Staff: 20
- Half Elected Members will require hard copy of documents
- Half Elected Members will use electronic devices at meetings

#### Estimated Cost Savings

- Half cost of paper assuming double sided printing 20 copies (360:2): $180
- Half printing Costs (Toner, Printer Maintenance etc) (560:2): $280
- Half labour Costs based on 34 meetings estimated 4 hours for each meeting (5,032:2) = 136 hours at $2,516
  - Infrastructure & Environmental Services Committee (6 meetings per year)
  - Corporate & Community Services Committee (6 meetings per year)
  - Governance, Strategy & Economic Sustainability Committee (6 meetings per year)
  - Council (12 meetings per year)
  - Audit Committee (4 meetings per year)
- (Labour costs based on $37/hour which includes oncosts)

| **Total Cost Savings** | **$2,976** |
ATTACHMENT 2

2011-12 Apple iPad Review

Background
The Town of Gawler is investigating the use of an Apple iPad for Councilors to use in the course of their role as an elected member. The purported benefits were identified in the report presented to the Elected Members (EM’s) at the February 2011 Council Meeting Item 12.1 – Electronic Distribution of Agendas and Minutes (CC10/2647). An allocation of $20,000 has been included in the newly adopted 2011/12 budget as part of this ongoing process. Two elected members have been reviewing the ipad and the following report is a summary of this review.

Aims
1. To improve the efficient distribution of correspondence, reports, agenda’s and minutes to the Elected Members
2. To enable electronic access to required information in a timely and efficient manner.
3. Support ‘green’ principles by reducing the quantity of printed material.
4. Promote financial efficiencies by reducing staff time in manually printing and compiling agendas and reports.
5. Potentially reduce postage costs as per point 4

Performance

- Advantages
  - Size is convenient
  - Minimal weight
  - Rapid start up
  - Ease of use
  - Robust operating system (less opportunity to inadvertently delete or alter operating environment)
  - IT Support Uniformity (easier for Council Staff to monitor/assist if ALL councilors adopted this approach)
  - Battery Life over some laptops is superior in most incidences

- Disadvantages
  - Small Screen Size compared to a laptop
  - Limitations in ability to transfer data (No USB capability) subsequently you have to access internet site or send/receive email documents-real issue for some of the larger document sizes
  - Functionality is reduced compared to a laptop (If you have some computer skills it would limit some of your ability to cater specifically for your needs)
  - On screen Keyboard not as functional compared to laptop

Portal Option Only
What is a Portal? This is a separate drive or intranet that elected members could access with an associated individual email address that could be used for council matters (rather than private email addresses and work emails etc). The ipad has the capability to have this loaded as part of a consistent approach to software but it is still possible to set this up for individual personal computers.

The main advantage seems to be the ability and potential for greater security of an elected members portal where all transfer/electronic distribution and access of agendas/minutes/documents or ‘e-traffic’ would occur.

Advantages
  - Time saving for council staff printing and collating document (presuming we fully adopt this electronic distribution)
  - Remote Access from anywhere, anytime to full document range including confidential through Portal
  - Ability to find & track documents (providing relevant software overlay)
  - Possibility of earlier access to Reports in preliminary format
Disadvantages
- Security of Council documents once a Portal is established although one could argue there is greater risk with present system.
- Simple Functionality (when dealing with large documents and wanting to refer to different pages to compare one to another)
- Elected Member resistance to the technology (If not an across the board uptake, cost savings may not be identified)

SUMMARY
In conclusion it is our belief that the council should commit to supplying a Portal (the portal option) through which elected members can access all associated agendas, minutes, reports and confidential documents via a wireless mobile device. Initially elected members can choose which hardware componentry that they will use to access this data; this may be an Apple iPad or a laptop or even through the home desktop computer. I believe those familiar with this technology will benefit greatly.

The only concern we hold for this Portal, considering the sensitive nature of documents we handle and the purported ability of hackers to access secure Internet sites is the document security. On this matter we can only be advised by the experts and ensure we do not take any shortcuts with the security systems we put in place and given the variable nature of the present system the advantages outweigh the disadvantages.

Report prepared by Cr. Kevin Fischer and Cr. Karen Redman
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<tbody>
<tr>
<td>Title</td>
<td>REGIONAL DEVELOPMENT AUSTRALIA BAROSSA – BOARD NOMINATIONS</td>
</tr>
<tr>
<td>Date</td>
<td>27 September 2011</td>
</tr>
<tr>
<td>Author(s)</td>
<td>Chief Executive Officer (Stephen Kerrigan)</td>
</tr>
<tr>
<td>Reference</td>
<td>CC10/168</td>
</tr>
<tr>
<td>Previous Reference/ Motion</td>
<td>NIL</td>
</tr>
</tbody>
</table>

**Background**

Regional Development Australia (RDA) brings together all levels of government to support the development of regional Australia and is a unique tripartite partnership between the Australian and South Australian Governments, and the Local Government Association of South Australia on behalf of its members. RDA is administered by the Department of Regional Australia, Regional Development and Local Government and the South Australian Department of Trade and Economic Development.

In South Australia there are eight RDA boards that are working to develop local solutions to the economic, social and environmental issues affecting their communities.

RDA boards in South Australia have developed:

1. regional business growth plans and strategies, which will help support economic development, the creation of new jobs, skills development, business investment and utilise fast speed broadband
2. environmental solutions, which will support ongoing sustainability and the management of climate change (including the impact of drought, flood or bushfires, restoration of the Murray Darling Basin and clean energy), and
3. social inclusion strategies, which will bring together and support all members of the community.

Board members play an important role and are expected to have a strong understanding of their region’s strengths and challenges and of the key issues facing local communities. They provide information and evidence to the committee and actively contribute to committee debates. Board members are expected to adopt a whole of region perspective in their activities with and on-behalf of their committee.

Across South Australia, Expressions of Interest will be sought for a total of 46 positions in RDAs. There are six (6) positions to fill in the RDAB. The application period for Expressions of Interest for RDA committees in South Australia has been extended until 23 September 2011.

Regional Development Australia Barossa (RDAB) covers the area of the four Councils in the State’s Barossa Region (Gawler, Barossa, Light and Mallala). The four Council chief executive officers nominated and were appointed to the Board on 20 November 2009 to fulfil the requirement for members with Local Government experience, two for a four year term and two for a two year term.

This arrangement has been beneficial as there has been representation from all four Councils.

RDAB has been operating for two years and the terms of two Local Government members, Stephen Kerrigan and David Morcom expire on 20 November 2011.
COUNCIL MEETING AGENDA
27 September 2011

Attachment(s)
Nil

Comments/Discussion
Regional Development Australia Barossa is a regionally based, not for profit organisation that supports regional economic development and jobs growth.

The Regional Development Australia Barossa (RDAB) offers:
- Free assistance to business (including development of business plans, marketing plans, process improvement, exporting, etc.)
- Career development and human resource planning
- Skills training access
- Workforce planning and development
- Advocacy and business case development for regional infrastructure and investment
- Community consultation and facilitation

RDAB is a partnership between the Australian, South Australian and local government (Town of Gawler, District Council of Mallala, The Barossa Council and Light Regional Council) to develop and strengthen the Barossa regional community. These three levels of government have invested in RDAB to deliver economic development services in the Barossa region.

The call for Expressions of Interest has been widely advertised. The RDA website provides information on the process to fill the vacancies on RDA’s. Refer www.rda.gov.au

Stephen Kerrigan has indicated his interest in continuing on the Board and has submitted his expression of interest. There may be other members of the public that have lodged an expression of interest with experience in Local Government.

The Local Government Association of SA (LGA) will be coordinating the 2011 round of Local Government appointments to the RDA Boards and seek Council’s views on supporting nominees.

Communication
Nil

Consultation
Nil

Policy Implications
Nil

Statutory Requirements
Associations Incorporations Act
The Chief Executive Officer will declare his interest at the meeting as he is a nominee.

Financial/Budget Implications
There are some costs incurred for the Chief Executive Officer to attend RDAB meetings.

Strategic Implications
Outcome 2.1: Invest in planning related to growth
Outcome 2.2: Services and facilities that meet community needs
Outcome 3.3: A resilient community
Outcome 4.1: Innovative urban planning
Outcome 5.2 : Creating a future
Outcome 5.3 : Responsible government
Outcome 5.4 : Good administration

OFFICER’S RECOMMENDATION

Item 12.5 – Regional Development Australia Barossa – Board Nominations (CC10/168)

That Council support the nomination of the Chief Executive Officer as a Local Government appointee to the Board of Regional Development Australia Barossa.
Item Number 12.6
Title ORGANISATION RESTRUCTURE
Date 27 September 2011
Author(s) Alec Shaw – Director Asset Services
Reference CC10/2599
Previous Reference/ Motion NIL

Background

Since taking up the position in November 2010 as Director of Asset Services it has been identified that this Division, although adequately resourced, had disproportional management and expertise across its structure. There is also the recognition that the expectations and requirements of this Division’s delivery of future services for Council needed to be addressed in order to meet these demands and changing legislative requirements. Additionally, it has been identified that the base skills in this Division are inconsistent and need improvement.

In March 2011, the vacation of the position Director Development and Strategic Planning gave the opportunity to review requirements and structure in the same light as that mentioned above.

With this background information and these events, an opportunity to review the structure of these two Divisions to address not only economies but also issues of intellectual property, training, resource backup, risk management and other associated management issues presented itself.

Attachment(s)
Attachment 1 Current Staff Structure – Infrastructure & Environmental Services and Development & Strategic Planning
Attachment 2 New Staff Structure – Planning & Infrastructure Division
Attachment 3 New Staff Structure – Depot

Comments/Discussion

The structure proposed in the attachments addresses several issues, some of which are legacy and others are future planning. The legacy issues are reporting hierarchies and accountabilities that stifle personnel development and career opportunity but also make decision-making and actions somewhat cumbersome and convoluted. The current structure and culture does not provide the devolution of accountabilities and responsibilities in a proactive management ethos nor does it facilitate total team involvement. These are contrary to contemporary management practices and in a medium size Council is not the cultural model that facilitates the development of an operation to be accountable and continuously improve toward being a best practice entity. In the future the containment of resource numbers and costs rely heavily on the empowerment and intellectual property in the organisation and the ease of accessibility and collaboration of this resource.

The future demands on this organisation are going to be continually changing as the demographic of the community sees rapid change as will the economy, environmental and the political influences. The Council has been proactive in its appointment of funding to address the environmental issues and this has been taken into account. The position of environmental officer will not rest with one entity and there will be partial accountability across two positions to ensure practical, local knowledge retention and effective inroads into sound practices on a sustainable basis.
There is also legislated and moral demands that may face the organisation in regard to Occupational Health and Safety and a new structure will go a long way to establishing a cultural, entrenched framework to manage the safety aspects.

The structure proposed is grounded in a deliberate attempt to put in an accountable structure that services not only the requirements of authorities and delegations but also the support of key Occupation Health and Safety systems and procedures, environmental and strategic planning, career advancement, succession planning, accountability, morale, staff retention and best practice. It will also provide a structure that supports the current lack of resource backup in strategic areas not only on a day-to-day basis but during annual and extended leave. One of the outcomes of the structure, once established, is to also provide backup and support to other Divisions in Council in strategic areas such as Executive support.

