THE ORDINARY MEETING OF THE DISTRICT COUNCIL OF MALLALA WILL BE HELD IN THE COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON MONDAY 22 JUNE 2015, COMMENCING AT 7:00PM

Katrina Márton
CHIEF EXECUTIVE OFFICER

AGENDA

1. ATTENDANCE
   1.1 Present
   1.2 Councillors Apologies
   1.3 Councillors Absent

2. CONFIRMATION OF MINUTES
   2.1 Council Meeting held on Tuesday 9 June 2015 (MB Folios 13012 to 13020, inclusive).

3. BUSINESS ARISING
   3.1

4. DECLARATION OF MEMBERS’ INTEREST
   4.1

5. OPEN FORUM
   5.1 Speakers

6. BRIEFINGS
   6.1 Broad Acre Farming Study – Shanti Ditter (Planning Aspects) and Dean Lanyon (MWH Global)
7. **MAYOR’S REPORT**

7.1 Meetings Attended and / or Discussions Held (CON12/1199)

8. **MINUTES AND/OR RECOMMENDATIONS**

8.1 Economic and Infrastructure Advisory Committee

8.1.1 No Minutes

8.2 Community Development and Advisory Committee

8.2.1 Minutes of meeting held 11 June 2015 (CON12/1100)

8.3 Audit Committee

8.3.1 No Minutes

8.4 Mallala and Districts Historical Committee

8.4.1 Minutes of meeting held 13 May 2015 (CON12/871)

8.5 Mallala and Districts Homes Committee

8.5.1 No Minutes

9. **ASSOCIATED ORGANISATIONS**

9.1 Gawler River Floodplain Management Authority

9.1.1 No Minutes

9.2 Central Local Government Region

9.2 No Minutes

10. **QUESTIONS WHICH NOTICE HAS BEEN GIVEN**

10.1 Questions on Notice

10.1.1 Two Wells Sub-division, Coats Road (CON12/537)

10.1.2 Lewiston Sub-division, Germantown Road (CON12/537)

10.2 Notice of Motion

10.2.1 Council Development Assessment Panel Member Removal (CON12/537)
11. **QUESTIONS WHICH NOTICE HAS NOT BEEN GIVEN**

Rules from Local Government Act 1999 Regulations:

* Questions and replies are not entered in the minute book unless expressly required by resolution.
* No debate shall be allowed on any question or reply to any question.

12. **PETITIONS**

12.1 No Petitions

13. **DEPUTATIONS**

13.1 No Deputations

14. **ADJOURN INTO STANDING COMMITTEE**

14.1 No Agenda for Strategic Planning and Development Policy Committee

15. **ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**

15.1 No recommendations

16. **ITEMS FOR NOTING / INFORMATION / ACTIVITY REPORTS**

16.1 Items for Information / Noting

16.1.1 Finance Report (CON12/491)

16.2 Activity Reports

16.2.1 Corporate & Community Services Status Report (CON12/1199)

17. **ITEMS FOR DECISIONS**

17.1 Bank Account Signatories (CON12/503)

17.2 Draft Annual Business Plan and Budget 2015-2016 (CON12/568)

17.3 Office for Recreation and Sport Strategic Plan Review (CON13/6)

17.4 Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015 (CON12/131)

17.5 Temporary Road Closures – Community Consultation Feedback (CON12/981)

18. **URGENT BUSINESS**

18.1
19. CONFIDENTIAL ITEMS

19.1

20. CLOSURE
2. CONFIRMATION OF MINUTES

MONDAY 22 June 2015

Items:

2.1 Council Meeting held on Tuesday 9 June 2015 (MB Folios 13012 to 13020, inclusive).
MINUTES OF THE ORDINARY MEETING OF THE DISTRICT COUNCIL OF MALLALA HELD IN THE MALLALA COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON TUESDAY 9 JUNE 2015, COMMENCING AT 7:00 PM

1. ATTENDANCE

1.1 Present
Mayor D Kennington (Mayor) and Crs T Keen, P Daniele, B Summerton, K McColl, M Lawrence, E Stubing, S Jones (from 7.05 pm) and Messrs K Márton (Chief Executive Officer), P Sellar (General Manager, Corporate and Community), G Mavrinac (General Manager, Infrastructure and Planning), J Tanti (Governance Officer) and A Humphrys (Minute Secretary).

1.2 Councillor’s Apologies
Crs A Picard and S Strudwicke

1.3 Councillor’s Absent
Nil

2. GENERAL BUSINESS

Moved Cr Lawrence Seconded Cr McColl
“that the minutes of meeting held on Monday 11 May 2015 (MB Folios 13001 to 13007, inclusive), and Special Council meeting held on Monday 18 May 2015 (MB Folios 13008 to 13011, inclusive), be accepted as read and confirmed.”

CARRIED (2015/171)

3. BUSINESS ARISING

3.1 No Business Arising

4. DECLARATION OF MEMBERS’ INTEREST

4.1 Cr Keen declared an interest in item 17.6 - Council Development Assessment Panel Membership as she raised the original investigation.

Cr Daniele declared an interest in item 17.6 - Council Development Assessment Panel Membership as the investigation was concerning him.
5. **OPEN FORUM**

The Mayor sought leave of the meeting to suspend Part 2 of the Local Government (Procedures at Meetings) Regulations 2013 for ‘Open Forum’. The meeting was suspended at 7.01 pm.

5.1 **Frank Maiolo**  
*Two Wells*

- Queried differences in planning processes between City of Playford and District Council of Mallala.

At this juncture 7.05 pm, Cr Jones entered the chamber

**Dean Cook**  
*Mallala*


Meeting resumed at 7.14 pm.

6. **BRIEFINGS**

No Briefings

7. **MAYOR’S REPORT**

7.1 Meetings Attended and / or Discussions Held (CON12/1199)

- **Monday 27 April 2015**
  - Staff Funeral
  - Ordinary Council Meeting

- **Friday 1 May 2015**
  - LGA Ordinary General Meeting

- **Tuesday 5 May 2015**
  - Site Visit – D’Vine Ripe

- **Monday 11 May 2015**
  - Ordinary Council Meeting

- **Wednesday 13 May 2015**
  - Mayoral Meeting – Light, Gawler and Barossa
Thursday 14 May 2015
National Volunteers Week 2015 Celebrations

Friday 15 May 2015
Central Local Government Meeting - Orroroo

Sunday 17 May 2015
Two Wells Primary School 150th Birthday Celebration

Monday 18 May 2015
Special Council Meeting
Strategic Planning and Development Policy Committee Meeting

Tuesday 19 May 2015
Library Author Event – Meredith Appleyard

Monday 25 May 2015
Budget Workshop

Wednesday 27 May 2015
History Week Bus Tour – “Catching Sporting Moments”

Friday 29 May 2015
Two Wells Melodrama – Bar Duties

8. MINUTES AND/OR RECOMMENDATIONS

8.1 Economic and Infrastructure Advisory Committee
8.1.1 No Minutes

8.2 Environmental Management Advisory Committee
8.2.1 Minutes of meeting held 1 June 2015 (CON12/1101)

8.3 Strategic Planning and Development Policy Committee
8.3.1 Minutes of meeting held 18 May 2015 (CON14/35)

8.4 Council Development Assessment Panel
8.4.1 Minutes of meeting held 2 June 2015 (CON12/218)
9. ASSOCIATED ORGANISATIONS
9.1 Gawler River Floodplain Management Authority
9.1.1 No Minutes

9.2 Central Local Government Region
9.2 No Minutes

10. QUESTIONS WHICH NOTICE HAS BEEN GIVEN
10.1 Questions on Notice
10.1.1 Coastal Settlements Finished Floor Levels (CON12/537)

<table>
<thead>
<tr>
<th>Preamble</th>
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<tbody>
<tr>
<td><strong>Question 1:</strong></td>
<td>What is current recommendation by Coast Protection Board for finished minimum pad and minimum floor levels AHD for approved dwellings for each of our coastal settlements?</td>
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<tr>
<td></td>
<td>A) Middle Beach</td>
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<td>B) Thompson Beach (North and South)</td>
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<td>C) Webb Beach</td>
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<td>D) Parham (North and South)</td>
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<tr>
<td><strong>Answer:</strong></td>
<td>Middle Beach – 3.20 and 3.45 metres AHD</td>
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<td></td>
<td>Thompson Beach (North and South) – 3.05 and 3.30 metres AHD</td>
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<td>Webb Beach – 3.30 and 3.55 metres AHD</td>
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<td></td>
<td>Parham (North and South) – 3.30 and 3.55 metres AHD</td>
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</tbody>
</table>

10.2 Notice of Motion
10.2.1 No Notice of Motion
11. **QUESTIONS WHICH NOTICE HAS NOT BEEN GIVEN**

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12. **PETITIONS**

12.1 No Petitions

13. **DEPUTATIONS**

13.1 No Deputations

14. **ADJOURN INTO STANDING COMMITTEE**

14.1 No Agenda for Strategic Planning and Development Policy Committee

15. **ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**

15.1 No recommendations

16. **ITEMS FOR NOTING / INFORMATION / ACTIVITY REPORTS**

16.1 **Items for Information / Noting**

16.1.1 Finance Report (CON12/491)

Moved Cr McColl  Seconded Cr Summerton


CARRIED  (2015/172)

16.1.2 Parham – Artificial Channel (CON12/1101)

Moved Cr Keen  Seconded Cr Lawrence

“that Council, having considered Item 16.1.2 - Parham- Artificial Channel dated 9 June 2015, receive the report”.

CARRIED  (2015/173)
16.1.3 Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015
Moved Cr McColl Seconded Cr Keen
“that Council, having considered Item 16.1.3 - Dog and Cat Management (Miscellaneous) Amendment Bill 2015, dated 9 June 2014, receive the report”.
CARRIED (2015/174)

16.2 Activity Reports
16.2.1 Infrastructure and Planning Services Activity Report (CON12/1191)
Moved Cr Summerton Seconded Cr Daniele
“that Council, having considered Item 16.2.1 - Infrastructure and Planning Services Activity Report, dated 9 June 2015, receive the report.”
CARRIED (2015/175)

16.2.2 Development Plan Amendment Activity Report (CON12/248)
Moved Cr Summerton Seconded Cr McColl
“that Council, having considered 16.2.2 - Development Plan Amendment Activity Report, dated 9 June 2015, receive the report.”
CARRIED (2015/176)

At this juncture 7.46 pm, Crs Lawrence and Summerton left the chamber, as both declared a conflict of interest both being members of the Council Development Assessment Panel.

17. ITEMS FOR DECISIONS
17.1 Hayman Road Playground – Access Relocation – Further Information (CON12/958)
Moved Cr McColl Seconded Cr Daniele
“that Council, having considered Item 17.1 - Hayman Road Playground - Access Relocation – Further Information dated 9 June 2015, support the proposal to relocate access/egress to the playground from Hayman Road to Pederick Road and car park relocation as recommended by the Traffic Assessment Report, noting that it is still subject to development approval and potential appeal”.
CARRIED (2015/177)
Division

Councillor Jones called a Division

Those voting in the affirmative are Crs McColl, Daniele and Stubing

Those voting in the negative are Crs Jones and Keen

The Mayor declared the motion CARRIED

At this juncture 7.57 pm, Crs Lawrence and Summerton returned to the chamber.

