NOTICE OF COUNCIL MEETING

TO:	Mayor	Karen Redman
	Councillors	Cr Cody Davies
		Cr Diane Fraser
		Cr Kelvin Goldstone
		Cr David Hughes
		Cr Paul Koch
		Cr Paul Little
		Cr Brian Sambell
		Cr Nathan Shanks
		Cr Ian Tooley
		Cr Jim Vallelonga

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** for the **Town of Gawler** will be held in the Council Chambers, Gawler Civic Centre, Institute Building 89-91 Murray St, Gawler SA 5118, on **Tuesday 25 June 2019**, commencing at 7:00pm.

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

Henry Inat
Chief Executive Officer
20 June 2019

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1 STATEMENT OF ACKNOWLEDGEMENT

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

2.5 Non-attendance

3 PUBLIC OPEN FORUM

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

4 DEPUTATIONS

4.1 Mr Ly Luan Le – Northern Economic Leaders Activities

5 DECLARATIONS OF INTEREST

6 ADJOURNED ITEMS

Nil

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Nil

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Ordinary Council Meeting - 28 May 2019

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10.1 CIVIC CENTRE REDEVELOPMENT PROJECT - FINANCIAL CLOSURE

Record Number: CC19/319;IC19/326

Author(s): Paul Horwood, Manager Finance & Corporate Services

Previous Motions: Council, 18/12/2018, Motion No: 2018:12:COU521; Council, 20/2/2018, Motion No: 2018:02:32; Council, 14/2/2017, Motion No: 2017:02:29; Council, 19/4/2016, Motion No: 2016:04:101; Council, 27/10/2015, Motion No: 2015:10:370; Council, 24/3/2015, Motion No: 2015:03:79

Attachments: **1. Civic Centre Redevelopment Project Financial Overview report tabled to 18 December 2018 meeting CR19/41715**

OFFICER'S RECOMMENDATION

That Council notes :-

1. **The Civic Centre Redevelopment Project Financial Closure Report.**
2. **The final financial position of the project construction comprising as follows:**
   a. **Value of project at point of signing with building contractor in March 2017 was $14.311m;**
   b. **Council endorsed increasing the contingency amount by $1.217m (February 2018) and provided $135k for Project Management in the 2018/19 Budget, thereby increasing total value of project to $15.664m;**
   c. **Final project construction cost of $15.470m;**
   d. **Final financial position being a $193k budget surplus;**
   e. **Post occupancy budget of $200k is currently underspent by $84k.**
   f. **Final cost of project construction to the community in real terms being $9.87m, noting the Federal Government Grant of $5.6m received.**
3. **That the final Project Completion Report will now be lodged with the Department of Infrastructure and Regional Development, which includes an independently audited financial acquittal statement in accordance with the funding agreement relative to the National Stronger Regions Fund.**
4. **That the Mayor is to write to the relevant Federal Minister responsible for the grant and the local Federal Member thanking them for their support in delivering the Civic Centre Project**.

SUMMARY

Presenting a report outlining the final financial position of the Civic Centre redevelopment project construction against the approved budget and contingency allowance.

BACKGROUND

The *Civic Centre Redevelopment Project Financial Overview* report, tabled to the 18 December 2018 meeting, provided a chronological sequence of key financial events pertaining to the Civic Centre redevelopment. A copy of the report tabled to the December 2018 meeting is provided as **Attachment 1** to this report.

As noted in the report, the practical completion of the project occurred on 18 December 2018. However, as also noted, the practical completion of the project does not correspond with the actual financial completion of the project, on the basis that it was detailed that there would be residual construction cost elements to be incurred and potentially variation claims from the contractor to be considered.

The confidential resolution from the 18 December 2018 meeting was as follows:

> RESOLUTION 2018:12:COU521
> Moved: Cr C Davies
> Seconded: Cr D Fraser
>
> *That Council:*
> 1. *Notes the Civic Centre Redevelopment Project Financial Overview report.*
> 2. *Having reviewed, under Section 91(7) of the Local Government Act 1999 (the Act) the Gawler Civic Centre Project Update Motion No. 2018:02:34 (20/02/2018), the Council pursuant to Section 90(3)(b) of the Act orders that the Report, attachments, minutes and tabled documents be kept confidential and not available for public inspection until such time as the project reaches financial Completion and will be reviewed at least annually in accordance with the Act.*

At the time, it was envisaged that the project financial close would likely occur in March 2019. Unfortunately, due to the nature of the final discussions/negotiations undertaken between Council and the building contractor relating to variations and associated costs, the project financial close has only occurred as recently as 18 June 2019.

It is important to note that the negotiations that have been held benefited from the fact that the Builders and other related consultants involved in the project have not been privy to the complete construction budget allocated to the project (in particular the varied contingency amount) which up until the release of this report in this agenda has been kept confidential.

Consequently, the Administration has not been in a position to present the construction project financial closure report to Council before now.

A confidential report was presented to Council on the 20 February 2018, at which the following resolution was adopted:

> Moved by Cr K Fischer
> Seconded by Cr D Hughes
> Motion No: 2018:02:32
>
> *That Council:*
> 1. *Approve an 11% increase to the Construction Contingency from the current 5% ($603,000) of the construction value ($11,640,000) to 16% ($1,820,201).*
> 2. *Increase the total Project Budget for the Gawler Civic Centre from $14,311,415 to $15,528,616 (an increase of $1,217,201) to account for the additional construction contingency above.*
> 3. *Note that the project Practical Completion date will be adjusted with a likely handover in March 2019.*
> 4. *Consider allocation of a post-occupancy allowance of $200,000 in the 2018/2019 Budget to address operational and decanting costs that are not currently covered within the project allowance.*
> 5. *Staff continue to negotiate with the builder regarding scope of works/remedial works and identifying savings.*
> 6. *Seek that the CEO obtain separate independent legal advice on the scope of variations advice received from related consulting firms.*

At the meeting, the Council further resolved that the matter continue to be maintained in confidence, per the resolution below.

Moved by Cr K Fischer
Seconded by Cr A Shackley
Motion No: 2018:02:34

That:

1. *Pursuant to Section 91(7) of the Local Government Act 1999 (the Act), the Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:*

   • The Minute, Motion No 2018:02:32 of item no. 7.1 of 20-02-2018

   • The written report item no. 7.1 of 20-02-2018

   • Attachments to the written report item no 7.1 of 20-02-2018

   • Documents tabled at the meeting of 20-02-2018

   on the grounds that the document(s) (or part) is:

   (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;

   Specifically, the present matter relates to construction budget for the Gawler Civic Centre.

   The disclosure of this information could reasonably be expected to prejudice the commercial position of the Council. The Council has considered the public interest in relation to whether to make this order. The prevailing public interest in these circumstances is the Council's ability to manage this project and contract to achieve the best outcome. The Council considers that, on balance, disclosure would be contrary to the public interest.

2. *The Mayor is authorised to make appropriate public statements, while avoiding referencing specific financial and other sensitive information.*

3. *This order shall operate until such time as the project reaches Practical Completion and will be reviewed at least annually in accordance with the Act.*

4. *Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order (or part thereof) at any time, and directs the Chief Executive Officer to advise the Council of the revocation of this order as soon as possible after such revocation has occurred.*

The approval of the above allowed for the project to progress with a reasonable foreseeable contingency considering the risks associated with the project. As mentioned above, the strategic position taken by Council to keep in confidence the varied project contingency has been considered a successful approach.

Council's decision above also provided for a Post Occupancy allowance of $200k to address decanting and operational items once within the building (to date, $116k of this provision has been expensed).

Monthly project progress reports since February 2018 until February 2019 have tracked the committed costs against the contingency.

COMMENTS/DISCUSSION

The overall financial position of the project construction is within the approved funding allocation previously set by Council.

The full project construction costs, based on Badge's negotiated claims, is provided in Table 1 below. The table compares final construction costs to the associated budget approved by Council.

Table 1 – Final Project Construction Costs

	Actual $	Budget $	Variance $
Construction Costs (incl. variations & contingency)	13,094,525	13,460,201	365,676
Design Consultants	1,347,036	1,299,081	(47,955)
Cost Consultant	113,650	103,400	(10,250)
Other Consultants	51,579	35,704	(15,875)
Relocation costs	18,194	80,008	61,814
IT Equipment for new Building	226,273	235,000	8,727
Electricity transformer	283,959	154,913	(129,046)
Project Management	241,491	225,000	(16,491)
Other Costs	93,412	70,309	(23,103)
TOTAL	**15,470,119**	**15,663,616**	**193,497**

As outlined in Table 1 above, the final project construction costs have ultimately realised savings of $193,497 against the construction budget of $15,663,616.

A separate report has been tabled to this meeting agenda evaluating the completed project in accordance with Council's Prudential Management Policy.

Further to this, a further separate report is also tabled to this meeting which provides for the project completion report being presented to the Federal Government. As part of the Federal Government grant funding requirement, this separate report includes an ***independently*** audited financial statement of the Project.

COMMUNICATION (INTERNAL TO COUNCIL)

Executive Management Team
Civic Centre Project Manager

CONSULTATION (EXTERNAL TO COUNCIL)

Regular monthly project progress reports have been tabled to Council during the construction period of the project, in accordance with Council's resolutions of February 2017.

Further to this, regular updates regarding construction works that have occurred have been posted on social media together with regular updates distributed to all ratepayers via quarterly rate notices.

POLICY IMPLICATIONS

Asset Capitalisation Policy

STATUTORY REQUIREMENTS

Local Government Act 1999 – Section 48 – *Prudential requirements for certain activities*

(An initial independent Prudential Report relative to the project was prepared in August 2015 by Mr. David Hope of Skilmar Systems P/L. Given significant circumstantial changes to the project that occurred after that time (i.e. relating to Council's strategic decision to purchase the existing Gawler Administration Centre and permanently relocate administration staff to the site – thereby disbanding the requirement for an additional two floor levels that were previously incorporated within the Civic Centre redevelopment scope), an updated Prudential Report from Skilmar Systems P.L. was considered by Council at the Special Council meeting held on 14 February 2017).

FINANCIAL/BUDGET IMPLICATIONS

Construction Costs

The $15.470m capital cost of the Civic Centre construction has been incurred across the multiple years of the construction period. As noted within this report, the construction budget has been reviewed and adjusted as reported to and endorsed by Council.

With a construction budget of $15.664m, the construction cost has been achieved within budget, with an identified budget saving of $193k.

Pre-Construction Costs

Prior to Council awarding the actual construction tender/budget in February 2017, Council incurred various costs relative to the capital project. These costs, incrementally accounted for as Work-in-Progress costs within Council's historic Balance Sheets, include costs such as preliminary planning investigations and designs, staff salaries associated with project management, independent analysis (including two prudential reports), etc. These costs, amounting to $626k and incurred from the 2012/13 financial year, have been accounted and provided for in prior year budgets and are legitimate capitalised costs against the project pursuant to Council's Asset Capitalisation Policy and Australian Accounting Standard *AASB116 Property, Plant & Equipment*.

Depreciation

New depreciation costs will be incurred once all capitalised costs (i.e. both construction and pre-construction elements) for the Civic Centre project have been reconciled and apportioned to relevant componentised assets within Council's fixed asset register.

The draft 2019/20 Budget and the Long Term Financial Plan currently provides for new annual building depreciation expense in the order of $160k being incurred, but will ultimately be informed by the componentisation of assets.

The depreciation of heritage assets contained within the building (i.e. items displayed within the Heritage Collection Gallery and stored within the Cultural Heritage Centre) will be considered pursuant to Australian Accounting Standard AASB116 *Property, Plant & Equipment*.

Interest costs

Increased interest costs have previously been planned for and accommodated within the annual budget as a result of the Civic Centre redevelopment project.

Between the 2010/11 and 2014/15 financial years, Council reduced its debt from $14.67m to $8.65m (a 41% reduction in four years) such that it could build incremental borrowing capacity to fund its share of the capital cost that would then allow Council to progress this iconic/inter-generational project. The debt reduction during this period also facilitated a reduction in Council's net interest costs from $904k (2010/11) to $542k (2015/16).

As a result, Council has been able to accommodate the increased debt and increased interest costs emanating from the Civic Centre project, but importantly still remain within its financial policy targets relative to its Operating and Net Financial Liabilities Ratio.

Council's Long Term Financial Plan forecasts that interest costs will peak at approximately $934k in the 2020/21 financial year.

Council has recently (4 June 2019) been advised by the Local Government Finance Authority that the interest rate applicable to Council's Cash Advance Debenture facility, which is the variable-interest facility that Council has solely utilised for loan borrowing purposes since 2011, has reduced from 3.6% to 3.35%. This reduction emanated from the Reserve Bank of Australia decision of the same day of a 0.25% interest rate cut. This will culminate in annual interest expense savings in the order of up to $30-$40k per annum, which will be reflected in the next 2019/20 draft Budget update presented to Council.

New Operational Costs in running the new Civic Centre

Given the new and expanded facilities now provided within the Civic Centre, new and/or increased operational costs will be incurred in the day-to-day operations of the facility (e.g. increased power consumption and cleaning costs, increased insurance premium, etc.)

The Centre will, however, also derive new and/or increased revenue from operations – including membership fees associated with the Business Innovation Hub, rental charges applicable to the Café and hire of the various community spaces within the building (predominantly the Multi-Function Space and various meeting rooms).

The increased expenditure and revenue has been provided for within the draft 2019/20 Budget and Council's Long Term Financial Plan.

Sale of surplus property assets

Council's net capital cost of the Civic Centre redevelopment (i.e. after deducting the $5.6m Federal Government grant) was identified as being sourced from a combination of external loan borrowings, General Rate revenue, *and* proceeds derived from the sale of surplus property assets.

In this regard, during the construction period Council has derived $175,000 from the sale of surplus property assets. In addition to this, based on existing divestment contracts/negotiations, it is expected that approximately $2m will also be realised within the next few months.

Federal Government Grant funding

The Council was successful in obtaining $5.6m of grant funding for the Civic Centre redevelopment project as part of the Federal Government's National Stronger Regions Fund program.

The grant funding has been incrementally paid during the construction period, based on various milestones being achieved and reported to the Federal Government.

The final grant payment of $671,834 will be paid upon lodgement of the project completion report and independently audited financial acquittal statement with the Federal Government.

COMMUNITY PLAN

Objective 1.2: Build a local community that is proud of Gawler

Objective 1.3: Protect and promote Gawler's unique heritage

Objective 1.4: Foster a vibrant and active, event-filled Council area

Objective 1.5: Promote cultural heritage and the creative sector to build community spirit pride

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.4: Manage growth through the real connection of people and places

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

Objective 3.1: Health and social wellbeing services in Gawler to meet growing regional community needs

Objective 3.4: Gawler to be an inclusive and welcoming community

Objective 3.6: Encourage the development of the Arts and the creative sector

Objective 3.7: Provision of library services

Objective 5.1: Support and encourage community teamwork

Objective 5.2: Be recognised as a ‘best practice’ Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

10.2 GAWLER CIVIC CENTRE REDEVELOPMENT FUNDING AGREEMENT - PROJECT COMPLETION REPORT

Record Number: CC12/486;IC19/386

Author(s): Tara Shillabeer, Special Projects Officer

Previous Motions: Nil

Attachments: **1. Gawler Civic Centre Redevelopment Federal Funding Agreement Final Completion Report**

OFFICER'S RECOMMENDATION

That Council Notes:-

1. **The Gawler Civic Centre Redevelopment Funding Agreement - Project Completion Report.**
2. **That following acceptance of the Final Completion Report by the Australian Government, Council will receive the final progress payment of $671,834.**

SUMMARY

This report provides an overview of the acquittal requirements for the funding agreement with the Australian Government in relation to the Gawler Civic Centre Redevelopment project and provides the final completion report for information.

BACKGROUND

On May 2015, Town of Gawler received advice that it had been successful in receiving $5.6m in funding through the Australian Government's National Stronger Regions Fund for the development of the Central Business District Hub in Gawler (now known as the Gawler Civic Centre Redevelopment project). Subsequently a Funding Agreement was executed between the parties on 22 December 2015.

COMMENTS/DISCUSSION

The final milestone report – the Project Completion report, has been prepared based on a template provided by the Australian Government and is provided as **Attachment 1** for information.

The report is due for submission by 28 June 2019 and requires the following information from Council:

1. Evidence acceptable to the Australian Government that:
    a. Demonstrates that the project has been completed in accordance with the Funding Agreement;
    b. All necessary approvals required to enable public access and use of the facility have been obtained;
    c. The project has been opened to the public and is fully operational.
2. Assets and Real Property register
3. Audited financial statement and Independent Auditor's Report.
4. Copies of published reports, promotional material, media publicity, pamphlets or other documentation not already included in previous progress reports.
5. Economic impact information

As outlined in the *Civic Centre - Financial Closure Report* being presented at this Council meeting, there has been a delay in the financial close of the project, which only recently occurred.

The financial statement (and associated supporting documentation) for the project is in the process of being audited by Council's independent auditors, Dean Newbery & Partners Chartered Accountants and will be provided under separate cover prior to the meeting.

Following acceptance of the Final Completion Report by the Australian Government, Council will receive the final progress payment of $671,834 early in 2019/20 financial year.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer

Manager Business Enterprises and Communications

Manager Finance and Corporate Services

Financial Accountant

Team Leader Property and Procurement

CONSULTATION (EXTERNAL TO COUNCIL)

The following organisations have been involved in the development of the Project Completion Report:

1. Jenny Fleming, Professional Grans Writer
2. Dean Newbery & Partners Chartered Accountants – independent external auditor
3. Department of Infrastructure and Regional Development

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

Throughout the term, and in accordance with the funding agreement, Council has submitted a number of milestone reports and received progress payments, as follows:

Milestone	**Timeframe**	**Progress Payment**
Progress Report 1 – 5% project completion	January 2017	$256,041
Progress Report 2 – 15% project completion	April 2017	$498,467
Progress Report 3 – 35% project completion	October 2017	$1,196,152
Progress Report 4 – 60% project completion	May 2018	$1,422,062
Progress Report 5 – 75% project completion	September 2018	$832,278
Progress Report 6 – 90% project completion	December 2018	$723,166
Total funds received to date:		**$4,928,166**

Following acceptance of the Final Completion Report by the Australian Government, Council will receive the final progress payment of $671,834.

A separate report has been tabled to this meeting outlining the full financial and budgetary elements of the project.

COMMUNITY PLAN

Objective 1.2: Build a local community that is proud of Gawler

Objective 1.3: Protect and promote Gawler's unique heritage

Objective 1.4: Foster a vibrant and active, event-filled Council area

Objective 1.5: Promote cultural heritage and the creative sector to build community spirit pride

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.4: Manage growth through the real connection of people and places

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

Objective 3.2: Sporting facilities to meet local and regional community needs

Objective 3.6: Encourage the development of the Arts and the creative sector

Objective 3.7: Provision of library services

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

10.3 CIVIC CENTRE REDEVELOPMENT PROJECT - PROJECT EVALUATION

Record Number: CC19/319;IC19/354

Author(s): Paul Horwood, Manager Finance & Corporate Services

Previous Motions: Nil

Attachments: **1. Letter from Gawler Club Inc. thanking Council for support over the last 5 years and assistance with being established in the Civic Centre CR19/36328**

OFFICER'S RECOMMENDATION

That the Civic Centre Redevelopment Project – Project Evaluation Report be noted.

BACKGROUND

Presenting a report providing a post-completion evaluation report for the Civic Centre redevelopment project in accordance with Council's Prudential Management Policy.

Accordingly, the purpose of this report is to evaluate the extent to which the project has achieved the public benefits or needs that it was intended to achieve or satisfy.

COMMENTS/DISCUSSION

The intention of the Civic Centre project has been to transform the iconic and heritage-listed Town Hall and Gawler Institute to create an architecturally significant hub for economic and social enterprise that will act as the renaissance catalyst for the Gawler CBD to take its place as the business and cultural centre for the greater region.

Encapsulated within this, and incorporated within the requirements of the National Stronger Regions Fund funding agreement with the Federal Government, is a:

- Regional Business Innovation Hub;
- Regional Gawler Heritage Collection Gallery;
- Regional Multi-Purpose function venue;
- Regional Smart Library;
- Youth Space; and
- Social Enterprise Café.

All of the above has been achieved.

Comments relative to how each of these key activities has been successfully incorporated into the completed Civic Centre is outlined below.

1. Regional Business Innovation Hub

An exciting component of the Civic Centre redevelopment has been the creation of the Business Innovation Hub and the inclusion of the Hub as a Stage 2 GiGCity Adelaide Precinct.

The Business Innovation Hub is located on Level One of the Centre. The Hub is a commercially focused, flexible working space occupied by businesses that are intent on wealth generation as well as local and regional job creation. It is a vibrant, welcoming space that exudes a sense of business purpose, innovation, resilience and success. Local and regional investment and job creation are key outcomes to be achieved by the Hub and its commercial focus provides the opportunity to achieve this growth and job creation.

GigCity Adelaide is providing fast and affordable gigabit internet connection speeds (100 times faster than the national average) for start-ups, entrepreneurs and big businesses. GigCity is making Adelaide one of the most connected cities in the Southern Hemisphere. The use of GigCity Adelaide is transforming the Town of Gawler as an early adopter of technologies driving innovation and growth. This connectivity, coupled with the digital advisors in residence programs and business mentoring, networking and education, will provide a significant advantage to our local and regional entrepreneurs and start-ups who are competing in the local, national and global digital economy.

Already at 50% occupancy, the Business Innovation Hub is providing meaningful co-working opportunities for local businesses including energy consultants, Google Ad specialists, financial advisors, digital marketing specialists, Microsoft platform specialists and recruitment advisors.

Photo 1 Inside the Regional Business Innovation Hub, which is already at 50% occupancy

Council's investment in the Business Innovation Hub is already paying dividends with respect to Council's Smart (City) Communities projects. Having the Hub operating was the driver behind Connexus Internet Solutions selecting Gawler as the host location for its proposed Pay It Forward project. It has also facilitated the development of Council's Connected Community project that has gained $250k funding support from the Australian Government's Smart Cities and Suburbs Program.

Equally importantly the Hub is increasingly being used as a place to do business for both the Barossa Regional Development Board and the Gawler Business Development Group. All these groups are working together, with Council, to build local/regional business capacity, awareness, economic activity and job creation.

2. Regional Gawler Heritage Collection Gallery & Cultural Heritage Centre

The Gawler Cultural Heritage Centre comprises three distinct but complimentary heritage spaces as follows:

- Cultural Heritage Gallery,
- Reading Room and
- Research Centre.

The community is able to experience and interact with the specialised and significant Gawler Heritage Collection across all spaces through exhibitions, education programmes and research facilities. These multiple opportunities for learning broaden the understanding of the thoughts, actions, people and events which have shaped the story of Gawler.

Heritage Gallery

Housed within the former Council Chambers, the Heritage Gallery currently displays the inaugural exhibition 'Into the Light'. Gawler's history has been interpreted through the prisms of the Kaurna people and their connection to country, early colonisation, exploration and the growth of the town and the creation of cultural institutions, such as the Gawler Institute, which fostered the 19th century obsession with scientific scholarship and academic enquiry.

Included in the exhibition are items from the Gawler Heritage Collection such as artworks by Colonel William Light and James Shaw, the rare and important Bechstein piano, Governor Gawler's silver salver and a commissioned Kaurna emu cloak artwork.

Important collecting institutions such as the History Trust of South Australia and the Royal Geographic Society, together with a number of private collectors, have provided items on loan to the exhibition, confident that the Heritage Gallery provides the security, environmental conditions and ambience of a modern first class exhibition space.

Photo 1 & 3: 'Into the Light' exhibition within the Exhibition Gallery

The Gallery is open six days a week during Library opening hours.

Photo 3

The Reading Room

The Gawler Institute Reading Room has been the heart of academic and scientific scholarship in Gawler for over 160 years. As part of the refurbishment of the Civic Centre, this room has been restored to how it appeared in the 1880's with the important historic book collection once again housed in the Ante Room.

Operational during Library opening hours, the Reading Room is now utilised by community members looking for a quiet and pleasant environment to work or read, as a venue for activities including guest speakers and educational programs and as an exhibition space where visitors can admire the important painting and book collections.

Photo 4 & 5: Inside the Reading Room - featuring one of our cased heritage book collections

Photo 5

The Research Centre

Located on the lower ground floor, the Cultural Heritage Research Centre allows researchers, students and the public the opportunity to access the artefacts, archives, photographs and books that compose the Gawler Heritage Collection. Researchers are able to utilise multiple free resources including the Heritage Collection catalogue on eHive, the Local History Collection reference library, digitised copies of The Bunyip and Ancestry.com. The Research Centre has the capacity and necessary facilities to successfully host education programs for primary through to secondary students.

The Research Centre is currently open twelve hours per week and by appointment.

Photo 6: The Cultural Heritage Research Centre facilities

3. Regional Multi-Purpose function venue (including Community meeting rooms)

The James Martin Room, Institute Hall, Seating Gallery and Council Chambers are suitable for all types of corporate, social and community functions, including conferences, expos, gallery use, seminars, gala balls, wedding receptions, quiz nights, presentations, cabaret performances, birthday parties and more. The Institute has a total capacity to seat 250 in an historic and stunning venue, exuding a sense of prestige and grandeur. Attracting and presenting inspirational, popular and quality shows and events will provide opportunities for social connection and deliver vibrant cultural and community experiences and entertainment to the local community.

The refurbished Town Hall provides a range of private meeting and workshop spaces. These rooms will suit community and corporate meetings, workshops, staff training, interview or counselling rooms or be a perfect temporary office space.

The Civic Centre's venue hire policy encourages community access to these high quality function and meeting rooms.

Photo 7, 8, 9 & 10: The Institute - during Opening Week festivities showcasing various room layouts for the multi-purpose function spaces

Photo 8

Photo 9

Photo 10

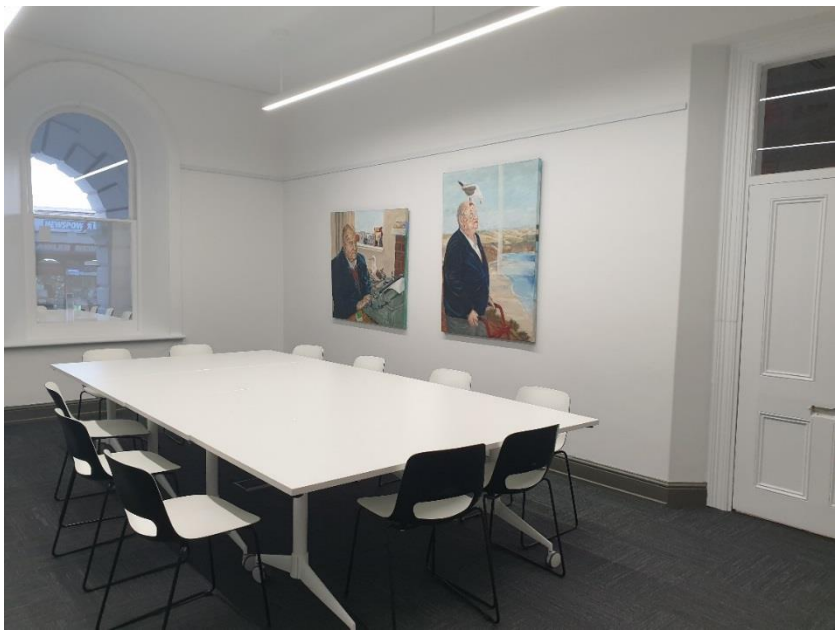


Photo 11: Meeting Room G.3 – with Audio Visual capability

4. Regional Smart Library

The new Regional Smart Library offers life-long learning opportunities, research areas, creative and social engagement spaces, and access to information through digital mediums and traditional methods. Located on the ground floor of the Civic Centre, it also incorporates the restoration of the Gawler Heritage Reading Room.

The Library 'breakout space' brings the Library out into the Civic Centre, and encourages the community to interact with it in a new way; with collections, public PCs, public printing, and free Wi-Fi available in the café space. The introduction of self- checkout kiosks for those clients who wish to use them has allowed for a faster processing of borrowings, reducing line ups at the counter and providing staff with more time for assisting members with more complex enquiries such as accessing the digital collection, researching online or supporting the use of modern technology.