This restructure will also afford the opportunity to review our activities and tasks in order to align the expertise and accountabilities of the Division. It has been identified that for a myriad of reasons, tasks across the whole organisation have been inappropriately allocated and are not being attended to by the section with that responsibility. This masks the costs and resource requirements as these tasks are not readily identifiable and their impact on resources not realised. It also means that the matching of the primary resource to the task is also inefficient. This has served to frustrate processes and affect service deliveries.

The key changes to the structure are as follows:

1. The establishment of an office administration support that will service all the sections within the combined Division providing uniformity and consistency in reporting and output. This will also provide the organisation with executive support.

2. The change of management structure at the depot will facilitate a robust compliance, Occupational Health and Safety and proactive works programming ethos that will not only ensure compliance, efficiencies and economies but also fulfil our obligations of safety to our employees and quality outcomes.

3. The establishment of positions of Principal Environment & Facilities Officer and Technical & Environment Officer will provide expertise and resources to review all functionalities of the Division, particularly external works, addressing policy standards and procedures pertaining to efficiencies and service levels.

4. The change of management structure in the planning department from Director Development and Strategic Planning to Senior Manager Planning.

5. The revitalisation of the planning section facilitating not only a change in motivation but also the review of policy and strategy to meet the demands and expectations of present and future.
It is proposed that portion of the identified savings be utilised as there are significant investments in systems and staff intellect that have been remiss for years that need to be addressed urgently. This is needed to provide ongoing long term operational cost savings that do not detract from service delivery and support future demands to a certain degree. One example, when the investments are made is it facilitates the ability to absorb staff reductions through natural attrition where practicable. The balance of identified savings could be returned to Council as a budget efficiency in this financial year.

Communication
There is no perceived impact on the community or public relations. Internal communication has been addressed through the consultation process.

Consultation
Consultation with the key employees in regard to the new structure has been undertaken and accepted. There will be no progress on this restructure until this consultation is complete.

Executive has been consulted. CEO has been consulted and endorses the restructure.

Policy Implications
Nil

Statutory Requirements
Section 99 (2) Local Government Act 1999 – requires the Chief Executive Officer to consult with Council when changing to a significant degree the staff organisation structure.

Financial/Budget Implications
The proposed structure is cost neutral on implementation. However, the potential to reduce costs through the ability to cover a reasonable amount of natural attrition and the identification of efficiencies through service levels, standards, processes and practices will be taken into account in future budget strategies.
Strategic Implications
Outcome 2.3 : A local government that is financially viable
Outcome 4.1 : Innovative urban planning
Outcome 4.3 : Sustainable asset management
Outcome 4.4 : A better environment
Outcome 5.1 : Sustainable financial management
Outcome 5.4 : Good administration

OFFICER’S RECOMMENDATION

Item 12.6 – Organisation Restructure (CC10/2599)

That:
1. The Organisation Restructure Report be received;
2. Council note the planned changes to the staff structure in the Infrastructure & Environmental Services Department (Asset Services and Planning) and the renaming to Planning and Infrastructure Division (PID)
Gawler Depot Structure
Item Number 13.1
Title MARGARET STREET WALKWAY CLOSURE
Date 27 September 2011
Author(s) Engineer Technical Services (Wasantha Kaludewa)
File CC11/328
Previous Reference/ Motion Council Meeting, 25/05/2010 Motion No. 2010:05:112
Council Meeting, 22/02/2011 Motion No. IES: 2011:02:061
Council Meeting, 23/08/2011 Motion No. 2011:08:242

Background

At its 25 May 2010 meeting, Council received a petition from Mr Jeff Brook on behalf of residents within the Margaret Street walkway. The petition had 35 signatures. At its meeting of the same date Council moved and carried the following motion;

Motion No. 2010:05:112
“That:
1. The Petition regarding Margaret Street, Evanston be received.
2. Staff prepare a report for Infrastructure and Environmental Services Portfolio Committee providing closure treatment options and costings”

At its 22 February 2011 meeting, Council endorsed the recommendations from the Environment & Infrastructure Services Committee meeting held on Tuesday 8 February 2011 being:

Motion No. IES: 2011:02:061
“That Infrastructure & Environmental Services recommend to Council that Council commence the closure process of Margaret Street walkway for access by the public and residents be notified of Council’s decision.”

At its meeting on 23 August 2011 the following motion was moved by Cr S Fraser and seconded by Cr D Fraser.

That
1. The Margaret Street Walkway Closure report be received
2. The portion of the public road (Margaret Street) generally situated from the cul-de-sac on Margaret Street and extending southerly to Hillier Road in Evanston and more particularly delineated and lettered “A” in the Preliminary Plan No. 11/0024 be declared as closed and retained by Council for public purposes
3. Council makes Road Process Order for the closure of Margaret Street Walkway
4. That Council authorise the Mayor and Chief Executive to sign and apply the common seal of Council to all relevant documents pertaining to the Margaret Street Walkway under the Roads (Opening and Closing) Act 1991.

This motion is still to be voted upon as the following Formal Motion was carried.

Motion No. 2011:08:242
That the matter be deferred to the September Council meeting
Elected Members requested clarification as to response to the Public Consultation undertaken.

There were no submissions received from the public under the public consultation period. Members’ attention is drawn to Attachment 3 being the letter received from TASLO Land Consultant indicating that the only submission to be received during the consultation period was from SA Water, refer Attachment 4.

This report provides an update of the progress of Road Closure and recommendations to complete the process.

**Attachment(s)**
Attachment-1: Location Map
Attachment-2: A copy of Preliminary plan and statement sheets for the road closure.
Attachment-3: Copy of letter from TASLO
Attachment-4 A copy of the submission received from SA Water.

**Comments/Discussion**
As per Council’s resolution the road closure is in progress. The road closure process requires public notification. This has been undertaken in line with legislative requirements. In response to the public notification of the proposed closure, only one submission has been received from SA Water indicating that they have no objections to the proposal.

It is intended initially for the laneway to be retained by Council for public purpose after the closure as it provides an infrastructure corridor for power (ETSA Utilities) and Council’s underground stormwater system. The laneway will be fenced with gates at the ends to provide access to service providers and for maintenance.

**Communication**
The community and affected parties were informed of the proposed walkway closure by a newspaper advertisement appearing in Bunyip on 8 June 2011, a notice in SA Gazette on 9 June 2011 and letters to residents in Margaret Street and abutting properties. The public utilities and authorities have been informed by the Surveyor Generals’ Office.

**Consultation**
Consultation with the community has occurred in line with Council’s consultation policy. Also, the road closing process includes an intensive consultation phase, involving the public and a wide range of service agencies.

**Policy Implications**
Nil

**Statutory Requirements**
Roads (Opening and Closing) Act 1991

**Financial/Budget Implications**
A total of $2,855 has been committed to bring the process to this point. The final cost to complete the road closure process and physically erect the fencing will be a total cost of $6,725. The cost associated with the Road Closing process is $4,980 and $1,545 to erect the fence.

**Strategic Implications**
Outcome 3.2 – Safe Community
OFFICER’S RECOMMENDATION

Item 13.1 – Margaret Street Walkway Closure (CC11/328)

That

5. The Margaret Street Walkway Closure report be received

6. The portion of the public road (Margaret Street) generally situated from the cul-de-sac on Margaret Street and extending southerly to Hillier Road in Evanston and more particularly delineated and lettered “A” in the Preliminary Plan No. 11/0024 be declared as closed and retained by Council for public purposes

7. Council makes Road Process Order for the closure of Margaret Street Walkway

8. That Council authorise the Mayor and Chief Executive to sign and apply the common seal of Council to all relevant documents in order to execute the documents pertaining to the Margaret Street Walkway under the Roads (Opening and Closing) Act 1991.
6th July 2011

TOWN OF GAWLER
PO Box 130
GAWLER SA 5118

ATTENTION: Mr Wasantha Kaludewa

Dear Wasantha

RE: ROAD CLOSING, Portion of Margaret Street, EVANSTON Prelim Plan 11/0024

As the statutory objection period has expired, with representations being received by the Surveyor-General were from SA Water with no requirements.

The Road Process Order (in duplicate) has been prepared and forwarded with the Application for Title.

Copies of the final plan will be forwarded as soon as they are available from Mattsson & Martyn.

The Application for Title needs to be completed, with the signing by the CEO and insert a value for stamp duty purposes. (no stamp duty is payable on this application, but will still be assessed).

A Certified copy of the Minutes of the Meeting at which Council resolves to makes the Road Process Orders will be required, together with any correspondence dealing with any representations.

Would you please arrange for the documents and the plan (when supplied), to be signed and returned to me at your earliest convenience, to allow me to undertake the lodgment of all documentation and plans with the Surveyor-General (Roads Group) for approval by the Minister for Administration Services.

Should you require any further assistance, please contact me.

Yours faithfully
TASLO Land Consultant

Trevor Arnold
Manager

35 years experience in the Land Titles Office & 15 years Administering the Roads Act
20/06/2011

Our Ref: 11/04642

CITY OF UNLEY
PO BOX 1
UNLEY SA 5061

Attention: Wasantha Kaludewa

Dear Wasantha,

PROPOSED ROAD CLOSURE: MARGARET STREET, EVANSTON PP 11/0024.

I refer to the above mentioned road process application published in the Government Gazette on the 9th of June 2011 and wish to advise that SA Water has no mains affected and therefore does not object to the council’s proposal.

The Surveyor-General will be advised accordingly.

Please notify SA Water in due course on the whether the proposed road closing will or will not proceed.

Yours Faithfully,

JEFF HART
PROPERTY SERVICES MANAGER

Esquires: Chris Kalatzis
Telephone: 7424 1427
Facsimile: 7003 1427
Email: chris.kalatzis@awater.com.au
Item Number 13.2
Title PUBLIC & ENVIRONMENTAL HEALTH ACT ANNUAL REPORT 2010/11
Date 27 September 2011
Author(s) Environmental Health Officer (Melinda Coleshill)
File CC10/2299
Previous Reference/ Motion Council Meeting 28/9/2010 Motion No. 2010:09:299

Motions
Council Meeting 28/9/2010 Motion No. 2010:09:299
That Council adopt the Public & Environmental Health Act Annual Report 2009/2010 to be submitted to the Public and Environmental Health Council as required pursuant to Section 44 of the Public and Environmental Health Act 1987.

Background
Under Section 44 of the Public & Environmental Health Act 1987, local Councils are required to submit an annual report to the Public and Environmental Health Council outlining their activities under the Act. These reports are also further utilised to determine the recipients of the Public and Environmental Health Award ~ Council of the Year. The Town of Gawler has been short listed as a top 6 metropolitan council for three consecutive years 2004 - 2007 and received a Certificate of Excellence in recognition of excellence in the field of public and environmental health.

Attachment(s)
Attachment 1 – 2010/11 Public & Environmental Health Act Annual Report
Attachment 2 – Extract from COTA Bulletin

Comments/Discussion
The attached report provides a summary of activities undertaken by Council over the reporting period 1 July 2010 – 30 June 2011. The Environmental Health team consists of 1.2 FTE officers who have continued to deliver consistent quantity and quality of work over the past 12 months. Legislative changes have resulted in additional activities being undertaken including auditing of food safety programs for sectors serving vulnerable populations and cooling towers/warm water system registrations.