17.2 RDA Barossa Proposed Changes to the Constitution (CON12/278)

Moved Cr McColl Seconded Cr Keen

“That the Council having considered Item 17.2 - RDA Barossa Proposed Changes to the Constitution, dated 9 June 2015, endorses the proposed alterations to the Regional Development Australia Barossa Constitution, and authorises the Chief Executive Officer to inform the RDA Barossa of Council’s endorsement as a matter of urgency.”

CARRIED (2015/178)

17.3 Gawler River Floodplain Management Authority - Budget and Business Plan 2015-16 (CON12/314)

Moved Cr McColl Seconded Cr Lawrence

“That Council, having considered Item 17.3 - Gawler River Floodplain Management Authority - Budget and Business Plan 2015-16, dated 9 June 2014, considers and endorses the Budget and Business Plan 2015-16 as presented by the Authority in accordance with Clause 11.2.3 of the Authority Charter.”

CARRIED (2015/179)

17.4 Mallala CWMS Service Charge (CON12/334)

Moved Cr McColl Seconded Cr Stubing

“That the Council having considered Item 17.4 - Mallala CWMS Service Charge, dated 9 June 2015, that the report be received and noted and that the matter of the Mallala CWMS Service Charge be further considered at the scheduled 15 June 2015 Budget Workshop.”

CARRIED (2015/180)
17.5  2014/15 Annual Budget Review as at 30 April 2015 (CON12/433)
Moved Cr Summerton  Seconded Cr McColl
“that the Council having considered Item 17.5 - 2014/15 Annual Budget Review as at 30 April 2015, dated 9 June 2015, endorse the list of changes to be included in the Current Annual Budget for the year ending 30 June 2015:”
- Statutory Charges increase $8,000
- User Charges increase $6,000
- Reimbursement increase $32,000
- Employee Costs decrease $37,000
- Materials increase $6,000
- Finance Charges decrease $5,000
- Depreciation decrease $31,000
Increase in borrowings $1.3 Million.”
CARRIED (2015/181)

Moved Cr Daniele  Seconded Cr McColl
“that Council having considered Item 17.5 2014/15 Annual Budget Review as at 30 April 2015, dated 9 June 2015, receive and adopt as the Current Budget for the year ending 30 June 2015.”
CARRIED (2015/182)

At this juncture 8.08 pm, Crs Keen and Daniele left the chamber as an interest had been declared in 17.6 - Council Development Assessment Panel Membership.

Formal Motion
Moved Cr Jones  Seconded Cr Lawrence
“that this matter lay on the table.”
LOST (2015/183)

17.6  Council Development Assessment Panel Membership (CON12/218)
Moved Cr Summerton  Seconded Cr McColl
“that the Council, having considered Item 17.6 - Council Development Assessment Panel Membership, dated 9 June 2015, recognises that the Development Assessment Panel must consist of 7 members, pursuant to Section 56A(3)(a) of the Development Act 1993.”
CARRIED (2015/184)
At this juncture 8.15 pm, Crs Keen and Daniele returned to the chamber.

17.7 Flying the Rainbow Flag - Celebrating Diversity (CON12/109)
Moved Cr Keen Seconded Cr Lawrence
“that Council having considered Item 17.7 – Flying the Rainbow Flag – Celebrating Diversity, dated 9 June 2015, endorses the participation in the event, by purchasing and displaying the rainbow flag for the duration of the festival 14 to 29 November 2015.”

CARRIED (2015/185)

18. URGENT BUSINESS
18.1 No Urgent Business

19. CONFIDENTIAL ITEMS
19.1 No Confidential Items

20. CLOSURE
There being no further business, the Mayor declared the meeting closed at 8.27 pm.

Confirmed as a true record.

Mayor: .............................................................

Date: ____/____/___
Items:

7.1 Activities and Meetings attended
7.1 Meetings Attended and / or Discussions Held (CON12/1199)
Activities and Meetings attended

Sunday 31 May 2015
Community Tree Planting - Parham

Monday 1 June 2015
Environmental Management Advisory Committee Meeting

Tuesday 2 June 2015
Adelaide International Bird Sanctuary Meeting - together with CEO

Wednesday 3 June 2015
Staff Funeral

Friday 5 June 2015
Community Tree Planting – Light Beach
CEO and Deputy Mayor Briefing

Tuesday 9 June 2015
Ordinary Council Meeting

Wednesday 10 June 2015
Interview ABC Radio – Port Pirie

Thursday 11 June 2015
Department of Primary Industries and Resources of South Australia (PIRSA) Briefing - together with CEO

Sunday 14 June 2015
Community Tree Planting – Thompson Beach

Monday 15 June 2015
Budget Workshop

Tuesday 16 June 2015
Barossa Council Meeting - Observation

Wednesday 17 June 2015
Two Wells DPA Workshop – Retailers
Two Wells DPA Workshop - Residents
8. MINUTES AND/OR RECOMMENDATIONS

MONDAY 22 June 2015

Items:

8. MINUTES AND/OR RECOMMENDATIONS

8.1 Economic Development Advisory Committee
8.1.1 No Minutes

8.2 Community Development and Advisory Committee
8.2.1 Minutes of meeting held 9 April 2015 (CON12/1100)

8.3 Audit Committee
8.3.1 No Minutes

8.4 Mallala and Districts Historical Committee
8.4.1 Minutes of meeting held 13 May 2015 (CON12/871)

8.5 Mallala and Districts Homes Committee
8.5.1 No Minutes
<table>
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<tbody>
<tr>
<td>8.2</td>
<td>Community Development and Advisory Committee</td>
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<tr>
<td>8.2.1</td>
<td>Minutes of meeting held 11 June 2015 (CON12/1100)</td>
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**Committee Recommendation**

8.2.2 Community Bus

“that the Community Development and Advisory Committee recommends to Council that bus stop locations (incoming and outgoing traffic) be included in the upcoming Two Wells DPA, in particular taking into consideration passenger safety and bus accessibility and parking sites.”
MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF MALLALA COMMUNITY DEVELOPMENT AND ADVISORY COMMITTEE HELD IN THE TWO WELLS COUNCIL CHAMBERS, OLD PT WAKEFIELD ROAD, TWO WELLS ON THURSDAY 11 JUNE 2015, COMMENCING AT 7.00 PM

1. ATTENDANCE

1.1 Members Present
A Porter, B Reid, B Sowerby, S Birch, D Skene, Jasmin Daniele, Cr J Daniele, Cr M Lawrence

Administration / Guests:
A Sawtell (Customer and Library Services Coordinator), L Seccafien (Community Development Officer).

1.2 Members Apologies
Nil

1.3 Members Absent
Nil

Customer and Library Services Coordinator, A Sawtell opened the meeting and called for nominations for the position of Presiding Member and Deputy Presiding Member.

2. APPOINTMENT of Presiding Member and Deputy Presiding Member

2.1 Moved B Reid Seconded Cr Lawrence
"that the Committee having considered Item 2.1 – Appointment of Presiding Member, dated 11 June 2015, recommends to Council the appointment of A Porter to the role of Presiding Member for a period of twelve (12) months."
CARRIED (2015/011)

2.2 Moved A Porter Seconded Jasmin Daniele
"that the Committee, having considered Item 2.2 – Appointment of Deputy Presiding Member, dated 11 June 2015, appoints B Reid to the role of Deputy Presiding Member for a period of twelve (12) months".
A Porter welcomed all members and introduced new committee member, Deidre Skene.

3. CONFIRMATION OF MINUTES
3.1 Moved Jasmin Daniele Seconded B Sowerby

“That the Minutes of the Community Development and Advisory Committee Meeting held on Thursday 9 April 2015 be accepted as read and confirmed.”

CARRIED (2015/013)

4. BUSINESS ARISING
4.1 Lewiston Historical School Site Cairn – the plaque has been purchased and installed on the cairn in the Lewiston Playground, informing of the site history. All Committee Members have been provided with photographs.

5. REPORTS
5.1 Community Bus

Bus Coordinator, Jasmin Daniele provided a verbal report. Concerns were raised about the locations of bus stops for the Council community bus, YP Coachlines and all future potential transport options, specifically passenger safety, shelter options and bus accessibility/parking.

Moved Jasmin Daniele Seconded B Reid

“That the Committee recommend to Council that bus stop locations (incoming and outgoing traffic) be included in the upcoming Two Wells DPA, in particular taking into consideration passenger safety and bus accessibility and parking sites”

CARRIED (2015/014)

5.2 Community Passenger Network – Mid North Community Passenger Transport Network

L Seccafien provided a verbal report to the Committee. The Community Car was vandalised over the weekend of May 2 and May 3, 2015.

Reports were lodged and the car has been repaired. Local Police have been advised and asked to keep an eye on the car when patrolling the area.

L Seccafien has been asked that MNCPN provide information/statistics on passenger vehicle use for Two Wells, Lewiston, Dublin and Mallala.

It was reported that the lights in the Mallala Council office car park were not
working. L Seccafien to report to Council maintenance.

M Lawrence suggested that the Mallala Ambulance Centre could be a potential location for parking the community car. This site would need further investigation by administration staff, with the SA Ambulance service being consulted.

5.3 Community Partnerships Fund Report

Report provided.
The Committee received an email of thanks from Matthew and Carolyn Kingsmill, who are the parents of Laura Kingsmill. Laura has received funding over the years to represent South Australia and Australia in Hockey. Laura has successfully obtained a four year scholarship to the University of Kent in Ohio, USA to study and play hockey for the University.

Moved Cr Lawrence Seconded S Birch
“that the Committee receives the final report for the Dublin History Group 2014/15”
CARRIED (2015/015)

Moved Cr Lawrence Seconded S Birch
“that the Committee receives the final report from Connor Moore 2014/15”
CARRIED (2015/016)

Moved Cr Lawrence Seconded S Birch
“that the Committee endorse the Individual Sports and Cultural funding approval for Hanna Kingsmill 2014/15”
CARRIED (2015/017)

Moved Cr Lawrence Seconded S Birch
“that the Committee approve the applications for Individual Sports and Cultural funding for Dakota Ballantyne, Riley Moore and Connor Moore, subject to administration checking their applications meet eligibility criteria”
CARRIED (2015/018)

Moved Cr Lawrence Seconded S Birch
“that the Committee endorse administration staff to determine the opening and closing dates of the 2015/16 round of the Community Partnerships Fund, dependant when Council adopts the 2015/16 budget.”
CARRIED (2015/019)
5.4 Activity Report

Moved Cr Lawrence Seconded S Birch

“that the Committee, having considered Item 5.4 – Community Services, dated 11 June 2015, receives and notes the report”

CARRIED (2015/020)

6. GENERAL BUSINESS

Nil

7. NEXT MEETING

7.1 7pm, Thursday 13 August 2015

8. CLOSURE

There being no further business, the Chairman declared the meeting closed at 8.12 pm.

Confirmed as a true record.

Chairman: ...........................................................................................................