The Library also offers a range of programs to the community, including early childhood activities, a coding club, digital literacy programs, after school and school holiday programs. STEM (Science, Technology, Engineering and Mathematics) is a key focus in programming for 2019.

The Gawler Civic Centre Library is open Monday, Tuesday, Wednesday and Friday from 9am to 5pm; Thursday 10am – 6pm; Saturday 9am – 1pm.

Photo 12: The Civic Centre Library - Open Day festivities during Launch week

Photo 13 & 14: The Civic Centre Library is a popular space for browsing our large selection of borrowable items

Photo 14:

5. Social Enterprise Café

In 2018, Council contracted Red Centre Enterprises to operate the Social Enterprise café within the Civic Centre.

Red Centre Enterprises is an agribusiness that works to give Indigenous communities access to commercial markets for produce, and to generate employment. Owners, Nadia and Paul Kiely, have been growing and harvesting Australian natives for selected mainstream markets for more than 20 years, and are now sustainably commercialising their operations through Red Centre.

The business operates under a best practice management structure with a dynamic Advisory Board, Board of Directors (with both Australian Aboriginal and Torres Strait Islander and non-Indigenous representation) and a Management Team. The organisation incorporates joint enterprise agreements for product supply, innovative product development and investment between Red

Centre Enterprises and non-Indigenous businesses, who are allocated an equal profit-sharing basis. This is a basic key to its long-term viability, and ongoing opportunities for all stakeholders.

Red Centre Enterprises re-invests its share of profits into an Aboriginal and Torres Strait Islander controlled trust, returned back into the community stakeholders involved to assist with additional support and continuing value-chain growth, improving the standard of living, opportunity for further enterprise, education, health and the well-being of Communities as a whole.

Red Centre Enterprise delivers an Australian Bush Foods Social Enterprise Café that uses the best of local South Australian produce, provides high quality meals and has a significant positive impact within the local community. The Café provides employment programs and pathways, training opportunities and cultural education and awareness to both Aboriginal and Non-Aboriginal members of the community. It will provide a sustainable, reliable funding source to support the community's needs by training, mentoring and assisting those that require these services the most.

The Café is open Monday-Friday 9am-4pm and Saturday 9am-1pm.

Photo 15: Niina Marni Cafe serving native locally sourced foods and coffee

Photo 16 The Niina Marni Cafe tables are available for the public to enjoy great food and coffee

Photo 16: The community can use this space to access publicly available computers

6. Youth Space

The new Youth Space, facilitated by Council's Youth Development Officer, is a safe area provided within the Civic Centre with the specific focus of connecting young people with opportunities.

Located in the prominent location of the Mezzanine level within the Civic Centre building, the Youth Space operates under best practice principles. All programs are delivered by Council Staff and other youth service providers with appropriate clearances and safe environments training.

As part of the launch of the Youth Space, guided public tours and school group tours of the Civic Centre occurred, the school group tours introduced in excess of 330 students and educators to the entire Civic Centre with a focus on the Youth Space and its programs.

The Youth Space is proving popular with young people in the region with free Wi-Fi, both old school and digital games as well as numerous structured workshops and programs provided in a safe social space. Membership numbers for the Youth Space have been increasing every month since it began running programs in March 2019. Notably 24% of the members identify as having specific special needs and comments from parents are that these members feel very comfortable and safe attending the space.

The space caters for young people from 8 – 25 years of age through the delivery of age appropriate programs and training opportunities focussed on health and wellbeing, homework support, life skills, employment preparation and career development.

After school term programs have had over 160 attendances recorded since commencing in March 2019, these sessions are a completely new offering for the region as previously Council was only running school holiday programs. School holiday programs held in the Youth Space had 50 young people participating in programs such as prepare to drive, white card training, first aid training or a barista course. Both the term programs and school holiday programs/training sessions are provided at either no cost or low cost.

The Youth Space also will deliver some parenting programs to support parents and carers in their endeavours of raising happy, healthy young people.

The Space is also available for hire for youth and family service providers to utilise to deliver training, workshops and services within the region and partnerships are being developed with various organisations resulting in an increase in service delivery to this sector of our community.

The Civic Centre also was the location for Youth Week Celebrations with over 192 young people attending a "School Break Up Party" event held over 2 sessions for differing age groups with free entertainment and activities.

Photo 17 & 18: Local young people enjoying one of the many programmed activities in the Youth Space

Photo 18

Gawler Club Inc.

The Gawler Club Inc., established in 1873, was a longstanding tenant within the former Town Hall. The Civic Centre Redevelopment Project naturally resulted in the Club premises having to be temporarily relocated, ultimately to the Elderly Centre, during the construction period.

The Club has now been successfully relocated back to the lower-ground floor of the Civic Centre.

The Club has recently written a letter, thanking Council for its help and support over the last five years. A copy of the letter is provided as **Attachment 1**.

Photo 19: The Gawler Club Opening Festivities

Summary

In summary, this report demonstrates that the Civic Centre Redevelopment project has provided tangible community benefits consistent with the original aspirations and intent of the project.

Learnings from the Project

Any multi-million dollar, inter-generational, project, with a magnitude such as the Civic Centre redevelopment, will invariably come with its own unique challenges and risks, all of which have to be considered and appropriately mitigated.

During the project, there were a number of key challenges for Council. The key challenges faced included:

Project Management

Council engaged a Project Manager dedicated to the project in late 2014. As noted in the 20 February 2018 report, the consequences of increasingly poor project management functions culminated in Council appointing a new Project Manager (Mr. Dwaine Bickerdike) for the project in late December 2018.

As widely accepted and acknowledged, Mr. Bickerdike has been instrumental in delivering greatly enhanced project management oversight of the project since his engagement, and has been the critical element in overseeing delivery of the finished final construction product that is now evident.

Identification of insufficient contingency provision

The original construction budget of $11.64m was predicated on the incorporation of a 5% project contingency sum (i.e. $603k).

As noted in the February 2018 report, the risk item with the greatest cost value was the repair and repointing of the external stone facades of the Institute and Town Hall buildings.

The original documented scope of works included for some stone replacement, repointing (including struck marking) and line-marking of the existing exposed stone and exposing stone from the basement to the ground floor (approx. 3m in height) along the northern wall of the Institute, between the buildings and the southern wall of the Town Hall.

The procurement strategy was based on an optimistic view of the condition of the façade walls to a defined level (up to 1.5m above ground) and didn't adequately consider appropriate contingency for the remainder of the wall (pointing and stone replacement) and also did not provide for the financial risks of other building elements such as window sill damage, brickwork joint replacement, parapet render damage, fascia's, windows in the event the areas needed repair. As a result, significant risk was realised resulting in additional contingency needing to be allocated for these works.

The extent of re-pointing estimated in the dilapidation report was significantly less than what was required to ensure the longevity of the building.

In hindsight, this should have been managed by more robust investigation of the condition of the wall and extent of remedial works. This would have provided more clarity on the risk of these works and consideration of a better strategy to manage it. A more appropriate contingency allowance should have been allocated to the project budget for these works from the outset, to account for the future cost that would be incurred when the works were undertaken.

The additional contingency provision of $1.217m allocated to the project in February 2018, culminated in the contingency provision being increased from a nominal 5% to a more appropriate 16%.

Unforeseeable latent conditions, culminating in additional works due to the dilapidated condition of both the Town Hall and Institute buildings

As noted in the confidential report tabled to the 20 February 2018 meeting, the project experienced cost pressure as a result of unforeseeable latent conditions, additional works due to the dilapidated condition of both the Town Hall and Institute buildings, and an over optimistic assumption of the existing condition of the external facades (particularly the stone condition) and both Heritage buildings generally.

Financial impact due to delay in sale of surplus property assets

Part of Council's share of the funding towards the project was to be sourced from the sale of surplus property assets. The fact that such sales, estimated at $2.246m, has only eventuated in the current financial year means that, for the majority of the construction period, Council has had to draw down on its Cash Advance Debenture facility during the project to a higher extent than that originally envisaged. As a result, the interest costs incurred by Council during the construction period were higher than otherwise would have been the case had the sale proceeds been realised far earlier into the project (potentially as high as $80k p.a.).

As a direct learning from the project, the 2019/20 draft Budget and, more significantly, the updated Long Term Financial Plan no longer relies on the proceeds from the sale of surplus property assets.

This does not mean, however, that Council should not actively pursue the sale of property assets that are deemed to serve no tangible operational or community need. Indeed, such sales, should continue to be actively investigated and pursued, such that the sale proceeds can be reinvested into core services, projects, initiatives and/or utilised to reduce debt.

COMMUNICATION (INTERNAL TO COUNCIL)

Executive Management Group
Civic Centre Project Manager
Team Leader – Library & Customer Service
Cultural Heritage Centre Co-ordinator
Gawler Civic Centre Operations Co-ordinator

CONSULTATION (EXTERNAL TO COUNCIL)

Nil – for the purpose of this report.

POLICY IMPLICATIONS

Prudential Management Policy

STATUTORY REQUIREMENTS

Local Government Act 1999 Section 48 Prudential requirements for certain activities

An initial Prudential Report, prepared by Mr. David Hope of Skilmar Systems P/L, was tabled to Council in August 2015. Given the significant circumstantial changes to the project that occurred as a result of Council's acquisition of the former Gawler TAFE building, which subsequently culminated in Council being able to remove Levels 2 & 3 from the project design as it stood at that time, an updated Prudential Report was prepared by Skilmar Systems in February 2017.

FINANCIAL/BUDGET IMPLICATIONS

A separate report has been tabled to this meeting outlining the financial and budgetary elements of the project.

COMMUNITY PLAN

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

10.4 REVOCATION OF CONFIDENTIAL ORDERS - GAWLER CIVIC CENTRE

Record Number: CC19/319;IC19/395

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments:

1. **20-02-2018 Council Agenda and Minutes Item 7.1 Gawler Civic Centre Project Update CR19/40701**
2. **25-09-2018 Council Agenda and Minutes Item 16.1 Legal Advice Gawler Civic Centre Stonework CR19/40693**
3. **18-12-2018 Council Agenda and Minutes Item 17.1 Civic Centre Development Project Financial Overview CR19/40690**

OFFICER'S RECOMMENDATION

That Council notes the revocation of the following confidential orders under delegation, by the Chief Executive Officer, relating to:

1. **Motion No. 2018:02:34 for Item 7.1 - Gawler Civic Centre Project Update of the Special Council meeting held on 20 February 2018. Release of report, attachments, minutes and tabled documents.**
2. **Motion No. 2018:09:376 for Item 16.1 - Legal Advice - Gawler Civic Centre Stonework Of the Ordinary Council meeting held on 25 September 2018. Release of report, attachments and minutes.**
3. **Resolution 2018:12:COU522 for Item 17.1 - Civic Centre Redevelopment Project Financial Overview of the Ordinary Council meeting held on 18 December 2019. Release of report, attachments and minutes kept confidential)**

SUMMARY

This report provides information regarding confidential orders that have been fully revoked, since the last Council meeting. .

BACKGROUND

Pursuant to Section 91(9)(c) of the Act, the Council delegated the Chief Executive Officer the power to revoke the following orders if the matters have been partially or fully resolved. The Chief Executive Officer must then advise the Council of the revocation of the orders as soon as possible after such revocations have occurred.

COMMENTS/DISCUSSION

Council's relevant Managers and the Chief Executive Officer have advised that the triggers for the release of the orders contained in this report from confidentiality have now been met, as follows.

1. At the Special Council meeting held on 20 February 2018 Council considered the Officer Report Item 7.1- Gawler Civic Centre – Project Update and resolved the following:

   Moved by Cr K Fischer
   Seconded by Cr A Shackley
   Motion No: 2018:02:34

   That:
   1. *Pursuant to Section 91(7) of the Local Government Act 1999 (the Act), the Council orders that the following document(s) (or part) shall be kept confidential, being*

document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

- *The Minute, Motion No 2018:02:32 of item no. 7.1 of 20-02-2018*
- *The written report item no. 7.1 of 20-02-2018*
- *Attachments to the written report item no 7.1 of 20-02-2018*
- *Documents tabled at the meeting of 20-02-2018*

on the grounds that the document(s) (or part) is:

(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;

Specifically, the present matter relates to construction budget for the Gawler Civic Centre.

The disclosure of this information could reasonably be expected to prejudice the commercial position of the Council.

The Council has considered the public interest in relation to whether to make this order. The prevailing public interest in these circumstances is the Council's ability to manage this project and contract to achieve the best outcome. The Council considers that, on balance, disclosure would be contrary to the public interest.

2. *The Mayor is authorised to make appropriate public statements, while avoiding referencing specific financial and other sensitive information.*

3. *This order shall operate until such time as the project reaches Practical Completion and will be reviewed at least annually in accordance with the Act.*

4. *Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order (or part thereof) at any time, and directs the Chief Executive Officer to advise the Council of the revocation of this order as soon as possible after such revocation has occurred.*

The Minutes, report, attachments and tabled document were released on 20 June 2019 following advice that the trigger, being Practical Completion, had been met. A copy of the related documents can be found in **Attachment 1**.

2. At the Ordinary Council meeting held on 25 September 2018 Council considered the Officer Report Item 16.1- Legal Advice - Gawler Civic Centre Stonework and resolved the following:

RESOLUTION 2018:09:376
Moved: Cr A Shackley
Seconded: Cr B Gidman

1. *Pursuant to Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the:*

   - *The minutes*
   - *The written report*
   - *Attachments to the written report*

associated with Item 16.1 Legal Advice - Gawler Civic Centre Stonework, having been considered by the Council in confidence under Section 90(3)(h) be kept confidential and not available for public inspection until Project Final Completion, on the basis that the information received, discussed and considered in relation to this agenda item is:

(h) legal advice.

2. *Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.*

3. *All confidential orders will be reviewed at least annually in accordance with the Local Government Act 1999.*

The Minutes, report and attachments were released on 20 June 2019 following advice that the trigger, being Practical Completion, had been met. A copy of the related documents can be found in **Attachment 2**.

3. At the Ordinary Council meeting held on 18 December 2018 Council considered the Officer Report Item 17.1 Civic Centre Redevelopment Project Financial Overview, and resolved the following:

RESOLUTION 2018:12:COU522
Moved: Cr D Fraser
Seconded: Cr C Davies

1. *Pursuant to Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the:*

   - *The minutes*
   - *The written report*
   - *Attachments to the written report*

   associated with Item 17.1 Civic Centre Redevelopment Project Financial Overview, having been considered by the Council in confidence under Section 90(3)(b)(i) be kept confidential and not available for public inspection until Project financial completion, on the basis that the information received, discussed and considered in relation to this agenda item is:

   (b)(i) information the disclosure of which 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.

2. *Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.*

3. *All confidential orders will be reviewed at least annually in accordance with the Local Government Act 1999.*

The Minutes, report, attachments and tabled document were released on 20 June 2019 following advice that the trigger, being Practical Completion, had been met. A copy of the related documents can be found in **Attachment 3**.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Governance Officer

CONSULTATION (EXTERNAL TO COUNCIL)

Nil

POLICY IMPLICATIONS

Code of Practice for Access to Council and Committee Meetings and Council Documents.

STATUTORY REQUIREMENTS

Local Government Act 1999

FINANCIAL/BUDGET IMPLICATIONS

There are no financial implications in releasing documents from confidentiality

COMMUNITY PLAN

Objective 5.2: Be recognised as a ‘best practice’ Local Government organisation

10.5 GAWLER EAST LINK ROAD - UPDATE

Record Number: CC19/319;IC19/365

Author(s): Tracie Hanson, Strategic Infrastructure Manager

Previous Motions: 26/02/2019 Council, 2019:02:26:COU037

Attachments:
1. **GELR Tonkin Report on Potts Road Basin & Stormwater**
2. **GELR Road Naming Report cr19/41761**
3. **GELR Barnet Road Emu Crossing & Upgrade Works Flyer June 2019**

PRESENTATION

The Strategic Infrastructure Manager will give a brief presentation to the Council on the Gawler East Link Road Project.

OFFICER'S RECOMMENDATION

That Council :-

1. **Notes the Gawler East Link Road Update Report.**
2. **Adopts the addition of the following names onto the Road Name Register; Mullamar and Springwood (irrespective of whether they are chosen as road names relative to item 3 below)**
3. **Selects the following road names for the sections of roadway being delivered as part of the Gawler East Link Road Project as follows:**
   a. **_____ as the road name for the "Gawler East Link Road" between Potts Road and Calton "Connector" Road.**
   b. **_____as the road name for the Calton "Connector Road" between Gawler East Link Road and Calton Road.**
   c. **Supports the future extension of the "Gawler East Link Road" from the Calton "Connector" Road through to Balmoral Road being named as per Part 2a above.**
   d. **Advises the Department of Planning Transport and Infrastructure (DPTI), the developers of Springwood and community of the proposed road names accordingly.**
4. **Supports in principle $70,000 being allocated towards the construction by DPTI of the required integration works on Barnet Road, including additional footpath, kerbing, pavement and line marking in order to complement the Gawler East Link Road and Main North Road/Tulloch Road upgrade projects as detailed in this report, subject to Council's final endorsement of the 2019/2020 draft Budget allocation for Gawler East Link Road Integration Works.**
5. **Supports the Potts Road drainage basin design, as currently proposed within the Gawler East Link Road project, which provides between a 1 in 10 and 1 in 20 year ARI level of protection to downstream properties, as detailed in this report.**

SUMMARY

The Gawler East Link Road (GELR), being delivered by the State Government Department, Department of Planning, Transport and Infrastructure (DPTI), is continuing to progress in various areas including Detailed Design, Construction and Community Engagement.

This report provides an update on these matters including the design, construction works on site, noise modelling and community engagement activities. The report also provides shortlisted naming options for the Gawler East Link Road (and the future extension of the GELR through to Balmoral Road) and the road segment connecting the Gawler East Link Road to Calton Road from the proposed Springwood Village Centre (Calton "Connector" Road).

An update for the separate Main North Road/Tulloch Road intersection upgrade project, also being delivered by DPTI, is similarly included in this report, due to its proximity and integrated nature with the GELR project.

BACKGROUND

The Council last considered this project at its meeting held on 26 February 2019 and resolved as follows;

> **RESOLUTION 2019:02:26:COU037**
> Moved: Cr D Hughes
> Seconded: Cr D Fraser
>
> *That Council:*
>
> 1. *Notes the Gawler East Link Road Update Report.*
> 2. *Selects Option 1 as an appropriate methodology by which the naming of the Gawler East Link Road, ultimate extension to Balmoral Road and Calton Connector be determined.*
> 3. *Supports the proposed methodology by the Department of Planning Transport and Infrastructure for the naming of the Bridge over the South Para River.*

The purpose of the report is to update Council on the progress of the GELR Project and Main North Road/Tulloch Road intersection upgrade projects and to select the names for the roads associated with the GELR.

COMMENTS/DISCUSSION

Gawler East Link – Project Status

As detailed in the previous report to Council on 26 February 2019, the project budget is fixed and all associated works must be delivered within the $60M budget allocated for its overall management, design and construction.

The decision making process on the Project was established previously, and endorsed by Council, which included the formation of the Project Executive Governance Group which are delegated to make key and escalated decisions on the project.

Decisions have now been made as to scope items which were previously under review as a result of the budget, namely:

- The delivery of the trunk services which lie under the new road, ie. mains water and sewer, will be delivered (to prevent the road from being extensively dug up relatively soon after completion of the road)
- The common services trench (with provision for lighting and power) which is typically in the footpath will not be installed along the majority of the roadway. It will however be installed in critical locations such as the road crossings at roundabout / intersection locations to reduce the extent of road excavation required in the future when development in this region occurs.
- Within the boundaries of Springwood (near the Calton Road end), significant quantities of uncontrolled fill was determined to require remediation; part for construction of the road way and part to not encumber future development potential of private land. These remediation works are now underway with the cost of these works being part funded by the GELR Project budget (as determined that such works were directly consequential to the road construction) and part by Springwood for works relating to their relative land holding interests.

As also mentioned in previous reports to Council, a Separate Rate exists to capture deferred infrastructure which is non-critical base scope which will be delivered after completion of the project at a time when warranted. The final scope of this deferred infrastructure is still being finalised, however, is likely to include mid block lighting, parking bays and a second footpath along the GELR.

Another aspect which will likely make up some of the deferred infrastructure is landscaping as the budget remains insufficient for the overall project footprint. Landscaping, being delivered within the project, is explored later in this report.

Design

The Detailed Design of the GELR Project is 95% complete with three (3) of the eight (8) discrete design project packages reaching the final stage; “Issued For Construction” (IFC) including Potts Road, Bebo Arch creek drainage crossing and the South Para River Bridge.

All other design packages; GELR North, GELR South, Potts Road / Main North Road Intersection, Deferred Works and Landscaping are in the final design stages with only a handful of minor issues still needing to be addressed / resolved between Council staff, DPTI and/or the designers. These packages should be progressively completed over the next few weeks and all IFC drawings issued by the end of July 2019.

Potts Road Detention Basin - Design Value Adds

As mentioned in the previous Council Report, one item that was being considered as a possible value add was the enlargement of the Potts Road detention basin to detain an increased ARI (ie. average recurrence interval) level of water.

Since the last report, Council staff commissioned engineering consultants, Tonkin Consulting, who are undertaking the design of the GELR Project (and hence familiar with the respective design aspects) to further consider the Potts Road basin and possible ways to improve stormwater management in the general vicinity. Tonkin Consulting considered the GELR design with possible improvements and also future development on the eastern side of the GELR; which can be viewed in the Report in **Attachment 1**.

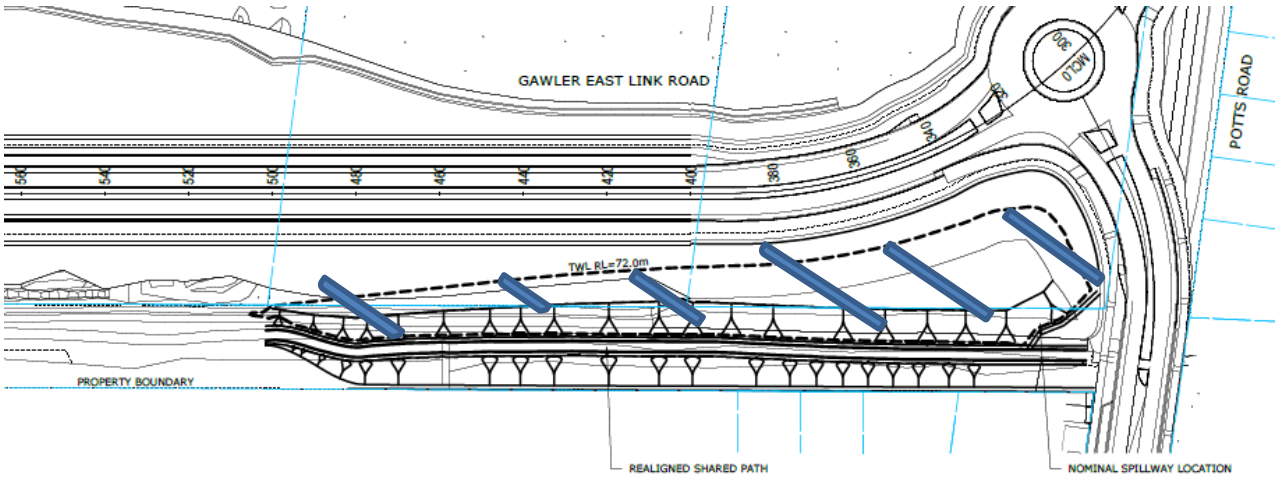
It is important to note that the GELR Project is not delivering a regional scale detention basin at Potts Road for the community. The Gawler and Surrounds Stormwater Management Plan provides the long term strategic approach to stormwater management on a regional scale and highlights the volume requirements for the regional scale basin as a result of future development of upstream housing estates. The GELR Project is delivering a basin at Potts Road that offsets the impacts of the project in terms of increased stormwater runoff from the roadway proper as well as providing an increase in the level of service for flood protection to private properties immediately downstream, which includes the Retirement Village.

It is envisaged with development of future housing estates that stormwater management will be further addressed via application of development controls to land divisions in Gawler East and Gawler South. Through this process, it is expected the level of service provided to flood protection of properties immediately downstream of the Potts Road basin will be further increased up to a 1 in 100 year ARI level of flood protection as a result of land development.

The existing Potts Road stormwater swale provides a level of flood protection to downstream properties of up to a 1 in 10 year ARI storm event and the new Potts Road basin constructed as part of the GELR Project provides a level of flood protection to downstream properties of up to a 1 in 20 year ARI storm event. This is considered a positive result for meeting project requirements and provides immediate benefits to adjacent private properties.

The Tonkin Report suggests possible further improvements that could be made now, over and above the GELR project works, which would result in the ARI event increasing from between 1:10 and 1:20 to between 1:20 and 1:50. These improvements include:

- High early discharge of the water from the basin by installing a second pit at the outlet and lowering the pipes from the basin and for a length of approximately 84m.
- Enlargement of the basin, by increasing the basin height by raising the existing shared path and removing existing amenity vegetation behind the property boundaries. The overflow of water would then spill onto Potts Road rather than in a westerly direction towards the residential area.
- A very early estimate of these two improvements has determined a cost in the order of $120 000.



Council staff recommend that no further improvements to the stormwater basin are required at this time to be delivered over and above that which the GELR Project is already delivering. It is also considered that developers would be best placed to propose and fund the most appropriate solution which may include future modifications and enlargement of the Potts Road basin. The modification options to the Potts Road basin, as mentioned above, are outlined in Tonkin report for future consideration by Council staff and will provide some guidance to developers in the future (i.e. the Potts Road basin could be enlarged to a regional scale basin in the future).

Noise Modelling

DPTI has engaged an expert consultant specialising in acoustic design, modelling and consulting to undertake detailed noise modelling for the GELR project. An initial noise model has been produced which has determined bounded areas with the extent of properties that may require acoustic treatment works to mitigate noise impacts from the future anticipated traffic volumes on the GELR project. The extent of properties that are affected will be determined and identified once the below mentioned site visits are conducted and finalised.

DPTI is currently preparing to contact each of the potentially affected properties within these bounded areas, with respect to works that may be required to their properties. It is important to note that not all properties along the length of the works are affected and not all the properties identified within the bounded zones, in the modelling, will end up needing treatments.

The next steps with respect to noise mitigation are:

- Contacting each of the properties in the potentially affected bounded zone.
- Arrange a site visit to each property to complete the analysis and determine if treatments are required.
- Negotiate treatment solutions to those properties identified for treatment.
- Make arrangements for the treatment installations.

With respect to properties along Potts Road, the intention remains to focus any treatments to the dwelling façade rather than through Colorbond fencing along the front boundary. This is in accordance with Council's previous motions to this affect and which have been allocated within the project budget.

Utility Works

The majority of relocation of utility services have been completed including Main North Road, Potts Road, One Tree Hill Road and Calton Road. Some minor works are still being finalised in parallel with the roadworks proper commencing on these road segments.

The new sewer trunk main, being installed along the length of the GELR, is currently underway commencing from its Potts Road end. These works are continuing along the roadway through to Calton Road. Water trunk mains will also be installed ahead of the pavement installation, however, this work is yet to commence.

Construction Works

The construction works are now well underway across the entire GELR project. The works to date, from early 2019 until June 2019 have entailed the following (in approximate order):

- Vegetation removals.
- GELR between Potts Road and One Tree Hill Road - earthworks and drainage mostly now complete, batters hydro-seeded with an interim inert seed mix. Sewer trunk main has commenced being installed.
- GELR between One Tree Hill Road and South Para River - earthworks and drainage well underway.
- South Para River Bridge - construction of pier footings, and excavation for abutment and reinforced earth walls.
- Potts Road - Detour in place and construction on the southern half has commenced.
- Main North Road – widening pavement works have commenced.
- Calton Road – site accommodation and access.
- GELR within Springwood Boundaries – commenced earthworks for the road as well as reworking the uncontrolled fill (excavation & re-compaction).