Consultation
This report has been prepared based on the work performed by the Environmental Health team and consultation with other Council departments including General Inspectorate, Community Development, Depot Staff and Immunisation Nurse.

Statutory Requirements
Council's 2010-2011 annual report (as required pursuant to Section 44 of the Public and Environmental Health (PEH) Act 1987) covering the standards of public and environmental health in the local Council area and the measures that local Council has taken under Part 3 of that Act is due to be submitted to the Public and Environmental Health Council on or before the 30 September 2011.

Financial/Budget Implications
There are no financial implications as it is a summary of core activities.
Strategic Implications
Outcome 2.2 : Services and facilities that meet community needs
Outcome 3.2 : A safe community
Outcome 5.4 : Good administration

OFFICER’S RECOMMENDATION

Item 13.2 – Public & Environmental Health Act Annual Report 2010/11 (CC10/2299)

That Council adopt the 2010/11 Public & Environmental Health Act Annual Report to be submitted to the Public and Environmental Health Council as required pursuant to Section 44 of the Public and Environmental Health Act 1987.
1 PUBLIC AND ENVIRONMENTAL HEALTH WORKFORCE

Please provide information on all individuals with current council delegated authorisation (under the Public and Environmental Health Act 1987 and Regulations) on 30 June 2011.

Notes:


Authorisation type:  Section 7 (fully authorised) – fully qualified officers.
                   Section 38 (partially authorised) – individuals currently enrolled in and undertaking an approved course of study.

Refer to the Public and Environmental Health Council policy position on qualifications:

Qualification:  Select the appropriate qualification from Appendix 1 at the rear of this form.
               For individuals with S38 authorisation, indicate the course currently being undertaken.

Average EH hours:  Indicate the average number of hours the individual spends working on environmental health related tasks and activities (including food safety, administrative, strategic and policy related tasks) for council per week.
1.1 Authorised Officer Information (enforcement, inspection & investigation)

<table>
<thead>
<tr>
<th>Authorised officer’s full name</th>
<th>Employment type (PFT, PPT, CE or CNE)</th>
<th>Authorisation type (Section 7 or Section 38)</th>
<th>Approved qualification – (refer Appendix 1) (if no approved qualification, please provide further details)</th>
<th>Environmental health experience (years/months)</th>
<th>Average EH hours worked per week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melinda Coleshill</td>
<td>PPT</td>
<td>7</td>
<td>Yes</td>
<td>18 years</td>
<td>30.4hrs</td>
</tr>
<tr>
<td>Deirdre Reiman</td>
<td>PPT</td>
<td>7</td>
<td>Yes</td>
<td>16 years</td>
<td>15.2hrs</td>
</tr>
</tbody>
</table>

1.2 Environmental Health Positions Vacant

Please provide information on all environmental health positions vacant (including authorised officers and ancillary and unauthorised environmental health worker positions) on 30 June 2011.

Please provide any necessary comments, concerns and contextual information relating to the workforce information provided:

1.3 Staff Training

Detail training and development implemented during the reporting period to maintain/develop EHO and ancillary staff skills and knowledge.

Professional membership with Environmental Health Australia and active involvement with special interest groups for:
- Food Safety
- Disease Control
- Waste Control
- Supported residential facilities
- Environmental Health Australia/LGA website knowledge base for EHO’s
- South Australian Immunisation Network (SAIN) forum

Regular meetings have been attended relating to the above mentioned groups.

Open Office training for the Health Manager computer program.

Annual auditor forum

Northern regional inspector’s group meetings (NALGIG)

Tri-monthly Immunisation Providers Network (IPN)

Bi-monthly ImPs User Group meetings
Annual Country IPN meeting held at Coonawarra

Public Health Association of Australia (PHAA) 12th National Immunisation Conference Adelaide

2  PUBLIC & ENVIRONMENTAL HEALTH ACT & REGULATIONS

2.1 P&EH Act part III complaints, notices and enforcement action

<table>
<thead>
<tr>
<th>Section No.</th>
<th>Type</th>
<th>No. of complaints received</th>
<th>No. of complaints confirmed as justified</th>
<th>No. of notices issued</th>
<th>No. of notices revoked.</th>
<th>No. of notices appealed by recipient</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Prevention of insanitary condition on premises</td>
<td>42</td>
<td>38</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>17</td>
<td>Control of offensive activities</td>
<td>8</td>
<td>8</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>18</td>
<td>Discharge of wastes</td>
<td>1</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>19</td>
<td>Private thoroughfare</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>20</td>
<td>Provision of adequate sanitation</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>21</td>
<td>Pollution of water</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>22</td>
<td>Closure of sources of water</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section No.</th>
<th>Type</th>
<th>No. of notices complied with by the specified date/time</th>
<th>No. of notices not complied with by the specified date/time</th>
<th>No. of expiations issued</th>
<th>No. of notices where the requirements were carried out by council</th>
<th>No. of prosecutions instigated</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Prevention of insanitary condition on premises</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>16</td>
<td>Offence in relation to insanitary conditions</td>
<td>N/A</td>
<td>N/A</td>
<td>-</td>
<td>N/A</td>
<td>-</td>
</tr>
<tr>
<td>17</td>
<td>Control of offensive activities</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>18</td>
<td>Discharge of wastes</td>
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<td>-</td>
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<tr>
<td>20</td>
<td>Provision of adequate sanitation</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>21</td>
<td>Pollution of water</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>22</td>
<td>Closure of sources of water</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Complete details of observations and measures taken under Part III of the P&EH Act (protection of public health relating to sanitation, drainage and protection of water supplies.)
2.2 Monitoring and management of Insanitary Conditions (s15)

2.2.1 Please briefly describe the causes of the insanitary conditions reported. The main causes include the accumulation of rubbish or other materials that had the potential to harbour vermin, also sightings of rats and mice in residential properties. Council received many calls from residents regarding failing waste control systems (septic tanks), many of which were rented properties. Reluctance of complainant to give property address making it impossible to take further action.

2.2.2 Please briefly describe the extent and nature of the public health risks created as a result of the insanitary conditions reported.

Public health risk from the insanitary conditions reported include potential for disease due to vermin, accumulation of refuse, waste and pet excrement. EHO’s work closely with the General Inspectors to resolve complaints associated with excessive undergrowth (flammable notices) and unsightly premises.

2.3 Control of Offensive Activities (s17)

2.3.1 Please briefly describe the offensive activities reported.

Smoke from woodheaters poses a major concern to many residents and Council received a number of complaints every year about them. As woodheaters are not illegal, it is impossible for Council to resolve complaints relating to odour/smoke as it has been found that even when the woodheater is used correctly with the correct fuel, flue and regular maintenance, smoke and odour are still present. Those who suffer from respiratory illness are mostly affected and there have been many cases that have been unresolvable with mediation, however by the time mediation is suggested there is usually ill feelings on both sides.

2.4 Action on default (s23)

<table>
<thead>
<tr>
<th>Notice type (s15, 17, 18, 19, 20 or 21)</th>
<th>Brief description of actions carried out</th>
<th>Type of premises or location where action was taken (private owner occupied, private rental, public housing or other/provide details)</th>
<th>Costs ($ recovered or to be recovered)</th>
<th>Method of cost recovery (23(4) from the person or 23(5) charge against the land)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public &amp; Environmental Health Act, Section 23 – Action on default</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Any additional comments:
2.5 Public and Environmental Health (General) Regulations 2006

Complete details of findings, actions and measures taken under the Public and Environmental Health (General) Regulations 2006

2.5.1 Routine inspections of public pools and spas to confirm compliance with the regulations and to minimise the incidence of water borne illness.

<table>
<thead>
<tr>
<th>Type of public pool</th>
<th>No. of known pools in council area</th>
<th>No. of pools inspected at least once for compliance</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swimming pool</td>
<td>9</td>
<td>9</td>
<td>12 inspections were undertaken of indoor pools and 10 inspections of outdoor pools</td>
</tr>
<tr>
<td>Spa pool</td>
<td>1</td>
<td>1</td>
<td>3 inspections were undertaken</td>
</tr>
<tr>
<td>Hydrotherapy pool</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Waterslide</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>10</td>
<td>10</td>
<td></td>
</tr>
</tbody>
</table>

Any additional comments:

2.5.2 Compliance inspection and complaint/disease investigation findings.

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Type</th>
<th>No. of complaints received</th>
<th>No. of pools where non compliance was identified</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Public swimming pools</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6(1) a,b,&amp;e</td>
<td>Pool disinfection</td>
<td>-</td>
<td>1</td>
<td>Combined chlorine high, only backwashing 1/month so increased frequency of backwash to remove fats etc from water &amp; keep filters operating effectively.</td>
</tr>
<tr>
<td>6(1)c</td>
<td>Pool pH control</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6(1)d</td>
<td>Pool alkalinity</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6(1)f(i)</td>
<td>Pool filtration, turnover &amp; clarity</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6(1)f(ii)</td>
<td>Automatic analysis &amp; control</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6(2)&amp;(3)</td>
<td>Monitoring, testing &amp; record keeping</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6(4)</td>
<td>Pool closure</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Public spa pools</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7(1) a,b,&amp;e</td>
<td>Spa disinfection</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>7(1)c</td>
<td>Spa pH control</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>7(1)d</td>
<td>Spa alkalinity</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>7(1)f,g(i)</td>
<td>Spa surface skimming, filtration, turnover &amp; clarity</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>7(1)g(ii)</td>
<td>Automatic analysis &amp; control</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>7(2)&amp;(3)</td>
<td>Monitoring, testing &amp; record keeping</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>
2.5.3 Control of refuse (regulation 4).

<table>
<thead>
<tr>
<th>Section No.</th>
<th>Type</th>
<th>No. of complaints received</th>
<th>No. of complaints confirmed as justified</th>
<th>No. of prosecutions instigated</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Provisions relating to the control of refuse</td>
<td>3</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

2.5.4 Any additional comments:

2.6 Public and Environmental Health (Waste Control) Regulations 1995

Complete details of findings, actions and measures taken under the Public and Environmental Health (Waste Control) Regulations 1995

2.6.1 Waste control applications.

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Type</th>
<th>Applications received</th>
<th>Applications approved</th>
<th>Applications refused</th>
<th>Applications pending processing</th>
</tr>
</thead>
</table>

Applications for installation or alteration

| 7        | No. of applications | 9                  | 8                  | 1                  | -                     |

Comments:

2.6.2 Waste control inspections.

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Type</th>
<th>No. of installation inspections conducted (Reg 17)</th>
<th>No. of enforcement conducted (Reg 18)</th>
<th>administration/inspections</th>
</tr>
</thead>
</table>

Inspections

| 17 & 18 | Inspections | 15                  | 42                      |

Comments:
2.6.3 Waste control maintenance orders.