Date: ___/___/___
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<tr>
<th>8.4 Mallala and Districts Historical Committee</th>
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**MONDAY 22 June 2015**

**Items:**

8.4  Mallala and Districts Historical Committee

8.4.1 Minutes of meeting held 13 May 2015 (CON12/871)
Mallala & Districts Historical Committee

Minutes of meeting held Wednesday May 13th. 2015 at 7.00pm.

1. Welcome – Chairperson Marcus Strudwicke welcomed those present – Laura Parsons, Gwenda Griffiths, Margaret Tiller, Bob Bevan, Brian Verrall, Peter Luxton & Jim East, accompanied by his chauffeur Susan.

2. Apologies – Sharon Svetec, Maxine Varcoe & Christine Young

3. Minutes of previous meeting – held Wednesday April 8th. 2015 – moved Brian Verrall that they are a true record, 2nd. Gwenda Griffiths, carried.


5. Treasurers Report – prepared by D.C. of Mallala – after an analysis by Marcus, it was moved Margaret Tiller that this report be accepted, 2nd. Peter Luxton, carried.

6. Correspondence – see separate sheet. Moved by Brian Verrall that we receive & note correspondence, 2nd. Gwenda Griffiths, carried.

7. General Business
   1. Mens Shed – plans are progressing slowly. Development application is still pending & quotes are being obtained for some fittings. Heritage Dept. will get involved in the shed design
   2. First impression – front office counter & foyer should be kept tidy – being the point of entry when the Museum is open. After discussion, there was agreement on this, & that office work should be done either in the office or the Emac office when the Museum is open.
   3. Recent Donations -the former Spastic Centre has donated some books relating to the Miss Australia quest.
   4. Photo storage area – discussion was held on the most suitable recording system for photos.
   5. Review of Policies & Procedures. – the remaining items were delayed again owing to some members not bringing the relevant books. Brian suggested that Secretary might put a mention of this in with the reminder E-mail about the next meeting.
   6. Ian Wedding has visited & offered to do some work on the Blackstone engine to get it running & says some parts are missing. Gwenda will follow up & also talk to Ray Earl about it.
   7. Peter Luxton presented an example of a racking system of boxes for storing bolts, nuts, screws & nails etc in the workshop. It was agreed to spend up to $250 over a period of time – moved that way by Gwenda Griffiths, 2nd. Margaret Tiller, carried.
   8. Two Wells P.S. have asked for the loan of some school items for their 150 years celebration. After discussion, it was moved Margaret Tiller that we loan blackboard, easel & desk, which are all not display items, plus a typewriter which has not been catalogued – 2nd. Gwenda Griffiths, carried.

[cont’d]
[cont’d]

13-05-15


May
Thursday 28th. History S.A. Bus tour – approx. 50 persons – arrive 10.30am. Morning tea required. As they will only stay for an hour, it was agreed to supply tea, coffee & biscuits etc. set up in Paint Shop, School Room & Transport Gallery.

June
Monday 29th – Austwide Tours – approx. 40 persons – arrive 10.30am. Morning tea required – Institute has been booked.

July
Tuesday 28th. – Hewett P. S. – years 1-2 & years 3-4 – half in morning & half in afternoon. Approx 140 children. Quoted $3.00 each.
Saturday or Sunday – date to be confirmed – Holden FX Car Club.

November

October 2016
Butler Society Southern Cross Region.

9. Thank yous – to those who attend the Tuesday working bees & those who provide morning tea for it.

Meeting closed at 8.45 pm.

Next meeting is on Wednesday June 10th. 2015 at 7.00pm.

Sunday Roster — 2.00pm to 4.30pm.

<table>
<thead>
<tr>
<th>Sunday</th>
<th>May</th>
<th>17th.</th>
<th>Bob Bevan</th>
<th>Ray Earl</th>
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<tr>
<td>“</td>
<td>“</td>
<td>24th.</td>
<td>Margaret Tiller</td>
<td>Lucy Vanzini</td>
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<td>31st.</td>
<td>Laura Parsons</td>
<td>Lois Wasley</td>
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<td>“ June</td>
<td>7th.</td>
<td>Marcus Strudwicke</td>
<td>Peter Luxton</td>
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<td>14th.</td>
<td>Gwenda Griffiths</td>
<td>Sharon Svetec</td>
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<td>21st.</td>
<td>Brian Verrall</td>
<td>Rosemary Jenkin</td>
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<td>28th.</td>
<td>Maxine Varcoe</td>
<td>Tom Varcoe</td>
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Items:

9. ASSOCIATED ORGANISATIONS
9.1 Gawler River Floodplain Management Authority
   9.1.1 No Minutes

9.2 Central Local Government Region
9.2 No Minutes
10 QUESTIONS WHICH NOTICE HAS BEEN GIVEN

MONDAY 22 June 2015

Items:

10. QUESTIONS WHICH NOTICE HAS BEEN GIVEN
10.1 Questions on Notice
10.1.1 Two Wells Sub-division, Coats Road (CON12/537)
10.1.2 Lewiston Sub-division, Germantown Road (CON12/537)

10.2 Notice of Motion
10.2.1 Council Development Assessment Panel Member Removal (CON12/537)
**Preamble**

Land has recently been sub-divided along Coats Road as new houses are currently being built there. Several houses appear to be near, or only slightly above, ground level and it is my understanding that much of Coats Road experiences substantial flooding during 1992 floods, with some houses in that area inundated. Local residents who were familiar with that flooding have expressed concerns about the new house sites.

**Question 1:**

With regard to the issues raised in the preamble (92 flooding) what are all the facts of the matter regarding these housing blocks and associated developments, including concerns such as flood issues, free-board requirements (and other flood risk management), storm water management, etc?

**Answer:**

The subject land was formerly known as Lot 42, 18 Coats Road, Two Wells. Council received two separate land division applications to divide the property.

The first application (312/D014/13) created 3 rural living allotments fronting Coats Road, and a larger balance allotment.

The second application (312/D008/13) divided the balance allotment into 4 additional rural living allotments and associated new public road (Mallee Court).

The applications were not a non-complying form of development as no new allotments were proposed wholly within the Gawler River Flood Plain identified in Council’s Development Plan Consolidated 31 January 2013. They were therefore assessed on merit.

The applications were a Category 1 form of development pursuant to the *Development Regulations 2008*, requiring no public notification.

All proposed allotments were shown to be subject to differing levels of inundation in the 1 in 100 year ARI revised floodplain mapping (not yet incorporated into Council’s Development Plan), and an assessment of flood risk was subsequently undertaken. This assessment examined advice received from AWE (Australian Water Environments) and
independent hydrological advice provided by the applicant.

Council’s Development Plan requires a finished floor level for dwellings of 300mm above flood level. This level is being required at the dwelling application stage, as is the case for development on existing allotments within the flood plain.

The assessment also included a detailed examination of stormwater management and flood assessment documentation by Council Infrastructure staff, including Council’s consultant engineer.

<table>
<thead>
<tr>
<th>Question 2:</th>
<th>Was the GRFMA consulted about the proposal, and if so at what stage, or stages?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Answer:</strong></td>
<td>No. The Development Regulations 2008 do not require the referral of development applications to the GRFMA.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 3:</th>
<th>Was any discussion held with Ward Councillors or the Mayor regarding these Development Application/s, with whom and when?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Answer:</strong></td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 4:</th>
<th>What flood risk management policies is Council operating under at this time, and what legal advice has been received regarding them, given that developments are now being undertaken in areas of known flood risk, and/or within a previously gazetted flood plain (eg. Eden)?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Answer:</strong></td>
<td>Development applications 312/D014/13 and 312/D008/13 were required to be assessed against the relevant provisions of Council’s Development Plan Consolidated 31 January 2013. This Development Plan version has previously been approved by Council and contains policies related to flood risk. The current Development Plan version Consolidated 14 May 2014 also contains policies related to flood risk. It is understood that no specific legal advice has been sought in relation to current Development Plan policy relating to flood risk. It is noted that any proposal received by Council for the creation of allotments below 40 hectares in size wholly within the Gawler River Flood Plain identified in Council’s Development Plan remains a non-complying form of development and is unlikely to be approved. Due to this restriction many larger vacant and undivided land parcels are still evident in the Two Wells and Lewiston rural living areas.</td>
</tr>
</tbody>
</table>
### Corporate Objective:

**Preamble**

It appears that ground work is proceeding for what looks like a substantial sub-division in previous open farmland which is bounded by Gawler River Road, Germantown Road, and behind existing properties on Dawkins Road. I have been informed by some of the local people that they have been told there are to be 30 plus 1ha blocks created, but others believe the division will extend to the east (St Andrews Road) and create over 60 1ha blocks.

Apparently new water mains have been laid along Dawkins Road to service the development, and new phone lines laid.

When questions without notice were asked about this site (some months ago) as to whether or not any Development Applications had been received by Council, or if there were expressions of interest from developers, the answer given was no. This was after the land was sold for a reported $5M after an asking price of $8M, according to local information.

I understand that the “official” and previously gazetted flood map of the Gawler River does extend over parts of these properties. In the 1992 flood much of that land was under water, soil was actually washed away by the flood from the gas pipeline which traverses the area at Gawler River Road exposing the actual pipeline.

It is my understanding that those flood waters extended in parts up to almost Dawkins Road and that residents in that area have reported their properties were flooded at that time.

I understand a sub-division has been approved under delegated authority as a Cat 1 development.

### Question 1:

With regard to the issues raised in the preamble what are all the facts of the matter regarding this/these developments, including concerns such as flood issues, free-board requirements (and other flood risk management), road layouts and traffic management, storm water management, reserve space, number and size allotments, gas pipeline...
**set-backs, power supply, etc?**