The anticipated program over the next three months includes:

- GELR - completion of majority of the earthworks, drainage and installation of majority of sewer and water trunk mains along the length of the road.
- South Para River Bridge – completion of construction of piers and headstocks.
- Bebo Arch – commence works.
- Potts Road – completion of majority of southern works and traffickable lane switch from north side to south side.
- Main North Road – completion of majority of pavement widening works on western side and works commenced on eastern side of Main North Road.

It is anticipated that the project will be complete in the first half of 2020.

The following pictures are provided further demonstrating the progress reached to date.

1. Main North Road widening works at the intersection of Potts Road and Main North Road (looking south from Para Road)

2. Potts Road widening works (looking east from Main North Road)

3. Potts Road Detention Basin (looking west from GELR)

4. GELR Road – earthworks and drainage mostly complete and sewer works now underway (looking north from just north of Potts Road)

5. GELR Road – earthworks and drainage well underway - (looking south from north of One Tree Hill Road)

6. South Para River Bridge construction including piers, and excavation for abutment and reinforced earth wall (looking south)

7. GELR Road – earthworks and drainage recently commenced within Springwood boundaries (looking north from north of South Para River)

8. GELR Road – earthworks associated with the uncontrolled fill matter recently commenced within Springwood boundaries (looking south from south of Calton Road)

Landscaping

The status of landscaping is similar to that previously reported to the Council whereby the steps to be undertaken with respect to finalising the landscaping entails:

- Landscaping design to be completed.
- DPTI initial review of prioritising landscaping based on vegetation removal across the project and other key criteria.
- Staff workshop held with Town of Gawler, DPTI and Springwood to finalise prioritisation.
- Price works.
- Finalise scope and works.
- Incorporate into the construction program.

Land Acquisition

Land Acquisition is continuing to be progressed on over 20 parcels of land, including the four (4) Council parcels. Access has been granted on all parcels.

Council staff are meeting with DPTI Property in the next month to continue discussions around the Town of Gawler, DPTI and Springwood boundaries following the road's construction. The intent is to minimise the extent of the Council's road reserve corridor to that required by the collector road and thus ensure a balance between preserving the road's function requirements, reducing Council's future maintenance implications and developable land preservation.

Road Naming

At its meeting held on 26 February 2019, Council resolved as follows:

Selects Option 1 as an appropriate methodology by which the naming of the Gawler East Link Road, ultimate extension to Balmoral Road and Calton Connector be determined.

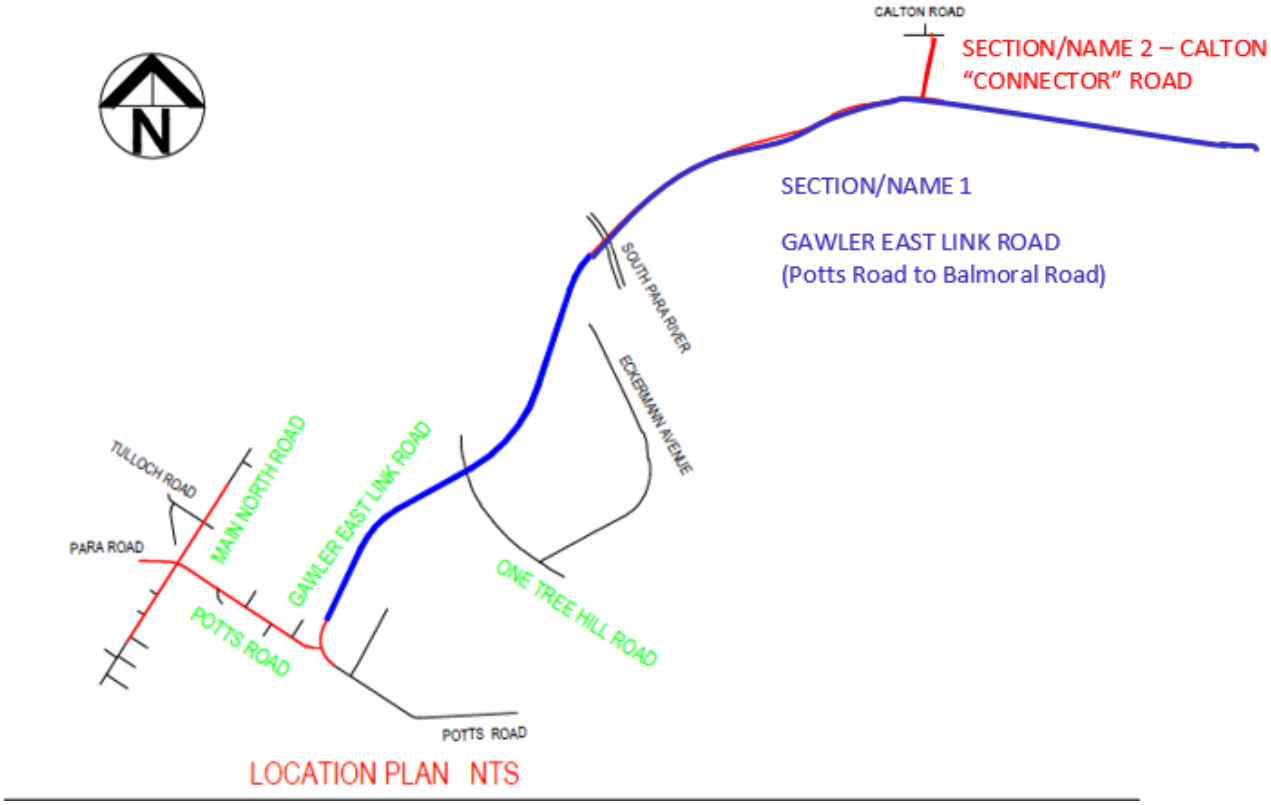
"Option 1" calls for Council staff to shortlist names from the Road Name Register and present to Council for consideration.

Council staff have had various meetings, discussions and undertaken extensive research on this road naming matter. For the full report including more detail on the steps taken and level of research carried out please refer to **Attachment 2.**

The main points of consideration comprise:

- Council staff propose that two names be selected for the naming of the new section of roads with the two sections being;

    - Section 1 - Gawler East Link Road which includes the future section from Calton "Connector" Road through to Balmoral Road (instead of naming this future extension separately). Whilst the cross section of the road will change at Calton "Connector" Road as the GELR heads east it will provide a continuous roadway in the future to Balmoral Road. It is relevant to note that this future extension will be delivered by Springwood as part of their sequential development of the estate in the coming years. At the location of the Calton "Connector" Road intersection with the GELR a signalised intersection will be installed in the future to control the anticipated movements in this commercial centre.
    - Section 2 - the short section which is the Calton "Connector" Road from Gawler East Link Road to Calton Road.



- Names on the Road Name Register were found to be from the book entitled "History of Gawler 1837-1908" by E.H. Coombe. Having regard to the names presented in this text staff undertook further research and proposed other names for consideration of adding to the Road Name Register, in line with the Road Naming Policy.

- Names on the Road Name Register that are shortlisted are:
    - Mazzarol (for either Section 1 or 2) – Muriel Mazzarol was born in 1896 and was one of the daughters of James Beasley who was Librarian at the Gawler Institute. Muriel received a number of academic prizes from Muirden Business College and was then awarded a scholarship to Adelaide University which she could not take up due to poor health.
    - Schomburgk (for either Section 1 or 2) – Richard Schomburgk settled at Buchfelde in 1849 was a Doctor of philosophy and became the Director of the Adelaide Botanic Gardens in 1865. Richard was an early curator of the Gawler Museum.

- Names that are proposed to be added to the Road Name Register and then considered on the shortlist are:
    - Mullamar (for either Section 1 or 2) – Mary "Mullamar" Graham was involved in the Gawler Aboriginal community in 2003 and later died in 2013. Mary inaugurated a stolen generations women's group, was the Aboriginal Family Resource Worker at the Gawler Health Service and was recognised in the Gawler community for her commitment to healing the wounds of the stolen generations.
    - Springwood (for Section 2 only) - Springwood has indicated to Council Staff they would like to see Section 2 be named Springwood Boulevard as follows; "This road will continue south through Springwood and will also be the principal address for the

> Village Centre within Springwood. Our rationale for this naming is consistent with our thoughts previously and we strongly believe this naming is important for the ongoing development of Springwood, a process supported by the construction of the GELR."

It should be noted that verbal consent for the use of Ms Mary "Mullamar" Graham's name has been provided by representatives of those families for consideration on placement on the Council's Road Name Register.

In view of the above Council is requested to select a name for the respective roads from the below shortlist:

Section 1 – Mazzarol or Schomburgk or Mullamar
Section 2 - Mazzarol or Schomburgk or Mullamar or Springwood.

Bridge Naming

DPTI is currently working with relevant consultants to engage Kaurna people to further consider the naming of the bridge and a possible story board in the vicinity of the bridge. Possible names have not been identified as yet.

Main North Road/ Tulloch Road Upgrade

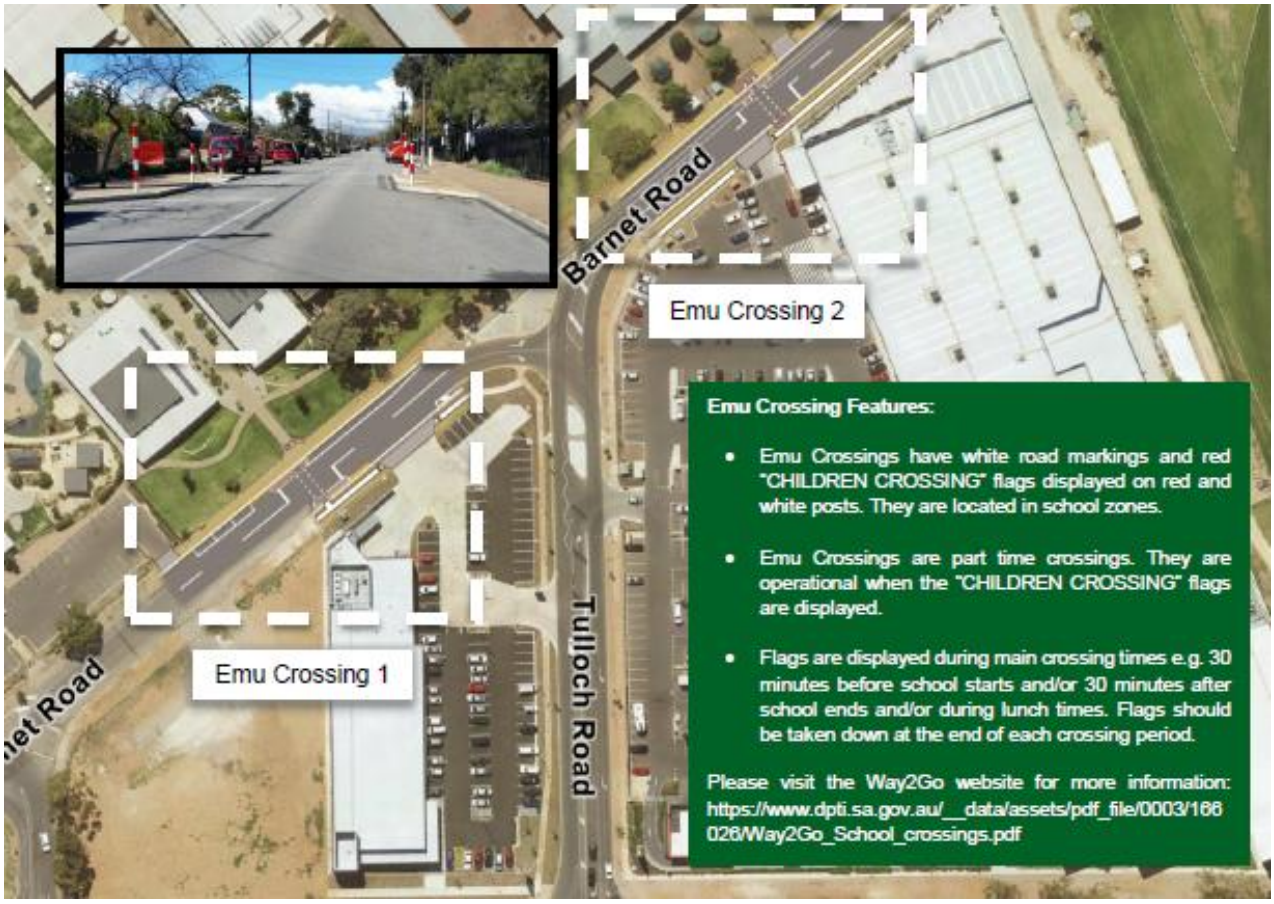
The Main North Road and Tulloch Road intersection upgrade works have recently been awarded by DPTI to Bardavcol; the same contractor for the GELR Project.

The project as mentioned previously - entails signalising the four way intersection of Main North Road, Tulloch Road and Morrow Avenue, duplicating Main North Road on approach and through the intersection and the upgrade of Tulloch Road / Barnet Road intersection. Widening works on Main North Road, allowing for the duplication, are currently well underway.

Barnet Road will have a cul-de-sac constructed at its Para Road end as part of the GELR Project during its upgrade of the Main North Road / Potts Road / Para Road intersection.

Two emu crossings (which 'operate' when 'children crossing' flags are displayed) are being installed as a joint Council and Way2Go (equally funded) project (to promote safe, greener and more active travel) along Barnet Road which further compliments the other roadworks. The emu crossings works, being undertaken by a Town of Gawler subcontractor, recently commenced and are likely to be complete by end June 2019. Further details of these crossings are contained in the DPTI community flyer in **Attachment 3**.

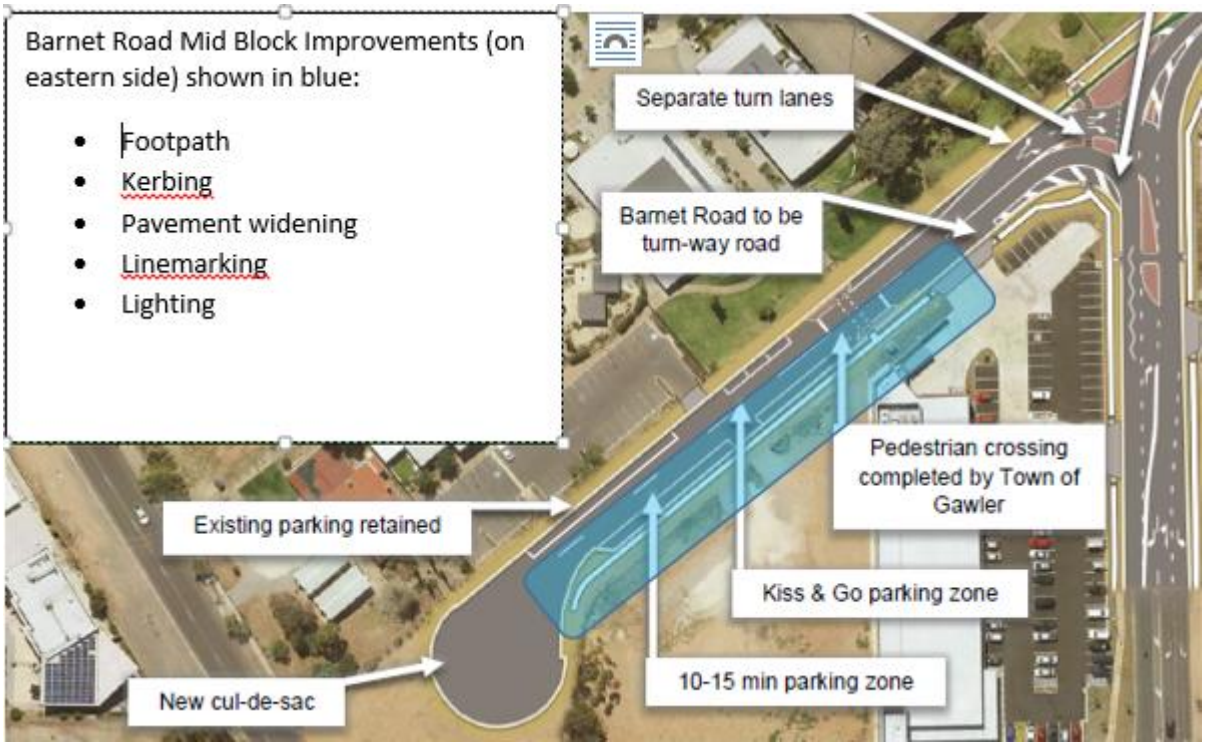
Sketch Showing Two New Emu Crossings on Barnet Road



At the request of Council staff, the design for the midblock section of Barnet Road, which is outside the scope of the GELR and Main North Road / Tulloch Road works, has been mostly finalised and a price to complete these construction works when undertaking the neighbouring works has been sourced through DPTI from Bardavcol. If these works are approved by Council, this would provide efficiencies using the same contractor, consistency of works and also provides a well finished road environment, just outside of the Gawler District School B-12.

As such, Council staff is seeking support of Council at this meeting for the allocation of $70 000 (ex GST) in the 2019/2020 Annual Budget from the existing allocation of $216 941 for GELR Integration Works to complete Barnet Road midblock section works including; footpath, extension of eastern kerbing, widened pavement/asphalt and line marking of car parking bays on the eastern side and enhanced lighting. DPTI would oversee and manage the installation of these works as part of the broader Main North/Tulloch Road Upgrade works.

Sketch Showing Proposed Mid Block Integration Works on Barnet Road



COMMUNICATION (INTERNAL TO COUNCIL)

Manager, Infrastructure and Engineering Services
Team Leader, Asset Planning
Strategic Infrastructure Manager
Council staff have been continuing to work and meet with DPTI regularly regarding the GELR project design and delivery.

CONSULTATION (EXTERNAL TO COUNCIL)

Community consultation is ongoing and is now mainly related to the major construction works which are well underway, general updates and community complaints or concerns.

Community consultation activities over the last few months have included:

- DPTI Information Session for Potts Road – prior to the Potts Road Detour in April 2019.
- Ongoing liaison with businesses and schools along and adjacent Main North Road about the works being undertaken including the Main North Road widening works.
- Ongoing general community engagement including phone calls, emails and meeting with locals.
- Recent updates to the project communications including updated flyers; “Barnet Road Ultimate Design and Emu Crossings, Main North Road Traffic Staging Overview, Potts Road Detour, Calton Road Works Notification, GELR Newsletter Update” which have been distributed to a defined project catchment and are available on DPTI’s GELR Project and Town of Gawler websites.

Numerous community members have contacted Town of Gawler about various project issues including the overall design and scope, Potts Road, dust (with numbers now reducing due to the change in weather), construction works, environmental concerns, noise mitigation measures, access, speeding on local roads and pedestrian safety. Council staff have been able to assist with these queries and also with following up DPTI in managing these concerns accordingly.

In the coming months DPTI will be undertaking further community engagement related to:

- Main North Road - ongoing and staged works.
- Tulloch Road and Barnet Road – intersection and mid block works near the adjacent school and businesses.
- Eckerman Avenue - increased construction traffic (primarily concrete trucks) for the construction of South Para River Bridge
- Select properties along the GELR corridor - regarding outcomes of acoustic assessment / modelling including further on site investigations.
- Properties north of South Para River – regarding general GELR construction works.
- General broader community enquiries as required.

POLICY IMPLICATIONS

Naming of Road Policy

STATUTORY REQUIREMENTS

Aboriginal Heritage Act
Native Vegetation Act

FINANCIAL/BUDGET IMPLICATIONS

As detailed in the previous report to Council on 26 February 2019, in accordance with the GELR Funding Deed with the Minister for Transport and Infrastructure, Council will be required to make a one-off lump sum payment of $2.4m to the State Government within 30 days of practical completion of the GELR (expected in first half of 2020). As outlined in the Deed, this represents Council's contribution towards the upgrade of Potts Road, which will be treated as a capital expenditure item (refer 2019/20 Budget Bid #P190159).

As mentioned earlier in the report there is value added scope on the GELR project that Council Staff propose be funded by the planned Gawler East Link Road Integration works 2019/2020 Budget bid (Budget bid #P109142). This bid proposes $216,941 allowing;

- $70 000 of this figure for the Barnet Road mid block improvements including footpath, kerbing, pavement widening, linemarking and lighting – subject to Council endorsement.
- Other pending items – still to be finalised.

Depreciation

A review of depreciation of the GELR project has been undertaken in terms of more accurately quantifying the likely amount of depreciation in the short term for the 2019/2020 financial year, which is for a part year (from when the works are completed in the first half of 2020 until end June 2020). This estimate is approximately $150,000 (reduced from $200,000) but is subject to the ultimate project completion date and respective final project costs. Currently, a $500,000 annual depreciation estimate is allowed in Council's long-term financial planning for subsequent financial years which also is subject to respective final project costs.

Deferred Infrastructure

A review is still pending on the quantum of deferred infrastructure to ensure the separate rate applied is sufficient to capture all costs of infrastructure required to be delivered by the Council in the future, achieving the full scope of infrastructure that is necessary for the roadway. This work will be undertaken once the deferred infrastructure design has been completed and the scope of project deliverables finalised.

COMMUNITY PLAN

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.2: Growth to be sustainable and respectful of cultural and built heritage

Objective 2.4: Manage growth through the real connection of people and places

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

10.6 AUSSIE FARMERS MARKET - LEASE

Record Number: CC19/319;IC19/409

Author(s): Rebecca Howard, Team Leader Property & Procurement

Previous Motions: **Motion 2018:10:401; Motion 2018:11:COU438; Motion 2018:11:478; Motion 2019:03:COU084**

Attachments:
1. **Public Consultation Submissions - Aussie Farmers Market - May 2019 CR19/41020**
2. **Final Valuation of Aussie Farmers Market - McGee's Property CR19/41015**

OFFICER'S RECOMMENDATION

That Council:-

1. **Notes the submissions received as part of the Public Consultation process for the Aussie Farmers Market proposal.**
2. **Approves the granting of a lease for a period of two years over the Visitor Information Centre Car Park on the terms and conditions outlined in this report, including setting the rent at between $12,500 to 15,000 per annum, with additional fees applied for use of Pioneer Park.**
3. **Authorises the Chief Executive Officer to finalise negotiations regarding the lease terms and conditions including establishing the rent, prior to execution of all relevant documents through application of the Town of Gawler Common Seal.**

SUMMARY

In March 2019, Council approved commencement of public consultation on a proposed lease with local produce grower (Frangos Family trading as Aussie Farmers Market) to run a produce market on Saturday mornings from the Visitor Centre Carpark in Pioneer Park. This report seeks to advise the result of the public consultation, and seeks authority to enter into a two-year lease with the Frango's Family.

BACKGROUND

In February 2018 discussions commenced between the family, Council staff and Tony Piccolo MP regarding the establishment of the market. A number of meetings and Council reports sought variations to the existing Development Approval, however in November 2018, Council supported the provision of a licence to the Frangos Family for Market for an initial 3 month trial.

RESOLUTION 2018:11:COU438
Moved: Cr D Fraser
Seconded: Cr N Shanks

That Council:

1. *Note the revised proposal from the Frangos Family to hold the Aussie Farmers Market on Saturday mornings in accordance with the existing Development Authorisation.*
2. *Support a three month trial of the Aussie Farmers Market based on the revised proposal submitted by the Frangos Family, commencing on Saturday 1 December 2018.*
3. *Seek a release from the obligations of the restraint clause within the Adelaide Farmers' Market Lease.*
4. *Agree to provide an initial 3 month rent-free lease over the areas defined within the existing Development Authorisation to facilitate the Aussie Farmers Market, which will be held every Saturday from 6am to 1pm.*
5. *Authorise the Chief Executive Officer to execute the relevant documentation.*

6. *Request Council Staff to provide an update report to Council at the end of the three month trial. Such matters to be addressed in this report to include that the operators of the market to cover all associated costs that may be incurred by Council and the nature of leasing costs to be applied.*

Motion on Notice from 27 November 2018 meeting:

RESOLUTION 2018:11:COU478
Moved: Cr D Fraser
Seconded: Cr P Koch

That Council request Council staff to investigate viability of moving market to Walker Place. (After completion of upgrade.)

In March 2019 Council approved the commencement of public consultation on the proposed lease. The Council motion is as follows:

RESOLUTION 2019:03:COU084
Moved: Cr P Little
Seconded: Cr D Fraser

That Council:

1. *Approve a budget figure of $2,500 (to be funded from within the existing 2018/19 budget) for the purpose of obtaining an independent valuation of the rent applicable to the proposed Aussie Farmers Market lease.*
2. *Approve the commencement of public consultation in line with the Council's Public 1. Consultation Policy, noting that if no objections are received, Council staff will further negotiations with the Frangos Family Trust (trading as Aussie Farmers Market) for the lease of a portion of Pioneer Park (known as the Visitor Information Centre carpark) for the purpose of a produce market, in accordance with the terms and conditions outlined in this report.*
3. *Subject to the above (1), authorise the Mayor and Chief Executive Officer to execute and apply the Common Seal of the Council to all relevant documentation required to lease the premises.*
4. *Note that should objections to the proposed lease by received, a further report will be provided to Council for consideration.*
5. *Note that the name of the market be amended to reflect a produce market.*

COMMENTS/DISCUSSION

Public Consultation on the lease commenced on the Friday 26 April 2019 and closed on 20 May 2019. The consultation was advertised on the Council website and via a public notice in the Bunyip. One question was received and one formal submission (Attachment 1). These submissions both reference the commercial nature of the market and seek that commercial rents are applied, thereby ensuring the market are not being provided an unfair advantage.

The submission from Mr Trevor Williams sought answers to a number of questions, which were provided (Attachment 1). Post the response to the questions, no further submission was received.

The submission from Mr Michael Dunkeld references the "size of the main fruit and veg stall" as being the scale of a supermarket and not of an "amateur" or small market providing home grown produce. Mr Dunkeld believes that it is potentially unfair for the Frangos Family to receive a two-year lease given the scale of their business. Mr Dunkeld did note that the other stallholders at the market are smaller traders with their own produce.

The Frangos Family have advised that the market has been trading well, although have noted that they have yet to experience any significant bad weather which may reduce customer numbers. The family have noted a number of repeat customers. A number of the market traders have moved to attending fortnightly rather than weekly during the cooler weather.

Should the Council approve to offer the lease, the following terms and conditions will apply:

Lessee: The Frangos Family Trust – Trading as Aussie Farmers Market (with change of trading name required to occur within six (6) months – refer below)

Premises: Visitor Information Centre/Pioneer Park Carpark, 6am to 2pm Saturdays, excluding dates of planned Community Events (ie Gawler Carols, Anzac Day etc)

Term: 2 years – subject to exclusionary clause under the Retail and Commercial Leases Act (agreement to term of less than 5 years)

Permitted Use: Produce Market

Intent: To provide a produce market for residents and visitors to Gawler which promotes local produce sourced from local suppliers.

Rent: $12,500 to $15,000 per annum for use of the Visitor Information Centre Car Park. If additional space is required (Pioneer Park), a charge of $550 will apply per instance. No increase with CPI given short period of tenure.

Rent Abatement: Should the market be unable to operate due to inclement weather (defined as a Severe Weather Warning as issued by the Bureau of Meteorology), Council may reduce the rent by $360 per instance.

Special Conditions:

- All traffic management activities required to undertake the market in a safe manner will be the responsibility of the Aussie Farmers Market. Including provision of all signage and trained personnel.
- A small storage area will provided under the Visitor Information Centre Deck for the purpose of storing traffic signage, tables, chairs or portable gazebo. No food, flammable materials or waste shall be stored in this area and Council take no responsibility for its security.
- The Visitor Information Centre public toilets will be made available for use by the market, however no guarantee of opening times is provided.
- Should the market seek to have large markets for special events (eg: prior to Christmas or other holidays), the market will seek approval from the Council Representative not less than six (6) weeks prior to the proposed market date. If the proposed date does not coincide with an existing market day (Saturday morning), the following charges will apply:
    - Carpark area only $360 per event
    - Carpark and Pioneer Park $910 per event.

The Frangos Family have advised that they believe the valuation is high, as it reflects values of markets that have been in operation for a number of years (ie Willunga Markets, Angaston Markets). The family have indicated that a rent of between $5940 and $9287.50 would be more appropriate for the first two years of trade.