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Type</th>
<th>No. of orders issued</th>
<th>No. of orders complied with by specified date/time.</th>
<th>No. of orders not complied with by specified date/time.</th>
<th>No. of orders where requirements were carried out by council and costs recovered.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Maintenance orders</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Comments:

2.6.4 Waste control complaints, expiations and prosecutions.

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Type</th>
<th>No. of complaints received</th>
<th>No. of expiations issued</th>
<th>No. of prosecutions instigated</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Unapproved installation or alteration</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>8</td>
<td>Unapproved disposal or use of waste</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>11</td>
<td>Unapproved use of system</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>17</td>
<td>Mandatory notification failure</td>
<td>N/A</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>18</td>
<td>Obstructing an officer or ignoring an instruction</td>
<td>N/A</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>19</td>
<td>Failure to comply with a maintenance order</td>
<td>N/A</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>23(1)</td>
<td>Use of a system in contravention or non compliance with a prescribed code</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>23(2)</td>
<td>Failure to maintain a system in good order and condition.</td>
<td>37</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>24</td>
<td>Failure to comply with a notice to connect to a STED or disconnect or cease to use a system</td>
<td>N/A</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Comments:
Council has been entering data onto the Health Manager program over the past reporting period providing a database of systems installed and known to council together with quarterly maintenance reports. This information will enable officers to effectively manage this area and have insight into systems that are not being regularly serviced.

2.6.5 Any additional comments:
2.7 Public and Environmental Health (Legionella) Regulations 2008

Complete details of findings, actions and measures taken under the Public and Environmental Health (Legionella) Regulations 2008

2.7.1 Monitoring of high risk manufactured water systems to confirm compliance with the regulations and to minimise the incidence of legionellosis.

<table>
<thead>
<tr>
<th>Type of registered system</th>
<th>No. of systems on council’s register</th>
<th>No. of systems inspected at least once for compliance by an authorised officer, Reg. 15(1)</th>
<th>No. of systems inspected at least once for compliance by an independent competent person, Reg. 15(2)</th>
<th>No. of follow-up inspections by an authorised officer due to non compliance issues</th>
<th>No. of additional inspections due to complaints and disease investigations</th>
<th>Total no. of inspections conducted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooling water system*</td>
<td>4</td>
<td>4</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>4</td>
</tr>
<tr>
<td>Warm water system</td>
<td>6</td>
<td>6</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10</strong></td>
<td><strong>10</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>10</strong></td>
</tr>
</tbody>
</table>

* A cooling water system may include an individual cooling tower, or a number of inter-connected cooling towers that utilise the same recirculating water.

Comments:

2.7.2 Compliance and expiation summary.

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Type</th>
<th>No. of systems where non compliance was identified</th>
<th>No. of expiations issued</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Unregistered system</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6(4)</td>
<td>Notification of change to registration particulars.</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6(5)</td>
<td>Notification of permanent decommissioning or removal</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Automatic biocide dosing device</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Drift eliminators</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Commissioning</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>10(1)</td>
<td>System plans</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>10(3)</td>
<td>Operation and maintenance manuals</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Operation and maintenance by a competent person</td>
<td>-</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Maintenance of cooling water system</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Maintenance of warm water systems</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Log books</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Reporting of notifiable results within 24 hours</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>False or misleading statement</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

**Totals**

Comments:
### 2.7.3 Notices issued and enforcement action.

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Notice type</th>
<th>No. of notices issued</th>
<th>No. of notices complied with by specified date/time</th>
<th>No. of notices not complied with by specified date/time</th>
<th>No. of expiations/prosecution for failing to comply with notice</th>
<th>No. of notices where requirements were carried out by council and costs recovered</th>
</tr>
</thead>
<tbody>
<tr>
<td>15(2)</td>
<td>Independent inspection</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>16</td>
<td>Requirement for microbiological testing</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>18</td>
<td>Require specified information</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>19</td>
<td>Immediate decontamination</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>20</td>
<td>Shut down or maintenance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Comments:**

Council is in the process of conducting site visits of sites that have been previously identified as likely to have cooling water or warm water systems to verify the type of systems present. Information has been sent to all schools, child care centres, pre schools, supermarkets, hotels, aged care facilities and industry to determine where cooling towers and/or warm water systems may be located.

### 2.7.4 Any additional comments:

#### 3 PRIORITY OF PUBLIC & ENVIROMENTAL HEALTH ISSUES

**3.1 List the significant environmental health issues currently facing the local community and detail what is being done to address them**

Notification of food premises, standards for food hygiene, education of food handlers – Authorised officers have been educating and informing food businesses and handlers of their legal obligations and this has involved providing educational material, discussion and written advice. Council has an enforcement policy which is yet to be adopted, however is being followed with the view of taking a consistent approach to enforcement action resulting in written warnings and improvement notices.

Skills & knowledge of food handlers – complaints from residents regarding concerns of how food has been handled in a café or supermarket, specifically lack of hand washing and/or incorrect use of gloves. Council has subscribed to the I’m Alert interactive online food handler training package and this has been very successfully received over the past 6 months. The program was implemented in March 2011 and launched with a mail-out and inclusion in the Mayor’s column in the local paper. In June 2011, there had been 160 successful applicants and 41 for the month of June.

Food related illness and vulnerable populations – Council audits food safety programs within the Town of Gawler and in adjoining Council areas with over 60 audits conducted during the past reporting period.

Seasonal influenza and immunisation – Council provides and promotes an immunisation service which is accessible and mobile if necessary, servicing schools and the general public.
3.2 Prioritisation process

3.2.1 How was council made aware of these priority issues?
- Investigation and research resulting from complaints.
- Development assessment process.
- Community and business consultation through the development of the strategic plan.
- Emails, Public Health Alerts issued by SA Health and correspondence from the Department of Health.

3.2.2 How were these issues prioritised?
Immediate risk to public health and wellbeing
In accordance with Annual work plan, inspection schedules (determined on a priority risk classification) and Councils’ Strategic Plan

3.3 Detail any programs specifically aimed at dealing with public health issues related to vulnerable and susceptible groups in your community (eg aboriginal, migrants, and the elderly).

- Partnerships with State and local agencies (SA Housing Trust, Department of Health, EPA)
- I'm Alert online food handler training package promoted and available through the Council website FREE to all food handlers
- Northern Area Aging Taskforce
- Home and Community Care (HACC) programs

Food handler information and training
Auditing service to business within Council area and surrounding areas with a food safety program (aged care & child care)
Provision of home transport scheme
Gawler Steps2 Shop Program expanded
Project underway to develop agreed communication methods between Council & culturally and Linguistically diverse peoples, including ways to strengthen relationship and communication with the Aboriginal and Torres Strait Islander people "Keeping Connected" forum, a partnership initiative between Council and the Council on the Aging
Harmony Day
Gawler Home Assist consumer group
Mobile Library service to elderly
Disability access review group
Fabulous over 50's forum – environmental health segment delivered and very well received.
4 DISEASE CONTROL

4.1 Immunisation programs

*Please provide details on the number of clinics conducted during the reporting period*

<table>
<thead>
<tr>
<th>Clinic Type</th>
<th>Number of Clinics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Council Operated Public Clinics</td>
<td>36</td>
</tr>
<tr>
<td>Number of School Clinics</td>
<td>14</td>
</tr>
<tr>
<td>Number of Internal (Council Staff) Influenza Clinics</td>
<td>6</td>
</tr>
<tr>
<td>Number of External Influenza Workplace Clinics</td>
<td>30</td>
</tr>
<tr>
<td>Number of Other Workplace Clinics</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>89</strong></td>
</tr>
</tbody>
</table>

4.1.1 Any additional comments:

The Immunisation nurse attends each of the schools in the Council area at least 3 times a year incorporating at least 2 doses of vaccine each visit for Year 8 and one visit for Year 9. For 2010/2011 the current Year 8 School based Program incorporated the Hepatitis B (2 Adult doses), Varicella (Chicken Pox 1 dose) and Gardasil (HPV) 3 doses. For the Year 9 program, Boostrix (Tetanus, diphtheria and Whooping cough) vaccine were administered. The final visit for 2010 was conducted in Terms 4 and for the 2011 section of the financial year vaccinations occurred in Term 1 and Term 3. The final visits for 2011 will occur in Term 4 in the 2011/2012 financial year. The Immunisation Service contracted services to the Light Regional Council to undertake the School based Immunisation Program for Kapunda High and Xavier College Year 8 & 9 students during the 2011 year.

4.2 Notifiable Disease Follow Up

*Provide details of actions resulting from notifiable disease notifications received from CDCB*

A number of cases of campylobacter were reported to Council from the CDCB which required follow-up. The cases were notified by phone and advised that they had tested positive for a notifiable disease and the exclusion periods to comply with. Cases reported to council are either commercial food handlers or persons who work with vulnerable persons such as child care or aged care sector.
4.3 Monitoring of Hairdressing, Beauty & Skin Penetration businesses

<table>
<thead>
<tr>
<th>Type of Facility</th>
<th>Number in area</th>
<th>No. of facilities inspected at least once for compliance with the relevant guideline(s.)</th>
<th>Number of complaints</th>
<th>Inspections related to complaints and disease investigations</th>
<th>Total number of inspections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tattoo Parlours &amp; Body Piercing</td>
<td>2</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Hairdressing &amp; Beauty Salons (including those that undertake skin penetration)</td>
<td>25</td>
<td>14</td>
<td>-</td>
<td>-</td>
<td>14</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>27</td>
<td>16</td>
<td>-</td>
<td>-</td>
<td>16</td>
</tr>
</tbody>
</table>

4.3.1 Please provide an overview of the nature and type of complaints received:

4.3.2 Any additional comments:

4.4 Control of Vectors and Pests (provide details on level of activity, control measures, number/regularity of complaints, education programs etc)

<table>
<thead>
<tr>
<th>Vector or Pest</th>
<th>Control Program (Y/N)</th>
<th>Briefly Describe Control Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosquitoes</td>
<td>Yes</td>
<td>Depot staff monitor council reserves, property and stormwater sumps.</td>
</tr>
<tr>
<td>Rodents</td>
<td>Yes</td>
<td>Provide information to residents regarding control.</td>
</tr>
<tr>
<td>Head Lice</td>
<td>Yes</td>
<td>Provide resources and information sessions to schools as required.</td>
</tr>
<tr>
<td>Flies</td>
<td>Yes</td>
<td>Inspection and action taken as necessary.</td>
</tr>
<tr>
<td>Pigeons</td>
<td>Yes</td>
<td>Feral pigeon control program operated by Council.</td>
</tr>
<tr>
<td>Scabies</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Cockroaches</td>
<td>Yes</td>
<td>Inspection and action taken as necessary.</td>
</tr>
<tr>
<td>Bees</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>European Wasps</td>
<td>Yes</td>
<td>Removed from residential and council property as required.</td>
</tr>
<tr>
<td>Other (please describe below)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.4.1 Any additional comments:
5 PUBLIC & ENVIRONMENTAL HEALTH PLANNING

5.1 Does council have a current Public & Environmental Health Management Plan or Strategic/Corporate Plan that strategically forward plans its environmental health activities?

Yes – specific public and environmental health plan
Yes – suitably addressed by corporate/business plan
No – No current strategic P&EH planning

Yes

IF NO

Does Council expect to produce one within the next 2 years?