<table>
<thead>
<tr>
<th><strong>Answer:</strong></th>
<th>The most significant issues identified during the assessment of this proposal were in relation to flooding, stormwater management, location of the gas pipeline easement and traffic management/road construction. Points to note are as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Some proposed allotments were shown to be subject to differing levels of inundation in the 1 in 100 year ARI revised floodplain mapping, and an assessment of flood risk was subsequently undertaken. This assessment included the examination of specialist stormwater and flood management advice provided by the applicant.</td>
</tr>
<tr>
<td></td>
<td>• All proposed allotments have dwelling sites free of inundation.</td>
</tr>
<tr>
<td></td>
<td>• The assessment also included a detailed examination of all infrastructure related issues and stormwater/flood management documentation by Council Infrastructure staff, including Council’s consultant engineer.</td>
</tr>
<tr>
<td></td>
<td>• A Land Management Agreement required as a condition of approval will also ensure that issues related to flooding, stormwater, gas pipeline easement, building envelopes and private driveway access are further addressed in the ongoing future management of individual allotments.</td>
</tr>
<tr>
<td>Additional points to note are as follows:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The application was for the division of two allotments into 34 and associated roadways (312/D003/13). The division of land to the east adjacent to St Andrews Road is not proposed.</td>
</tr>
<tr>
<td></td>
<td>• The application was not a non-complying form of development as no new allotments were proposed wholly within the Gawler River Flood Plain identified in Council’s Development Plan Consolidated 31 January 2013. It was therefore assessed on merit.</td>
</tr>
<tr>
<td></td>
<td>• The application was a Category 1 form of development pursuant to the <em>Development Regulations 2008</em>, requiring no public notification.</td>
</tr>
<tr>
<td></td>
<td>• Several meetings were held with the developer which resulted in additional information and amended plans being provided to Council. The developer also engaged specialist planning and hydrological engineering consultants to assist in the preparation of the proposal.</td>
</tr>
<tr>
<td>Question 2:</td>
<td>Which specific delegated authority allows staff to make decisions of this nature?</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Answer:</td>
<td>Council has a Delegations Policy as required by Section 34(27) of the Development Act 1993. Under the policy Council delegates all of its powers and functions under the Act and Regulations to the Chief Executive Officer (CEO) of the Council and to persons who may be appointed to act in this position. Council also empowers the CEO to sub-delegate those powers and functions to other Council officers, including planning staff.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 3:</th>
<th>Which types of development are not included under delegated authority?</th>
</tr>
</thead>
</table>
| Answer:    | In accordance with Council’s Delegations Policy the following types of development applications must be referred to the Council Development Assessment Panel for determination:  
- Where an application has been publicly notified and representations received;  
- Where an application is recommended for refusal other than where it is recommended for refusal because of a failure to comply with a request under Section 39(2) of the Act (for example to provide additional information); or  
- Where the General Manager, Infrastructure & Planning Services, Development Coordinator and the relevant assessing officer agree that a particular development application warrants assessment by the CDAP. |

<table>
<thead>
<tr>
<th>Question 4:</th>
<th>Was the GRFMA consulted about the proposal, and if so at what stage, or stages?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Answer:</td>
<td>No. The Development Regulations 2008 do not require the referral of development applications to the GRFMA.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 5:</th>
<th>Was any discussion held with Ward Councillors or the Mayor regarding these Development Application/s, with whom and when?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Answer:</td>
<td>No</td>
</tr>
<tr>
<td><strong>Question 6:</strong></td>
<td><strong>Answer:</strong></td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>What changes, if any, are required with respect to Council Policies/or Staff Delegations to ensure that Elected Members are consulted during Development Applications involving Open Space (ie large developments)?</td>
<td>Under Section 34(23) of the <em>Development Act</em> a Council must delegate its powers and functions as a relevant authority with respect to determining whether or not to grant Development Plan Consent to a particular development application. There is no opportunity for Council Elected Member consultation.</td>
</tr>
<tr>
<td>Corporate Objective:</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Preamble:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Motion:</th>
</tr>
</thead>
</table>

“that decision 2015/104 made at the Ordinary Council meeting on 13 April 2015 to remove Councillor Daniele from the Council Development Assessment Panel effective immediately for the term of this Council, be revoked.”
Items:

11. **QUESTIONS WHICH NOTICE HAS NOT BEEN GIVEN**

   *Questions and replies are not entered in the minute book unless expressly required by resolution.*

   *No debate shall be allowed on any question or reply to any question.*

12. **PETITIONS**

   12.1 No Petitions

13. **DEPUTATIONS**

   13.1 No Deputations

14. **ADJOURN INTO STANDING COMMITTEE**

   14.1 No Agenda for Strategic Planning and Development Policy Committee

15. **ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**

   15.1 No Recommendations
**Items:**

16.1 **Items for Information / Noting**

16.1.1 Finance Report (CON12/491)

16.2 **Activity Reports**

16.2.1 Corporate & Community Services Status Report (CON12/1199)
### 16.1.1 Finance Report

<table>
<thead>
<tr>
<th>Container No:</th>
<th>CON12/491</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document No:</td>
<td>D15/11178</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Report Date:</th>
<th>22 June 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prepared by:</td>
<td>Finance Co-ordinator</td>
</tr>
</tbody>
</table>

| Corporate Objective: | 5.5.2 Develop and maintain long term financial planning, management and reporting ensuring resources are provided to deliver services and manage Council’s assets. |

| Purpose: | To provide Council with an update of Financial Position as at 31 May 2015 including funds and performance against budget: |

### Impact Summary

#### Organisational and Governance

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial</td>
<td>Provision of a total cash balance to enable Council to meet their monthly financial commitments and monitor financial performance.</td>
</tr>
<tr>
<td>Legislation</td>
<td>Nil</td>
</tr>
<tr>
<td>Risk</td>
<td>Nil</td>
</tr>
<tr>
<td>Consultation</td>
<td>Nil</td>
</tr>
<tr>
<td>Asset Management Plans</td>
<td>Nil</td>
</tr>
<tr>
<td>Service Standards</td>
<td>Nil</td>
</tr>
</tbody>
</table>
The Bank Reconciliation Statements show the following account balances, inclusive of investments and overdraft, as at 31 May 2015:

<table>
<thead>
<tr>
<th>Account</th>
<th>$ Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) District Fund Account</td>
<td>247,694</td>
</tr>
<tr>
<td>(1.a) LGFA 24hr Investment</td>
<td>25,045</td>
</tr>
<tr>
<td><strong>Sub total</strong></td>
<td><strong>$ 272,739</strong></td>
</tr>
<tr>
<td>(2) Other</td>
<td>114,804</td>
</tr>
<tr>
<td><strong>Sub total</strong></td>
<td><strong>$ 114,804</strong></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 387,543</strong></td>
</tr>
</tbody>
</table>

**Note**

(1.b) LGFA Overdraft Debenture 123* $(5,000,000)

(1.c) LGFA Overdraft Debenture 124* $(350,000)

Cash balance at the end of each month:

![2014/15 Cash Balance - EOM](chart.png)
## District Council of Mallala

### Capital Work Projects For Period Ending May 2015

<table>
<thead>
<tr>
<th>Capital Project</th>
<th>YTD Actuals</th>
<th>Annual Current Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foot Paths</td>
<td>46,668</td>
<td>46,340</td>
</tr>
<tr>
<td>Land &amp; Buildings</td>
<td>60,602</td>
<td>95,855</td>
</tr>
<tr>
<td>Office &amp; ICT Equipment</td>
<td>33,827</td>
<td>33,425</td>
</tr>
<tr>
<td>Minor Capital Projects</td>
<td>94,124</td>
<td>95,776</td>
</tr>
<tr>
<td>Plant, Machinery &amp; Vehicles</td>
<td>53,597</td>
<td>70,000</td>
</tr>
<tr>
<td>Roads - Arterial Construction</td>
<td>981,295</td>
<td>1,169,918</td>
</tr>
<tr>
<td>Roads - Sealed</td>
<td>134,944</td>
<td>135,000</td>
</tr>
<tr>
<td>Roads - Unsealed Re-sheeting</td>
<td>633,449</td>
<td>547,806</td>
</tr>
<tr>
<td>Reserves &amp; Playgrounds</td>
<td>150,143</td>
<td>152,298</td>
</tr>
<tr>
<td>Mallala CWMS</td>
<td>2,322,845</td>
<td>2,450,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,511,495</strong></td>
<td><strong>4,796,418</strong></td>
</tr>
</tbody>
</table>

## District Council of Mallala

### Income Statement for Period Ending May 2015

<table>
<thead>
<tr>
<th></th>
<th>YTD Actual $'000</th>
<th>YTD Budget $'000</th>
<th>YTD Variance $'000</th>
<th>Original Budget $'000</th>
<th>Current Budget $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates</td>
<td>7,423</td>
<td>7,427</td>
<td>(4)</td>
<td>7,441</td>
<td>7,441</td>
</tr>
<tr>
<td>Statutory Charges</td>
<td>386</td>
<td>377</td>
<td>9</td>
<td>361</td>
<td>394</td>
</tr>
<tr>
<td>User Charges</td>
<td>84</td>
<td>78</td>
<td>6</td>
<td>72</td>
<td>78</td>
</tr>
<tr>
<td>Operating Grants &amp; Subsidies</td>
<td>992</td>
<td>992</td>
<td>0</td>
<td>1,218</td>
<td>1,314</td>
</tr>
<tr>
<td>Investment Income</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Reimbursements</td>
<td>399</td>
<td>397</td>
<td>2</td>
<td>372</td>
<td>404</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>51</td>
<td>50</td>
<td>0</td>
<td>39</td>
<td>53</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>9,662</strong></td>
<td><strong>9,646</strong></td>
<td><strong>16</strong></td>
<td><strong>9,504</strong></td>
<td><strong>9,686</strong></td>
</tr>
</tbody>
</table>

|                      |                  |                  |                    |                       |                      |
| **Expenses**         |                  |                  |                    |                       |                      |
| Employee Costs       | 4,010            | 4,015            | 5                  | 4,740                 | 4,553                |
| Materials, contracts & other expenses | 3,202         | 3,214            | 11                 | 3,915                 | 3,456                |
| Finance Charges      | 392              | 392              | 0                  | 455                   | 450                  |
| Depreciation         | 1,864            | 1,864            | 0                  | 2,197                 | 2,166                |
| **Total Expenses**   | **9,468**        | **9,485**        | **17**             | **11,308**            | **10,625**           |

|                      |                  |                  |                    |                       |                      |
| **NET SURPLUS /(DEFICIT)** | **194**      | **162**          | **33**             | **(1,804)**           | **(939)**            |
Year to Date Variances Explanations (over $15,000 or 10% of year to date budget)

May 2015 Year to Date

With the April Budget review changes applied it is to be expected that variances should be negligible.

Statutory charges favourable variance $9,000:- Development Fees $9,000

User charges favourable variance $6,000:- Road Rental Charge not budgeted $5,500
### Corporate Objective:

1.2.2 Support and strengthen volunteers, community groups and organisations.
1.3.1 Promote District sporting and community organisations and the availability and advantages of Council sporting and recreational facilities and programs.
1.4.1 Promote and develop library services that support quality educational opportunities.
5.1.3 Ensure governance policies, procedures and activities align with legislative requirements and best practice.
5.3.1 Provide and promote professional corporate and administrative services supporting Council operations and the needs of the community.
5.5.2 Develop and maintain long term financial planning, management and reporting ensuring resources are provided to deliver services and manage Council’s assets.