Farmers Market or Produce Market

Recent correspondence received by Council prior to the commencement of the Public Consultation process, has raised some concerns regarding the use of the term “Farmers Market” by Aussie Farmers Market. The correspondence provides that the terms Farmers Market is used when the farmer/grower is selling their own produce, not through a retailer/reseller. The Aussie Farmers Market model has both primary producers and resellers trading at the market, however use of the term Farmers Market may be misleading to the public, providing the impression they are purchasing from the farmers/producers.

The Frangos Family have considered this request and have sought Councils financial support to facilitate the re-naming of the market within six (6) months of the lease commencing on 1 July 2019.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer

CONSULTATION (EXTERNAL TO COUNCIL)

Members of the Frangos Family
McGees Property Valuers

POLICY IMPLICATIONS

Public Consultation Policy

STATUTORY REQUIREMENTS

Local Government Act 1999, Section 202
Retail and Commercial Leases Act 1995

FINANCIAL/BUDGET IMPLICATIONS

The cost of developing a Lease Agreement will be dependent on whether the Frangos Family agrees to a similar lease as the Adelaide Farmers' Market or if significant amendments are required. Should a new lease document be required, costs may approach $2,000 in legal review fees. All such costs will be covered by the Frangos Family.

An independent market valuation has been sought to advise the applicable rent (**Attachment 2**). The independent valuers report provides that the rent should be set at between $12,500 and $15,000 for the carpark and an additional fee for use of Pioneer Park (as required).

The Frangos Family have indicated that a rent of between $5940 and $9287.50 would be more appropriate for the first two years of trade.

COMMUNITY PLAN

Objective 1.2: Build a local community that is proud of Gawler

Objective 1.4: Foster a vibrant and active, event-filled Council area

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

10.7 GAWLER SPORT & COMMUNITY CENTRE - STADIUM STAGE

Record Number: CC19/120;IC19/381

Author(s): Bryce Norton, Team Leader Recreation and Community

Previous Motions: IES: 2009:12:077, IES:2009:12:078

Attachments:
1. **Gawler Sport & Community Centre Stadium Stage Initial Assessment - October 2009**
2. **Gawler Sport & Community Centre Stadium Stage Cost Estimate - March 2019 CR19/40791**

OFFICER'S RECOMMENDATION

That Council :-

1. **Notes Gawler Sport & Community Centre – Stadium Stage report.**
2. **Notes that the highest and best use of funding (whether Council funding or possibly via the Rotary Club of Gawler or such other community based group) would not be to invest in the recommissioning of the existing stage, which is estimated to have a total project cost in excess of $100,000. Rather a more efficient use of such funding would be towards more modern, flexible and cost effective 'bump in bump out' staging at the centre, estimated at $25,000-$40,000 dependant on size (noting that Council has recently purchased, at a cost of $21,000, such a stage as part of the Gawler Civic Centre redevelopment which can be readily deployed to the Gawler Sport & Community Centre as required).**
3. **Authorises the Mayor to write to the Rotary Club of Gawler expressing Council's appreciation for their involvement, support and ongoing interest in respect to the Gawler Sport & Community Centre and stadium stage to which they were instrumental in delivering for the Gawler Community.**
4. **Approves the removal the Gawler Sport & Community Centre stadium stage given the significant estimated cost, in excess of $100,000 to remediate, make safe and operational. It is noted that there is no funding allocation provided for any capital works to be undertaken on the stage within the draft 2019/20 Council budget.**
5. **Notes that the $75,000 of external funding from the Office for Recreation, Sport & Racing, provided for the resurface of the Gawler Sport & Community Centre stadium floor. This project is required to be completed by 31 January 2020, thus requiring that the project now proceed as a matter of urgency. Further delays in this regard could jeopardise the funding received.**
6. **Staff write to the Office for Recreation, Sport & Racing seeking to amend the 2018/19 Community Recreation and Sport Facilities Program funding agreement with Council to include the replacement of the wall cladding in the Gawler Sport & Community Centre stadium, as outlined within this report.**
7. **Notes that Council staff are proceeding to formulate a Strategic Plan relating to the Gawler Sport & Community Centre and other facilities managed by the Aquatic and Recreation Services team which will inform the future planning and delivery of community based activities and services at the centre over the coming ten year period following the investments that have and are now to occur. Such deliberations will include the opportunities that the updated venue provides relative to events and the introduction of a 'bump in bump out' stage. A report in this regard will be presented to Council in the coming months.**

SUMMARY

The stage in the Gawler Sport & Community Centre stadium, installed in 1995, has remained out of operation since 2009, following a load audit on the hoist and lifting chains being undertaken. An initial structural assessment of the stage was undertaken following the load audit and identified various

other matters requiring attention prior to the stage being made available for community use. The recommendations from this assessment have not been implemented and as such the stage has remained locked in the upright position and out of commission.

Council has been successful in obtaining funding from the Office for Recreation, Sport & Racing for two capital improvement projects within the stadium at Gawler Sport & Community Centre – replacement of the stadium roof and resurfacing of the stadium floor. A determination relating to the ongoing status of the stage is required to allow for these projects to be planned and delivered in line with the external funding. The funding agreement between Council and the Office for Recreation, Sport & Racing for these projects have project completion dates in 2020, with the stadium floor resurfacing to be finalised by 31 January 2020. To ensure that this project is delivered in line with this agreement a Council determination in regard to the stadium stage is required as a matter of urgency.

BACKGROUND

The installation of the stage in the stadium at Gawler Sport & Community Centre occurred in 1995, six years after the stadium was opened, as a community initiative of the Rotary Club of Gawler. The stage was constructed by Ahrens Ltd. at a reported cost of $40,000.

The Sport & Community Centre stadium stage was first used in August 1995 for a Rotary Club of Gawler Music Night and utilised intermittently until 2009 by various hire groups, mostly for musical events. It should be noted that there are not accurate records relating to the utilisation of the stage during its fourteen years in operation.

In June 2009 a load audit was undertaken by A Noble & Son Ltd. on the hoist and lifting chains of the stage at various aspects of lowering and raising. The results showed that at the initial release of the stage for it to be lowered, the hoist load exceeded 2.755 tonne – the original hoist is rated at only 2 tonne. In consultation with Council's engineering team, A Noble & Son Ltd. and Ahrens Ltd. it was decided that the stage should be kept in a raised position and not made available for hire. The stage has remained out of operation due to safety concerns relating to its lowering and raising since this time.

Council engaged Opus Qantec McWilliam following the load audit undertaken in June 2009 to undertake an initial structural assessment of the stage and provide a summary of their initial findings and suggest appropriate solutions. Their assessment is included in this report as **Attachment 1,** and identifies the following areas of concern that require attention:

1. The absence of a fail-safe system to prevent free-fall of the stage in the event of a hoist malfunction. This is particularly concerning if the existing hoist doesn't have an in-built fail-safe hoist brake.
2. Rubbing of the chain on the stage framing.
3. The absence of a spring loaded locking system to prevent upper locating lugs being dislodged accidentally or intentionally.
4. Upper locating lugs being difficult to access resulting in possible strain to operator.
5. No buffers to limit banging of the stage on the supporting structure.
6. No system to prevent the hoist being overloaded by continuing to raise the hoist when the stage is already in the upright position.
7. No system in place to ensure that the load on hoist is released when the stage is locked in the upright position.
8. Bolts used as pivot pins have considerable play and are subject to wear.
9. Bolts at the splice in stage perimeter member do not extend past nuts.
10. Absence of locking nuts.
11. Weight of stage results in roof purlins being placed into compression. A check of the structural capacity of the purlins and load paths should be undertaken.

12. No written procedures and training requirements for the operation of the stage, including crane operators manual, by either the designer or competent person.
13. No written maintenance procedures, service records and schedule to address lifting gear, welding, pin integrity, etc. It is noted that the design life of mechanical components required by Code is only 10 years.
14. No records of the crane being installed and commissioned in accordance with the designers and manufacturers specification.

The report also provides the following recommendations:

1. Evaluate the existing hoist functions and if necessary design standalone, emergency breaking system to prevent free-fall of stage during hoist failure or electricity interruption.
2. Design an extension to the existing lifting lugs to prevent chain rub on the structure.
3. Redesign upper locating lugs with spring mechanism which ensures positive locking when stage is in upright position.
4. Design remote operating system to manually disengage upper locating lugs from a normal working height, with locking system to prevent intentional, unauthorised release.
5. Design buffers to prevent stage impacting supporting structure when lifted into upright position.
6. Design limit switches to prevent operation of hoist after stage has been locked into upright position.
7. Document procedures to ensure load is released on hoist once stage has been locked into upright position.
8. Replacement of existing bolts with load certified corrosion resistant self-lubricating pins to eliminate play, but will also provide smoother operation.
9. Recommended replacement of all bolts with equivalent grade and size, but additional length as necessary.
10. As item 9, but with additional length to accommodate locking nuts on critical connections.
11. Undertake a check of load paths on the existing structure to confirm loads imposed by the stage do not adversely affect the integrity of the supporting structure.
12. Inspect and analyse the hoist connection at the wall/roof intersection.
13. Prepare a written operators manual and complete a hazard assessment.
14. Prepare a maintenance manual.

Opus Qantec McWilliam also suggested that Council consider the following:

1. Designing and installing a cushioning system to prevent/minimise injuries from persons accidentally impacting the sides of the stage when it is in a lowered position.
2. Provide a safe means of access and egress from the stage when it is in the lowered position.
3. Analysing the existing stage framing to confirm the structure can support minimum imposed loads related to the weight of people, as defined by Australian/New Zealand Standard AS/NZ 1170.1-2002.

It was anticipated that at the time (2009), the design and analysis work would cost approximately $7,500 plus GST. It should be noted that this did not include the actual cost of any of the recommended remediation work. A full costed proposal to undertake such works has not been documented, however it is estimated that such works would be in excess of $100,000.

A report was presented to the December 2009 meeting of Council's Infrastructure and Environmental Services Committee, including the initial assessment (with recommendations) from Opus Qantec McWilliam. The officer's recommendation of the report was to undertake a detailed structural assessment – this was not adopted by the committee, with the following motions being the outcomes of the report being presented:

Moved by Cr P Russell
Seconded by Mayor Sambell
Motion No: IES 2009:12:077

That the Stage in Main Stadium – Gawler Sport & Community Centre report be received.

Moved by Cr B Thom
Seconded by Cr P Russell
Motion No: IES 2009:12:078

That a report be prepared on the implications of permanently lowering the stage.

It should be noted that no report in response to the second motion was ever presented to Council or its Infrastructure and Environmental Services Committee for consideration.

In early 2011, Council's engineering team inspected the stadium stage and provided an estimated cost for remediation works required to make the structure fit for purpose. The estimated cost of $36,500 was not included within the 2011/12 Council budget.

In 2018, Council was successful in obtaining funding from the Office for Recreation, Sport & Racing for the following capital projects within the Gawler Sport & Community Centre stadium:

1. To replace and improve the Gawler Sport & Community Centre Stadium Roof.
2. To resurface the main stadium floor at the Gawler Sport & Community Centre.

The internal planning for these projects has seen the current status of the stage within the stadium raised, with staff identifying that a resolution on the future of this asset is required in order to effectively undertake these projects. This report is presented seeking a determination from Council regarding the stage, in particular relative to the impending capital projects scheduled to occur within the stadium in 2019/20.

COMMENTS/DISCUSSION

The stage in the main stadium at Gawler Sport & Community Centre has remained out of operation since June 2009, following a load audit on the hoist and lifting chains of the stage that identified that when lowering the stage, the load exceeded the specified load capability of the hoist. A subsequent initial structural assessment identified a range of additional matters requiring action – this assessment is included within this report as **Attachment 1**.

The initial assessment for Council of the stadium stage, undertaken by Opus Qantec McWilliam in 2009 was provided to the Rotary Club of Gawler in April 2019 – noting the qualified current club members, a number who were involved in the installation of the stage. The Rotary Club of Gawler were the key driving force behind the stadium stage being installed in 1995, with the construction undertaken by Ahrens Ltd. The following are the comments provided by Rotary in response to the recommendations from the 2009 Opus Qantec McWilliam report:

1. The absence of a fail-safe system to prevent free-fall of the stage in the event of a hoist malfunction. This is particularly concerning if the existing hoist doesn't have an in-built fail-safe hoist brake.

   Response – Hoists can be provided with brakes in the event of malfunction/power failure. Existing to be checked as part of the structural review and changed to suit.

2. Rubbing of the chain on the stage framing.

   Response – Lifting lugs can be modified to avoid this rubbing by changing the link arrangement.

3. The absence of a spring loaded locking system to prevent upper locating lugs being dislodged accidentally or intentionally.

   Response – Mechanism to be changed to include springs and system to de-latch remotely by operators.

4. Upper locating lugs being difficult to access resulting in possible strain to operator.

   Response – Design to allow latches to be manually unlocked easily.

5. No buffers to limit banging of the stage on the supporting structure.

   Response – Simple buffers to be installed at impact point. Modular buffer between the stage and building frame and a rubber pad on the legs that land on the hall floor.

6. No system to prevent the hoist being overloaded by continuing to raise the hoist when the stage is already in the upright position.

   Response – Add limit switches to stop hoist to avoid this action.

7. No system in place to ensure that load on hoist is released when the stage is locked in the upright position.

   Response – Operation manual to include procedure to reverse hoist to release the load once the latches are engaged.

8. Bolts used as pivot pins have considerable play and are subject to wear.

   Response – Replace bolts with suitable material pins and bushes.

9. Bolts at the splice in stage perimeter member do not extend past nuts.

   Response – Replace bolts with correct grade and longer length to comply with good practice.

10. Absence of locking nuts.

    Response – Although not generally required unless structures are subject to high levels of continual vibration consider adding Ny-Loc nuts on main connections.

11. Weight of stage results in roof purlins being placed into compression. A check of the structural capacity of the purlins and load paths should be undertaken.

    Response – Analysis to be carried out at the wall/roof intersection. Drawings are available to assess weight of the stage structure.

12. No written procedures and training requirements for the operation of the stage, including crane operators manual, by either the designer or competent person.

    Response – Provide full set of O&M manuals including hoist supplier manuals. Provide training by hoist supplier. A warning flashing light or horn should be initiated as lowering/raising takes place.

13. No written maintenance procedures, service records and schedule to address lifting gear, welding, pin integrity, etc. It is noted that the design life of mechanical components required by Code is only 10 years.

    Response – Hoist to be tested and regular servicing carried out as per the codes. Structural inspection check sheet to be provided.

14. No records of the crane being installed and commissioned in accordance with the designers and manufacturers specification.

    Response – Installation to be checked and commissioned in accordance with Engineers and manufacturers requirements.

The recent responses provided earlier this month by the Rotary Club of Gawler generally reaffirm the recommendations provided in the initial assessment undertaken by Opus Qantec McWilliam in 2009.

In addition to the identified risks related to the raising and lowering of the stage, the following items would also need to be addressed if the stage was to be remediated and utilised going forward:

1. Cushioning or protective barrier around the base of the stage when lowered.
2. Investigation of stage capacity against Australian Standard AS1170.1 – Load Ratings for People. Noting that the structural floor used on the stage has been attached to the floor joists at 600mm intervals, not the current standard of 450mm intervals.

3. Stairs with handrail would be required to allow access to and from the stage.
4. Stage would need to be marked with an exclusion area (no-performance area) where the risk of fall is greater than 900mm for the stage to the floor. Alternatively a physical barrier could be designed and installed to part or all of the structure when the stage is in use.
5. Storage requirements for additional stage infrastructure e.g. Items 1, 3 and possibly 4.

In March this year, Council sought a cost estimation in relation to making the stadium stage useable and safe by current standards. As stated within the quote, included in this report as **Attachment 2,** "At this point of time I can only approximate a brief scope of works that would yet to be analysed, engineered and then implemented if structural calculations are within the scopes of working parameters relating to the building." The cost estimate provided has the following three major foci:

1. No secondary fail safe to back up electronic winch or linkage system

   $25,000 plus GST

2. No roof or wall bracing in the end of the building in which the stage is located

   $45,000 plus GST

3. Stage joists spacing for floor

   $25,000 plus GST

The cost estimate provided also refers to the approximate forty hours required to compile a full scope of works, as well as a number of items required with an unknown estimated cost. Even with the exclusion of these unknown costs/items the estimate provided is $95,000 plus GST.

The immense physical nature of the stage, it having been out of operation for more than ten years, and the lack of any original construction and/or installation engineering calculations being available to Council, significantly increase the unknowns in finalising a scope and in turn being able to accurately establish a full project costing to recommission the stadium stage. It should be noted that given the length of time that the hoist has been out of operation that in order to lower the stage safely, a mobile crane would need to be utilised - this cost has not been considered in any of the provided estimates.

The broad range of identified areas requiring remediation, coupled with the inability to undertake a detailed physical inspection of the stage (while the stage is upright), the lack of any documentation relating to the stage construction and installation and various provided cost estimates suggest that conservatively the <u>total project</u> cost to get the stage in a safe operational state is in excess of $100,000.

It is important to consider that the total project to recommission the stage would include the following matters:

1. Detailed engineering inspection, including hire of crane
2. Raising and lowering the stage
3. Stage structure upgrade
4. Access upgrades to and from the stage
5. Fall protection consideration
6. Storage requirements
7. Loss of income (if works are undertaken on site and the stadium is unavailable for hire)

The Council's 2019/20 draft Annual Budget, scheduled for adoption in the coming weeks and subject to recent community consultation (community consultation concluded 7 June 2019) does not include any provision for works related to the Gawler Sport & Community Centre stadium stage. This includes the undertaking of any further/additional engineering investigations relating to the stage – noting that a full engineering inspection of the structure would require that a hired crane lower the stage.

The construction and installation of the stadium stage was a community initiative of the Rotary Club of Gawler in 1995 and as such Council representatives including the Mayor, CEO and staff from various areas across the organisation have met with club representatives on a number of occasions this year in relation to the future of the structure. As indicated earlier in this report, qualified members of the Rotary Club of Gawler have reviewed and provided commentary regarding recommendations provided previously to Council relating to the operation of the stage.

As part of these meetings, the significant cost of recommissioning the stage has been discussed, including the lack of any allowance incorporated within the draft 2019/20 Council budget for such a project to be undertaken. The idea of a philanthropic body (e.g. service club such as the Rotary Club of Gawler or local business organisation) funding the works required to bring the structure to a safe operational state was raised. At the time of writing there has not been commitment by any organisation to provide any level of funding towards this project.

The estimated cost for the recommissioning the stage, while unable to be fully confirmed, will none the less be significant and as such it must be considered if this expenditure, regardless of who is funding the project (Council or a philanthropic organisation) is an effective and valuable investment.

In the past seven years, there have been limited enquires made to the team at Gawler Sport & Community Centre in regard to the use of the stage within the stadium. These enquires are outlined below:

1. A number of enquires have been made by a local community member in relation to various possible uses of the stage and the stadium.
2. Gawler Primary School utilised the stage for their end of year concert prior to it being made unavailable for use. The school enquired about the ongoing availability of the stage for this event. The school have continued to use the stadium for their end of year concert, utilising a temporary stage solution.
3. The Gawler Show Society made an enquiry about the status of the stage and its ability to be utilised as part of the Gawler Show. It should be noted that the Gawler Show will utilise the Gawler Civic Centre “bump in” stage (ie portable demountable stage) for the 2019 event.

The use of the Gawler Civic Centre bump in stage, as will be undertaken at the 2019 Gawler Show, noting that its use will not be in the Sport & Community Centre stadium, highlights the use of temporary staging as an alternative. Events within the stadium could utilise a bump in stage, either through the use of the Gawler Civic Centre stage, the hire of a suitable stage or through a combination of using the Civic Centre stage and hiring additional infrastructure to increase the stage size. The Gawler Civic Centre stage is significantly smaller (approximately 27sqm) than the existing fixed stadium stage (approximately 83sqm – although there would be an area identified as ‘non-performance’ due to the risk of fall from height, so reducing the amount of available stage space). The use of temporary staging is seen as a cost effective and viable alternative to the recommissioning of the current fixed stadium stage. The use of temporary staging will continue to allow for the stadium space to be flexible and maintain its high peak utilisation rates, as outlined later in this report.

The utilisation of the Gawler Sport & Community Centre stadium for events that require a stage would be expected to occur mostly during what are the peak times for current use e.g. from 4.30pm weekdays and on weekends. Council manages other community facilities that may be more suitable and/or have less current use at these times than the Sport & Community Centre stadium – Gawler Civic Centre and Gawler Elderly Centre. It should be noted that these facilities have various features that could make one facility more suitable than another depending of the intended use – e.g. capacity at Gawler Civic Centre Institute is 250, with the Gawler Sport & Community Centre stadium having a capacity of 425, while the floor surface at the Gawler Civic Centre Institute is carpet, while both the Gawler Elderly Centre and Gawler Sport & Community having hard non-carpeted surfaces. The increasing use of these other facilities for these types of uses could well provide for an increased collective usage of Council’s community facilities.

The stadium, as is common with similar facilities that are not linked to education facilities, has very distinct peak and non-peak usage times. The peak time for facility use is on weekends and between 4.30pm and facility close on weekdays, with the peak weekday times aligning with use after school hours. The stadium utilisation rates for eleven completed months of the current financial year are below:

Stadium Utilisation – PEAK times	80.08%
Stadium Utilisation – NON PEAK times	10.44%
Stadium Utilisation – ALL times	45.19%

The following provides a summary of the recent weekend utilisation for the Gawler Sport & Community Centre stadium over the past twelve months in the context of it being available for a major event:

1. 41 weekends available – unavailability of the facility on other weekends was due to roof replacement works, Christmas/New Year centre closure, leaking roof.
2. There was one occasion when the stadium was available from Saturday 12.30pm to Sunday close - this was a Public Holiday weekend.
3. The was an additional five occasions when the stadium was available from Saturday 12.30pm to Saturday close - note there were bookings on all five Sunday mornings from 10.30am and two of the five occasions were Public Holiday weekends.
4. There were an additional nine occasions when the stadium was available from Sunday 3.30pm to close - two of the nine occasions were Public Holiday weekends.
5. The remaining 26 occasions saw the stadium have bookings across both days of the weekends, extending on both days beyond 4.00pm.

The stadium has been utilised by the following regular hire groups during the current financial year:

1. Gawler Skating Club
2. North Vikings Inline Hockey Club
3. Skate Crew Artistic – Team Skate FX North
4. Rockabellas Roller Derby
5. Team Skate FX Speed Skate Club

The following ad hoc hire has occurred in the current financial year:

1. Casual skating use
2. Department of Child Protection – Christmas event
3. Disability groups
4. Fitness Classes
5. Gawler Ageing and Disability Expo
6. Gawler Judo Club – Judo competition
7. Gawler Show
8. Gawler Primary School – school sport activities, end of year event
9. Gawler Reconciliation Committee Community Reconciliation Fun Day
10. Gawler Veteran, Vintage & Classic Vehicle Club Swap Meet
11. Home Schooling groups
12. Inline Hockey Australia – training for National competition held at STARplex
13. Out of School Hours Care/School/Scout group bookings

The following regular programs utilise the stadium:

1. Birthday Parties – Saturday, Sunday
2. Public Roller Skating programs – Wednesday, Friday, Saturday, School Holidays

Council has successfully obtained State Government funding during the past 15 months for two capital projects within the stadium - roof replacement and floor resurfacing. The planning and subsequent implementation of these projects are directly impacted by the stadium stage, as outlined below:

Gawler Sport & Community Centre Stadium – Roof Replacement

In October 2018, Council was successful in obtaining $120,000 plus GST through the Office for Recreation Sport & Racing 2018/19 Community Recreation and Sport Facilities Program to replace the stadium roof. The stadium roof had long been as issue for the facility, with numerous leaks continuing to occur across the space, even with a number of attempts to directly fix the leaking areas being undertaken. The new roof was installed in January 2019, during a period of low facility usage, with a total original project budget of $270,000 plus GST.

The final cost for the installation of the new stadium roof was $162,500 plus GST, with the project being well managed internally and able to effectively take advantage of a highly competitive tendering environment. Subsequently Council team members have investigated suitable capital projects, in line with the aims of the funding program (Community Recreation and Sport Facilities Program) that could be delivered with the remaining $107,500 plus GST of the original project budget.

The installation of internal wall cladding within the stadium has been determined as the most suitable project and it is recommended that a formal request to vary the funding agreement with the Office for Recreation, Sport & Racing is made. The current funding agreement expires on 31 October 2020. This project would remove the Solomit (straw) insulation, as occurred during the recent roof replacement and install R3.0 glass wool insulation and Colourbond cladding around the stadium walls. A quotation was received in early 2019 to undertake this project totalling $104,765 plus GST. The removal of the Solomit and install of new wall cladding has a number of benefits - improved quality of insulation in the stadium, the Solomit is mouldy in a number of areas and the installation of Colourbond cladding would be aesthetically a significant improvement, in particular, when combined with the new roof and flooring.

The removal of the Solomit insulation and installation of new glass wool insulation and cladding on the entire southern wall of the stadium would not be possible with the stage in the upright position, as it covers a meaningfully large physical area of the wall.

Gawler Sport & Community Centre Stadium – Floor Resurface

In March 2018, Council was successful in obtaining $75,000 plus GST through the, then Office for Recreation and Sport as part of their Sporting Surfaces Program to resurface the stadium floor. The stadium floor, even with a number of smaller remediation projects, in particular around the expansion joints, is beyond its useful life – the floor is thirty years old.

The development of the final scope for this project is on hold awaiting a determination regarding the future of the stage within the stadium. The following are the major links between the stage and the resurfacing of the stadium floor:

1. The flooring surface would need to be suitable if the stage was to remain and be utilised – the physical impact of the stage on the floor at the points of contact would need to be assessed and signed off by the flooring supplier.
2. The impact that a possible increase in stadium utilisation that involve large number of chairs across the floor e.g. seated music event utilising the stage.
3. The impact on the flooring design relative to the orientation of the sporting courts - lines, floor penetrations. In the event that the stage is removed from the stadium, significant changes that provide a range of benefits to facility users and management, will be considered, including the reorientation of the inline hockey rink. This change will provide for improvements to spectator safety and more effective usage of human resources (reduced setup/pack down)

and available space across a range of programs.

It should be noted that the current deadline for the external grant funding to be expended is 31 January 2020. In order to meet this deadline, noting that sequentially the wall cladding project would precede the floor resurfacing, a decision regarding the stage is required to be made by the middle of July 2019 at the latest to allow for the procurement process to commence for both capital projects.

COMMUNICATION (INTERNAL TO COUNCIL)

Mayor
Chief Executive Officer
Manager Library & Community Services
Manager Infrastructure & Engineering Services
Manager Finance & Corporate Services
Team Leader Property & Procurement
Coordinator Aquatic & Recreation Services

CONSULTATION (EXTERNAL TO COUNCIL)

Rotary Club of Gawler – A number of current members of the Rotary Club of Gawler have been in communication with Council team members since early in 2019 in regard to the use of the stage in the stadium at Gawler Sport & Community Centre.

All Gawler Sport & Community Centre user groups with bookings for the stadium will receive direct communication following a final determination being made by Council regarding the stage. This communication will provide the groups with further information, in particular expected timelines for the scheduled capital projects to be undertaken within the stadium in the 2019/20 financial year.

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

The draft 2019/20 Council budget does not provide any funding allocation towards the Gawler Sport & Community Centre stadium stage, from either the capital works required for the asset to be recommissioned or operational (inspection and maintenance) perspectives. An indicative cost of $4,000-$5,000k to undertake regular inspection of the stage structure, winch and lifting equipment would need to be added to the Council's Annual recurrent budget should the stage be recommissioned and opened for use.

The cost of the removal of the stage – quoted in February 2019 at $5,400 plus GST, can be funded by Gawler Sport & Community Centre property maintenance budgets.