YES / NO / UNDECIDED

IF YES

Date commenced 24/8/2010
Expiration date 2018

If the plan is published on the internet, please provide a link to the plan below:

If it is not published on the internet, please attach a copy of the current plan or relevant section of corporate/business plan when you submit this report

5.2 Please provide details on any other council plans relevant to the effective ongoing provision of environmental health services, protection of public health and prevention of environmentally mediated disease (e.g. pandemic flu, emergency management, business continuity, animal management plans etc.):


Emergency Management Plan – Reviewed November 2010
Funding was gained through the ‘Working Together to Manage Emergencies’ program – Emergency Management Australia Commonwealth Attorney General’s Department in 2007/08.

6. HEALTH EDUCATION / PROMOTION & COMMUNITY ENGAGEMENT

Include Council initiatives, activities and programs designed to promote public health issues to the community including those delivered in partnership with others. (e.g. training sessions, workshops, radio interviews, presentations/education sessions to schools/community groups, educational materials produced, newsletter articles, studies or trials). Provide details of consultation and community engagement, the variety of communication tools used (e.g. local newspaper/radio, Council pamphlets, shopping centre displays) and how projects are evaluated.

Numerous food safety presentations were conducted for school groups
Safe food handling for clubs was the theme for the May Fabulous Over 50’s Club Forum in the Town of Gawler, with an informative and interactive presentation delivered outlining the key issues surrounding food safety.

Council purchased and launched I’m Alert online food handler training program to all business within the Council area, with an emphasis on the temporary/community organisation. A mail out was conducted, together with an article in the local newspaper. At the end of June, there had been 160 successful training sessions, with 41 for the month of June 2011. The feedback surrounding this program has been extremely positive.

Surveillance of temporary food stalls increased over the past 12 months as Council put an emphasis on food safety and notification education to this sector. Council undertook 194 inspections of temporary stalls, markets and events. The areas of concern have been lack of hand washing facilities, temperature control of potentially hazardous foods and notification requirements.

The Council website has been updated over the past 12 months.

7. PUBLIC HEALTH RELATED ENVIRONMENTAL MANAGEMENT

Provide details of activities designed to reduce and prevent exposure of individuals to health hazards. May include number/types of complaints received, issues dealt with, concerns, inventories held etc.

7.1 Monitoring to ensure safe Potable Water (eg. rainwater tanks, bores)
Information provided to residents regarding rainwater tank maintenance and safety.

7.2 Monitoring of Contaminated Land
Part of the Development Assessment process. Council has been working with the EPA concerning a contaminated site in the area, and has been monitoring a number of land fill sites in conjunction with the EPA.

7.3 Monitoring and Control of Hazardous Substances (eg. asbestos, medical waste)
Information provided to residents regarding asbestos, together with contact details for the Department for Administrative & Information Services, Workplace Services (Mineral Fibres Branch).

7.4 Noise Complaint Investigations
Council does not administer the Environment Protection Act, therefore any noise complaints are either referred to the police or EPA. Noise complaints relating to development or home based activities which come under the Development Act (starting of a truck at 3am in the morning) are investigated by Council

7.5 Other
Council has been conducting safety barrier pool inspections of private swimming pools over the past 12 months. Approximately 400 inspections have been undertaken of an estimated 800 pools in the area. Aerial photographs have been used to determine the location of pools. The planning compliance officer has been working with Environmental Health Officers when instances of pool neglect and mosquito breeding are found.
8. OTHER

Please provide details of any other public & environmental health issues encountered by Council. (eg. complex investigations, participation in major events and festivals, strategic planning and implementation programs etc)

Council has undertaken to implement and utilise a software system to enable a more efficient approach to managing Environmental Health activities including complaints, food inspections and waste control systems. The aim is to capture and document the activities of the section to compliment existing council systems. Open Office Health Manager has been implemented over the past 12 months and officer’s are now populating the system.

Council is moving to replace paper based systems with the implementation of TRIM and budget approval granted for remote access via laptop or notepad for officers.

Date this report was / is to be presented to Council

This report is to be submitted by 30th September 2011 in soft copy emailed to:

Public&EnvironmentalHealthCouncil@health.sa.gov.au

Please note that hard copies are no longer required to be sent to the Public and Environmental Health Council.
APPENDIX 1

SCHEDULE A

APPROVED QUALIFICATIONS FOR APPOINTMENT UNDER THE PUBLIC & ENVIRONMENTAL HEALTH ACT 1987

As delegate of the Minister for Health, pursuant to Section 6 of the Public and Environmental Health Act, 1987, I hereby approve the following qualifications for eligibility to the appointed as an authorised officer under Section 7 of the Public and Environmental Health Act, 1987:

SOUTH AUSTRALIAN QUALIFICATIONS

1. Certificate of Competency, Food and Drugs Act (issued by the Central Board of Health).
2. Diploma in Public Health Inspection and Diploma in Meat and other Food Inspection, Royal Society of Health.
3. Diploma in Public Health Inspection, Royal Society of Health and Meat Inspection Certificate, TAFE; and Food Technology subject of Health Surveying Course, TAFE.
4. Technical Certificate in Health Surveying, TAFE.
5. Standard Competency Test (1986), Regency TAFE. In addition, the person holding such qualification must also hold a qualification recognised at 22/4/86 for appointment under the Health Act and if or at 22/4/86, they held an appointment under the Health Act.
6. Associate Diploma in Health Surveying, TAFE.
7. Associate Diploma in Environmental Health, TAFE (name change only).
8. Bachelor of Applied Science (Environmental Health), Flinders University. (Renamed Bachelor of Environmental Health).
9. Graduate Diploma in Environmental Health Practice (GDEHP Flinders – Flinders University of South Australia).

QUALIFICATIONS GAINED EXTERNAL TO SOUTH AUSTRALIA

1. Diploma in Environmental Health, TAFE (Western Australia).
2. Bachelor of Applied Science (Environmental Health), Institute of Technology (Western Australia).
3. Bachelor of Applied Science (Environmental Health), University of Western Sydney, New South Wales. (This includes the same qualification from this institution under its previous titles of Hawkesbury Agricultural College, and University of Western Sydney, Hawkesbury).
4. Bachelor of Applied Science (Environmental Health), Swinburne Institute of Technology (Victoria).
6. Postgraduate Diploma in Environmental Health, Curtin University, Western Australia.
7. Master of Environmental Health (MEH Curtin – Curtin University of Technology, Western Australia).
8. Bachelor of Public Health, majoring in Environmental Health – La Trobe University, Bendigo, Victoria.
9. Bachelor of Science in Environmental Health – Griffith University, Queensland.

Dr David Simon
A/Director, Public Health
Department of Health
Government of South Australia

06/01/2011
Safe Food Handling for Clubs was the theme for the May Fabulous Over 50s Club Forum in the Town of Gawler, and although attendances were low, for those club representatives who did attend, the information proved invaluable.

Safe Food Handling Forum update

Deirdre Reiman the Environmental Health Officer gave an informative and interactive talk about the key issues surrounding Safe Food Handling.

Mayor of Gawler, Brian Sambell, opened the forum and other attendees were Matthew Werfel on behalf of Nick Champion M.P. and David Pedlar on behalf of Tony Piccolo M.P.

Jan McKay talked about the benefits of belonging to COTA SA, and gave details of the varied programs and projects also available through COTA Seniors Voice, particularly the Networking Clubs in the Community program of which Jan is one of the Project Officers.

Vesna Thon the Community Development Officer for the Town of Gawler also outlined some of the community initiatives and council projects currently happening in Gawler.

Some of the feedback from those who attended the forum included “very informative, raised awareness of food handling responsibilities”, “The forum was very well presented friendly not pressured” “Lots of details about Clubs” “Useful learning about the various topics run by COTA at other forums”. “I never knew about these forums before and how much information is available to help clubs”.

The topic for the next clubs forum to be held on Thursday 4th August is ‘Promote or Perish’ and is specifically aimed at assisting clubs to find and utilize the various marketing mediums in the community to promote their clubs, enabling them to reach more of the community and hopefully gain new interest and members.

For further information or to let us know your club would like to send some representatives to the next forum, please contact Jan McKay on 8232 0422 or jmckay@seniorsvoice.org.au

Reedbeds Community Centre
Make a note in your diary NOW!

FAMILY * FUN * FOOD * FRIENDSHIP

OPEN DAY Fête
Saturday 3 September 2011
10am—4pm 19 Fitch Road Fulham 5024
8235 1644
Email reedbeds@acecommunications.com.au

Open Day Program

There will be food and information stalls, coffee, sausage sizzle, organics, therapeutic massage plus demonstrations and a packed program of presentations by the various groups that meet at the Centre.

- Mixed Art
- Fathers’ Day Raffle
- Face Painting/Henna Tattoo
- Joy-Bell the Clown
- Martial Arts
- Adelaide Computer Club
- Margaret’s Tappers
- Quilting Queens
- Club Indi Dancers
- Laughter Therapy
- Zumba
- Over 50s Fitness
- Trading table / bric-a-brac
- Kidman Park Rotary Club
- Sausage Sizzle
- Piero Espresso
- Organic coffee & teas
- Joy Eata - Organic produce
- Tarot readings
- The Penguin Club of Australia (SA) Inc
- Confidence Building for Women
- Therapeutic Massage - Lyell & Tanya
- Jewellery - Susan Gill
- Indian Cuisine
- Ask the Handyman - “Call Ray”
- Western Carers Information Stall
- Donuts!

Supporters Services Stalls
- City of West Torrens
- Bendigo Bank, West Beach
And more to come...
Background
On the 27 March 1990, an agreement between the Town of Gawler, Readymix and Ames was registered over 4 Certificates of Titles that form part of the land under the care and control of Lend Lease. This agreement required Readymix and Ames to establish and maintain a landscape buffer between the mining operations and the surrounding residential areas.

This Land Management Agreement was formed under the now defunct ‘Planning Act 1982’ and is similar to a Land Management Agreement (LMA) that is used in today’s planning system under the Development Act 1993.

The site is obviously no longer under the operation of Readymix or Ames as a mine and is being re-developed by Lend Lease as a master planned community. The March 1990 agreement is now considered to be defunct, as the use it related too has ceased operation and will not commence in any form in the future.

Lend Lease is looking to lodge an ‘affordable housing agreement’ over the Certificate of Titles, and due to the existence of the March 1990 agreement registered over the titles, Council is nominated as a party with a vested interest in the land. This means that any agreements or depositing of plans of division will have to have Council’s consent by way of affixing the common seal. Lend Lease is requesting that the defunct agreement be rescinded in order to reduce unnecessary timeframes for them, when undertaking any actions that affect the Certificates of Titles in mention.

Attachment(s)
Attachment 1 - Location Plan
Attachment 2 - Copy of Lend Lease’s letter of request, copy of the 4 Certificates of Title, and copy of the defunct Land Management Agreement.

Comments/Discussion
An LMA was entered into between the Town of Gawler, Readymix and Ames, who operated the open cut mine within the Gawler East land now under the control of Lend Lease. This LMA was to ensure that a landscape buffer was established and maintained in order to screen and provide some separation between the mine operations and the existing Gawler East residential areas.