### Purpose:
To inform the Committee on the progress of Corporate and Community projects being undertaken by Council.

### Recommendation:
“that the Council, having considered Item 16.2.1 - *Corporate & Community Services Status Report*, dated 22 June 2015, receive the report.”
### Background
This report details the activities of the Corporate and Community Services team up to the month of May 2015

<table>
<thead>
<tr>
<th>CORPORATE &amp; COMMUNITY SERVICES</th>
<th>Status</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Special Projects</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two Wells CWMS</td>
<td>In Progress</td>
<td>Unknown</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Septic Tank Survey conducted from 25 to 28 September 2013</td>
<td>In Progress</td>
<td>Unknown</td>
</tr>
<tr>
<td>Final summary report to Council in the December round of meetings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resolution to consult community via a community meeting and Survey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project put on hold pending information from an external wastewater provider</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Finance/IT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Budget Reviews</td>
<td>In Progress</td>
<td>June 2015</td>
</tr>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; Budget Review for the 2014/2015 financial year due as at 31 October 2014 for consideration by the new Council at the 15 December meeting</td>
<td>In Progress</td>
<td>June 2015</td>
</tr>
<tr>
<td>Audit Committee considered the Review at its meeting held on Monday 1 December 2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Budget Review as at 28 February 2015 was considered at the 31 March Audit Committee and 13 April Council Meeting and adopted</td>
<td>In Progress</td>
<td>June 2015</td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Budget Review as at 30 April considered at the 11 May Council Meeting</td>
<td>In Progress</td>
<td>June 2015</td>
</tr>
<tr>
<td>Draft Annual Business Plan</td>
<td>In Progress</td>
<td>July 2015</td>
</tr>
<tr>
<td>Draft Timetable for the 2014/15 Annual Business Plan (ABP) tabled for endorsement at the 23 February Meeting. A revised timetable was adopted at the 13 April Meeting. Elected Member Budget Bids received with a Bus Tour conducted on 30 March 2015</td>
<td>In Progress</td>
<td>July 2015</td>
</tr>
<tr>
<td>Two elected members budget workshops were conducted on 25 May and 15 June</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Draft ABP provided for endorsement for community consultation at the 22 June Council Meeting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Financial Statements</td>
<td>Complete</td>
<td>Nov 2014</td>
</tr>
<tr>
<td>Annual Financial statements have been completed and audited with no qualification noted by the external auditor</td>
<td>Complete</td>
<td>Nov 2014</td>
</tr>
<tr>
<td>Council IT Review</td>
<td>Council committed to remain with Civica with a renewal of a managed service agreement for a period of 3 years from September 2013 on their new ‘Cloud Solution’. Council has now been migrated to the new platform with a continual review of the new environment. Review of Council long term IT requirements expected over the next 6 months</td>
<td>In Progress</td>
</tr>
<tr>
<td>Long Term Financial Plan</td>
<td>An updated Long Term Plan was adopted at the December 2013 Council Meeting. A review of the Long Term Plan is scheduled to be conducted in the second half of 2015</td>
<td>In Progress</td>
</tr>
</tbody>
</table>

**Community Services**

| Citizenship Ceremony | Latest Citizenship Ceremony conducted as part of the Australia Day Celebrations to be held at Dublin | In Progress | Jan 2015 |

**Governance & Other**

| Audit Committee | Audit Committee meeting held 1 December 2014 to consider adopted first budget review as at 31 October 2014, Final Budget Review against actual for the 2013/2014 year, 2013/14 financial statements and governance matters. Meeting held on 31 March 2015, to consider second budget review as at 28 February, Cash flow requirements, auditor appointments and other finance and governance matters. Audit Committee scheduled for Monday 22 June to consider Draft 2015/2016 Annual Business Plan | In Progress | June 2015 |

**Summary**
The activity report is presented to provide an indication as to the progress of projects being undertaken within the Corporate and Community Services team.
17.1 Bank Account Signatories (CON12/503)
17.2 Draft Annual Business Plan and Budget 2015-2016 (CON12/568)
17.3 Office for Recreation and Sport Strategic Plan Review (CON13/6)
17.4 Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015 (CON12/131)
17.5 Temporary Road Closures – Community Consultation Feedback (CON12/981)
17.1 Bank Account Signatories

Container No: CON12/503
Document No: D15/11170

Report Date: 22 June 2015
Prepared by: Finance Officer

Corporate Objective: 5.4 Effective financial management that ensures Council’s financial sustainability.

Purpose: To notify Council of the proposed changes to signatories Council bank accounts.

Recommendation 1: “that the Council having considered Item 17.1 - Bank Account Signatories, dated 22 June 2015, recommends that Paul Grahame Cleghorn be added as an authorised signatory to all Council Bank Accounts, including cheques drawn and electronic authorisations for payments made between Council meetings on accounts and electronic authorisations as set out in the following schedule:

1. Vehicle registration and insurance costs
2. Contractors accounts
3. Payment of statutory fees and charges required to be made by certain dates
4. All accounts where a discount is available for prompt payment
5. All accounts, which if not paid, would attract a penalty
6. Donations, grants, subscriptions and other payments previously approved by Council
7. Salaries and Wages
8. Petty cash reimbursements
9. Payment of amounts and expenses due under any contract or agreement entered into by decision of Council
10. Accounts for the supply of goods and service previously approved by Council
11. Electricity accounts
12. Radio licences
13. Loan repayments
14. Bank charges
15. Investment of surplus funds
16. Legal expenses
17. Refunds of overpayments
18. Income tax instalment deductions
19. Water rates account
20. Insurance and superannuation contributions
21. Search fees.”

**Recommendation 2:**

“that the Council having considered Item 17.1 - *Bank Account Signatories*, dated 22 June 2015, authorises Council staff to finalise the administrative requirements associated with the addition of new signatories as approved.”
# Impact Summary

## Organisational and Governance

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial</td>
<td>Assist in maintaining security and control of Council’s bank accounts.</td>
</tr>
<tr>
<td>Legislation</td>
<td>Internal Controls and <em>Local Government Act 1999</em>.</td>
</tr>
<tr>
<td>Risk</td>
<td>Reduce the risk of misappropriation of Council’s funds.</td>
</tr>
<tr>
<td>Consultation</td>
<td>Nil.</td>
</tr>
<tr>
<td>Asset Management Plans</td>
<td>Nil.</td>
</tr>
<tr>
<td>Service Standards</td>
<td>Additional signatory will ensure the delivery in a timely manner the application of Accounts Payable and Payroll as required and authorised.</td>
</tr>
</tbody>
</table>
Background
Council delegates the authority for Paul Grahame Cleghorn to have the ability to act as signatory on Council’s bank accounts, to sign cheques and manage electronic transfers. This authority is required so that Council can effectively manage and maintain efficiencies in its financial practices in particular whilst the General Manager positions are vacant.

Discussion
Nil.

Summary
Approval is required to add an additional bank account signatory to maintain efficiencies in financial processes during a period of change.
### 17.2 Draft Annual Business Plan and Budget 2015-2016

<table>
<thead>
<tr>
<th>Container No:</th>
<th>CON12/568</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document No:</td>
<td>D15/11171</td>
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</table>

<table>
<thead>
<tr>
<th>Report Date:</th>
<th>22 June 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prepared by:</td>
<td>General Manager Corporate and Community Services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Corporate Objective:</th>
<th>5.6.2 Develop and maintain long term financial planning, management and reporting to ensure resources are provided to deliver services and manage Council’s assets</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Purpose:</th>
<th>To provide members with the opportunity to review the Draft Annual Business Plan (ABP) and Budget for 2015-2016 and adopt the plan for Community Consultation.</th>
</tr>
</thead>
</table>

|-------------------|--------------------------------------------------------------------------------------------------------------------------|
## Impact Summary

### Organisational and Governance

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial</td>
<td>Consideration of the Draft Annual Business Plan and Budget for the 2015-16 financial year and to adopt for community consultation</td>
</tr>
<tr>
<td>Risk</td>
<td>Nil</td>
</tr>
<tr>
<td>Consultation</td>
<td>Community Consultation proposed to commence on Wednesday 24 June 2015 and conclude on Wednesday 15 July 2015</td>
</tr>
<tr>
<td>Asset Management Plans</td>
<td>Nil</td>
</tr>
<tr>
<td>Service Standards</td>
<td>Nil</td>
</tr>
</tbody>
</table>
Background

Council is required under Sec 123 of the Local Government Act 1999 to produce an Annual Business Plan (ABP) (and Budget) for each financial year. However, before adopting the plan (and budget), to comply with the community consultation requirements of Sec 123(4) the documents must be made available to the public for perusal and comment.

Current

The Annual Business Plan has been prepared in a similar format as previous years and is provided as an Attachment to the Agenda and this report. It is aligned with Council’s current strategic and long term financial plans.

The plan provides an overview of Council’s strategic direction, goals and directions for the ensuing period including a budget summary, as well as a summary of outcomes from the previous financial year. The plan also includes Council’s rating strategy.

Taking guidance from the two elected member workshop sessions held on Monday 25 May and Monday 15 June 2015, the plan is reflective of the direction of Council including the parameters discussed in the area of rates.

After Council approval, the plan is proposed to be available for community consultation commencing on Wednesday 24 June 2015 for a period of 21 days, concluding on Wednesday 15 July 2015.

The public will be provided an opportunity to offer comment and feedback on the Draft Plan as part of an Ordinary Council meeting scheduled for Monday 13 July for a minimum of one hour. Council will also provide provision for public comment and responses on its website.

This timeframe will enable Council to consider a final draft and adoption of the budget at a Special Meeting of Council proposed for Monday 20 July 2015.

The remainder of the report provides some detail of the specific areas of the Draft Plan.

Budgeted Income Statement

Draft Operating Income and Expenditure have been calculated using Budgeted and Actual results over the past few years and assumptions from the Long Term Financial Plan (LTFP). Rates are proposed to be increased on average by 4.7% plus an approximate 1.3% for growth. This will provide for a total increase in rate income of 6.0%. The Draft Budgeted Income Statement shows an estimated operating deficit of
$1,513,000. It is noted that the projected deficit forecast in the Council Long Term Financial Plan shows a smaller deficit with the Hickinbotham development expected to be further progressed and projects such as the Mallala CWMS were scheduled to be operating in the 2014/2015 year.

As an explanation the Budget calculations are last years income and expenditure increased by multiplying factors similar to the future years of the LTFP, for example rates are increased by a proposed 4.7% + an approximate 1.3% for growth, employee costs by 3%. New Initiatives and one off projects from the 2014/15 year such as the Local Government Elections have also been removed. Other costs have been maintained at 2014/15 budget levels where possible in an attempt to reduce Council’s expenditure.

**New Initiative Bid Summary**

The new initiative bids as supported at the elected member budget workshops have been included in either the Capital Project Strategy section which lists Capital Road Projects and other major Capital works such as the Temporary Two Wells Administration Accommodation Project, or bids classed as operating such as the Review of Strategic and Corporate Plans and Structure Project.

In regard to the proposal to relocate the administration in temporary accommodation in Two Wells, the relocation of the principal office from Mallala to Two Wells will be require community consultation according to Section 45(3) of the Local Government Act 1999 in accordance with Council’s Public Consultation Policy.

**Rating Information**

Overall Rates have been increased by approximately 4.7% plus 1.3% for growth to achieve a total increase in rates income of 6.0%. The Long Term Financial Plan projected for the 2015/2016 year included a growth factor of 2.8% which presumed that the Two Wells development would be much more advanced. A review of the LTFP later in 2015 will adjust the growth expectation. A summary of this year’s rating proposal is made up of the following:

- CPI 1.3% (Capital Cities All Groups CPI for the 12 months to the end of March 2015)
- Rate Increase to fund additional projects and initiatives 3.4%
- Natural Growth 1.3% as per the latest information received the Valuer-General dated 5 June 2015

The Natural Growth figure could change as updated valuation information is provided.
Differentials

As per discussion at the two budget workshops the residential land use was determined to be continued as the base rate in the dollar with the industry/commercial land use 30% above that base and the primary production land use 10% below the base. This structure is the same that was adopted for the 2014/2015 year.