Council has been successful in obtaining funding from the Office for Recreation, Sport & Racing to undertake- two capital improvement projects within the Gawler Sport & Community Centre stadium in the 2019/20 financial year. The details of the project costs (GST exclusive), funding sources and dates for project completion, as per the relative funding agreements is provided below:

Capital Project	Total Project Cost	Town of Gawler Project Contribution	Office for Recreation, Sport & Racing Project Contribution	Project Completion Date
Resurfacing of Stadium Floor	$190,380	$115,380	$75,000	31 January 2020
Replacement of Stadium Roof	$270,000	$150,000	$120,000	31 October 2020

COMMUNITY PLAN

Objective 1.4: Foster a vibrant and active, event-filled Council area
Objective 1.5: Promote cultural heritage and the creative sector to build community spirit pride
Objective 2.1: Physical and social infrastructure to service our growing population and economy
Objective 3.3: Provide facilities for a range of different recreational activities
Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration
Objective 5.4: Create a safe community environment

10.8 SMART (CITY) COMMUNITIES UPDATE

Record Number: CC19/319;IC19/300

Author(s): David Barrett, Manager Business Enterprises and Communications

Previous Motions: Council 12/12/2017 Motion No: 2017:12:475; Council 26/06/2018 Motion No: 2018:06:225; Council 22/01/2019 Resolution 2019:01:COU001

Attachments:

1. **Smart Community Strategy Final Version As Adopted by Council**
2. **Local Government Association of South Australia Going Smart, Smart Cities Framework for Metropolitan Adelaide**
3. **Communications Plan for the Connected Community Project**
4. **Smart Cities and Suburbs Program - Gawler Connected Community - Milestone Report 1**
5. **Town of Gawler - Final Report - CCTV Funding Agreement - Attorney General's Department 2017 CCTV Grants Program**
6. **Draft Memorandum of Understanding (MOU) between Town of Gawler and Connexus**
7. **Digital Wayfinding Devices and Proposed Locations**

OFFICER'S RECOMMENDATION

That Council:-

1. **Notes the Smart (City) Communities Update Report.**
2. **Notes the progress of the Connected Community Project as detailed in this report.**
3. **Notes the communications strategy for the Connected Community Project as presented.**
4. **Notes that ownership of the data related to the Connected Community platform vests with Council and that Plutus Commerce does not have any legal right to access or use the data for purposes other than delivering and maintaining the platform nor will it have the right to sell the data.**
5. **Notes that Connexus Internet Solutions' pilot initiative provides an economic opportunity to benefit local businesses which if successful could be rolled out on a national basis with the proposal that Gawler becomes the preferred national head office location.**
6. **Authorises the Chief Executive Officer to execute the Memorandum of Understanding with Connexus Internet Solutions as presented.**
7. **Adopts the additional digital wayfinding device installation locations namely:**
   a. **Adjacent to the front entrance of the Gawler Visitor Information Centre closest to Lyndoch Road (southern side of the Centre); and**
   b. **Wall mounted within the foyer of the Gawler Sport and Community Centre.**
8. **Notes that Council has already approved the installation of the digital wayfinding device at the corner of Walker Place and Murray Street to form part of the Walker Street upgrade project.**
9. **Notes that the marketing campaign promoting the Connected Community Project with the view of engaging local businesses will commence with information published in The Bunyip on 26 June 2019.**
10. **Notes that the Town of Gawler's Free Public Wi-Fi will be officially launched at the Town of Gawler Stand within the 2019 Gawler Show and that a competition will be run via this Stand to promote community sign-up to the Free Wi-Fi platform.**
11. **Notes that the Town of Gawler App is proposed to also be officially launched at the 2019 Gawler Show provided that final developments are complete and tested in accordance with existing Connected Community Project delivery timeframes.**
12. **Notes that soft launches of both the Town of Gawler's Free Public Wi-Fi and Town of Gawler App will be occurring prior to the 2019 Gawler Show so that appropriate**

testing can be undertaken prior to the proposed official launches.

13. **Notes that both Council's Connected Community Project and Connexus Internet Solutions' proposed initiative are Australian Firsts for Local Government and provide innovative local business engagement and development opportunities.**

SUMMARY

This report provides Council with an update regarding progress within Council's Smart (City) Communities projects with a focus on the Australian Government funded Connected Community Project.

It is noted that the Australian Government grant requires the deployment of this initiative by the end of August 2019. Final reporting of the grant's acquittal is due on 30 October 2019.

BACKGROUND

At the 12 December 2017 Council Meeting the following was resolved:

> Moved by Cr A Shackley
> Seconded by Cr K Fischer
> Motion No: 2017:12:475
>
> *That Council adopts the Smart (City) Communities Strategy as presented.*

A copy of the adopted strategy is provided as **Attachment 1**.

Smart City solutions leverage information and communications technologies (ICT), not only to deliver higher quality services more efficiently, but also to realise significant operational cost savings and effect behaviour change in workers, businesses and the community as a whole. The adopted Smart (City) Communities Strategy has a long-term focus for Council to integrate current operations, projects and future initiatives into digital thinking.

The Local Government Association of South Australia (LGA) commenced a similar journey to that of Council in 2017 when it started developing a Smart Cities Framework from Metropolitan Councils supported by the then Metropolitan Local Government Group. Over the past two years, Council Staff have been engaging with the LGA to develop this Framework by attending regular workshops and meetings. The Framework endorsed by the Greater Adelaide Region Organisation of Councils (GAROC) on 6 May 2019 and officially launched by Mayor Redman, Chairperson – GAROC on 29 May 2019.

Titled *Going Smart, Smart Cities Framework for Metropolitan Adelaide* (**Attachment 2**) the document can be uses by councils at any stage of their smart cities journey. The Framework is a communication tool and a resource that describes the guiding smart cities principles to assist councils embed it in their planning, administration and operations.

Council's Smart (City) Communities Strategy is referenced within the Framework as a useful resource for councils looking to get going in the smart cities space. The Strategy commenced implementation during the 2017/18 financial year with significant savings being achieved during the 2018/19 financial year. Details regarding these outcomes are provided in the Comments/Discussion and Financial/Budget Implications sections of this report.

At the 26 June 2018 Council Meeting the following was resolved:

Moved by Cr A Shackley
Seconded by Cr K Fischer
Motion No: 2018:06:225

That:-

1. *Council apply to Round 2 of the Australian Government's Smart Cities and Suburbs Program in the amount of $250,000 (excluding GST) to support Council's "Connected Community" project as outlined in this report.*
2. *Council will ensure that appropriate ethical consideration will apply in the collection, use and dissemination of information.*
3. *Council considers that a publicly managed project has the potential to better provide for an appropriate balance for these issues.*
4. *Council will ensure that there is Council oversight in the assessment and reporting of these issues both in the planning and operational stages.*
5. *That the grant application include reference to these matters.*

Council submitted an application in accordance with the above resolution and was subsequently successful in obtaining $250,000 from the Australian Government to support the Connected Community Project. This success was acknowledged by Council at its 22 January 2019 Meeting where the following was resolved (part motion included):

RESOLUTION 2019:01:COU001

Moved: Cr C Davies
Seconded: Cr D Fraser

That Council:-

Notes that it was successful in its Smart Cities and Suburbs Round 2 application in the amount of $250,000 for funding towards the Gawler: Connected Community Project.

Council Staff have been working on delivery of the Connected Community Project as well as a range of other Smart (City) Communities projects and this report provides Council with an update regarding the progress of these initiatives.

COMMENTS/DISCUSSION

The Australian Government's Smart Cities Plan states that great cities attract, retain and develop increasingly mobile talent and organisations, encouraging them to innovate, create jobs and support growth. While the opportunities have never been greater for our cities, congestion, poor access to jobs and services, reduced housing affordability and increasing pollution can challenge the quality of life they offer.

By taking advantage of the unprecedented pace of technological progress, governments and the community can make cities more prosperous and sustainable. Real time data and smart technology will lead to better utilisation of infrastructure, clean energy and energy efficiency, improvements in services and better benchmarking of local government performance.

Businesses and start-ups are already taking advantage of information and communications technology to provide new types of real time personalised services.

The uptake of technology such as smart phones in Australia, combined with access to and use of data across the public and private sector represents an enormous resource for innovation, service improvement and efficient use of infrastructure in Gawler.

Under the National Innovation and Science Agenda, the Australian Government is releasing more non-sensitive public data for private sector innovation, and is using this data to improve service delivery and to inform policy. The Australian Government is seeking to work across state and local

governments to encourage greater access and use of anonymised, machine readable data that will help make government more citizen-focused and stimulate innovation in service delivery.

CONNECTED COMMUNITY

"Connected Community" is the Town of Gawler's project being part funded by the Australian Government's Smart Cities and Suburbs Program. It provides Council with the opportunity to deliver better services, more efficient use of infrastructure and improved liveability within Gawler. Connected Community can achieve these goals by leveraging readily available open and real-time data via a bespoke software platform as detailed within this report.

Council intends to develop a highly engaged residential, visitor and business community by partnering with Plutus Commerce, a company that specialises in customer engagement through the use of technologies in mobile commerce.

Mobile commerce – mCommerce – Town of Gawler App

Mobile commerce (mCommerce) is the use of wireless handheld devices, such as mobile phones, tablets and laptops, to conduct commercial transactions online. MCommerce transactions continue to grow, and the term includes the purchase and sale of a wide range of products and services, such as online banking, bill payment and information sharing.

MCommerce is founded upon the increasing adoption of electronic commerce (eCommerce), the process of conducting commercial transactions online.

The rapid growth of mCommerce is being driven by a number of positive factors, including the demand for applications from an increasingly mobile consumer base; the rapid adoption of online commerce and technological advances; the advanced capabilities and substantial computing power of wireless handheld devices.

The range of devices that are enabled for mobile commerce functionality is growing, and now includes wearables (such as smart watches and Fitbits). For example, both Apple Pay and Android Pay allow customers to seamlessly purchase at stores or in mCommerce applications. MCommerce has also accelerated through social media platforms, allowing users to purchase products and services. Facebook, Twitter, Pinterest and Instagram all have "buy" options on their mobile platforms.

The funding received for the Connected Community project has enabled Council to engage Plutus Commerce, a mCommerce specialist company, to develop an online platform that can engage Council, local business and the community. This platform will drive and manage Council's free public WiFi system, be available via the internet and a free "Town of Gawler" App.

mCommerce Solution Mechanics

The solution within the Connected Community project is a cloud based platform that sources open data to create a single view of a customer. This platform has an inbuilt campaign engine that allows Council and partner businesses to create campaigns (marketing material) that are triggered by events taking place; such as the trigger of a beacon (explained below), a customer's birthday or a special event.

The platform can send the campaign to multiple customer touch points including mobile application, email and text message. Content is managed within the platform with the user selecting suitable content around the delivery point to the customer.

The platform allows the user to select a segment (eg. a group of people within the database with like interests) that is created from multiple criteria and then select the method of delivery preference. If the preferred delivery method is not available for a particular customer the platform automatically goes to the secondary method. As an example, the platform can deliver in the following order:

APP -> Email -> SMS

The ability to deliver in this manner allows a business to ensure that customers can always be reached on their preferred communication method and enjoy the benefits of a campaign.

The platform allows dynamic follow up. If a customer was sent an in App offer and hasn't responded for a defined period of time, another method will be used to reach the customer, for instance, an email with the offer will then be sent to that customer.

This type of communication platform can be used by Council and local business alike.

For Council such initiatives include community messaging, payment reminders, community consultation and community program advertising. It can also be used by local businesses to promote offers, advertise and engage with their customers.

Business Engagement

Most businesses face similar challenges when it comes to customers. These include retaining existing customers and obtaining new customers. The ability to retain customers is one of the most important business functions in any organisation. It is usually done through the "primary" tools at the business' disposal which include the quality of their product and service, the geographical proximity to its clients, the unique product mix or service offering or the status derived from the use of the product or service.

A "secondary" tool at any business' disposal as part of the marketing mix is Loyalty and Rewards programs. These programs create an affinity between the business and the customer where the customer feels a bond to the business in a positive way.The technological advancement within the Plutus Commerce solution enables the App to **re-skin** itself based on location analytics. For example, when someone is walking down Murray Street they will be accessing the "Town of Gawler" App. This App will provide the user with on-demand access to Council information, news, events, etc.

When a member of the community and/or visitor is walking into a business in Murray Street, the App will use location services to know what business they are entering and automatically **re-skin** to be that business' App. When the person leaves the business the App will then automatically re-skin to be the "Town of Gawler" App. The solution is providing local businesses with the opportunity to have their own App at a fraction of the cost of developing one themselves.There will be a considerable amount of business engagement that will need to occur to enable this App re-skinning process to provide users with a seamless transition. This business engagement will be conducted by Plutus Commerce and will provide all businesses that join the program with the following:

a) A business specific App
b) The ability to conduct business online
c) Access to both direct and indirect marketing
d) Customer rewards programs
e) The ability to notify sales and offers direct to customers based on analytics
f) Online sales conversion with instant direct deposit of funds
g) The ability to be part of a packaged deal with other businesses in Gawler
h) Point of Sale solutions
i) Enterprise Payment solutions

Plutus Commerce is responsible for all business engagement and on-boarding. A "Project Office" will be established within the Business Innovation Hub at the Gawler Civic Centre that will enable businesses to connect with Plutus Commerce during regular business hours. Plutus Commerce will also be engaging a local marketing agency to assist with engaging businesses. This company will deploy staff to Gawler who will "walk-the-street" to engage businesses face-to-face. This engagement strategy will include follow-up and Plutus Commerce will also be running regular after-hours information and business on-boarding sessions to capture the broadest range of local businesses possible.

Both the Gawler Business Development Group and Regional Development Australia Barossa, Gawler, Light, Adelaide Plains have been provided with overviews of the Connected Community Project. These organisations have agreed to share information within their respective networks to ensure that the Connected Community Project is as successful as it can be.

Chameleon Customisation

"Chameleon Customisation" is the ability to skin to a completely different look, feel, style and brand based on the business or service provider that the user is interacting with. This App customisation and interaction is transformational for local business.

Dynamic styling will allow each business to ensure their brand is displayed to their customers. The App will dynamically change certain styling elements based on the context of the customer. The context will be either location based or membership based. Location based context will automatically style the application in a specific sites' branding based on a user entering a defined geo-fence or by the user interacting with a beacon. Alternatively customers can select the business and the application will change accordingly, offering the content and functionality that is relevant to that business. The following elements of the App can change to accommodate the needs of both Council and local businesses:

a) Logo - Each business will define the logo they wish to use. This logo will be displayed to end users based on their context.
b) Colours - A number of the application elements have colours. These pallets cover a number of user interface elements including navigation, strokes and messages. Each business will be able to define their palette which aligns with their brand identity. This is then dynamically adapted based on the context.
c) Fonts - Fonts can be modified per business to align with the business' brand identity.
d) Imagery – Businesses will control the use of images in the header sections and the content management system allowing them to drive their brand.

One of the most critical communication methods a business has with its customers is through the App. The styling and choice of content that is pushed in these messages can be styled to match the brand identity and drive the brand message to the customer.

Each business offers a different level of service and facility to its customers. The dynamic nature of this service offering requires the App to be adaptive when presenting functionality to a customer. For example, a business such as the local newsagent or clothing store does not have conference facilities therefore it does not make sense showing the conference booking module within that business' App. Consequently the dynamic customisation of the App automatically hides this module and only makes available the modules within the App that are appropriate for the particular business (eg products, online store and offers). Businesses will be able to select which modules they want enabled for their App.

The content management system (CMS) platform provides content that is access controlled and viewable only by the intended customer. This personalised service enables content to be formatted in the way that the user wants to view it. For example, some users may prefer video to text so the content will come through as a video. The platform supports, text, video, images and sound for content. Articles can also be searched within the App enabling even more functionality for customers, businesses and Council.

Reward Programs

The rewards program delivered by the platform relies on very similar mechanics to standard rewards programs, referred to as "game mechanics". Effectively customers are rewarded for spending money with a company and can use the rewards to gain benefits. The difference with the Connected Community platform is that it uses these traditional "game mechanics" as well as Social Mechanics and Reputation Mechanics.

What sets this system apart from others in the market is the active use of gamification in conjunction with traditional system mechanics and the ability of the system to tightly integrate into WiFi, Beaconing, Mobile and Point of Sale solutions.

Gamification is the use of game thinking and game mechanics in non-game contexts to engage users in solving problems and increase users' self-contributions. Gamification has been studied and applied in several domains, with some of the main purposes being to engage (improve user engagement, physical exercise, return on investment, flow, data quality, timeliness), teach (in classrooms, the public or at work), entertain (enjoyment, fan loyalty), measure (for recruiting and employee evaluation), and improve the perceived ease of use of information systems.

Sensor Technology

Sensors are devices that transmit a signal. The benefit of sensors is that they transmit only small packets of data so they are able to operate across both conventional hard-wired and wireless technologies as well as across LoRaWAN (a Low Power, Wide Area networking protocol designed to wirelessly connect battery operated ‘things’ to the internet in regional, national or global networks). LoRaWAN allows things to talk to the internet without mobile data coverage or WiFi. It features low battery usage, long range and low bandwidth.

There are many benefits available to Councils that access beacon technology such as:

a) Knowing when a bin is full and needs emptying
b) Knowing when a reserve needs mowing
c) Rainfall analytics to manage water use
d) Pedestrian movements and building visitation rates
e) Traffic monitoring

Sensor technology provides data to the open data network that connects with the Internet of Things (IoT) which is the interconnection via the Internet of computing devices embedded in everyday objects, enabling them to send and receive data. This includes everything from mobile phones, coffee makers and washing machines to headphones, lamps and wearable devices. If it has an on and off switch then chances are it can be a part of the IoT.

The IoT is this giant network of connected "things" (which also includes people). The relationships delivered by the IoT will be people-people, people-things, and things-things. Anything that can be connected, will be connected.

There are many examples for what this might look like or what the potential value might be. For example someone is on their way to a meeting; their car could have access to their calendar and already know the best route to take. If the traffic is heavy their car might send a text to other participants in the meeting notifying them that they will be late.

The IoT can be applied to Council initiatives that can help reduce waste, improve efficiency and monitor energy use. Accessing this data will assist Council to understand and improve our community’s liveability. The IoT allows for virtually endless opportunities and connections to take place, many of which we can't even think of or fully understand the impact of today.

Beacon Technology

Beacon technology is one form of sensor technology that the Connected Community platform leverages. When a beacon transmits a signal other devices (phones and tablets) listen for this signal and ‘wake up’ when one is detected. The beacon then uses data from the signal to calculate proximity.

An iPhone, for example, will detect a beacon and then calculate whether it is close to or far from the source. If it is close to the source then the Connected Community platform will send the iPhone relevant content.

Council’s free public WiFi network and the Gawler Civic Centre redevelopment both have beacon technology embedded within the wireless access network points that have been installed. This provides Council with the opportunity to directly communicate to a device that is passing one of these access points with relevant information.

For example, someone entering the Gawler Civic Centre could be sent a message outlining what's happening in the facility that day. Another example of a Council use of this technology would be to advise someone travelling along Murray Street of planned roadworks that may be occurring and offering an alternate route.

The beacons within Council's WiFi network are powered however beacons can also be battery operated and can last up to three years on a single coin-sized battery. Beacons are relatively low cost, easy to install and effective to use. Being low-energy, beacons benefit device users as they will not drain the battery of the device in the same way that global positioning services (or location services) polling does.

As beacons calculate proximity and not location, they can be attached to moving items or items that are moved. They work well both indoors and outdoors and can operate at distances ranging as far as 100 metres, depending on the environment. It is beacon technology that will be used to trigger the chameleon customisation on the mobile App based on user proximity. The use of proximity triggers (beacons) to communicate and engage with the community is an innovative opportunity for both Council and local businesses.

WiFi Solution

The Connected Community platform offers a WiFi solution that provides a captive portal to customers of the site. The captive portal captures registration information and lands the customer on a splash page or website. This site can be a basic page of information or it can provide interactive elements, community messaging, advertising and local business offers.

The WiFi solution manages the customer's session information and will provide analytics against the session. Browsing information, return visits and other business related analytical information is provided on the management dashboard. Supporting all popular browsers, the platform opens revenue opportunities up for third party advertisers through the campaign engine. Content can be delivered by:

a) Splash page marketing
b) Advertisements injected into the users browser
c) Advertisements targeted to specific user profiles, segments or trigger on user behaviour
d) Creating user polls for consumers to complete
e) Capturing and measuring real time responses

The WiFi solution is integrated into the Connected Community platform which can deliver messages and advertisements (campaigns) to the customer when they login. These campaigns can be tailored directly to the individual user offering personalised content.

Sale of Products and Services

Another element of the Connected Community platform is a transaction system that provides non-competitive products and services into the platform for purchase by users. Some examples of the types of products and services that can be offered are:

a) Venue Hire
b) Ticketing
c) Bill payment
d) Service Fee payment
e) Electronic products
f) Prepaid mobile data and airtime
g) Insurances

The transaction system has the potential to enable users to pay Council rates and infringements, register dogs, book tickets to Council programs, book Council venues and lodge development applications all via the "Town of Gawler" App. It will also provide local businesses with the opportunity to offer products and services for the user to access.

A unique offering that the transaction system provides is the ability to package products and services from multiple providers with only one payment transaction from the user.

For example, a visitor to Gawler could book a morning movie ticket, lunch at a café, a walking tour in the afternoon, an early evening salon visit, dinner at a local hotel and a room at a local bed and breakfast to stay the night. This entire package can be paid for via one payment from the visitor that is then instantaneously distributed to each of the businesses providing services to the visitor and the relevant bookings are made.

The "Connected Community" platform also has the ability to manage Council facility bookings, tourism services and programs in the digital environment without the need for additional software systems. This will drive savings to Council's annual operating budget whilst providing greater customer satisfaction and increased revenue opportunities.

Operational Requirements

For the Connected Community platform to operate effectively Council needs to provide high-speed public WiFi that has the ability to scale according to the number of devices connected at any given time and well as inbuilt security to mitigate data security concerns. This type of connection is cost prohibitive via the National Broadband Network (NBN) therefore Council issued a tender for connectivity solutions early in 2019.

The successful respondent to this tender was Caznet Solutions who has now delivered a private dark fibre optic supply to the Gawler Administration Centre from Your DC at Edinburgh Parks. This enhanced infrastructure outcome is costing Council $2,472 per month and, as detailed within the Finance/Budget Implications section of this report, is currently being being funded from within Council's recurrent budget related to ICT operations. This dark fibre link is currently delivering separate internet provisions of 100MB per second for Council's Corporate Network and 400MB per second for Council's Public WiFi. The internet service connection to the Gawler Administration Centre is being distributed around Gawler via microwave links to the WiFi access points. These access points are serving a dual purpose in that they are providing public WiFi as well as the connection point for Council's Closed Circuit Television (CCTV) network.

Council's connectivity solution being provided by Caznet Solutions includes internet service provision, public wifi management, distributed denial of service attack (DDoS) protection and guaranteed IP transit with scalability and the opportunity for short-term bursts above the maximum service provision. These inclusions provide Council with an assurance of high-speed Public WiFi delivery as well as the an automated ability to temporarily exceed data limits across the WiFi in the event that the connections happen to be oversubscribed for some reason.

In addition to the provision of Public WiFi, Corporate Internet and CCTV backhaul, the new fibre optic network infrastructure provides Council with two redundancy links for its cloud based corporate systems. The first being via the existing NBN connection, and the second via an existing SABERNet link that was activated for Council's cloud pilot project undertaken in 2018. This provides Council with connectivity options that rival any capital city business and minimises the risk of connectivity loss that effectively stops Council business.

Operational Costs

Implementing the Connected Community platform has ongoing operational costs. These costs include such things as licensing, internet service provision, network administration, billing, system maintenance and ongoing business development and are outlined in the Finance/Budget Implications section of this report.

The Connected Community platform includes a return on investment that is predicted to make the platform self-funding within 12 months. The proposal provides for all operational aspects of the platform to be funded via new revenue streams achieved from the sale of third party products and services within the platform. It should be noted that this revenue stream is in no way supported by the sale of any user data. As noted below, user data will be exclusively owned by Council and the recommendation is that this data is never sold.

Security and Privacy

Council Staff acknowledge that data security and privacy are becoming increasingly complex issues and an ethical approach must be taken to ensure that users of the Connected Community platform are not having their data inappropriately accessed by third parties. To address this, ownership of the data related to the platform vests with Council. Plutus Commerce does not have any legal right to access or use the data for purposes other than delivering and maintaining the platform nor will it have the right to sell the data.

Users of the platform need to agree to the terms and conditions of use and therefore agree to the way that the system will be accessing and analysing their data. This will be an opt-in function ensuring that users have agreed to it (rather than an opt-out).

All data associated with the platform will be stored in a private cloud environment with industry leading security provisions.

Whilst the platform has the ability to persistently message users, this would be contrary to the outcomes being sought as this kind of activity will disconnect users. The purpose of the solution is to better engage with the community to deliver enhanced liveability. Allowing the platform to constantly "spam" users would be counterproductive.

Progress to date

Plutus Commerce commenced development of the Town of Gawler App in May 2019. Initial design concepts were provided to Council Staff on 21 May 2019 as presented at the Council Workshop on the same day. Council Staff met with Plutus Commerce on Friday 14 June 2019 to further the design work, gain access to the back-end system for internal training and testing and identify the next steps to deliver the platform in accordance with the agreed contractual and funding timeframes.

Next steps are for Plutus Commerce to commence on-the-ground business engagement and on-boarding for the App, alter App functionality based on Council Staff feedback and commence App integration with Council systems.

Council Staff engaged an external marketing and communications specialist, Mr Rob McLean, to deliver a communications plan for the rollout of the App and Council's Free Wi-Fi network – **Attachment 3**. The work undertaken by Mr McLean included development of frequently asked questions, media releases, digital and print media content and timeframes for implementation. The communications plan implementation starts in the week commencing 24 June 2019 with paid advertising in The Bunyip and In Daily as well as extensive coverage across Council's digital media channels.

The Connected Community Project officially commenced in November 2018 when Council signed the Funding Agreement with the Australian Government. This Agreement has project completion set at the end of August 2019.

Council Staff submitted the first milestone report under the Funding Agreement to the Australian Government on Friday 14 June 2019 which included details on the Project's progress, actual expenditure and future commitments (**Attachment 4**). This milestone reports demonstrates how complex the project is relative to Council's contributions being leveraged from a range of other past, current and future projects.

PUBLIC WI-FI

As stated above, the success of the Connected Community platform will come from local business engagement and the delivery of free Wi-Fi within Gawler. Council has invested in Wi-Fi access points throughout Murray Street and surrounding precincts including Gawler Central Station, Clonlea Reserve (Skate Park) and Apex Park. With the implementation of community safety upgrades funded by the Australian Government's Safer Communities Program, this network will be expanding to incorporate Pioneer Park and Clonlea Reserve (Dog Park).

Signal Strength for Murray Street on 5GHz band

The image below shows the expected wireless coverage throughout the floor at -75dBm on the 5GHz frequency. Any wireless client devices within the coloured signal area shown should be able to connect at a moderate to high data rate (speed) and have a stable connection.

The network was activated for internal testing in May 2019 and Council Staff are working with its Caznet Solutions and MIMP (the company that provides the microwave links) to ensure that seamless connectivity is achieved when people walk along the street and in and out of the Gawler Civic Centre. The transition from outdoor free Wi-Fi that runs across one microwave backhaul system to indoor free Wi-Fi at the Civic Centre that runs from a different backhaul system is working well however when users exit the Civic Centre the outdoor connection is not reconnecting to the device. This fault is only present when connecting via mobile device (phone or tablet) it does not occur when connecting via laptop.

Load testing on the Wi-Fi network has been successful and there have been no issues with connectivity from each access point so once the transition issue is solved the Public Wi-Fi network can “go live”. Council Staff are anticipating this to occur in late July/early August.

CCTV

In May 2017 Council applied to the South Australian Government’s Attorney General’s Department for funding support to deliver the “Keeping Safe: Gawler CCTV Community Project”. Council was successful in this application and subsequently installed high definition cameras at identified ‘hot spot’ locations within Murray Street and surrounding precincts as identified in consultation with South Australia Police, local businesses and the community.

The CCTV system provides comprehensive coverage of these areas and a direct link to the Gawler Police Station. The improved coverage and access allows real-time viewing of high-definition footage assisting with the effective management of crime, vandalism, accidents and anti-social behaviour in Gawler.

Council received $100k in funding from the State Government Attorney General’s Department (the maximum amount available under this scheme) as a contribution towards delivering the upgraded CCTV system. Council contributed approximately $123k cash and $40k in-kind support to this project. A copy of the final acquittal report is provided for reference – **Attachment 5**.