As the mine is no longer in operation and the Certificate of Title’s that the LMA is registered over are to be divided up for residential and other community/service/retail activities, the LMA is no longer required. The LMA needs to be rescinded in order to facilitate the process and expedite future applications. By having the LMA over the land, it necessitates an additional approval process from Council, for any activities that will affect the subject land.

In order for the LMA to be rescinded, Council must agree with the rescission by way of affixing the common seal of the Council. Delegation is therefore sought for the Mayor and Chief Executive Officer, to sign and affix Council’s common seal to any documents pertaining to the rescission of the now defunct LMA.
Communication
Nil.

Consultation
Nil.

Policy Implications
Nil.

Statutory Requirements
Development Act 1993

Financial/Budget Implications
Any costs incurred to rescind the LMA will be paid by Lend Lease

Strategic Implications
Outcome 5.4: Good Administration

OFFICER’S RECOMMENDATION

Item 13.3 – Rescission of Land Management Agreement Gawler East (DA10/1066)

That Council authorises the Mayor and Chief Executive Officer to sign and apply the common seal of Council to all relevant documents consenting to the rescission of the Land Management Agreement over Certificate of Titles CT 5941/71, CT 5934/195, CT 5921/798, CT 5954/198
5 September 2011
Tim Pride
Town of Gawler
23 High Street
Gawler SA 5118

Dear Tim,

Gawler East – Rescission of Agreement under Section 61 (2) of the Planning Act 1982

As part of the due diligence work completed over Gawler East, we undertook a complete title search which identified an old agreement with the Town of Gawler which is registered on four of the Gawler East.

We attach a copy of the affected titles are attached to this letter for your information;

- CT 5941/71
- CT 5934/195
- CT 5921/798
- CT 5954/198

This agreement was registered on the titles on the 27th of March 1990 as Document 6890473. This form of agreement would under the current Development Act be known as a Land Management Agreement. The document, a copy of which is also attached, is a legal agreement held by the Town of Gawler over both Readymix and Ames to meet certain criteria as set out in this agreement for the establishment and maintenance of a landscape buffer between the mine site and any residential housing on the Ames property.

As this agreement is no longer required, we request Council support to commence the rescission process of this agreement. Our conveyancer can draft the rescission documentation for execution by Council upon your confirmation for lodgement in the Land Title Office.

The existence of this agreement was raised by the Affordable Housing Unit as part of the process we are currently undertaking to execute the Affordable Housing Deed which will be placed on all titles under the control of Lend Lease. We intend to lodge this deed with the LTO in the next few weeks once executed by Crown Law and will require Council to consent to this process due to the existence of this old agreement.

Can you please confirm at your earliest convenience the process that needs to be undertaken to have the consent documentation to support the Affordable Housing Deed executed by the Town of Gawler. Is this covered under delegation or will this need to be presented to Council and if so, what is the next available meeting when this may be able to occur?

Should you require any further information, please contact the undersigned.

Yours Sincerely

Chantal Milton
Planning Manager – Gawler East
Lend Lease Communities
COUNCIL MEETING AGENDA
27 September 2011

Title Register Search
LANDS TITLES OFFICE, ADELAIDE
For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5941 FOLIO 71 *

COST : $0.00 (GST exempt ) PARENT TITLE : CT 5254/472
REGION : FAX 0883439799 AUTHORITY : SC 10152269
AGENT : MAW9P BOX NO : 369 DATE OF ISSUE : 25/05/2005
SEARCHED ON : 23/01/2007 AT : 16:29:08 EDITION : 2

REGISTERED PROPRIETORS IN FEE SIMPLE
----------------------------------------
ROBERT LIONEL AMES AND HEATHER DAWN AMES BOTH OF CALTON ROAD GAWLER SA
5118 AS JOINT TENANTS

DESCRIPTION OF LAND
--------------------
ALLOTMENT 1 DEPOSITED PLAN 28814
IN THE AREA NAMED GAWLER EAST
HUNDRED OF BAROSSA

EASEMENTS
--------
NIL

SCHEDULE OF ENDORSEMENTS
--------------------------
6890473 AGREEMENT UNDER PLANNING ACT, 1982 PURSUANT TO SECTION 61(2)
10198951 MORTGAGE TO ELDERS RURAL BANK LTD.

NOTATIONS
--------
DOCUMENTS AFFECTING THIS TITLE
-------------------------------
NIL

REGISTRAR-GENERAL'S NOTES
--------------------------
NIL

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

END OF TEXT.

Registrar-General

Page 1 of 2
COUNCIL MEETING AGENDA
27 September 2011

Title Register Search
LANDS TITLES OFFICE, ADELAIDE
For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5934 FOLIO 195 *

COST : $0.00 (GST exempt)  PARENT TITLE : CT 5921/797
REGION : FAX 0883439799  AUTHORITY : TG 10045651
AGENT : MANIP BOX NO : 369  DATE OF ISSUE : 19/01/2005
SEARCHED ON : 23/01/2007 AT : 16:29:50  EDITION : 1

REGISTERED PROPRIETORS IN FEE SIMPLE

LEANNE HEATHER BRUGGEMANN OF 1 UNDIVIDED 24TH PART AND HEATHER DAWN AMES
OF 21 UNDIVIDED 24TH PARTS AND BRENTON ROBERT AMES OF 1 UNDIVIDED 24TH
PART AND KAREENA DAWN PRIESTLEY OF 1 UNDIVIDED 24TH PART ALL OF "BAROSSA
Lodge" CALTON ROAD GAWLER SA 5118

DESCRIPTION OF LAND

ALLOTMENT 3 DEPOSITED PLAN 28814
IN THE AREA NAMED GAWLER EAST
HUNDRED OF BAROSSA

EASEMENTS

SUBJECT TO THE EASEMENT OVER THE LAND MARKED Q AND S (TG 9839646)

SUBJECT TO THE EASEMENT OVER THE LAND MARKED R (TG 10045651)

SUBJECT TO EASEMENTS OVER THE LAND MARKED A AND B TO THE MINISTER FOR
INFRASTRUCTURE (T 1374106 AND AQ 6434467 RESPECTIVELY)

SCHEDULE OF ENDORSEMENTS

6890473 AGREEMENT UNDER PLANNING ACT, 1982 PURSUANT TO SECTION 61(2)

NOTATIONS

DOCUMENTS AFFECTING THIS TITLE
NIL

REGISTRAR-GENERAL'S NOTES
NIL

The Registrar-General certifies that this Title Register Search displays the records
maintained in the Register Book and other notations at the time of searching.
COUNCIL MEETING AGENDA
27 September 2011

LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA

DIAGRAM FOR CERTIFICATE OF TITLE VOLUME  5934  FOLIO 195

SEARCH DATE : 23/01/2007  TIME: 16:29:50

Enlargement E3
(Not to Scale)
COUNCIL MEETING AGENDA
27 September 2011

Title Register Search
LANDS TITLES OFFICE, ADELAIDE
For a Certificate of Title issued pursuant to the Real Property Act 1888

REGISTER SEARCH OF CERTIFICATE OF TITLE  * VOLUME 5921 FOLIO 798 *

COST : $0.00 (GST exempt )  PARENT TITLE : CT 5903/358
REGION : 0803439799  AUTHORITY : TG 9839646
AGENT : MAN9P BOX NO : 369  DATE OF ISSUE : 10/08/2004
SEARCHED ON : 23/01/2007 AT : 16:30:47  EDITION : 1

REGISTERED PROPRIETORS IN FEE SIMPLE
-------------------------------------------------
LEANNE HEATHER BRUGGEMANN OF 1 UNDIVIDED 24TH PART AND HEATHER DAWN AMES
OF 21 UNDIVIDED 24TH PARTS AND BRENTON ROBERT AMES OF 1 UNDIVIDED 24TH
PART AND KAREENA DAWN PRIESTLEY OF 1 UNDIVIDED 24TH PART ALL OF "BAROSSA
LODGE" CALTON ROAD Gawler SA 5118

DESCRIPTION OF LAND
---------------------
ALLOTMENT 4 DEPOSITED PLAN 28814
IN THE AREA NAMED GAWLER EAST
HUNDRED OF BAROSSA

EASEMENTS
-------
SUBJECT TO THE EASEMENT OVER THE LAND MARKED A TO THE MINISTER FOR
INFRASTRUCTURE (T 1374106)

SUBJECT TO THE EASEMENT OVER THE LAND MARKED C TO TRANSMISSION LESSOR
CORPORATION OF 1 UNDIVIDED 2ND PART (SUBJECT TO LEASE 9061500) AND
ELECTRANET PTY. LTD. OF 1 UNDIVIDED 2ND PART (T 2370109 )

SUBJECT TO THE EASEMENT OVER THE LAND MARKED Q (TG 9839646)

SCHEDULE OF ENDORSEMENTS
--------------------------
6890473 AGREEMENT UNDER PLANNING ACT, 1982 PURSUANT TO SECTION 61(2)

NOTATIONS
--------
DOCUMENTS AFFECTING THIS TITLE
--------------------------------
NIL

REGISTRAR-GENERAL'S NOTES
--------------------------
NIL

The Registrar-General certifies that this Title Register Search displays the records
maintained in the Register Book and other notations at the time of searching.
COUNCIL MEETING AGENDA
27 September 2011

Title Register Search
LANDS TITLES OFFICE, ADELAIDE
For a Certificate of Title issued pursuant to the Real Property Act 1889

REGISTER SEARCH OF CERTIFICATE OF TITLE  * VOLUME 5954 FOLIO 198 *

COST : $18.70 (GST exempt)  PARENT TITLE : CT 5905/963
REGION : EMAIL  AUTHORITY : TG 10297076
AGENT : ALSY  BOX NO : 118  DATE OF ISSUE : 28/11/2005
SEARCHED ON : 25/05/2011 AT : 11:46:34  EDITION : 3

REGISTERED PROPRIETOR IN FEE SIMPLE
------------------------------------------
DELFIN LEASE LEASE GAWLER PTY. LTD. OF 30 THE BOND 30 HICKSON ROAD SYDNEY
NSW 2000

DESCRIPTION OF LAND
-----------------------
ALLOTMENT 2 DEPOSITED PLAN 28814
IN THE AREA NAMED GAWLER EAST
HUNDRED OF BAROSSA

EASEMENTS
--------
SUBJECT TO THE EASEMENT OVER THE LAND MARKED A TO THE MINISTER FOR
INFRASTRUCTURE (T 1374106)

SUBJECT TO THE EASEMENT OVER THE LAND MARKED C TO TRANSMISSION LESSOR
CORPORATION OF 1 UNDIVIDED 2ND PART (SUBJECT TO LEASE 9061500) AND
ELECTRANET PTY. LTD. OF 1 UNDIVIDED 2ND PART (T 2370109)

SUBJECT TO EASEMENTS OVER THE LAND MARKED Q AND R (TG 9662213 AND TG
10297076 RESPECTIVELY)

SCHEDULE OF ENDORESEMENTS
---------------------------
6890473 AGREEMENT UNDER PLANNING ACT, 1982 PURSUANT TO SECTION 61(2)

11490455 MORTGAGE TO HOLCIM (AUSTRALIA) PTY. LTD.

NOTATIONS
--------
DOCUMENTS AFFECTING THIS TITLE
---------------------------
NIL

REGISTRAR-GENERAL’S NOTES
----------------------------
PLAN FOR LEASE PURPOSES GP 288/89

END OF TEXT.