As with other years the final rates in the dollar are only determined after all the years valuations have been received and the total valuation for the Council is about to be adopted. The rate in the dollar calculations as provided in the Draft Plan are current with the valuations as received at the moment of finalising the document for consultation. Therefore as the note stated in the plan the proposed differentials are ‘subject to the final valuation adoption’.

Fixed Charge

Given that this is only the third year of the new structure and there will be some ratepayers who are expected to be adversely affected by the adoption of the new structure, the proposal is for the Fixed Charge to remain at $100.

The Draft Plan also includes information about the process and application form and information sheet that will be sent out and made available on Council’s website regarding the Single Farm Enterprise provisions.

Waste Service Charge

The full cost of operating and maintaining this service for 2015/2016 is estimated to be once again $550,000. However, Council proposes that as part of the implementation of the new rating structure, to recover the cost of the service excluding the green organic refuse service which will be paid from general rate revenue.

Due to a higher than expected take up of the waste collection service from those in the primary production area and through increased efficiencies, the recovery amount that is proposed to be charged and collected through a service charge will remain at $180 for each property within the designated 3 bin service area (ie. collection of domestic, recyclable and green organic refuse); and within the designated 2 bin service area (ie. collection of domestic and recyclable refuse only). Where the service is provided to non-rateable land, a service charge is levied against the land.

Mallala CWMS

The Mallala CWMS scheme is now at a point that the community can connect to the system and so Council can commence to charge a service rate for the use of the
facility. Via a report presented to members at the 9 June Ordinary Meeting a brief summary of the decision making process was outlined with some options that could be considered. A Prudential Review as conducted in line with Section 48 of the Local Government Act 1999 by Ian McDonald of Creative Auditing Pty Ltd was also tabled as an attachment for members consideration within that report. As part of the 26 June 2013 Ordinary Council meeting the Prudential Review was endorsed by Council with a resolution to proceed with the Project.

Rating options for the Mallala CWMS were further discussed in more detail at the Monday 15 June elected members budget workshop, whereby a recommendation of an initial charge of $586 per property unit was considered and supported to be included in the Draft plan for community consideration. This charge was based on a calculation from the LGA CWMS Working Group Executive Officer based on accepted pricing principles for whole of life costings.

This fee is consistent to the upper level of charge in the Prudential Review of $590 per property connection which was also premised on full cost recovery over the projected 50 year life of the scheme. At the workshop comparisons were also made on other council’s in the State and SA Water charges for rural residential properties. The proposed charge is higher than the calculated SA Water charge with the difference being SA Water charge a one off connection fee of in excess of $4,300 whereby Council are not proposing an up front initial connection charge for those properties where a connection is made during the initial construction phase.

The annual service rate will be subject to a yearly indexation factor.

Although it has been resolved that there will be no connection fee for any existing property where a connection point is installed as part of the initial construction program, a connection fee for any subdivisions or new developments after the initial construction phase will be charged a one off cost. This charge is proposed to be set at a level of $4,500.

NRM Levy

As members are aware an NRM Levy is placed on the Council rate notice to be collected by Local Government. Advice from the Adelaide and Mount Lofty Ranges NRM Region shows that the amount to be collected by Council on behalf of the NRM Board is proposed to be $152,576 an approximate increase of 2.1% on the $149,414 levied last year.
Rate Concessions

With changes to State Government policy regarding concessions on Council rates the following statement has been made in the Draft Plan under the heading of Rate Concessions:

*Until this year, the State Government funded concessions on Council rates. These concessions were formerly available to holders of pensioner concession cards, veterans, low-income earners, unemployed, students, and self-funded retirees. These concessions were all abolished by the State Government with effect from 30 June 2015. From 1 July 2015, the State Government has elected to replace these concessions with a single “cost-of-living payment” provided directly to those entitled. This payment may be used for any purpose, including offsetting Council rates. Note that not all former recipients of rates concessions will be entitled to the new payment. To check eligibility, contact the Department for Communities and Social Inclusion (DCSI) Concessions Hotline 1800 307 758 or at www.sa.gov.au/*

The separate concession entitlements for Council Community Waste Water Schemes (CWMS) remain unchanged. Should you be entitled to the State Government funded concession on CWMS rates this will be reflected on the front of your rate notice.

Valuations

Valuations across the Council thus far have shown a reasonable increase with total valuations increasing by approximately 2.73% as per a report dated 5 June 2015. The growth percentage in the same report shows an increase of approximately 1.31% for new growth, being predominately in the areas of residential and vacant land, land uses. Given that there will be further valuation reports to be received prior to adoption of the rates the estimated growth is still unknown but is not expected to be much higher than it currently is.

Summary

As stated within the report and the draft Annual Business Plan if Council support the recommendation to submit the Plan for consultation, this will commence with advertisements in the ‘Plains Producer’ and ‘The Bunyip’ on Wednesday 24 June 2015.

A meeting of the Council Audit Committee is scheduled to be held on the afternoon of the Council meeting being Monday 22 June which will also consider the Draft Annual Business Plan for recommendation to submit for public consultation. As the meeting will be held on the same day as the Council meeting, the minutes from the Audit Committee would not be available for Council to consider, but a verbal update
can be provided as to any recommendations from the Audit Committee relating to this matter.
Attachment 1
to report 17.2
dated 22 June 2015

Draft Annual Business Plan and Budget 2015-2016
### 17.3 Office for Recreation and Sport Strategic Plan Review

**Corporate Objective:**

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td><strong>1.3</strong></td>
<td>Recreation, sporting and leisure opportunities that support the wellbeing of the community.</td>
</tr>
<tr>
<td><strong>3.6</strong></td>
<td>Council buildings, facilities and assets that meet community needs.</td>
</tr>
</tbody>
</table>

**Report Date:** 22 June 2015

**Prepared by:** Governance Officer

**Purpose:** To inform elected members of the opportunity to provide feedback to a key funding body on the review of their Strategic Plan 2016-2018.

**Recommendation 1:**

"that the Council having considered Item 17.3 – *Office for Recreation and Sport Strategic Plan review*, dated 22 June 2015, that the report be received and noted and, ...

**Option A**
request council administration to prepare a response on behalf of Council Members."

**Option B**
determine a preference for the opportunity to provide a response as individual Council Members."
**Impact Summary**
Potential to influence a link between proposed council strategies, those of our Community and a key state funding body.

<table>
<thead>
<tr>
<th>Organisational and Governance</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Financial</td>
<td>Nil</td>
</tr>
<tr>
<td>Legislation</td>
<td>Nil</td>
</tr>
<tr>
<td>Risk</td>
<td>Nil</td>
</tr>
<tr>
<td>Consultation</td>
<td>Nil</td>
</tr>
<tr>
<td>Asset Management Plans</td>
<td>Nil</td>
</tr>
<tr>
<td>Service Standards</td>
<td>Nil</td>
</tr>
</tbody>
</table>
Background
The Office for Recreation and Sport (ORS) is a leader in making available partnership funding to stakeholders whom seek to improve those services and facilities supporting quality community participation and high performance sports.

Discussion
ORS have recently announced the intention to prepare a new strategic plan and wish to engage councils via a 360° Review Survey (attachment 1).

The survey will capture feedback on ORS programs and initiatives with a summary of the results being provided to all responding councils.

Summary
This is a prime opportunity to have a say and link Council’s Community Development and support programs to known financial resource providers.
Attachment 1

to report 17.3
dated 22 June 2013

Office for Recreation and Sport Strategic Plan Review
Dear Mayor Kennington

RE: ORS 360° Review - Invitation to provide feedback to the Office for Recreation and Sport

The Office for Recreation and Sport (ORS) is the lead agency for the State Government's policy on sport and active recreation. ORS aspires to engage all South Australians in regular sport or recreation. To support this objective we work with councils and key stakeholders to provide facilities and infrastructure, club development resources and training to support quality community participation opportunities and high performance sport services.

This year the ORS is preparing a new Strategic Plan for 2016 – 2018 and we are taking the opportunity to listen to our key stakeholders via a 360° Review Survey of our own organisation (refer attached fact sheet). The feedback will help the ORS understand the support that is important and valued by our stakeholders, how we can improve our programs and services and inform the development of our Strategic Plan.

I am writing to the Mayor and CEO of each Council in South Australia seeking involvement in the Review. The Review will be emailed to info@mallala.sa.gov.au, as nominated on the LGA web site, in the third week of June.

Councils are a vital partner in the provision of sport and recreation for local communities and we are looking forward to receiving your considered and constructive feedback.

Yours sincerely

Paul Anderson
EXECUTIVE DIRECTOR
Office for Recreation and Sport

11 June 2015
What is the ORS 360° Review?

The ORS 360° Review is a customised survey that asks key stakeholders to provide feedback on:

- the importance of various ORS programs and initiatives;
- the quality of delivery of those programs and initiatives.

Who will be asked to provide feedback?

Key stakeholders that will be asked to respond include:

- State Sport Organisations;
- State Recreation Organisations;
- Industry Support Organisations and Industry Representative Bodies;
- Councils.

When will the review happen?

The review questions will be emailed to you by the Leaderskill Group in the 3rd week of June. You will have 2 weeks to respond.

What will the question be about?

The questions cover 4 key themes:

- Leadership;
- Communication and engagement;
- Programs and services;
- Grants and investment.

Why is ORS asking Councils for feedback?

The ORS and Councils share an objective to facilitate an active and engaged community. Sport and recreation is a key tool for achieving this objective and Councils are a vital partner in the provision of sport and recreation opportunities for local communities. In many cases Councils own the land and buildings and maintain the sporting surfaces. Sporting clubs are often the custodian and tenant of these facilities and thus the council has an interest in the capability of these sporting clubs.

Given our mutual objective and interrelationship with sporting facilities and clubs, the feedback from Councils will inform the development of the ORS 2016-2018 Strategic Plan.
Who should answer the survey?

The ORS provides a broad range of programs and services including:

- high performance sport,
- investment, training and development for the sector, and
- infrastructure and facility planning and development.

Ideally Council Officers and Elected Members who understand the strategic direction of your council, who are involved in the development of recreation initiatives, who understand the needs of your local sporting clubs, and who have experience of the programs and services offered by ORS, will collaborate on the responses.

To help facilitate this collaboration you will be able to print out the Review questions.

How long will it take to answer the questions?

That will vary on the level of engagement your organisation has with ORS programs and services and how many people collaborate on your responses.

We estimate that it will take an average council approximately 20 minutes to complete the questions.

What if I don’t know the right answers?

There are no right or wrong answers. All answers will reflect the needs and direction of your council, your opinions and your experience and relationship with ORS.

What if my Council doesn’t use the program or service?

We understand that some councils engage closely with many ORS programs and services and not at all with others. Where you have no direct experience with a program or service you may still have a view on the importance of that program or service to support sport and recreation in your region. However, it may be more difficult to comment on the quality of service delivery; and in these cases you can elect to answer ‘don’t know’.

Will ORS trace my ratings and comments back to my organisation?

All rating scores will be 100% anonymous.