The infrastructure required to deliver the CCTV system includes cameras, wireless access points, microwave backhaul and server storage. Simplistically, the system operates by transmitting camera footage across secured microwave frequencies to a server housed at the Gawler Administration Centre and then provides a secure connection from this location to the Gawler Police Station.

The transmitters of the camera footage are wireless access points and these wireless access points also enable Council to transmit free Public Wi-Fi. Using the one-piece of technology for multiple applications has enabled Council to leverage the CCTV project against the Public Wi-Fi project and subsequently the Connected Community Project.

PAY IT FORWARD PROJECT

Council has been approached by Connexus Internet Services (Connexus) regarding the facilitation of a local economic development project comprising participation in a documentary style television series and a business education program. The essence of the project is that Connexus provides local businesses with free telecommunications for 12 months and requests these businesses to "pay-forward" the saving that they make to other local businesses. For example, if a business spends $20 per week on telecommunications then the request is that this $20 being saved by the business by signing up to the program is spent within the local community instead - purchase a coffee at the local café or treat yourself to a meal or retail therapy.

Connexus is undertaking a baseline assessment of the local economy prior to the program commencing and, with assistance from qualified researchers, will be tracking the economic growth of the town throughout the program. If there is an economic uplift over the course of the program that appears commensurate with the program's implementation then it could be assumed that the program delivered this uplift.

The documentary series as part of the project will be highlighting local businesses, the pay-it-forward model and the outcomes. It will also feature a business education program (similar to TED-Talks) that will be run throughout the year. It is proposed that this series is filmed throughout Gawler but with a focus on the Gawler Civic Centre as the host site for the education program as well as for the program delivery personnel from Connexus and Pinstripe Media, the company being engaged to deliver the documentary and education program.

The business education program is proposed to complement existing programs within the region delivered by organisations like the Gawler Business Development Group and Regional Development Australia Barossa Gawler Light Adelaide Plains. These organisations have been engaged in the discussions with Connexus and are excited by the opportunities that the program can facilitate. In addition, Gawler's Business Innovation Hub is required to deliver business development programs and is currently formulating Memoranda of Understanding between all parties to ensure that programs are indeed complementary.

The concept of TED-Talk style events being offered by this program will fill a gap in the current business program market and with multiple-organisation engagement there is opportunity for co-branding of these events. Also, with a collaborative program comes cost savings and opportunities to divert these savings into other deliverables from these organisations.

The request of Council for support with the program is in-kind being access to the Business Innovation Hub for Connexus and Pinstripe Media Staff and access to Gawler Civic Centre Meeting Rooms and Function Spaces for program delivery. In return, Council will receive acknowledgement of its support in any marketing, promotion and media, the local business community will receive an education program and cost savings to their businesses and the Town of Gawler will receive extensive exposure via national media.

The Pay It Forward Project is a pilot project for both Connexus and Pinstripe Media. If the Project is successful then it has the potential to be replicated in other regions within Australia. Discussions with Connexus indicate that any future national roll-out of this model would prioritise Gawler as its base of operations. If this does eventuate then there will be local jobs created by the Project.

Connexus is a newly formed subsidiary company of the MNF Group and is planning to formally launch the company in early July 2019. The partnership with Pinstripe Media and the Pay it Forward Project will then be announced in late July/early August. It is at this time that the proposed partnership with Council will commence.

Council Staff have been working with Connexus to develop a Memorandum of Understanding (MOU) for the project for Council's consideration – **Attachment 6**. Council's in-kind support being considered within MOU is valued at approximately $15,000.

DIGITAL WAYFINDING

One deliverable of Council's Walker Place Redevelopment is a digital wayfinding device (electronic signage) that is proposed for installation at the North Eastern end of Walker Place (Murray Street end). This deliverable has been leveraged within the Smart Cities Funding for the Connected Community Project and under this Project procurement of the sign is required prior to August 2019 in accordance with previous timeframes for the delivery of the Walker Place Redevelopment. As Council is aware, the Walker Place Redevelopment has not commenced construction and will not prior to the August 2019 deadline for Smart Cities Funding.

For funding acquittal, the digital wayfinding device for Walker Place has been committed at a cost of $175,000. This was the market price for such a device when Council submitted its application to Round 1 of the Australian Government's Smart Cities and Suburbs Fund in July 2017 and was also included in Council's successful application to the State Government's Places for People Program which is providing approximately $1M towards the redevelopment of Walker Place.

To meet the Australian Government's Smart Cities Funding requirements, Council staff have pre-procured the digital wayfinding device via an open tender that closed in early June 2019. The competitive tender process has provided Council with an excellent outcome as the successful respondent has offered Council additional devices within the fixed price amount under the tender.

Council will be receiving two freestanding outdoor units and one wall mounted indoor unit that are all able to be activated by the Connected Community platform (**Attachment 7**). Council Staff have been considering appropriate locations for the additional devices and recommend the following:

a) One free-standing outdoor device is installed in Walker Place – this is required under the State Government's Places for People Grant

b) One free-standing unit is installed adjacent to entrance of the Gawler Visitor Information Centre closest to Lyndoch Road (southern side of the Centre). This location is recommended as the device can act as a visitor information kiosk 24 hours a day, 7 days per week, providing customers who come to the Gawler Visitor Information Centre outside its standard operating hours the opportunity to gain the same information that they would have been able to get from the Centre itself, just in digital formats. It also provides a high-level of passive surveillance and exposure as it will be clearly visible from vehicles travelling along Lyndoch Road.

c) The wall mounted indoor screen be installed at the Gawler Sport and Community Centre within the entrance foyer. This location is recommended as the Gawler Sport and Community Centre is a high visitation facility which is also open after standard business hours for the majority of the week.

PROJECT LAUNCHES

Each of the Smart (City) Communities projects outlined above are aligned to be completed by the end of August 2019. At this time the Connected Community platform, Town of Gawler App and Public WiFi should be ready to "go live", the digital wayfinding devices proposed for the Gawler Visitor Information Centre and Gawler Sport and Community Centre should be installed and the Pay it Forward project should be formally announced.

Considering the alignment of all of these projects' expected launch dates, Council Staff are proposing to officially launch the Town of Gawler App and Public WiFi at the 2019 Gawler Show. This event provides significant community exposure for the various projects. The Council Stand at the Show can be a demonstration site for the App as well as an opportunity for community members to sign up to the Connected Community platform. The regular Council competition held at the Show could be facilitated via the online platform/App rather than hard copy entry forms and additional promotion of the various projects could be occurring via the proposed digital wayfinding device within the Gawler Sport and Community Centre.

Whilst a hard launch at the 2019 Gawler Show does provide excellent exposure for these initiatives there will need to be soft launches of both the Town of Gawler's Free Public Wi-Fi and Town of Gawler App prior to the 2019 Gawler Show so that appropriate testing can be undertaken. Council Staff have already commenced user testing of the Free Public Wi-Fi network and the first group use

of the system will be facilitated on Tuesday 25 June 2019 when the Gawler Civic Centre hosts the South Australian Presenters Association's Annual Performing Arts Showcase. This private hire event provides the opportunity to have approximately 70 delegates connected to the Free Public Wi-Fi network at once that will provide Council Staff useful analytics regarding connection speeds and load capacity. This analysis can then be extrapolated to assess how the system would cope with larger numbers of connections.

Early adopters of the Connected Community platform will be given the opportunity to undertake what is called "friends and family" testing during late July/early August. Council and local businesses will be invited to provide access to their "friends and family" to ensure that the App and associated technology is performing as it should prior to the official launch occurring.

Testing the systems in this manner provides both Council and Plutus Commerce with assurance that the systems work or the time required to fix any bugs that may be encountered prior to wholesale public access.

COMMUNICATION (INTERNAL TO COUNCIL)

Executive Management Group
Team Leader Digital and Business Information Solutions
Special Projects Officer
Asset Delivery Team

CONSULTATION (EXTERNAL TO COUNCIL)

Lee Atkinson, Connexus Internet Services
Gawler Business Development Group
Regional Development Australia Barossa Gawler Light Adelaide Plains
Andrew Morris, Gawler Business Innovation Hub
Pinstripe Media

POLICY IMPLICATIONS

Gawler Civic Centre Venue Hire Policy

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

Implementation of Council's Smart (City) Community Strategy has delivered cost savings from the 2017/18 to 2018/19 financial years. The first phase of this implementation was a critical analysis of Council's ICT operations. This analysis identified a range of savings initiatives such as consolidated licencing, print reduction, electronic device rationalisation and vendor contract negotiations. The result was a reduction in the ICT budget (operating & capital) from approximately $1.203M in 2017/18 to approximately $1.012M in 2018/19 – a saving of approximately $191k.

The **Connected Community** Project has a total value of $999,000. This amount is pulled from a number of different Council initiatives and Australian Government Funding. The breakdown of Council's funding commitments (totalling $653k) to the Connected Community Project is as follows:

a) Public WiFi access point installation - $38k (funded within Council's 2018/19 Budget)
b) Audio visual and IT fit-out at the Gawler Civic Centre - $235k (funded within Council's 2018/19 Budget)
c) Walker Place Digital Wayfinding Device - $175k (funded within Council's 2019/20 Budget)
d) Community Buildings Solar Initiative - $130k (funded within Council's 2018/19 Budget)
e) Software to monitor resource use and carbon emissions - $10k (funded within Council's 2018/19 Budget)
f) In-kind project management - $65k (funded within Council's 2018/19 and 2019/20 Budgets)

Council is receiving private investment contributions of $96k towards the Connected Community project and the balance $250k is being provided by the Australian Government.

Ongoing platform licence costs of approximately $6k per month will be funded from revenue generated through the Town of Gawler App and Connected Community platform. It is expected that the platform will be self-funding and generating a monthly net revenue stream for Council by the end of June 2020 of approximately $5k per month.

In addition to this revenue stream for Council, the Connected Community platform will provide operational cost savings across a number of Council Business Units. The platform has point of sale and venue booking functionality that can be used at the Gawler Visitor Information Centre, Gawler Civic Centre, Gawler Sport and Community Centre, Gawler Aquatic Centre and Elderly Centre. The platform also has the capacity to manage swim school programs at the Gawler Aquatic Centre, ticket sales at the Gawler Civic Centre and all tourism operator bookings offered at the Gawler Visitor Information Centre. Once fully developed, the platform can replace existing point of sale and booking solutions that are currently in use within these Council facilities thereby eliminating the licence costs associated with these existing solutions.

The **Public WiFi** project has been funded from a range of sources including Council's 2017/18 and 2018/19 budgets related to the installation of CCTV and WiFi access points, the South Australian Government and the Australian Government.

The total investment in Council's CCTV, Public WiFi and associated community safety initiatives is approximately $423k in accordance with the below:

a) $123k from Council's 2017/18 Budget plus approximately $40k in-kind support.
b) $100k from the South Australian Government's Attorney General's Department CCTV Funding
c) $200k from the Australian Government's Safer Communities Program

Ongoing dark fibre connectivity, WiFi management, DDoS protection and internet service provision costs of $2,472 per month are currently being funded from within Council's recurrent budget related to ICT operations and, as stated earlier in this report, should be self-funded via the Connected Community platform by 2020/21.

The proposed **Pay It Forward** project has no cash cost to Council. The proposed MOU provides for in-kind support only (estimated at $15k) being free access to the Business Innovation Hub and Gawler Civic Centre Meeting Rooms and Function Venues.

COMMUNITY PLAN

Objective 1.2: Build a local community that is proud of Gawler

Objective 1.3: Protect and promote Gawler's unique heritage

Objective 1.4: Foster a vibrant and active, event-filled Council area

Objective 2.4: Manage growth through the real connection of people and places

Objective 2.5: Local economic activity to create local job opportunities and generate increased local wealth

Objective 3.4: Gawler to be an inclusive and welcoming community

Objective 3.6: Encourage the development of the Arts and the creative sector

Objective 5.1: Support and encourage community teamwork

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

10.9 LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING - ITEMS OF BUSINESS

Record Number: CC19/319;IC19/350

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments:

1. **Guidelines - Considering Proposed Items of Business for LGA General Meetings**
2. **LGA General Meeting - Proposed Item of Business form**
3. **LGA Policy Manual 2018**
4. **LGA Strategic Plan 2016-2020**

OFFICER'S RECOMMENDATION

That Council:

1. **Members consider possible areas of interest for consideration as an Item of Business for the purpose of the Local Government Association of South Australia Annual General Meeting to be held on 31 October 2019. Any proposed Items of Business are to be presented to the Chief Executive Officer no later than 8 July 2019.**
2. **Consider proposed Items of Business at the Ordinary Council meeting to be held on 23 July 2019.**

SUMMARY

The Local Government Association of South Australia (LGA) has called for proposed items of business to be submitted for consideration at the 2019 Annual General Meeting.

BACKGROUND

The purpose of the LGA AGM is to consider items of strategic importance to local government as recommended by South Australian Region of Councils (SAROC) or Greater Adelaide Region of Councils (GAROC) or the Board of Directors.

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

16. Business of General Meetings

16.1 The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.

16.2 Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.

16.3 No business shall be brought before a General Meeting of the LGA unless:

16.3.1 it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or

16.3.2 the business is as stated in the notice of a Special General

Members are encouraged to seek assistance and advice from Councils governance team in the first instance and then if needed the LGA Secretariat on the development of proposed notices of motion prior to submission. This can include advice on endorsed policy positions, current projects, resource implications and any other relevant factors in support of a motion.

COMMENTS/DISCUSSION

The 2019 Local Government Association Annual General Meeting will be held on Thursday 31 October 2019.

Member Councils are have the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of 'strategic importance' to local government and the LGA'.

The Guideline for Considering Proposed Items of Business for LGA General Meeting is available at **Attachment 1**.

The form requesting consideration of an item of business to be included in a LGA General Meeting is available at **Attachment 2**.

The LGA Policy Manual is available at **Attachment 3**.

The LGA Strategic Plan is available at **Attachment 4**.

Members are requested to submit Notices of Motions to the Chief Executive Officer, no later than Monday 8 July 2019, for inclusion in a report to the 23 July 2019 Council meeting. Members will then further deliberate on which items of business should be forwarded to the LGA for consideration for inclusion in the AGM business papers.

Proposals for business items must be received by the LGA no later than 5pm on Monday 5 August 2019.

At the meeting held on 27 November 2018, Council resolved the following:

> RESOLUTION 2018:11:COU445
>
> Moved: Cr I Tooley
> Seconded: Cr P Little
>
> *That Council appoint Mayor Karen Redman as Delegate and Cr Sambell as Deputy Delegate to the Local Government Association of South Australia for a 12 month term expiring 30 November 2019.*

Council administration has commenced work formulating a number of potential Items of Business for consideration at the 23 July 2019 Council Meeting, these include:

- Climate Emergency (refer comments below).
- Standardised Capital Projects in Local government areas by Department of Planning Transport and Infrastructure
- Pre-Qualification requirements for civil and building contractors
- Information provision and advocacy in Aged Care sector

Climate Emergency

Council at its meeting on 26 February 2019 resolved the following:

> **RESOLUTION 2019:02:26:COU040**
> Moved: Cr I Tooley
> Seconded: Cr P Little
>
> *That Council submit the Climate Emergency Declaration Notice of Motion as per attachment 1 to the Local Government Association of SA for con*sideration for inclusion in the 2019 Ordinary General Meeting.

While the Item of Business, as resolved on 26 February 2019 was not approved by the LGA Board, as per the resolution on 26 March 2019, discussions have occurred at an administrative level with the Local Government Association to present a reworked Item of Business for the October Annual General Meeting and further work is to progressed with the Mayor and CEO over the coming weeks to finalise the Item to be presented back to Council formal consideration.

RESOLUTION 2019:03:COU100

Moved: Cr K Goldstone
Seconded: Cr D Hughes

That Council:

1. *Endorses the Local Government Association Ordinary General Meeting 2019 Gawler Position Paper (Attachment 1).*
2. *Note that the Mayor and Chief Executive Officer will hold further discussions with the LGA pertaining to its Motion on Notice as presented but not endorsed, seeking direction in anticipation of the October 2019 LGA AGM call for Business Items.*

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer

CONSULTATION (EXTERNAL TO COUNCIL)

Local Government Association of South Australia

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

Nil

COMMUNITY PLAN

Objective 1.5: Promote cultural heritage and the creative sector to build community spirit pride

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 4.2: Support development that respects the environment and considers, the impacts of climate change

Objective 4.4 Support sustainable use of natural resources and minimise further waste to landfill

Objective 4.5 Support provision of useable open space that preserves natural habitat and biodiversity

Objective 5.2: Be recognised as a ‘best practice’ Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional

10.10 JOINT PLANNING ARRANGEMENTS - BUSINESS CASE

Record Number: CC19/319;IC19/394

Author(s): Ryan Viney, Manager Development, Environment & Regulatory Services

Previous Motions: Motion No: 2018:01:15

Attachments:
1. **Attachment 1 - Joint Planning Arrangements - Business Case CR19/41690**
2. **Initiating and Establishing a Planning Agreement and Joint Planning Board Guidelines CR19/40641**

OFFICER'S RECOMMENDATION

That Council:-

1. **Agrees to proceed with the preparation of a Joint Planning Arrangement Business Case with partner councils, with the intent to consider the Business Case at a future Council meeting to determine the next steps and whether to proceed or not in the establishment of a Joint Planning Board.**
2. **Authorise the Chief Executive Officer delegate to staff to continue liaising with the State Planning Commission and the Department of Planning, Development and Infrastructure on key issues and provide regular updates and further information comes to hand.**

SUMMARY

To provide an update regarding discussions held pertaining to a 'Joint Planning Arrangement' and to seek Council direction on the development of the Business Case for the establishment of a Joint Planning Board pursuant to Section 36 of the *Planning, Development and Infrastructure Act 2016*.

BACKGROUND

Under the *Development Act 1993*, the Planning Strategy (a combination of documents, plans, policy statements, proposals and other material designed to facilitate strategic planning and co-ordinated action on a State-wide, regional or local level) is maintained by the State Government.

In the new planning system, the Planning Strategy is replaced with Regional Plans that are required to reflect State Planning Policies which will be prepared by the State Planning Commission on behalf of the Minister for Planning (the Minister) to collectively set out the State's overarching goals or requirements for the planning system.

The new system presents an opportunity for councils to have involvement in the preparation of the Regional Plan as members of a Joint Planning Board.

Where there is no Joint Planning Board, the Regional Plan is prepared by the State Planning Commission.

Should the region proceed to establish such a Board and focus on the formulation of a Regional Plan ,at its own cost, it will be the case that the final approval and composition of the Plan is by the Minister at his complete discretion.

A Joint Planning Board is established through a Planning Agreement with the Minister.

A Joint Planning Board may include:

- a council or group of councils (whether affecting the entirety or a part of the respective council area),
- any other Minister who requests to be involved, and
- if the Minister thinks fit, any other entity (whether or not an agency or instrumentality of the Crown) that has requested or agreed to be a party to the agreement.

A Planning Agreement is required to include an outline of the Joint Planning Board's purpose and

outcomes it is intended to achieve and may provide for:

a) The setting of objectives, priorities and targets for the area covered by the Agreement;

b) Governance arrangements, such as the constitution of the joint planning board including:

   i. The membership of the board, to be between 3 and 7 members (inclusive);

   ii. The criteria for membership (ensuring that its members have qualifications, knowledge, expertise and experience necessary to enable the board to carry out its functions effectively);

   iii. The procedures to be followed with respect to the appointment of members; and

   iv. The terms of office of members; and

   v. Conditions of appointment of members (or otherwise how those conditions will be determined) and the grounds on which, and the procedures by which, a member may be removed from office;

   vi. The appointment of deputy members; and

   vii. The procedures of the board.

c) The delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and

d) The staffing and other support issues associated with the operations of the joint planning board; and

e) Financial and resource issues associated with the operations of the joint planning board, including—

   i. The formulation and implementation of budgets; and

   ii. The proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and

f) Any other matters that the parties to the agreement think fit.

A Planning Agreement expires after 10 years and may be replaced at that time. Otherwise a Planning Agreement may be varied by arrangement between the parties or ended either by mutual agreement between the parties or otherwise by the Minister.

A report concerning Joint Planning Boards was previously presented to Council in January 2018, were the following motion was adopted:

Moved by Cr K Fischer
Seconded by Cr M Nicolson
Motion No: 2018:01:15

That Council:-

1. *Notes the Joint Planning Boards Report.*
2. *Authorises the Chief Executive Officer to formally write to the Director Development and Environmental Services of The Barossa Council as lead representative for the region advising Council's in principle support for continuation with the development of a business case as part of the Joint Planning Board Pilot Project.*

COMMENTS/DISCUSSION

In March 2017, the Department of Planning, Transport and Infrastructure (DPTI) invited councils to submit joint Expressions of Interest to participate in a Joint Planning Agreements Pilot Scheme.

A key outcome of the pilot scheme has been the development of a Business Case template to be populated by councils proposing a Joint Planning Board structure.

The template is a comprehensive document that requires exploration of all aspects that require consideration as part of evaluating a new administrative structure of this nature. A section encourages councils to explore precisely what they are looking to achieve through collaboration with their partner councils and other entities.

A section is included to consider and determine the proposed regional boundaries of the planning board.

The document also applies consideration to the collaboration objectives through a lens of 'Banding' (Figure 1). This starts with a simple structure that can be added to for greater delegations of responsibility/complexity if this proves to be desirable and functional amongst the Joint Planning Board proponents.

The focus of the Board in the first instance if established would be limited to Strategic Planning and Planning policy matters. It would not be to function in any development assessment capacity.

Figure 1 – Band options

One of the key reasons for preparing the Business Case was to enable councils to determine if their region is ready to collaborate, with councils needing to consider, amongst other things, the following:

1. Does each council have a commitment and passion to a regional approach?
2. Is there political and community will to pursue a regional approach?
3. Is there equity across each council?
4. Do you have a robust business case including a clear value proposition?
5. Do you have the right governance model?
6. Is the infrastructure in place to support the governance model?
7. Is there an alignment of culture and common purpose between parties?

There is no specific timeframe in which a Joint Planning Board is to be established. However, there is still a significant amount of work required by the partner councils to complete the Business Case.

Throughout the Pilot, in agreement with the management of the partner councils, senior management have populated as much of the Business Case template as a first-step. This document is draft and work in progress. **(Attachment 1)**.

As shown in Figure 2, the partner councils are still within the investigative phase. A key step in the preparation of the Business Case is to conduct a workshop with each of the partner councils to determine the individual council objectives that are sought from the joint planning arrangements. While the flowchart mentions a Regional Workshop to agree on the objectives, it had been agreed that this would be undertaken by the individual partner councils. Rather than hold a workshop to discuss this matter at this preliminary stage a report to Council was considered appropriate.

Following the completion of the Business Case, each Council will need to formally resolve whether to proceed or not proceed in the establishment of a Joint Planning Board. **(Attachment 2)**.

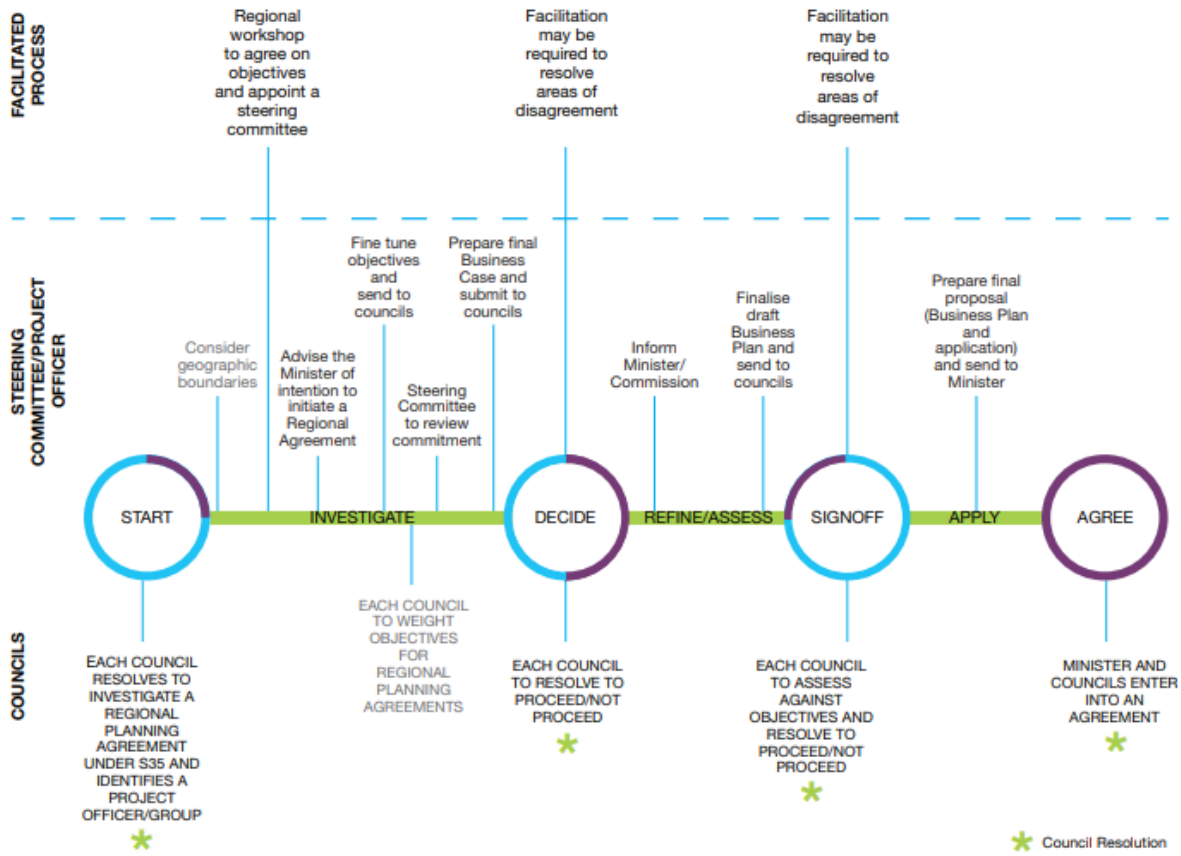


Figure 2 – Regional Planning Arrangements - Model Process

Following a briefing of the Mayors and Chief Executive Officers on 24 April 2019, it was agreed that each Council would be presented with an update and seek direction on whether each Council wished to proceed with the development of the Business Case, with the partner councils.

As discussed above there are three options:

Option A – pursue the establishment of a Joint Planning Board, and seek clarification from the Minister on key issues that may influence the decision to proceed.

Option B – look at a collaborate model for the Council to formulate a regional position.

Option C – Allow the State Planning Commission to plan for the region/council area.

The recommended approach addresses Options A and B above. A key consideration in which option to pursue, is whether each partner council wishes to have any direct control for the preparation of the Regional Plan, subject to Practice Directions issued by the State Planning Commission. As note above even if Councils in region pursue the formation of the Board for the purpose of preparing a Regional Plan it will be the Minister who has final approval, or not, of the Plan.

The pursuit of preparing the Plan on a Regional Basis with the constituent Councils driving its formulation will hopefully create the policy context that the Councils their respective local communities have a greater say, involvement and ownership of Regional planning strategy, than would otherwise be the case. Further that by being prepared by local community State government may be receptive and engaged with local needs.

It could well be argued that this approach by the State Government to encourage Councils to prepare such regional plans, at the cost of Councils, is another example of State Government cost shifting. Notwithstanding it does provide Councils and local communities to have greater involvement, and hopefully greater control of its own future.

As stated, the default position in the absence of a planning board is that the Regional Plan will be prepared by the State Planning Commission. Councils will have input as part of the community engagement process outlined by the Community Engagement Charter.

Both Options B and C only provide capacity for councils to influence the outcomes of the Regional Plan via submissions (consistent with the current practice for reviewing/updating the Planning Strategy).

The partner councils participated in the Planning Arrangement Pilot Scheme to explore how Planning Agreements and Joint Planning Boards will work, and to prepare guidelines to assist councils that are seeking to form a Joint Planning Board.

As part of the process, the partner councils had populated the Business Case template to commence the process.