Page 1 of 3

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.
APPLICATION TO REGISTER - PLANNING ACT 1982
LAND MANAGEMENT AGREEMENT

TO: THE REGISTRAR GENERAL

THE CORPORATION OF THE TOWN OF GAWLER HEREBY APPLIES pursuant to the provisions of Section 61(5) of the Planning Act 1982 for the registration of the attached Deed dated the 14th day of March 1990

and made between THE CORPORATION OF THE TOWN OF GAWLER aforesaid as the Council of the first part and TELMA DOREEN GULEY and HEATHER DAWN AME as Executors of the Will of James Guley deceased as the Owner of the second part and CSR READYMIX PTY LTD of the third part as a Land Management Agreement pursuant to Section 61(2) of the said Act. The said Deed binds THE WHOLE OF THE LAND comprised in Certificate of Title Register Book VOLUME 4394 FOLIO 560 and operates to control the future development of the said Land.

DATED the 14th day of March 1990

THE COMMON SEAL of THE CORPORATION OF THE TOWN OF GAWLER was hereunto affixed in the presence of:

Mayor
Chief Executive Officer

The Owner HEREBY CONSENTS to the registration of the attached Land Management Deed.

SIGNED by the said HEATHER DAWN AME as Manager for the said TELMA DOREEN GULEY, in the presence of:

Thelma Doreen Guley by her Manager HEATHER DAWN AME acting by and with the authority of Order of Supreme Court registered number 677797.

Appeared before me at Adelphi the 23rd day of February 1990 the within-named Heather Dawn Ame the party executing the within instrument, being a person well known to me, and did freely and voluntarily sign the same.

A Commissioner for taking Affidavits in the Supreme Court of South Australia

R/BRN/114355.001: map: 31/01/90
COUNCIL MEETING AGENDA
27 September 2011

THIS DEED is made the 14th day of March 1970

BETWEEN:

THE CORPORATION OF THE TOWN OF GAWLER of Town Hall Murray Street Gawler South Australia 5118 (hereinafter with its successors and assigns called "the Council") of the first part

AND:

THELMA DOREEN GULEY of Gawler 5118 formerly Grazier but now Widow and HEATHER DAWN AMBS (as Executrix of the Will of James Guley deceased) of Calton Road Gawler South Australia 5118 Company Director (hereinafter with their respective successors and personal representatives together called "the Owner") of the second part

AND:

CSR READYMIX PTY LTD of 255 Port Road Hindmarsh South Australia 5007 (hereinafter with its successors and assigns called "Readymix") of the third part

WHEREAS:

A. The Owner is the proprietor of an estate in fee simple in the whole of the land comprised in Certificate of Title Register Book VOLUME 4349 FOLIO 560 (hereinafter called "the Land");

B. Readymix is the proprietor of a leasehold estate in respect of part of the Land;

C. By a Development Application numbered 490/D045/89 (hereinafter called "the Application") the Owner sought planning authorisation pursuant to the provisions of the Planning Act 1982 from the Council to develop the Land by subdividing the same into four (4) allotments (hereinafter called "the proposed Development");

D. The Owner and Readymix have agreed to enter into this Deed relating to the development of the Land subject to the terms and conditions hereinafter mentioned.

NOW THIS DEED WITNESSETH as follows:

1. Interpretation

1.1 The parties acknowledge that the matters hereinbefore recited are true and accurate and agree that they shall form part of the terms of this Deed.

1.2 In the interpretation of this Deed unless the context shall otherwise require or admit:

1.2.1 Words and phrases used in this Deed which are defined in the Planning Act 1982 shall have the meanings ascribed to them by that Act;

1.2.2 References to any statute or subordinate legislation shall include all statutes and subordinate legislation amending consolidating or replacing the statute or subordinate legislation referred to;

1.2.3 The term "the Owner" where the Owner is a company includes its successors, assigns and transferees and where the Owner is a person, includes his heirs, executors, administrators and transferees and where the Owner consists of more than one person or company the term includes each and every one or more of such persons or companies jointly and each of them severally and their respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of an estate in fee simple to the Land subject however to such encumbrances, liens and interests as are registered and notified by memoranda endorsed on the Title thereof;

SRN/R/114355.001:map:31/01/90
1.2.4 The term "person" shall include a corporate body;

1.2.5 The term "the Land" shall include any part or parts of the Land;

1.2.6 The term "the Plan" shall mean the location plan annexed to this Deed;

1.2.7 The term "the Buffer Zone" shall mean the area of land depicted on the Plan as "Landscaped Buffer Zone";

1.2.8 The term "Operative Date" shall mean the date on which the Plan of Division giving effect to the proposed Development shall (if the same is lodged by the Owner) be accepted for deposit by the Registrar-General of Deeds;

1.2.9 Words importing the singular number or plural number shall be deemed to include the plural number and the singular number respectively;

1.2.10 Words importing any gender shall include every gender;

1.2.11 Where two or more persons are bound hereunder to observe or perform any obligation or agreement whether express or implied then they shall be bound jointly and each of them severally;

1.2.12 Any clause headings or marginal notes are for reference purposes only and shall not be resorted to in the interpretation of this Deed.

1.3 If any provision of this Deed shall be found by a court of competent jurisdiction to be invalid or unenforceable in law THEN and in such case the parties hereby request and direct such court to sever such provision from this Deed.

1.4 The law governing the interpretation and implementation of the provisions of this Deed shall be the law of South Australia.

2. The Obligations of the Owner and Readymix

2.1 The Owner and Readymix shall carry out within the Buffer Zone the landscaping and other works described in the First Schedule hereto and shall complete the same:-

2.1.1 to the reasonable satisfaction of the Council in all things;

2.1.2 at the expense of the Owner and Readymix in all things; and

2.1.3 within the period of three (3) months from the Operative Date.

2.2 The Owner and Readymix shall at all times observe and perform the covenants set out in the Second Schedule hereto.

3. Operation and Registration of this Deed

3.1 The provisions of Clause 2 of this Deed shall have no force or effect and shall not operate until the Operative Date.

3.2 Forthwith after the execution of this Deed by all the parties hereto the Council shall make application for registration of this Deed as a Land Management Agreement upon the Certificate of Title for the Land pursuant to the provisions of Section 61(5) of the Planning Act 1982 in priority to any other registrable interest in the Land save and except for the estate and interest of the Owner therein AND the Owner and Readymix shall do and execute all acts, things and documents as shall be necessary to ensure that this Deed is registered as aforesaid.

SRN/R/114355.001:map:31/01/90

4.1 The Owner shall not grant any lease or licence easement or other right of any nature whatsoever which may give any person the right to possession or control or entry upon the Land upon any terms whatsoever unless such grant shall be expressed in writing and shall contain as an essential term thereof a covenant by the grantee not to do or omit to do or suffer or permit any other person to do or omit to do any act matter or thing upon the Land which would constitute a breach of the provisions of this Deed if such act matter or thing were done or omitted to be done by the Owner.

4.2 The Owner shall not grant any estate or interest in the Land registrable under the provisions of the Real Property Act 1886 unless the Council shall grant its prior consent in writing thereto which consent the Council shall not withhold provided that the intended grantee shall enter into a Deed with the Council at the Owner's expense in all things which Deed shall be prepared by or on behalf of the Council and shall include as an essential term a covenant by the grantee not to do or omit to do or suffer or permit any other person to do or omit to do any act matter or thing upon the Land which would constitute a breach of the provisions of this Deed if such act matter or thing were done or omitted to be done by the Owner.

4.3 The Council and any employee or agent of the Council authorised by the Council may at any reasonable time enter the Land for the purpose of:

4.3.1 inspecting the Buffer Zone;

4.3.2 exercising any other powers of the Council under this Deed or pursuant to law.

4.4 If the Owner or Readymix is in breach of any provision of this Deed, the Council may, by notice in writing served on the defaulting party, specify the nature of the breach and require such party to remedy the breach within such time as may be nominated by the Council in the notice (being not less than twenty eight (28) days from the date of service of the notice) and if such party fails so to remedy the breach, the Council or its servants or agents may carry out the requirements of the notice and in doing so may enter upon the Land and perform any necessary works in or on the Buffer Zone and recover from such party all reasonable costs (including legal costs) incurred thereby or incidental thereto.

4.5 If in a notice referred to in Clause 4.4 hereof the Council requires the removal of the building or structure from the Land the Council and its servants or agents are hereby authorised and empowered by the Owner and Readymix to enter and remove the building or structure from the Land and to dispose of it in any manner determined by the Council provided that if the building or structure shall have any monetary value then the Council shall use its best endeavours to realise that monetary value and shall after the disposal account to the Owner or to Readymix and pay to him the realised value less all expenses incurred.

4.6 This Deed may not be varied except by a Supplementary Deed signed by the Council and the Owner and Readymix.

4.7 The Council may waive compliance by the Owner with the whole or any part of the obligations on the Owner's part herein contained provided that no such waiver shall be effective unless expressed in writing and signed by the Council.

4.8 This Deed contains the whole agreement between the parties in respect of the matters referred to herein.

4.9 Notice shall for the purposes of this Deed be properly served on the Owner if it is:
4.9.1 posted to the owner's last address known to the Council;

or

4.9.2 affixed in a prominent position on the Land.

4.10 The Council may delegate any of its powers under this Deed to any person.

4.11 The Owner hereby indemnifies the Council and agrees to keep it forever indemnified in respect of the whole of its costs and expenses of and incidental to the negotiation preparation stamping and registration of this Deed.

4.12 The requirements of this Deed are at all times to be construed as additional to the requirements of the Planning Act 1982 and any other legislation affecting the Land.

4.13 The Owner consents to the Council lodging a caveat upon the Certificate of Title for the Land at any time after the execution of this Deed by the parties hereto and pending the registration of this Deed upon the said Certificate of Title as a Land Management Agreement pursuant to Section 61 of the Planning Act 1982 and the Owner shall not take any step to bring about the removal of such caveat pending such registration.

5. Restriction on Disposal by Readymix

5.1 Readymix shall not assign underlet or otherwise dispose of its leasehold estate in the Land unless the proposed assignee underlessee or other disposeree shall have entered into a Deed with the Council and the Owner whereby Readymix assigns all its rights and obligations hereunder to the proposed assignee underlessee or other disposeree who or which covenants with the Council to observe and perform all such obligations in the same form (mutatis mutandis) as this present Deed.

6. Establishment of Supplementary Buffer Zone

6.1 If at any time the Owner or Readymix shall commence any mining or associated activities on any part of the land shown as Lot 3 on the Plan then the Owner shall forthwith establish a buffer zone (hereinafter called the "Supplementary Buffer Zone") along the southern side of Calton Road between the points marked "Y" and "W" and "X" and "Y" on the Plan and along the western side of Balmoral Road between the points marked "Y" and "Z" on the Plan all to a depth of twenty (20) metres at least.