All comments will default to anonymous; however there will be an ‘opt-in’ mechanism to identify your comments with your council. The ORS encourages councils to ‘opt-in’ as this will allow us to follow-up and clarify our understanding of your ideas and feedback as we review the findings and look for opportunities to improve our support of the sport and recreation sector.

Will the results be made public?

A summary of the results will be made available to all responding councils.
What will ORS do with the results?

- We will use the results to understand what programs and services are important to our stakeholders
- We use the results to inform our ongoing continuous improvement program
- We will use the results to identify unmet needs that are important to our stakeholders
- We will use the results to inform the development of the ORS 2016-18 Strategic Plan
- We will use the results to provide confident leadership, informed direction and relevant support and advice to the industry and the Minister for Recreation and Sport

Must my organisation answer the review questions?

The ORS values the work of our industry partners; both councils and sport and recreation organisations. Our goal is to provide quality accessible participation opportunities for all South Australians. This can best be achieved through an aligned and engaged sector where ORS is supporting areas of greatest need and opportunity. Your responses will contribute to our understanding of industry need and opportunities. Despite the importance of your responses there is no obligation to respond and no consequence for not responding.

What if I need more time to respond?

There are several ways you can organise an extension:

- You can contact Michele Crisp, the ORS 360° Review project lead
- You can contact Justin Stephens, the ORS Local Government Liaison Officer
- You can contact Leaderskill by replying directly to the Review email

For more Information

Michelle Crisp  
ORS 360° Review Project Lead  
michelle.crisp@sa.gov.au  
7424 7725

Justin Stephens  
ORS Local Government Liaison Officer  
justin.stephens@sa.gov.au  
7424 7763
| Corporate Objective: | 1.5.3 Promotion and management of the Animal Management Plan within the community |

| Purpose: | To seek members endorsement of a submission to the Department of Environment, Water and Natural Resources in response to the draft Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015, currently released for public consultation. |

| Recommendation 1: | “that Council, having considered Item 17.4 - Dog and Cat Management (Miscellaneous) Amendment Bill 2015, dated 22 June 2015, authorize the Mayor to sign the submission on behalf of Council to the Department of Environment, Water and Natural Resources, in response to the draft Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015.” |
## Impact Summary

### Organisational and Governance

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial</td>
<td>Significant increase in expiation fees for offences.</td>
</tr>
<tr>
<td>Legislation</td>
<td>Identification cards and delegations will require updating.</td>
</tr>
<tr>
<td>Risk</td>
<td></td>
</tr>
<tr>
<td>Consultation</td>
<td>Community consultation closes 26 June 2015</td>
</tr>
<tr>
<td>Asset Management Plans</td>
<td></td>
</tr>
<tr>
<td>Service Standards</td>
<td>Increased service abilities relating to the management of dogs and cats in the community.</td>
</tr>
</tbody>
</table>
Background

At the Council meeting of 9 June 2015 members were provided with information on proposed changes to the Dog and Cat Management Act 1995, and advised of a public consultation period and contact details for submissions.

Discussion

Members of the Animal Management Advisory Committee met informally on 15 June 2015 and outlined to Council staff some key comments for possible submission to the Department of Environment, Water and Natural Resources, in response to the public release of the draft amendment bill.

Comments relate to microchipping, powers of authorized persons, access rights for puppy educators, expiation/offence fees and a national information database, and are summarised in Attachment 1 in the form of a draft letter.

Summary

Community consultation on the proposed changes to the Act conclude on 26 June 2015 and the draft Bill will be revised based on this consultation prior to being presented to Parliament.

Members of the Animal Management Advisory Committee have provided comments for possible submission to the Department of Environment, Water and Natural Resources for the consideration and endorsement of Council.
Attachment 1
to report 17.4
dated 22 June 2015

Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015
22 June 2015

**Dog and Cat Reforms**
**Conservation and Land Management Branch**
**Department of Environment, Water and Natural Resources**
GPO Box 1047
ADELAIDE SA 5001

Dear Sir/Madam,

**Re - Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015**

Council provides the following comments in response to the draft Dog and Cat Management Act (Miscellaneous) Amendment Bill 2015, which has recently been released for community consultation.

- Council recognises the need for amendments to the Dog and Cat Management Act, 1995.

- The mandatory micro chipping of dogs and cats is supported, however it is recommended that breeders of dogs and cats should be legally required to microchip animals prior to sale. Expiation fees and penalties should be imposed for failure to microchip.

  Breeders should also be required to complete relevant micro chipping paperwork rather than new owners.

- Council supports the proposed increase in powers for authorised persons. This will assist in the management of dog and cat related issues and the ability of Council staff to administer and enforce the Act.

- Puppy educators should have the same rights as Assistance Dog trainers in terms of access to public places. Puppy education is an important first step in the training of Assistance Dogs.

- An increase in expiation fees and penalties for offences is supported, but not to the extent outlined in the draft Bill. A sliding penalty scale for repeat offenders would be a more suitable option.
• Council recommends that a national database of microchip information be investigated, with access via the Dog and Cat Management Board.

Thankyou for the opportunity to provide comment on the proposed draft Bill.

Council looks forward to a change in legislation which will facilitate the more efficient management of dogs and cats within the district.

Yours faithfully

Mayor Duncan Kennington
17.5 Temporary Road Closures – Community Consultation Feedback

Corporate Objective: 3.3.1 Ensure a safe and efficient local road network and associated infrastructure

Purpose: To seek endorsement from Council to extend the temporary closures indefinitely of the unformed coastal roads nominated in support of the Coastal access strategy.

Recommendation 1
“that Council, having considered Item 17.5 - Temporary Road Closures – Community Consultation Feedback, dated 22 June 2015, receive and note the community responses received during the consultation period.”

Recommendation 2:
“that Council, having considered Item 17.5 - Temporary Road Closures – Community Consultation Feedback, dated 22 June 2015, endorse council administration to temporary close the listed roads:
- Third Creek Road, Webb Beach
- First Street, Port Prime
- Second Street, Port Prime
- North Terrace, Port Prime
- Swamp Road, Middle Beach
- Land Yacht Road, Port Gawler
- Light Beach Road, Lower Light
- Unnamed roads (5) as per report
to all vehicles, with the exception of Council, Utility Services Agency and Emergency Services vehicles, in accordance with Section 359 of the Local Government Act 1934 indefinitely, unless otherwise revoked by a resolution of Council.”
| Recommendation 3: | “that Council, having considered Item 17.5 - *Temporary Road Closures – Community Consultation Feedback*, dated 22 June 2015, endorse council administration to place advertisement in a local newspaper and the Government Gazette advising of the road closures.” |

# Impact Summary

## Organisational and Governance

<table>
<thead>
<tr>
<th>Financial</th>
<th>Nil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislation</td>
<td>Temporary road closures as per Section 359 of the <em>Local Government Act 1934</em>.</td>
</tr>
<tr>
<td>Risk</td>
<td>If the roads were not to be closed temporarily the public will have access to the unformed roads and may have the expectation that Council provide all weather access, this may leave Council open to litigation. Closure of the roads will minimise the risk without the cost of road construction and maintain the preservation of the fragile coastal environment. The road closures will also assist with the controlling of the illegal dumping of rubbish and other anti social behaviours. These risks can be mitigated by the temporary closure of the road to various classes of vehicles.</td>
</tr>
<tr>
<td>Consultation</td>
<td>Temporary road closure - community consultation has been completed in accordance to Council’s policy inclusive of the process under Section 359 of the <em>Local Government Act 1934</em>.</td>
</tr>
<tr>
<td>Asset Management Plans</td>
<td>Nil</td>
</tr>
<tr>
<td>Service Standards</td>
<td>Nil</td>
</tr>
</tbody>
</table>
Background

On the 9 February 2015, Council endorsed administration to seek public consultation on nominated roads for the temporary closures under the Roads Local Government Act 1934 Section 359 in accordance with Council’s Community Consultation Policy.

The roads were:

• Third Creek Road, Webb Beach
• First Street, Port Prime
• Second Street, Port Prime
• North Terrace, Port Prime
• Swamp Road, Middle Beach
• Land Yacht Road, Port Gawler
• Light Beach Road Lower Light
• Unnamed roads (5), Port Gawler

Council administration sent out letters to the adjoining property owners with in a two kilometre radius, advertised in the local newspapers and was highlighted on Council’s website during the consultation period.

Discussion

Light Beach Road

Light Beach Road was closed in 2007 and again in 2011 as a consequence of the environmental damage being done to the road reserve and adjacent properties by the inappropriate use of two and four wheel off road vehicles.

The estimated cost (in 2010-11) to construct a possible new road, fencing, carparking, and a board walk was to the value of $198,500. It is difficult to estimate this section of Light Beach Road due to the high tidal movements and storm events without a detailed design. If this section of road is to be considered for construction it will be subject to considerable damage during a storm surge event.

A legal opinion was requested in August 2010 on Council’s liability if it was to reopen the road without ensuring it was safe for use by the general public. The legal advice at the time was classified as confidential. The legal opinion makes it clear that Council must consider the risk to public safety in determining what action to take on this matter.

Mr Kelledy concludes his advice by stating “If the unsealed portion of Light Beach Road automatically reopens on 1 January 2011, it is my view that it is unlikely that this portion of the road will attract section 42 protection. The reopening of the road could be construed as an omission by Council to continue to exercise its public power
to protect those classes of people who to date have been prohibited access to the road by virtue of Council's resolution under section 359 of the Local Government Act 1934”.

A copy of the legal advice by Wallmans Lawyers dated July 2010 is provided in Attachment 1.

The Light Beach Road closure has considerably reduced the annual costs required for the removal and disposing of the illegally dumped rubbish by council staff. The physical barrier while stopping vehicles allows access to interested walkers to enjoy the trail that provides access to the beach front and surrounding sand dunes, flora and wildlife. The continued illegal motor vehicle access through private property is increasingly hard to control as Council has no authority under the Local Government Act to convict and prosecute offenders. The authority fits within SAPOL responsibilities and Council administration actively report any known offences to SAPOL when reported or witnessed.

The current situation with the closed portion of Light Beach Road has allowed significant regeneration to local flora varieties from the excessive degradation of off road vehicles has been successful in the regeneration of some areas that is notably visible. The amount of rubbish dumping of cars, electrical equipment, etc has noticeable decreased since the road closure in 2007. This has been identified in Council’s customer request management reporting system. Regeneration is evident with the help of Council’s hosted Coastal Officer, volunteers and working groups planting and repairing broken fencing and monitoring the activities.

Adelaide International Bird Sanctuary

As part of a State Government election commitment the Department of Environment, Water and Natural Resources has been working to establish the Adelaide International Bird Sanctuary. In mid-2014, the South Australian Government purchased 2,300 hectares of coastal and estuarine land to add to existing conservation parks crown land, once completed the sanctuary will cover a 60 kilometre stretch of coast from the Barker Inlet to Port Parham. The sanctuary is proposed to cover a significant proportion of the Mallala Council coastline.

The proposed road closures may be viewed as complimentary to the sanctuary and provide opportunities for Council to partner with the State Government for some of the proposed permanent road closures in the future.