A decision is now required by each of the partner councils whether they wish to proceed further in the joint planning arrangement process

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager Development, Environment and Regulatory Services

CONSULTATION (EXTERNAL TO COUNCIL)

The Barossa Council - Director, Development and Environmental Services

POLICY IMPLICATIONS

There are no direct policy implications associated with this report.

STATUTORY REQUIREMENTS

The establishment of a Joint Planning Board is pursuant to Section 36 of the *Planning, Development and Infrastructure Act 2016*.

FINANCIAL/BUDGET IMPLICATIONS

If Council resolves to pursue the formation of a Regional Planning Board a further report will be presented back to Council outlining any resourcing implications, based on their option 1, 2 or 3.It is staffs desire not to duplicate any existing bureaucratic process as a consequence of seeking to establish a board with a commitment to using existing resources within the participating councils where possible.

COMMUNITY PLAN

Objective 1.1: Maintain a clearly defined township, one which is distinct from neighbouring areas

Objective 1.2: Build a local community that is proud of Gawler

Objective 5.2: Be recognised as a ‘best practice’ Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

10.11 TOWN OF GAWLER - BY-LAWS 1,2,3 AND 4

Record Number: CC19/319;IC19/378

Author(s): Jack Darzanos, Team Leader Environmental Services

Previous Motions: **RESOLUTION 2019:04:COU134 ; RESOLUTION 2019:05:COU172**

Attachments:

1. **By-law No.1 of 2019 - Permits and Penalties CR19/40587**
2. **By-law No.2 of 2019 - Moveable Signs CR19/40588**
3. **By-law No.3 of 2019 - Roads CR19/40589**
4. **By-law No.4 of 2019 - Local Government Land CR19/40590**
5. **Certificate of Validity - Permits and Penalties CR19/40595**
6. **Certificate of Validity - Moveable Signs CR19/40594**
7. **Certificate of Validity - Roads CR19/40593**
8. **Certificate of Validity - Local Government Land CR19/40592**
9. **LRC Report - By-law No.1 - Permits and Penalties CR19/40603**
10. **LRC Report - By-law No.2 - Moveable Signs CR19/40602**
11. **LRC Report - By-law No.3 - Roads CR19/40601**
12. **LRC Report - By-law No.4 - Local Government Land CR19/40600**
13. **NCP Report - By-law No.1 - Permits and Penalties CR19/40596**
14. **NCP Report - By-law No.2 - Moveable Signs CR19/40599**
15. **NCP Report - By-law No.3 - Roads CR19/40598**
16. **NCP Report - By-law No.4 - Local Government Land CR19/40597**

OFFICER'S RECOMMENDATION

That Council :-

1. Pursuant to Section 246 of the Local Government Act 1999:

1.1. there being at least two-thirds of the members of Council present; and

1.2. having considered the:

- Permits and Penalties By-law 2019;

- Moveable Signs By-law 2019;

- Roads By-law 2019; and

- Local Government Land By-law 2019;

(together, the By-laws)

(Attachments 1, 2, 3 and 4) to Item10.11 on the agenda for the meeting of Council held on 25 June 2019 in light of the National Competition Policy and the Reports prepared on the National Competition Policy with respect to the Bylaws (Attachments 13, 14, 15 and 16) to Item 10.11 on the agenda for the meeting of Council held on 25 June 2019); and

1.3. having considered that there were no submissions made on the Bylaws, Council makes the By-Laws in exercise of the powers contained in the Acts Interpretation Act 1915 and Local Government Act 1999.

2. Authorises the Chief Executive Officer to sign the By-laws as made by Council.

3. Authorises the Chief Executive Officer to publish notice of the making of the By-laws in The Bunyip.

4. Authorise the Chief Executive Officer to arrange for the By-laws to be published in the Government Gazette.

5. **Authorise the report to the Legislative Review Committee on the By-laws (Attachments 9, 10, 11 and 12) to Item 10.11 on the agenda for the meeting of Council held on 25 June 2019, be adopted and be signed by the Chief Executive Officer on Council's behalf.**
6. **Authorises the Chief Executive Officer to arrange for the By-laws and all other necessary documentation to be provided to the Legislative Review Committee.**

SUMMARY

Council passed its By-laws on 28 August 2012 and they were gazetted on 13 September 2012. The by-laws will expire on 1 January 2020. Pursuant to section 251 of the *Local Government Act 1999* (the Act), the Bylaws are due to officially expire on 1 January 2020.

This report outlines a process for adoption of these Draft By-Laws following the community consultation held between 15 May 2019 and 7 June 2019.

As per the legislative requirement members of the community were invited to provide feedback on the proposed By-Laws to assist Council in its decision making.

Hard copies of the proposed By-Laws were made available for inspection, free of charge, during normal business hours at the Council's Administration Centre at 43 High Street, Gawler East SA 5118. A By-Law review response sheet was also provided in hard and electronic copy. The consultation period was open for a period of twenty three (23) days between 15 May 2019 and 7 June 2019. Public notices were issued, with information also provided on Councils web site and facebook pages.

Upon completion of the community consultation period there were no submissions received on the review of the By-Laws.

BACKGROUND

At the meeting of full Council on 23 April 2019 the following resolution was adopted.

> RESOLUTION 2019:04:COU134
> Moved: Cr C Davies
> Seconded: Cr K Goldstone
>
> *That:*
> 1. *Council notes the draft By Laws as presented and that they be released for public consultation as per the details presented in this report.*
> 2. *A further report be presented to Council to consider any submissions following the public consultation.*

Section 246 of the Local Government Act 1999 confers powers to Council, subject to this or another Act, to make By-Laws. Council has a general power to make By-Laws for the good rule and government of the area, and for the convenience, comfort and safety of its community.

If Council desires to continue to have its existing By-Laws in place as of 1 January 2020, the review process must be completed expeditiously. Accordingly, to ensure that updated By-Laws come into effect before the existing By-Laws expire, Council must have adopted and published new By-Laws in the Government Gazette before 31 August 2019.

Council currently has four By-Laws governing various activities in its Council area (other than dog management). It is proposed to make new by-laws regulating these areas (**Refer Attachments 1, 2, 3 and 4)**:

1. By Law No.1 - Permits and Penalties;
2. By Law No.2 - Moveable Signs;
3. By Law No.3 – Roads, and;
4. By Law No.4 - Local Government Land;

At the full meeting of Council on 28 May 2019 the following resolution was endorsed.

RESOLUTION 2019:05:COU172

Moved: Cr I Tooley
Seconded: Cr P Little

That Council:

1. *Authorise staff to continue pursuing discussions with the Dog and Cat Management Board regarding the requirement to retain Clause 12 of the draft Cats By-law 2019 (By-law No.6 of 2019) for the better management of cats within the Town of Gawler.*

2. *Adopt the Draft amended Dogs By-Law 2019 (By-law No. 5 of 2019) as presented, and that it be approved to be released for public consultation in accordance with the relevant statutory requirements and processes outlined in this report.*

The Draft By-Laws No.5 - Dogs and By-Law No.6 – Cats will be tabled to Council at a later date. This is as a result of the amendments being made to the Draft Dog By-Law and further direction provided to staff on these draft By-Laws following the an initial 21 day consultation period with the Dog and Cat Management Board.

Council's solicitors have not yet received a formal response from the Board in relation to either of these by-laws. However, wider community consultation on draft By-Laws No.5 - Dogs and By-Law No.6 – Cats will commence on 19 June 2019 and conclude on 11 July 2019, with a further report to be presented back to Council at its meeting in July 2019 to seek determination on draft By-Laws No.5 - Dogs and By-Law No.6 – Cats following the outcomes of consultation.

COMMENTS/DISCUSSION

Staff have conducted an internal review of the five existing By-Laws based on experience and implementation over the last five year period. As a result, a number of improvements and updates have been identified and included into the DRAFT By-Laws to bring them in line with legislative requirements such as including broader definitions and formatting changes to make administering and reading the By-Laws easier thus enhancing their effectiveness.

The By-laws that it is proposed that the Council make at this meeting are attached to this report and outline below. (**Refer Attachments 1, 2, 3 and 4)**.

By-Laws – Intent and scope

1. By Law No.1 of 2019 - Permits and Penalties

By Law No. 1 provides for a permit system, set penalties for breaches of by-laws and provides for certain matters pertaining to liability and evidence. It sets regulatory requirements, clarify the construction of Council's by-laws and for related purposes.

2. By Law No.2 - of 2019 Moveable Signs

By Law No. 2 set standards for moveable signs on roads and provides conditions for and the placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.

3. By Law No.3 - of 2019 Roads

By Law No. 3 manages public roads. It administers all activities that can and do occur on or adjacent roads such as camping, posting electoral matter and details under activities requiring permission numerous activities that cannot occur without the permission of Council.

4. By Law No.4 - of 2019 Local Government Land

By Law No. 4 is for the management and regulation of the use of and access to all land vested in or under the control of the Council including the prohibition and regulation of particular activities on local government land. This includes activities requiring permission, advertising, camping, fireworks, flora and fauna etc.

The Process Moving Forward.

The following information provides an outline for the adoption of the draft by-laws.

CRITICAL PATH FOR PROCESSING OF COUNCIL BY-LAWS

- 23 April 2019 - Council endorsement for consultation on By-Laws 1, 2, 3, 4, 5 and 6
- 24 April 2019 - Draft By-Laws 5 and 6 provided to Dog and Cat Management Board for initial 21 day consultation process.
- 15 May 2019 - By-Law 1, 2, 3 & 4 advertised in Bunyip commencing minimum 21 days period
- 28 May 2019 - Council endorses amendment to draft By-Laws 5 (dogs) and provided direction of draft By-law 6 (Cats). Draft By-law 5 (dogs) resubmitted to the Dog and Cat Management Board for further consideration.
- 7 June 2019 - Public Consultation on By-Laws 1, 2, 3 & 4 concludes.
- 19 June 2019 - By-Law 5 and 6 advertised in Bunyip commencing minimum 21 days period
- 25 June 2019 – Report to Council seeking endorsement of draft By-Laws 1, 2, 3 & 4.
- 26 June 2019 - Norman Waterhouse prepare Gazette Notice for By-laws 1, 2, 3 & 4
- 4 July 2019 – Notice published in the Government Gazette for By-Laws 1, 2, 3 & 4 if endorsed.
- 11 July 2019 – Public Consultation on By-Laws 1, 2, 3 & 4 to conclude
- 23 July 2019 - Report to Council seeking determination on draft By-Laws 5 & 6 following consultation.
- 1 August 2019 – Notice published in the Government Gazette for By-Laws 5 & 6 if endorsed.

By-Law Making Procedure

The procedure for making by-laws is set out in Chapter 12 Part 1 of the *Local Government Act 1999*. To assist the Council in its consideration and passing of by-laws, the following information provides an outline of that process.

1. Council has drafted the proposed By-laws.
2. Council has undertaken a public consultation program for at least 21 days prior to resolving to make the by-laws, by notice in a newspaper circulating in the area of the Council inform the public of the availability of the proposed by-laws and set out the terms of the by-laws, or describe in general terms the by-laws' nature and effect. The by-laws) were made available for public inspection at the Gawler Admin Centre.
3. Council must now give reasonable consideration to any submissions made in respect of the by-laws. At the conclusion of the public consultation there were no submissions received. The Council may accordingly proceed to make the by-laws.
4. Council must consider the Solicitors Certificate for each by-law pursuant to Section 249(4) of the Act. (**Refer Attachments 5, 6, 7 and 8**). These documents certify that in the opinion of the legal practitioner the Council has the power to make the by-laws by virtue of a statutory power specified in the certificate and the by-law is not in conflict with the Act.

5. Council must endorse a report to the Legislative Review Committee (**Refer Attachments 9, 10, 11 and 12)** outlining the reasons and objectives of each by-law, the effect of each clause, administrative and policing strategies and must also consider its obligations under the National Competition Policy (**Attachments 13, 14, 15 and 16**).
6. If the Council decides to pass the by-laws, the resolution making the by-laws must be passed at a meeting of the Council where at least two-thirds of the members of the Council are present and the resolution is supported by an absolute majority of the members of the Council. It is proposed that By-laws 1, 2, 3 and 4 be made at this meeting.
7. Once passed, the Chief Executive Officer will sign two copies of the by-laws and forward one copy to the Government Printer immediately so that it can be published in the Gazette.
8. The by-laws must be laid before Parliament (via the Legislative Review Committee) within 6 sitting days.
9. The Legislative Review Committee considers the by-laws and if it forms the opinion that any by-law should be disallowed it must report the opinion and the grounds for it to both Houses of Parliament within fourteen sitting days, and, if Parliament is not in Session, it may, before reporting to Parliament, report its opinion and the grounds for it to the Council.
10. The by-laws will take effect four months from the date of Gazettal, but may be disallowed by Parliament - a notice of notion for disallowance may be moved within fourteen sitting days. When a motion for disallowance is passed it is published in the Gazette.
11. Pursuant to Section 249(7) of the Act, the Council must publish a notice of the making of a by-law in a newspaper circulating in the area of the Council. The CEO will attend to this if the Council makes the by-laws.
12. Council is required pursuant to Section 252 of the Act to cause a separate register to be kept of all by-laws made or adopted by the Council. The CEO will attend to this if the Council makes the by-laws.
13. A by-law will expire, unless revoked, on 1 January of the year following the year in which the seventh anniversary of the day on which the by-law was made falls.
14. In relation to any parts of any by-law that a by-law provides will only apply to areas that the Council has by resolution directed, Council will be required to resolve which areas those parts of the by-law will apply to. Should the Council fail to pass such a resolution, those parts of the by-law will not apply to any areas. A further report will be brought back to the Council for this purpose.
15. Council can also set by resolution expiation fees for breaches of by-laws unless the expiation fees are set by by-law. A further report will be brought back to the Council for this purpose.
16. The Council may, by resolution, authorise certain employees of the Council to grant permits under the by-laws. Absent such a resolution, permission required under the by-laws can only be granted by the Council by resolution. A subsequent report will be brought back to the Council for this purpose.
17. In accordance with Section 132 of the Act, the Council must make its by-laws and any determination made under item 16 available on the internet. The CEO will attend to this if the Council makes the by-laws.

Next Steps

The Council should consider the question of making By-laws 1, 2, 3, and 4 in light of the information presented in this report. It is recommended that the Council make By-laws 1, 2, 3, and 4 as provided for in (**Attachments 1, 2, 3 and 4)**.

By-laws will then be laid before each House of Parliament within 6 sitting days of that House after it has been made (*Subordinate Legislation Act* 1978 s10).

A report will subsequently be prepared for Council dealing with a variety of procedural matters pertaining to the implementation of the By-laws as outlined in this report.

A subsequent report will be presented to the Council at its meeting on 23 July 2019 regarding draft By-laws 5 and 6 (dogs and cats), following the outcomes of public consultation.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager Finance and Corporate Services
Governance Officers

CONSULTATION (EXTERNAL TO COUNCIL)

Norman Waterhouse Lawyers

POLICY IMPLICATIONS

By Law Enforcement Policy

STATUTORY REQUIREMENTS

Local Government Act 1999
Dog & Cat Management Act 1995

FINANCIAL/BUDGET IMPLICATIONS

A budget bid of $10,000 for the By-Laws review has been proposed for the 2019/20 financial year (Budget bid #P190031). A further report will be presented in relation to the resource implications associated with implementing the by-law 6 (Cats), given this would be a new By-law if endorsed.

COMMUNITY PLAN

Objective 4.3: Protect environmentally significant areas of native vegetation for present and future generations

Objective 4.5 Support provision of useable open space that preserves natural habitat and biodiversity

Objective 5.1: Support and encourage community teamwork

Objective 5.2: Be recognised as a ‘best practice’ Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

Objective 5.4: Create a safe community environment

10.12 LOCAL GOVERNMENT REFORM - SOUTH AUSTRALIAN PRODUCTIVITY COMMISSION INQUIRY

Record Number: CC19/524;IC19/360

Author(s): Paul Horwood, Manager Finance & Corporate Services

Previous Motions: Council, 28 April 2019: Resolution No. 2019:04:COU127

Attachments:

1. **Local Government Reform - Local Government Association Submission - May 2019**
2. **South Australian Productivity Commission - Local-Government-Inquiry-Terms-of-Reference**
3. **DPC Circular 046 - The South Australian Productivity Commission**
4. **South Australian Productivity Commission - Local-Government-Inquiry-Methodology-Paper**
5. **Council Administration comments on Methodology Paper CR19/41721**

OFFICER'S RECOMMENDATION

That Council:-

1. **Notes the South Australian Productivity Commission's Local Government Inquiry Methodology Paper.**
2. **Authorises the Chief Executive Officer and Mayor to finalise Council's feedback on the Methodology Paper resulting from the discussion at tonight's meeting and any additional feedback provided by Council Members and make the submission accordingly.**
3. **Request Council Staff to present a report to Council that contains the South Australian Productivity Commission's Local Government Inquiry Draft Report (when it is available) so that Council can consider making a further submission to the Commission in response to this Draft Report.**

SUMMARY

This report provides an update on the Local Government Reform process that has been initiated by the State Government, including the South Australian Productivity Commission's (Commission) inquiry and seeks Council's feedback on the Commission's methodology paper.

BACKGROUND

Information pertaining to this matter was circulated to Council Members via e-mail on 4 June 2019.

At the 23 April 2019 Council Meeting, Council was provided with an update on the current reform position of the State Government. The Local Government Association of South Australia (LGA) had developed a draft submission in response to the State Government's reform position and the report provided at the 23 April 2019 Council Meeting outlined Council Administration's position in respect to the LGA's draft submission for Council's consideration. Subsequent to Council's discussion at the Meeting, the following motion was resolved:

RESOLUTION 2019:04:COU127
Moved: Cr B Sambell
Seconded: Cr C Davies

That Council:-

1. *Notes Town of Gawler's position in regard to Local Government Reform as outlined in Attachment 4.*

2. *Members provide further written feedback to the CEO by 12 noon on 26 April which will inform the final position of the Town of Gawler.*
3. *Provides written feedback to the Local Government Association and State Government consistent with position outlined in Attachment 4.*
4. *Notes the correspondence from Mr Ken Grundy in regards to Local Government election voting entitlements and writes to Mr Ken Grundy thanking him for his correspondence.*

In accordance with the above resolution, Council's feedback was forwarded to the Minister for Local Government and the LGA for consideration. The LGA's final submission to the State Government is provided at **Attachment 1** for information.

COMMENTS/DISCUSSION

On 13 May 2019, Premier Marshall formally requested that the South Australian Productivity Commission (Commission) undertake an inquiry into local government costs and efficiency to identify options to improve efficiency and financial capability and create capacity to pass on cost reductions to rate payers.

The Terms of Reference for the inquiry are provided as **Attachment 2** and outline that the Commission is to consult local government and other key stakeholders on the methodology to be used for its analysis and consult state-wide with councils, community groups and relevant professional bodies.

The Commission's inquiry process is mandated by Premier and Cabinet Circular 046 – The South Australian Productivity Commission (**Attachment 3**). As outlined in the Circular, the Commission must publish a notice of an inquiry and specify the:

1. purpose of the inquiry; and
2. period during which the inquiry is to be held; and
3. period within which, and the form in which, members of the public may make submissions, including details of public hearings; and
4. matters that the Commission would like submissions to deal with.

The Local Government Costs and Efficiency Inquiry process and timeframes are as follows:

1.	Notice of Inquiry	13 May 2019
2.	Methodology paper	31 May 2019
3.	Consultation on Methodology Paper	July 2019
4.	Draft Report	August 2019
5.	Submissions on Draft Report	September 2019
6.	Final Report	22 November 2019

The Commission has released the Local Government Inquiry – Methodology Paper for consultation (**Attachment 4**).

This methodology paper sets out the Commission's initial research into the estimation and analysis of local government costs and efficiency and a proposed approach to the technical and analytical facets of the inquiry.

The Commission invites submissions on the methodology paper by 12 July 2019. The Commission has outlined that it would appreciate submissions regarding the technical aspects of cost and efficiency measurement to be submitted by 28 June 2019.

Council Staff have reviewed the methodology paper and provide comments on each of the key areas for Council's consideration and discussion (**Attachment 5**) This attachment includes comments from the LGA Secretariat. It is proposed that the Chief Executive Officer and Mayor finalise Council's feedback resulting from the discussion at tonight's meeting and any additional feedback provided by Council Members with a view to submitting a response to the Commission in accordance with the requested deadlines above.

COMMUNICATION (INTERNAL TO COUNCIL)

Executive Management Group
Governance Team

CONSULTATION (EXTERNAL TO COUNCIL)

Following Council's consideration of this matter, feedback and Town of Gawler's position on Local Government Reform will submitted to the South Australian Productivity Commission for consideration.

POLICY IMPLICATIONS

The Local Government Reform process could have a significant impact on a number of Council policies.

STATUTORY REQUIREMENTS

Local Government Act 1999

FINANCIAL/BUDGET IMPLICATIONS

The financial implications of Local Government Reform are unknown, however could be substantial. The financial impact of any reform activities will continue to be a key consideration of Council throughout the reform process.

COMMUNITY PLAN

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

10.13 REGIONAL PUBLIC HEALTH PLAN REVIEW

Record Number: CC19/319;IC19/363

Author(s): Jack Darzanos, Team Leader Environmental Services

Previous Motions: Nil

Attachments:
1. **State Public Health Plan CR19/39516**
2. **Barossa, Light and Lower Northern Regional Public Health and Well-being Plan CR17/54705**

OFFICER'S RECOMMENDATION

That Council:-

1. **Notes the Regional Public Health Plan Review Report.**
2. **Affirms its desire to continue its public health planning within a regional framework.**
3. **Authorises the Chief Executive Officer to commence a review of the Regional Public Health Plan, in collaboration with the relevant partnering Councils, pursuant to Section 51(19) of the *South Australian Public Health Act 2011;* and**
4. **Appoints ……. as the Town of Gawler Council Member representative on the Regional Public Health Plan Review Working Group, ensuring elected member contribution throughout the review process.**

SUMMARY

To seek Councils endorsement to commence a review of the Regional Public Health Plan in accordance with Section 51(19) of the *South Australian Public Health Act 2011* (the Act) and nominate an Elected Member representative on the Regional Public Health Plan Review Working Group.

BACKGROUND

The *South Australian Public Health Act 2011* identifies Councils as the local public health authority for their areas. The Act also allows Councils to tackle new and emerging health issues and some that have not even evolved or have been identified, and to put in place plans to deal with these threats and to make communities a better and more healthier place to live.

A State Public Health Plan is required under the Act, and recognises Council as a primary health provider, with a role to lead and coordinate on behalf of the community, deliver services and initiatives, and to advocate, regulate and partner with other agencies as appropriate.

Under Section 51 of the Public Health Act 2011, Council is required to develop a Public Health Plan to protect, improve and promote community health and wellbeing. Council currently has in place with Ministerial approval a Regional Public Health Plan, developed under the Act in collaboration with Adelaide Plains, Light Regional and Barossa Councils (**Refer Attachment 1)**.

The Act requires that Regional Public Health Plans must be reviewed at least once in every five years. Introduced in 2014, Council's current Regional Public Health Plan is now required to be reviewed. This review should ensure consistency with the new *State Public Health Plan 2019-2024* (**Refer Attachment 2).**

The period of implementing the first Regional Public Health Plan has provided valuable lessons to inform the next iteration of regional public health planning. For the reporting period to September 2018. The regional Council's coordinated responses from each Council and prepared the final report for submission to the Chief Public Health Officer. The Chief Executive Officers of the four regional councils endorsed the update report and forwarded to the Chief Public Health Officer at SA Health.

For the review of the current plan a Working Group comprised of staff from each of the Councils considering a model similar to the more recent Barossa, Light and Lower North Regional Disability Access and Inclusion Plan (which features both 'regional' and 'local' components in its structure) as a suitable option in the next version review of the Regional Public Health Plan.

Council's endorsement to commence the review is required. Due to this being the first major review of the Plan the working group considered that Elected Member representation on the working group would be worthwhile. This would ensure council officer and elected member contribution during the review process to better acknowledge new and emerging health issues and to put plans in place to make communities a better and healthier place to live.

A budget allocation to assist in the review of the Regional Public Health Plan is proposed within the 2019/2020 Council budget.

Section 51(19) of the Act directs that 'A regional public health plan must be reviewed at least once in every 5 years'.

As noted, the current Regional Public Health Plan was introduced in mid-2014 and therefore a review is required in accordance with the Act. A review is also timely given the recent release of the second version of the State Public Health Plan and the requirement under the Act that the Regional Public Health Plan should be consistent with the State Public Health Plan.

In response to the submission of the last regional progress report in October 2018, the Chief Public Health Officer noted "The ongoing collaboration and collegiate approach to the governance of the region's Plan, with representation from member councils to support its development, review and implementation".

Similar reports are being presented to the regional partner Council's on the Public Health Plan review by the working group during June seeking endorsement to similar recommendations as outlined above.

At the meeting of full Council on 23 October 2018. Council endorsed the following resolution.

> RESOLUTION 2018:10:402
>
> *Moved: Cr A Shackley*
> *Seconded: Cr R Symes*
>
> *That Council:-*
> 1. *Note the Regional Public Health and Well-being Plan Update Report.*
> 2. *Note that the Chief Executive Officers of the participating, Regional Public Health and Wellbeing Plan Council's (The Barossa Council, Light Regional Council and Adelaide Plains Council) including the Town of Gawler have endorsed Plan which has been forwarded to SA Health. Amendments to which can be forwarded to SA Health if considered necessary.*

The South Australian Public Health Act 2011 requires that Regional Public Health Plans must be reviewed at least once in every five years. Council's current Regional Public Health Plan is now required to be reviewed. This review should ensure that the plan is consistent with the new State Public Health Plan 2019-2024.

COMMENTS/DISCUSSION

The Act identifies Councils as the local public health authority for their areas and allows Councils to tackle new and emerging health issues and to put plans in place to make communities a better and healthier place to live.

More specifically, section 37 of the Act outlines the functions of a council in this regard, namely:

- to take action to preserve, protect and promote public health within its area;
- to cooperate with other authorities involved in the administration of the Act;
- to ensure that adequate sanitation measures are in place in its area;
- insofar as is reasonably practicable, to have adequate measures in place within its area to ensure that activities do not adversely affect public health;
- to identify risks to public health within its area;
- as necessary, to ensure that remedial action is taken to reduce or eliminate adverse impacts or risks to public health;
- to assess activities and development, or proposed activities or development, within its area in order to determine and respond to public health impacts (or potential public health impacts);
- to provide, or support the provision of, educational information about public health and to provide or support activities within its area to preserve, protect or promote public health;
- Such other functions assigned to the council by the Act.

State Public Health Plan

In October 2013, SA Health released the inaugural State Public Health Plan titled "South Australia a Better Place to Live". A second State Public Health Plan has recently been introduced under Section 50 of the Act - State Public Health Plan 2019-2024 'the Plan'.

The Plan has been developed in partnership with a broad range of public health stakeholders. The purpose of the Plan is to guide coordinated action over the next five years in partnership with local councils and with a range of public health partners, to improve the health and wellbeing of all South Australians.

The Plan recognises Councils as a primary health provider, with a role to lead and coordinate on behalf of their communities, to deliver services and initiatives, and to advocate, regulate and partner with other agencies as appropriate.

The Plan does not imply that Council's area of responsibility should increase to encompass all aspects of public health. Rather, it is acknowledged that protecting, promoting and improving public health requires the effort and interventions of local, state and commonwealth governments, along with non-government and private providers.

The Plan's vision for "A healthy, liveable and connected community for all South Australians" is supported by four strategic priorities, under the headings of the public health approaches of promote, protect, prevent and progress. These priorities are:

- Promote: Build stronger communities and healthier environments
- Protect: Protect against public and environmental health risks and respond to climate change
- Prevent: Prevent chronic disease, communicable disease and injury
- Progress: Strengthen the systems that support public health and wellbeing

The actions outlined in the Plan under these priorities are a combination of progressing ongoing and essential services as well as new work focussing on the priorities and identified public health risks and opportunities. The strengthening of existing partnerships and the development of new partnerships is also a key feature of the Plan. It provides a framework to work together to take early action to protect health, prevent illness and promote physical and mental health and wellbeing for all South Australians.