6.2 In order to establish the Supplementary Buffer Zone the Owner shall carry out works in all respects similar to those described in the First Schedule hereto and shall complete the same:-

6.2.1 to the reasonable satisfaction of the Council in all things;

6.2.2 at the expense of the Owner in all things; and

6.2.3 within the period of three (3) months from the date of commencement of mining or associated activities as aforesaid.

6.3 At all times thereafter:-

6.3.1 the Owner shall observe and perform in relation to the Supplementary Buffer Zone the covenants set out in the Second Schedule hereto in all respects as if the expression "the Supplementary Buffer Zone" appeared therein in place of the expression "the Buffer Zone"; and

6.3.2 the other provisions of this Deed shall apply in relation to the Supplementary Buffer Zone in all respects as they apply in relation to the Buffer Zone.
7. Release

7.1 Readymix shall be released and discharged from the performance and observance of the covenants and obligations on its part herein contained upon Readymix ceasing to be the registered proprietor of the Land or any part of it or upon Readymix ceasing to be entitled to possession of the Land or any part of the Land whether by way of an estate in leasehold or otherwise.

IN WITNESS WHEREOF the parties hereto have executed this Deed.

THE COMMON SEAL OF
THE CORPORATION OF THE TOWN
OF GAMBIN) )
was hereunto affixed in the presence of:

Mayor

Chief Executive Officer

SIGNED by the said
HEATHER DAWN AMES as Manager
for the said THERMA DORREN
GULEY in the presence of:

SIGNED by the said
HEATHER DAWN AMES as
Executrix of the Will of
JAMES GULEY deceased in
the presence of:

SIGNED by CSR Readymix Pty. Ltd. by its Attorneys who respectively state that at their execution hereof they have had no notice of the revocation of and the Power of Attorney dated 20 July 1989 Registration No. 677544 under the authority of which they have executed this Instrument.

The Owner HEREBY CERTIFIES pursuant to Section 51(4) of the Planning Act 1982 that no other person has a legal interest in the Land.

SRN/R/114355.001:map:31/01/90
FIRST SCHEDULE

1. Planting shall consist of mainly scrub species as exist in the Buffer Zone at present, with the intermingling of taller species to give aesthetic reinforcement to the planting. The scrub planting shall achieve an impenetrable visual barrier and shall be of a standard similar to the Melaleuca Armillaris scrub planting successfully carried out on a five (5) metre reserve to screen Melaleuca Drive from Calton Road.

2. The planting shall not follow set lines or set intervals so as to achieve the aesthetic qualities that will be required to enhance the surrounding area as well as screen any sand mining operations on the land.

3. The screening shall be by means of a mixing of shrubs ranging in heights from one (1) metre to three (3) metres planted in approximately three random rows. Spacing intervals shall vary according to the species selected for planting but shall not in any event exceed three (3) metres.

4. Within the screen areas, tall tree species shall be used ranging from single specimens to groups not exceeding seven (7) in number, to give vertical height to the screening and to achieve a natural appearance and visual quality to the area to both residents and road users.

SECOND SCHEDULE

1. The Owner and Readymix shall:

   1.1 Maintain the said landscaping works in good and safe condition.

   1.2 Maintain the said shrubs and trees in good heart and condition and properly tend the same according to the season of the year.

   1.3 Promptly replace any of the said shrubs and trees as may die or become diseased.

   1.4 Maintain and use the Buffer Zone as a landscaped buffer zone and for no other purpose.

2. The Owner and Readymix shall not at any time erect or suffer to be erected on any part of the Buffer Zone any building or other structure whatsoever (whether permanent or temporary, movable or immovable).
COUNCIL MEETING AGENDA
27 September 2011

DATED 1990

BETWEEN:

THE CORPORATION OF THE TOWN OF GAWLER
of the first part

-and-

THELMA DOREEN GULEY
and HEATHER DAWN AMES
of the second part

-and-

CSR READYMIX PTY LTD
of the third part

LAND MANAGEMENT AGREEMENT
BY
DEED

NORMAN WATTERHOUSE & MUTTON
6th Floor, MLC Building,
185 Victoria Square,
ADELAIDE S.A. 5000

Telephone: 211 7186

R/SRN/114355.001:map:31/01/90
Item Number 13.4
Title EASEMENT CONSENT PATERNOSTER ROAD, REID
Date 27 September 2011
Author(s) Senior Development Planner (Tim Pride)
File DA11/394
Previous Reference/ Motion NIL

Background
In August 2008, Council approved a Land Division that created a public reserve that should have had a service easement vested to SA Water for sewerage services over a portion of the reserve.
This easement was missed by SA Water and the final plan of division was lodged without the easement. Council has recently issued clearance on a land division that requires an easement also over a reserve area that will link up to the easement that was missed in 2008 on the adjoining land division 490/D064/04.
The reserve land is now vested in Council and Council is the owner of this parcel of land.

Attachment(s)
Attachment 1 - Location Plan

Comments/Discussion
As Council is now the owner of the reserve for which the service easement is required to be lodged over, Council must consent to the depositing of the easement over this Certificate of Title. The creation of the service easement has no real ramifications for the reserve title other than to limit where Council could build structures without the easement owners consent.

Given there is a sewer pipe located within the proposed easement, it is considered to be necessary and also beneficial for the service easement to be created so that the location of the pipe is known. It is also a requirement of SA Water that the service easement be created and the depositing of a neighbouring plan of division is being delayed due to this issue and SA Water’s requirements.

The Lands Titles Office require that this approval of Council be given with the affixing of Council’s seal, so delegation is sought for the Mayor and Chief Executive Officer to sign and affix Council’s seal.

Communication
Nil

Consultation
Nil

Policy Implications
Nil

Statutory Requirements
Development Act – Condition of Land Division Approval
Financial/Budget Implications
Costs for creating the easement to be paid by SA Water

Strategic Implications
Outcome 5.3: Responsible Government

OFFICER’S RECOMMENDATION

Item 13.4 – Easement Consent Paternoster Road, Reid (DA11/394)

That Council authorises the Mayor and Chief Executive Officer to sign and apply the common seal of Council to all relevant documents consenting to deposit of an easement to SA Water over Council’s reserve created in Land Division application 490/D064/04.
15.1 Section 41 Committees

15.1.1 Elderly Centre Management Committee – 05.08.11

That Council endorse the recommendations from the Elderly Centre Management Committee meeting held on 5 August 2011 being:

Item 6.1 – Equipment and Property Condition
Motion No: ECMC:2011:08:09

That the Elderly Centre Management Committee, that whilst recognising Council’s environmental plan and that this will take time to procure, request Council to reconsider the decision regarding air-conditioner replacement at the Elderly Centre in light of its duty of care and the age of the users of this site.

15.1.2 Gawler Youth Advisory Committee – 09.09.11 (Meeting adjourned)

15.1.3 Corporate & Community Services Committee – 13.09.11

Item 9.1 Gawler Volunteering Advisory Committee CC10/1851
Motion No: CCS:2011:09:23

1. The endorsement of the following members to the Gawler Volunteering Advisory Committee for a term of 2 years to expire at the September 2013 Council Meeting:

   a. Peter Caddy representing Sporting
   b. Beth Hudman representing Aged Services
   c. Raelene Benier representing Social Services
   d. Peter Bailey representing Social Services
   e. Jenny Tonkin representing Education
   f. Win Nicolai representing Young People
   g. Chantelle Tesselaar representing Tourism
   h. Ian Fuller representing Young People
   i. Rita Britton representing Health
   j. Peter Heyworth representing Northern volunteering,

That Clause 3.1 of the Gawler Volunteering Advisory Committee Terms of Reference be amended to read as follows:

The GVAC will comprise twelve (12) members as follows:

(a) two (2) Elected Members of the Council

(b) the Executive Officer or representative of the organisation Northern Volunteering, and

(c) nine community members collectively representing as broadly as possible the volunteering sector, for example:

   (i) sporting clubs,
   (ii) service clubs,
(iii) health sector,
(iv) aged sector,
(v) social services,
   (vi) education,
   (vii) the arts,
   (viii) young people,
   (ix) tourism,
   (x) heritage, and
   (xi) environment

Item 9.2 Main Street Australia Conference 2011 (CC10/2804)
Motion No. CCS:2011:09:24

1. The Main Street Workshop initially focus on the development of a 12 month action plan for social, cultural and markets activity delivery

2. Nominate Cr Koch and Cr S Fraser to form a working party, with key Council staff, to progress the matter of a Main Street Workshop.

Item 9.4 Volunteer Recognition (CC 11/557)
Motion No. CCS:2011:09:

That the operational Volunteer Recognition Policy (for Town of Gawler volunteers) be formulated in line with the following principles:-

1. official registered volunteers, Section 41 community members and community working party members be included for the purpose of recognition,

2. a volunteer be deemed “inactive” after three months of non contribution in a volunteer capacity unless a leave of absence is prior agreed,

3. all volunteers be recognised equally,

4. activities be developed by staff in consultation with volunteers, commensurate to budget, for National Volunteers Week and International Volunteers Day.
Elected Members Report 27th September 2011

GAWLER HISTORY TEAM - update to Council #1

I appreciate receiving Council’s “in principle support” for this project.

As Convener, I invited 30 [known-to-be-history-passionate] citizens to an inaugural meeting of the Gawler History Team to establish the level of support within the Gawler community for the Team’s formation.

Of the 22 attendees, 20 indicated enthusiastic support and described the areas in which they would like to be involved. 2 others were supportive but still considering their future level of support. Overall, I considered this to be a very positive outcome.

Darren Peacock, who is closely associated with HistorySA, explained how a “Gawler Now and Then” Wikipedia can be established and he answered many questions. From his address, it is clear that the small Team, so far established, can produce sufficient significant outcomes by next March so that the whole concept can be clearly understood by those attending a Public Meeting destined to be held in March next year. From that meeting, more volunteers would be encouraged to contribute.

Even over the last 2 months, hundreds of Gawler’s historic photographs have been gathered from individuals and centralized. From Darren’s presentation, it is obvious that, once established, this Gawler History Internet site could contain many thousands of historical Gawler photographs [with explanations] and the internet site would have a positive and far-reaching interaction with local Clubs and those with sporting interests. It was important to understand that the site not only caters for past history but it also embraces present history. Hundreds of Gawler citizens could eventually be involved in the site’s production and ongoing growth over the next 10+ years.

Deputy Mayor Cr Brian Thom
19/09/2011
Item Number 20.1
Title
SALE OF PART ROAD RESERVE ABUTTING LOT 50, CAMERON STREET, GAWLER
(CONFIDENTIAL)
Date 27 September 2011
Author(s) Senior Development Planner (Tim Pride)
Previous Reference/ Motion Council 2011:05:137 24 May 2011

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.

OFFICER’S RECOMMENDATION

Item 20.1 – Sale of Part Road Reserve Abutting Lot 50, Cameron Street, Gawler (Confidential) DA490/17/2011 and DA490/85/2011

That

1. Under the provisions of 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 Chief Executive Officer, Director Corporate and Community Services, Director Asset Services and Senior Planner in order to consider Item 20.1 in confidence, under the provisions of Section 90(3)(b)(i)&(ii) of the Act regarding:

(b) information the disclosure of which—

(i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
(ii) would, on balance, be contrary to the public interest;

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.