Regional Public Health Plans

The Minister for Health and Ageing formally approved regional collaboration to develop the Barossa, Light Regional and Lower Northern Region Public Health and Wellbeing Plan (the Regional Public Health Plan) on 18 December 2013. A consultant was engaged to assist the Councils involved to undertake the planning process. Since then the Barossa, Light, Gawler and Adelaide Plains Councils have worked together to develop and implement the Regional Public Health Plan.

Under the Act, a Regional Public Health Plan must:

- comprehensively assess the state of public health in the region;
- identify existing and potential public health risks and provide for strategies for addressing and eliminating or reducing those risks;
- identify opportunities and outline strategies for promoting public health in the region;
- address any public health issues specified by the Minister following consultation with SAPHC and the LGA, and;
    - include information as to—
        - the state and condition of public health within the relevant region, and related trends;
        - environmental, social, economic and practical considerations relating to public health within the relevant region;
        - other prescribed matters, and;
- include such other information or material contemplated by this Act or required by the regulations.

Section 52 of the Act also requires Councils to report on their Regional Public Health Plan's to the Chief Public Health Officer every two years. The report must contain a comprehensive assessment of the extent to which, during the reporting period, the Council has progressed implementing its Plan.

Since its endorsement, a Working Group comprised of staff from the four participating Councils has worked in collaboration to implement the plan. The Working Group meets regularly on a quarterly basis to oversee the promotion, implementation and review of the Regional Public Health Plan and has also coordinated the required progress reporting (in September 2016 and October 2018) to satisfy legislative requirements.

It is recommended that Council now resolves to commence a review of the Regional Public Health Plan in collaboration with the partnering Councils. Such a review would likely incorporate a gap analysis to identify consistency with the State Public Health Plan, liaison with SA Health, identification of key strategic issues, tasks and actions. Links to Council's Strategic Plan would also be examined.

At its last meeting, the Working Group agreed to seek an Elected Member from each Council to participate in a Regional Public Health Plan Review Working Group. Due to this being the first full review of the Plan the working group considered that Elected Member representation on the working group as an option to be presented to all regional partner Councils. This would ensure council officer and elected member contribution throughout the review process.

An amount of $5000 is currently incorporated into the proposed 2019/2020 operational budget as part of a regional contribution to cover the cost of consultancy work, advertising and any additional consultation.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager Development, Environment and Regulatory Services

CONSULTATION (EXTERNAL TO COUNCIL)

Regional Public Health and Wellbeing Plan Working Group

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

South Australian Public Health Act 2011

Under Section 51 of the Public Health Act 2011, Council is required to develop its own Public Health Plan to protect, improve and promote community health and wellbeing.

Section 52 of the South Australian Public Health Act 2011 requires Councils to report on Regional Public Health Plans.

FINANCIAL/BUDGET IMPLICATIONS

A budget allocation of $5000 to assist in the review of the Regional Public Health Plan is proposed within the 2019/2020 operating budget.

COMMUNITY PLAN

Objective 2.1: Physical and social infrastructure to service our growing population and economy

Objective 2.4: Manage growth through the real connection of people and places

Objective 3.1: Health and social wellbeing services in Gawler to meet growing regional community needs

Objective 3.2: Sporting facilities to meet local and regional community needs

Objective 3.3: Provide facilities for a range of different recreational activities.

Objective 3.4: Gawler to be an inclusive and welcoming community

Objective 4.3: Protect environmentally significant areas of native vegetation for present and future generations

Objective 4.4 Support sustainable use of natural resources and minimise further waste to landfill

Objective 4.5 Support provision of useable open space that preserves natural habitat and biodiversity

Objective 5.1: Support and encourage community teamwork

Objective 5.2: Be recognised as a ‘best practice’ Local Government organisation

Objective 5.3: Deliver ongoing effective and efficient services, including support for regional collaboration

Objective 5.4: Create a safe community environment

10.14 MONTHLY FINANCE REPORT (AS AT 31 MAY 2019)

Record Number: CC19/319;IC19/369

Author(s): Erin McGarry, Financial Accountant

Previous Motions: Nil

Attachments: **1. Monthly Finance Report - May 2019 CR19/40659**

OFFICER'S RECOMMENDATION

That the Monthly Finance as at 31 May 2019 be noted detailing a year to date favourable variance of $284,000.

SUMMARY

Council is reporting at favourable YTD variance of $284K as at the reporting date.

BACKGROUND

The purpose of this report is to present the Monthly Finance Report in accordance with Clause 4.1.4.6 of Council's Budget Management Policy

COMMENTS/DISCUSSION

Council is reporting a favourable variance of $284K at the reporting date.

The key variances that are detailed within **Attachment 1** are summarised below:

- Council has raised $13K unbudgeted revenue from Community Events held throughout the year (e.g. Fringe);
- The Aquatic Centre generated an additional $25K of revenue, which has also had an impact on associated operating expenditure ($31k unfavourable YTD variance);
- Consultants engaged by Council to assist with Asset Divestment have exceeded the annual budget by $10K;
- Town Planning expenses are under YTD budget: relating to various new initiatives ($65K), heritage grants ($5K) and legal fees (minimal appeals this financial year) ($17K).

COMMUNICATION (INTERNAL TO COUNCIL)

Leadership Team

CONSULTATION (EXTERNAL TO COUNCIL)

Nil

POLICY IMPLICATIONS

Budget Management Policy
Debtor Management Policy

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

The cost of preparing the Monthly Finance Report is accommodated within the annual employee costs budget for the Financial Services Team.

The preparation of the Monthly Finance Report promotes financial accountability and transparency of Council's financial operations.

COMMUNITY PLAN

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

10.15 DELEGATIONS UPDATE JUNE 2019

Record Number: CC19/319;IC19/380

Author(s): Kate Symes, Governance Coordinator

Previous Motions: Council 12/12/2017 Motion No 2017:12:482

Attachments:
1. **Amendments to Local Government Act 1999 CR19/39614**
2. **Amendments to Liquor Licensing Act 1997 CR19/39616**
3. **Amendments to Development Act 1993 and Development Regulations 2008 CR19/39617**

OFFICER'S RECOMMENDATION

That Council:-

1. **In exercise of the power contained in Section 44 of the *Local Government Act 1999*, the powers and functions under the following Acts, and specified in an amended extract (attached to the Report dated 25 June 2019 and titled Delegation Amendments) contained in Attachments 1 to 3 identified as indicated below, are hereby delegated this 25th day of June 2019 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation:**

   1.1 Local Government Act 1999 (Attachment 1)
   1.2 Liquor Licensing Act 1997 (Attachment 2)
   1.3 Development Act 1993 and Development Regulations 2008 (Attachment 3)

2. **Notes the powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.**

SUMMARY

The purpose of this report is to update the delegations which exist based on the review conducted by Governance staff due to legislation changes that have occurred since the review.

BACKGROUND

All of a Council's powers come from legislation. The decision making process for a Council starts with a statutory power or function conferred upon a Council by statute. The way in which a Council makes decisions is by resolutions passed at Council meetings. A Council does not act or make decisions through its individual Council Members but as a whole. However, administratively and practically, a Council cannot itself attend to each and every matter and issue that arises for action and determination.

Accordingly, for the purposes of conducting its governing, regulatory and service activities effectively and efficiently, a Council will have in place a process of delegation. A delegation is the means by which a Council may authorise another person or body to exercise certain powers and functions. Delegation enables the Council to focus on policy and strategy and enables the day to day operations of the Council to be carried out by the Council's administration.

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

Delegations made by the Council under Section 44 of the *Local Government Act 1999* can be made to a Council committee, a subsidiary of the Council, an employee of the Council, the employee of the Council for the time being occupying a particular office or position or, an authorised person. Other Acts may specify different delegates than the *Local Government Act 1999*.

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

Delegations made to a Council committee under section 44 mean that any decision made by the committee is binding on Council and can only be altered or revoked by a Motion on Notice in accordance with the *Local Government Act 1999*.

There are a number of powers and functions of the *Local Government Act 1999* which the Council cannot delegate. These are set out in Section 44(3) of the *Local Government Act 1999*, as follows:

a) power to make a by-law;
b) power to declare rates or a charge with the character of a rate;
c) power to borrow money or to obtain other forms of financial accommodation;
d) power to adopt or revise a strategic management plan or budget of the council;
e) power to approve expenditure of money on works, services or operations of the council not contained in a budget approved by the council;
f) power to determine annual allowances under Chapter 5;
g) power to approve payment or reimbursement of expenses that may be paid at the discretion of the council and for which the council has not adopted a formal policy or made specific financial provision;
h) power to establish a subsidiary, or to participate in the establishment of a regional subsidiary;
i) power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act;
j) power to fix, vary or revoke a fee under section 188(1)(d) to (h);
k) a power or function excluded from delegation by the regulations.

If the Council purports to delegate any of these powers or functions, that delegation would be ineffective. Any action undertaken in reliance on that delegation would be unauthorised. This may cause legal and administrative problems for the Council.

Section 44 of the *Local Government Act 1999* sets out various other matters in relation to delegations. For example:

- Section 44(6) provides that the Council must cause a separate record to be kept of all delegations made under Section 44, and should at least once in every financial year review the delegations for the time being in force under Section 44;
- Section 44(7) provides that a person is entitled to inspect (without charge) the record of delegations under Section 44(6) at the principal office of the Council during ordinary office hours.

Section 101 of the *Local Government Act 1999* provides that the Chief Executive Officer may delegate (or sub-delegate) a power or function vested or conferred in or on the Chief Executive Officer under the *Local Government Act 1999*. Section 101 sets out various other matters in relation to delegations (or sub-delegations) by the Chief Executive Officer.

A delegation or sub-delegation by the Chief Executive Officer made under Section 101 of the *Local Government Act 1999* may be made to an employee of the Council or to the employee for the time being occupying a particular office or position, a committee comprising employees of the Council, or an authorised person.

COMMENTS/DISCUSSION

Council maintains a register of its delegations in accordance with the requirements of the *Local Government Act 1999*. Under Section 44(6) of the *Local Government Act 1999* Council is required to review its delegations at least once in every financial year.

Delegations allow Council to transfer its powers and duties to the Chief Executive Officer (CEO) and other relevant officers and bodies, in order to improve the efficiency and timeliness of Council's decision-making processes. A delegation does not prevent the Council from exercising any power.

Delegations may be changed at any time by way of a Council resolution.

This report recommends that a resolution is passed in respect to a review of delegations undertaken due to updates that have been made to legislation since the last update on 26 March 2019. Changes to the instruments are attached. It is recommended that the Chief Executive Officer is able to exercise these powers under delegated authority.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Manager – Finance & Corporate Services
Governance Coordinator

CONSULTATION (EXTERNAL TO COUNCIL)

Local Government Association

POLICY IMPLICATIONS

Delegations and authorisations may have a direct relationship to Council Policies. If any changes or amendments are required of Council Policies as a result of this Council Delegation Instrument, they will be reviewed and presented to Council for its consideration.

STATUTORY REQUIREMENTS

Local Government Act 1999
Liquor Licensing Act 1997
Development Act 1993

FINANCIAL/BUDGET IMPLICATIONS

Nil

COMMUNITY PLAN

Objective 5.2: Be recognised as a 'best practice' Local Government organisation

11 RECOMMENDATIONS FROM COMMITTEES

11.1 RECOMMENDATIONS FROM AUDIT COMMITTEE MEETING HELD ON 9 MAY 2019

Record Number: CC19/319;IC19/412

Author(s): Kate Symes, Governance Coordinator

Previous Motions: Nil

Attachments: Nil

11.1 FOR NOTING

OFFICER'S RECOMMENDATION

That Council notes the adopted Motions from the Audit Committee made under Delegated Authority at the meeting held on 9 May 2019, being:

Item 6.2 - Dean Newbery & Partners - Interim External Audit Management Letter - 2018/19 IC19/197

That the correspondence from Dean Newbery & Partners, relative to the findings of their interim audit attendance in February 2019, together with Management's responses, be received.

Item 6.4 - 2018/19 Audit Committee Workplan Progress Report IC19/203

That the Audit Committee notes the 2018/19 Audit Committee Workplan Progress Report.

11.1.1 FOR RESOLUTION

Item 6.1 - Risk Management Action Plan Update

RECOMMENDATION

That Council adopts the recommendation from the Audit Committee made at item 6.1 of the meeting of that Committee meeting held on 9 May 2019, being:

That the Audit Committee recommends to Council that the Risk Management Action Plan Update report be noted.

11.1.2 Item 6.3 - 2018/19 External Audit Plan

RECOMMENDATION

That Council adopts the recommendation from the Audit Committee made at item 6.3 of the meeting of that Committee meeting held on 9 May 2019, being:

That the Audit Committee recommends to Council that the correspondence from Dean Newbery & Partners regarding the 2018/19 External Audit Plan be received and noted.

11.1.3 Item 6.5 - 2017/18 Australasian Local Government Performance Excellence Program Results

RECOMMENDATION

That Council adopts the recommendation from the Audit Committee made at item 6.1 of the meeting of that Committee meeting held on 9 May 2019, being:

That the Audit Committee recommends to Council that:

1. **The 2017/18 Australasian Local Government Performance Excellence Program Results report be noted.**
2. **It is acknowledged that the benchmarking data presented in the report will form the basis of the organisations intent to further consider and review opportunities for performance improvement as and where possible, including, but not limited to a renewed focus on enhancing the performance measures aligned to service delivery outputs.**
3. **It notes the proposed allocation of funding in the 2019/20 Budget to incorporate an Internal Audit function within Council which will assist in the bringing forward the attention needed to drive organisational improvements and efficiencies in financial management outcomes and business outputs.**

11.2 RECOMMENDATIONS FROM GAWLER YOUTH ADVISORY COMMITTEE MEETING HELD ON 3 JUNE 2019

Record Number: CC19/319;IC19/388

Author(s): Connie Hall, Personal Assistant Library and Community Services

Previous Motions: Nil

Attachments: Nil

FOR NOTING

YOUTH DEVELOPMENT OFFICER UPDATE

That the Gawler Youth Advisory Committee note the verbal update from the Youth Development Officer.

FOR RESOLUTION

CLIMATE EMERGENCY MANAGEMENT PLAN RECOMMENDATION

That Council adopts the recommendation from the Gawler Youth Advisory Committee made at the meeting of that Committee meeting held on 3 June 2019, being:

That the Gawler Youth Advisory Committee recommends to Council that the following Gawler Youth Advisory Committee Members be appointed to the Climate Emergency Action Plan Working Group:

1. **Jack Gill**
2. **Angus Millikan**

ACKNOWLEDGEMENT AND NOTE OF THANKS FOR SPONSORSHIP

That the Gawler Youth Advisory Committee recommends that Council thank the Rotary Club of Gawler and Rotary Club of Gawler Light for their generous sponsorship of Angus Millikan to attend Youth Parliament 2019, Brenna Carmichael to attend Junior Youth Parliament 2019, Luke Mollet and Amelia Sharrad to attend Rotary Youth Leadership Awards 2019.

11.3 RECOMMENDATIONS FROM GAWLER HERITAGE COLLECTION COMMITTEE MEETING HELD ON 18 APRIL 2019

Record Number: CC19/319;IC19/392

Author(s): Kate Symes, Governance Coordinator

Previous Motions: Nil

Attachments: Nil

Item 10.1 - ACKNOWLEDGEMENT OF MS DENISE SCHUMANN OAM

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 10.1 of the meeting of that Committee meeting held on 18 April 2019, being:

COMMITTEE RESOLUTION GHCC:2019:04:09

Moved: Mr B Thom
Seconded: Cr D Fraser

That the Gawler Heritage Collection Committee recommend to Council to acknowledge the positive involvement of Ms Denise Schumann OAM (Schuman and Associates) over the last 8 years in the advice given to the Gawler Heritage Collection Committee and the creation of the 'Into the Light' display she has organised within the previous Council Chambers.

Denise's constant input of valuable advice, coupled with her vast experience and great knowledge of Gawler's history has made a most significant difference to achieve the fabulous end result which we can enjoy now and in the future.

11.4 RECOMMENDATIONS FROM GAWLER HERITAGE COLLECTION COMMITTEE MEETING HELD ON 13 JUNE 2019

Record Number: CC19/319;IC19/396

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments: **1. Item 6.5 - Conservation of Books Donated by Govenor Gawler - Artlab quotes 22-05-2019 CR19/36226**

FOR NOTING

Item 6.1 – Terms of Reference

That the Gawler Heritage Collection Committee notes its Terms of Reference as adopted by Council on 26 November 2018 and that an updated version will be presented back to the Committee in July 2019.

FOR RESOLTION

Item 6.1 - Appointment of Chair and Deputy Chair

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.1 of the meeting of that Committee meeting held on 13 June 2019, being:

That the Gawler Heritage Collection Committee recommends to Council that:

1. **Mrs Judy Ferguson be appointed as Chairperson of the Gawler Heritage Collection Committee from 11 July 2019 until 27 May 2021;**
2. **Cr Paul Koch be appointed as Deputy Chairperson of the Gawler Heritage Collection Committee from 11 July 2019 as Deputy Chair until 27 May 2021.**

Item 6.2 - Walk of Honour - Boer War Honour Board

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.2 of the meeting of that Committee meeting held on 13 June 2019, being:

That the Gawler Heritage Collection Committee:

1. **Notes the request by the RSL Gawler Sub-branch to have the Boer War Honour Roll relocated from its current position (outside Meeting Room LG.4) to the wall currently displaying the Gawler Institute WW1 Honour Board and the other May Bros' boards.**
2. **Request Council staff to present a visual representation of the relocation proposal for further consideration by the Gawler Heritage Collection Committee.**

Item 6.3 - Mayoral Portraits

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.3 of the meeting of that Committee meeting held on 13 June 2019, being:

That the Gawler Heritage Collection Committee recommends to Council, subject to Council adopting the Draft 2019/20 Budget that has been released for public consultation, that:

1. **Jodie Prymke, Conservation Framer, be engaged to restore, remount and reglaze the two Mayoral Portraits.**
2. **It notes that the conservation of the Mayoral Portraits as outlined within this report will be funded by the 2019/20 Cultural Heritage Centre Budget pertaining to the restoration and preservation of the Gawler Heritage Collection.**
3. **It continues to consider appropriate options that consider the archival preservation and public accessibility for the hanging of the Mayoral Portraits.**
4. **It seeks that Staff create procedures for the maintaining and updating of this Civic Record.**

Item 6.4 - Hanging of Collection Portraits

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.4 of the meeting of that Committee meeting held on 13 June 2019, being:

That the Gawler Heritage Collection Committee recommends to Council that the portraits of George Nott and John McKinlay from the Gawler Heritage Collection be installed on the expanse of wall at the base of the James Martin staircase.

Item 6.5 - Conservation of Books Donated by Governor Gawler

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.5 of the meeting of that Committee meeting held on 13 June 2019, being:

That the Gawler Heritage Collection Committee recommends to Council that the seven books donated by Governor Gawler to the Gawler institute be sent to Artlab for conservation as outlined in the Artlab quotation – Attachment 1.

Item 7 – Draft Tourism Plan 2020

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 7 of the meeting of that Committee meeting held on 13 June 2019, being:

That the Gawler Heritage Collection Committee expresses its concerns regarding the Draft Tourism Plan with particular regard to the following aspects:

1. **The consultation process;**
2. **The content and omissions particularly relating to the tourism opportunities in relation to Aboriginal culture, Gawler Heritage Collection and the Gawler Civic Centre.**

and therefore seeks Council to consider allowing renewed community and stakeholder consultation to capture these and other aspects.

11.5 RECOMMENDATIONS FROM INFRASTRUCTURE & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 11 JUNE 2019

Record Number: CC19/319;IC19/397

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments: **1. Terms of Reference - Climate Emergency Action Plan Working Group CR19/37290**

FOR NOTING

RECOMMENDATION

That Council notes the adopted Motions from the Infrastructure & Environmental Services Committee made Under Delegated Authroity at the meeting held on 11 June 2019, being:

Item 7.1 - Rural Areas Development Plan Amendment Update

That the Infrastructure & Environmental Services Committee:

1. **Note progress made to date concerning the Rural Areas Development Plan Amendment relative to indicative timeframes.**
2. **Notes that a Special IES meeting is scheduled to be held on 2 July 2019 to allow persons who have made a written submission to Council on the matter to give a verbal presentation to the Committee. All persons who have made a written submission will be contacted accordingly.**

Item 7.7 - Policy Review

That the Infrastructure & Environmental Services Committee:

1. **Adopts the following policies:**
   - **1.1 Dog Registrations (as amended)**
   - **1.2 Town Centre Parking Strategy**
   - **1.3 Stobie Poles – Painting**
   - **1.4 Asset Management (as amended)**
   - **1.5 Landscaping Verge Areas (Footways) by Residents**
   - **1.6 Land Divisions – Indentures, Bonds and Bank Guarantees**
2. **Request that a review of the Building and Swimming Pool Inspections Policy and the Compliance Development Act 1993 Policy be presented to the August IES Committee for its consideration.**
3. **Request that the Naming of Roads Policy Report be reviewed as it relates to duplicate named roads and presented to the next IES Committee for its consideration.**

FOR RESOLUTION

Item 7.2 - Climate Emergency Action Plan Working Group

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.2 of the meeting of that Committee meeting held on 11 June 2019, being:

That the Infrastructure & Environmental Services Committee recommends to Council that:

1. **The amended Terms of Reference for the Climate Emergency Action Plan Working Group be adopted.**
2. **The following members of the Gawler Youth Advisory Committee be appointed to the Climate Emergency Action Plan Working Group:**
   2.1 Jack Gill
   2.2 Angus Millikan

Item 7.2 - Climate Emergency Action Plan Working Group

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.2 of the meeting of that Committee meeting held on 11 June 2019, being:

That the Infrastructure & Environmental Services Committee recommends to Council to:

1. **Appoint the following Council Members to the Climate Emergency Action Plan: Working Group:-**
   1.1 Cr Tooley
   1.2 Cr Koch
   1.3 Cr Shanks
   1.4 Cr Little
2. **Appoint the following community members to the Climate Emergency Action Plan Working Group:-**
   2.1 Darren Cox
   2.2 Kathryn Jane Warhurst
   2.3 Timothy Michael Welch Kelly
   2.4 Tom Brdanovic
3. **Appoint the following Council staff members to the Climate Emergency Action Plan Working Group:-**
   3.1 Team Leader Environmental Services
   3.2 Environment and Sustainability Officer
4. **Amend the Terms of Reference to allow increased membership on the Working Group.**

Item 7.3 - Hard Waste Trial Update

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.3 of the meeting of that Committee meeting held on 11 June 2019, being:

That the Infrastructure & Environmental Services Committee recommends that Council:

1. **Notes the Hard Waste Trial Update report.**
2. **Notes the hard waste trial, having concluded on 31 May 2019, has provided to date 154 services to eligible Australian Government Concession card holders. The cost to date in providing the service was $10,010. The hard waste trial will honour bookings and vouchers that haven't been redeemed until 30 June 2019.**
3. **Notes that a budget bid of $120,000 is contained in the draft 2019/20 Budget released for community consultation in order to expand the Hard Waste trial to all Town of Gawler residences in 2019/20, with the total cost of the service to be capped at $120,000.**
4. **Notes the cost of the expanded Hard Waste Trial in 2019/20 will be funded by surplus kerbside Waste Management Service Charge from the 2017/18 financial year.**

Item 7.4 - Multi-Level Car Park Operating Hours

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.4 of the meeting of that Committee meeting held on 11 June 2019, being:

That the Infrastructure & Environmental Services Committee recommends to Council that:

1. **The Multi-Level Car Park operating hours are currently as:**
   - **(a) Monday to Friday 4am to 10pm**
   - **(b) Saturday 4am to 7pm**
   - **(c) Sunday 7am to 7pm**

2. **Further consideration as to the need to change the Multi Level car park be informed by the soon to be held community workshop "summit" addressing car parking issue in the town centre.**

Item 7.5 - Historic Walls Grants Scheme Update

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.5 of the meeting of that Committee meeting held on 11 June 2019, being:

That the Infrastructure & Environmental Services Committee recommends to Council that it:

1. **Notes the update on the Historic Walls Grant Scheme as outlined in this report.**
2. **Notes that the 2019/20 draft Budget does not allocate any further funds to the Historic Walls Grant Scheme as the $105,006 allocated equity funding available has been considered adequate at this point.**
3. **Notes that additional funding for the Historic Walls Grant Scheme may be considered during the formulation of Council's 2020/21 Annual Budget.**
4. **Notes that Council Staff will continue to monitor the Historic Walls Grant Scheme's equity reserve and will report back to Council should this reserve drop below $25,000.**
5. **Notes that the allocation in Council's Draft 2019/20 Annual Budget for the Local Heritage Grants Scheme has been reduced from $15,000 to $5,000, however, due to existing commitments that are unlikely to be expended in 2018/19, an increase to the 2019/20 budget allocation will need to be considered by Council when it meets to receive budget submissions resulting from the Draft 2019/20 Annual Budget's public consultation period.**

Item 7.6 - Single-use plastics at Council events

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.6 of the meeting of that Committee meeting held on 11 June 2019, being:

That the Infrastructure & Environmental Services Committee recommends that Council :

1. **Commits to a total phase out of the use single-use plastics at Council events and Council sponsored events as well as to encourage the same aim for community run events by 2020.**
2. **Note that staff are to prepare a new policy to address single-use plastic use at Council events, Council sponsored events and community run events.**
3. **Note that staff will undertake a review of the Hire of Council Owned Facilities Policy, with a view to eliminate single-use plastics.**
4. **Notes that a further report be presented to a future Infrastructure & Environmental Services Committee meeting, detailing a program of the phasing out of single-use plastic items.**

12 COUNCIL MEMBER REPORTS

Nil

13 EXTERNAL BODIES REPORTS

13.1 ELDERLY CENTRE ADVISORY WORKING GROUP MEETING - JUNE 2019

Record Number: CC19/319;IC19/385

Author(s): Connie Hall, Personal Assistant Library and Community Services

Previous Motions: Nil

Attachments: Nil

OFFICER'S RECOMMENDATION

That Council note the Elderly Centre Advisory Working Group notes for the meeting held on 07 June 2019.

14 QUESTIONS ON NOTICE

Nil

15 QUESTIONS WITHOUT NOTICE

16 MOTIONS ON NOTICE

16.1 NOTICE OF MOTION - CR TOOLEY - GAWLER COMMUNITY GALLERY

Record Number: CC19/319;IC19/391

Attachments: Nil

Councillor Tooley has given notice that he intends to move the following motion:-

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MOTION

That Council form a working group comprising representatives of the appropriate Council staff, Councillors, the Gawler Community Gallery and the Gawler Art Society for the purpose of discussing, and forming a process for, the establishment of a community gallery on a site central to Gawler's CBD.

17 MOTIONS WITHOUT NOTICE

18 CONFIDENTIAL REPORTS

18.1 LOT 300 ANGLE VALE ROAD - SALE UPDATE

Reason for Confidentiality

In accordance with Sections 83(5) and 84(6) of the Local Government Act, 1999 â€“ the Chief Executive Officer considers that this item may be considered in confidence by the Council on the grounds set out below (and therefore will 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

Lot 300 Angle Vale Road - Sale Update

That:

1. **Pursuant to Section 90(3) (b)(i) of the Local Government Act 1999 (the Act), the Confidential Council Meeting orders that the public be excluded from attendance at that part of this meeting relating to Item 18.1, expecting the following persons:**

   - **Chief Executive Officer**
   - **Manager Development, Environment & Regulatory Services**
   - **Manager Infrastructure & Engineering Services**
   - **Manager Finance & Corporate Services**
   - **Manager Business Enterprises & Communications**
   - **Manager, Library and Community Services**
   - **Team Leader Property and Procurement**
   - **Minute Taker**

   to enable the Confidential Council Meeting to consider Item 18.1 in confidence on the basis the Confidential Council Meeting considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 18.1:

   (b)(i) information the disclosure of which 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

2. **Accordingly, on this basis, the principle that meetings of the Confidential Council Meeting should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.**

19 CLOSE

20 NEXT ORDINARY MEETING

Tuesday 23 July 2019 commencing at 7:00pm