Community Consultation

Council sought community feedback on the proposal to temporary close the nominated roads indefinitely. Council received two submissions during the consultation process.
Camberwarra Pty Ltd wrote in support of the closures and a request for access to property on the proposed closed portion of Light Beach Road (Attachment 2). While the Two Wells Regional Action Team Inc (TWRAT), who are strong supporter in the protection of the sensitive environment, are concerned that the temporary closure of the portion of Light Beach Road may “exclude a community resource” and “denying the public its normal right of casual access to Crown Land” (Attachment 3).

Road Closure

The recommendation is to endorse the temporarily closure of the named roads under Section 359 of the Local Government Act 1934 for an indefinite period, which can be revoked by a resolution of Council.

Maps depicting each of the proposed road closures are provided in Attachment 4. Temporary closure of the roads under Section 359 of the Local Government Act 1934 excludes all vehicles but does not stop pedestrian use.

It is further recommended that a majority of the unformed roads be permanently closed in a strategic prioritised approach in accordance with the Roads (Opening and Closing Act) 1991 with the allocation of budget over a period of financial years until the majority of the named roads are permanently closed.

This would see the roads be permanently closed and removed from mapping systems and navigational devices, and preserve the significant coastal eco systems.

An approximate cost to permanently close each road is between $8,000 and $10,000 dollars per road at current rates. The majority of roads that have been identified would require a budget commitment per financial year to complete the full road closures. The permanent road closure process involves absorbing the road reserves into the parcels of adjoining land owners if they choose to take up this option or Council retains the lands for the management of the regeneration of the vegetation and protection of the wildlife in these significant areas.

Summary

Following consultation on the temporary road closure, Council Administration is seeking endorsement to proceed with the temporarily closures for the named roads indefinitely under Section 359 of the Local Government Act 1934 to all vehicles, except Council, Utility Services, Agency Services and Emergency Services vehicles, unless otherwise revoked or altered by a resolution of Council.
Temporary Road Closures – Community Consultation Feedback
Hi

I refer to your recent email which in summary sets out that:

1. a portion of Light Beach Road contains a 3.7km strip of unsealed road, which is located in the direction of the coast;

2. Council has previously resolved (pursuant to section 359 of the Local Government Act 1934) to close the unsealed 3.7km strip of Light Beach Road to all traffic, except for emergency services, Cheetham Salt and Council vehicles for the period until 31 December 2010;

3. the closure exists primarily because vehicles were causing environmental damage to the areas surrounding the road but also having regard to the unsafe condition of the relevant portion of the road;

4. the unsealed 3.7km portion will automatically reopen on 1 January 2011 (i.e. the Section 259 order will expire), unless the Council resolves otherwise;

Council's Duty and Standard of Care

Council owes a duty of care to the users of public land to ensure that they do not suffer from a 'foreseeable' risk of injury or damage. 'Public land' includes public roads.

Your correspondence indicates that Council is aware that the unsealed portion of Light Beach Road is unsafe, particularly during certain tidal movements. In my opinion, this makes it clear that the opening of this road to the public makes injury and/or damage foreseeable. If Council wishes to avoid risk of liability, it should use its powers under section 359 of the Local Government Act 1934 to continue to exclude all vehicles (except Council, Cheetham Salt Pty Ltd and emergency service vehicles) as a means of limiting access to Light Beach Road. Limiting access has the effect of demonstrating appropriate risk management and minimising liability exposure.

Council's duty of care includes what is reasonably foreseeable in its position. If the road reopens in the same circumstances as which it was closed (the road remains unsealed) it is foreseeable that injury or damage may occur, and Council may be liable for that injury/damage. Put simply, the reasons for the current closure remain relevant considerations and absent any action to address them during the period of closure there is a clear implication that what was unsafe then remains unsafe now and the Council's actions will be judged on this basis.

If Council attempts to repair the road and those repairs must be completed to current acceptable standards. Council must consider what risks are foreseeable if public access to the road is to be allowed and effect repairs to remove these risks. As part of Council's process of assessing and then minimising foreseeable risks, it must be able to demonstrate that it has acted 'reasonably' in the circumstances. Whether or not Council has acted reasonably involves consideration of many factors including:
• the probability or likelihood of the risk occurring (i.e. has the previously identified risk been addressed?)
• the likely seriousness of the harm or magnitude of the risk
• the burden of taking precautions to avoid the risk (e.g. cost or inconvenience)
• conflicting or competing responsibilities or demands

In managing identified risk, Council is only required to do what it is able to objectively do— that is, the requisite standard of care reflects that there may be statutory, financial or other physical constraints which impact on the Council's ability to manage a risk. However, part of managing the risks includes consideration of the public law powers available to the Council to do so (for example, Section 359 powers which have, to date, been invoked to achieve just that objective).

What Council is objectively able to do is in issue in these circumstances. Your correspondence states that Council is aware of the flooding of the road, but is limited by financial resources to repair the road to a standard that Council would consider to be safe. Council must repair the road to a standard that is reasonably safe to limit liability if it is to re-open the road after a period of closure for the purpose of addressing the risk. However, if this is not possible due to financial resources, Council must do everything that is reasonably possible to ensure safety for the public.

Council's awareness of the poor safety of the road and its limited financial resources may result in a situation where it has done everything reasonably possible to repair the road, but is still aware that the road is still not reasonably safe. As Council has the ability to limit access to the road (through section 359 of the Local Government Act 1934), this creates a circumstance where Council may not be able to avoid liability, because it is aware of its power to limit access the road, which would minimise traffic and, therefore, minimise foreseeable risk.

In my view, unless Council can repair the road to a standard which makes it reasonably safe, Council should continue to resolve to limit access to the road pursuant to its power under s 359 of the Local Government Act.

Section 42 of the Civil Liability Act

Section 42 of the Civil Liability Act 1932 provides that Council will not be liable in tort for a failure to maintain, repair or renew a road, or to take action to avoid or reduce the risk of harm that results from a failure to maintain, repair or renew a road.

The purpose of section 42 is to limit the liability of a Council for failure to maintain a road. The section does not limit the liability of a Council which takes action with respect to a road. Rather section 42 protects an omission for not maintaining a road.

The issue for Council is whether or not section 42 limits Council's potential civil liability with respect to the unsealed portion of Light Beach Road.

As the road currently exists, the limited classes of vehicles allowed to access the road, along with Council's failure to maintain the road (since its resolution to limit access in 2007) may result in Council's liability for the road falling within the scope of section 42.

If Council does repair the road, any subsequent damage caused by natural deterioration to the road may be caught by the operation of section 42 and Council will not be liable for the resulting injury. However, be aware that the scope of section 42 has not been tested since it was introduced in 2004.

Signs

You have also asked if weather signs will limit Council's liability. Erecting a sign will not exclude Council's duty of care. However, it will warn a potential plaintiff of the dangers in the area, which may aid Council in minimising risk.

If Council does allow the road to open and fails to erect signs, this may be viewed as an omission on its part which adds to the liability risk.
It is my view that rather than installing signs, Council should continue to use its powers under section 359 of the Local Government Act 1934 to limit access to particular classes of vehicles to limit foreseeable risks on the road.

Council is aware that vehicles stray from the road in particular weather conditions. Council does not owe a duty of care to road users who unreasonably use the road. However, as Council is aware that vehicles do stray from the road, Council must also consider erecting a sign warning about the dangers of travelling outside of the unmade road.

Summary

If the unsealed portion of Light Beach Road automatically reopens on 1 January 2011, it is my view that it is unlikely that this portion of the road will attract section 42 protection. The reopening of the road could be construed as an omission by Council to continue to exercise its public power to protect those classes of people who to date have been prohibited access to the road by virtue of Council's resolution under section 359 of the Local Government Act 1934.

Please let me know if I can assist further.

Michael Kelley
Partner
Wallmans Lawyers
Temporary Road Closures – Community Consultation Feedback
12th March 2015

Dear Paul,

Camberwarra Pty Ltd supports the temporary closure of 1st, 2nd streets and North Terrace, Port Prime.

Camberwarra has recently purchased SEC 824 HD Pt Gawler on the Light Beach Road. We support the temporary closure of the Light Beach Road, but would like a key to the gate, to enable us to maintain our fence.

Thank you,

Regards,

Mac Crabb

For Camberwarra Pty Ltd
Temporary Road Closures – Community Consultation Feedback
The Mayor and Councillors.
District Council of Mallala.

Your Worship, Ladies and Gentlemen,

Please find attached a submission from the Two Wells Regional Action Team regarding the “Temporary” closure of Light Beach Road.

This has been discussed by the Team several times and we feel it is an extremely important matter.

We trust Council will consider very seriously the thoughts and opinions of the local residents before a final decision is made. Advice received from departments and groups outside of the Council area is often not carefully thought out with respect to its effect on the local residents.

Yours respectfully,

Beverley Smith-Trim.
President.
For the Two Wells Regional Action Team Inc.


Temporary Road Closures
Community Consultation

23rd March 2015

Introduction

This submission is in response to the District Council of Mallala’s (DCM) advertisement for community consultation on the topic of Temporary Road Closure – Various Roads (Closing Thursday 26 March 2015).

Light Beach Road
Our submission herein is in relation to Light Beach Road alone.

At the March 2015 meeting of Two Wells Regional Action Team, it was again unanimous in the vote to submit this objection to DCM regarding the closure of Light Beach Road.

Background:

Our Committee, by way of its predecessors, has successfully managed projects supported by Coastcare, the World Wildlife Fund and the Work for the Dole programme, to both protect the coastal environment and enhance its amenity for the public. Apart from installing interpretive shelters and signage at Port Gawler, we fenced two sides of the triangular Reserve next to the Port Gawler Conservation Park while still allowing access to the Reserve from the beach. Also, the multiple tracks along the foredune were rationalized into one track, along which we installed fencing on both sides. As a result of the work done by our committee, there has been a remarkable natural renewal of the vegetation at these locations. Access control works well without having to impose “access denial”.

It has been noted in the broad NRM documentation for our area that the NRM supports access control measures to environmentally sensitive areas but they have no particular policy of enforcing public exclusion to Crown Land.

Just prior to the “Temporary Closure of Light Beach Road” in 2007 our Committee had arranged for the removal of all the car bodies that had accumulated in the area over the previous 70 years or so. Our Committee had also hosted a cleanup day when 4 bus loads of school children spent 2 hours collecting rubbish into 3 heaps for removal. The community cares about the environment and is able to take effective action in the care of it.
By imposing the road closure, there is a hindrance imposed on obtaining any untapped resources that may be within the community in order to help with developing better access control measures at Light Beach.

It is nonsense to exclude a community resource that has proven in the past to benefit the environment.

Light Beach is on Crown Land and Crown Lands are a resource belonging to everyone, not just those with special privileges to get there. Normally casual access by the public is permitted to Crown Land. With Light Beach Road, being the sole access road to the beach, closing that road is denying the public its normal right of casual access to Crown Land.

Given the rapid expansion of the mangrove forest along the Samphire Coast over the last 40 years or so, the resultant loss of the beach amenity at Port Gawler and Middle Beach has made the Light Beach resource even more valuable to both the community and the birds. Visits to the beach by the public are sporadic and relatively short in duration and it's been observed that the birds are willing to share the space.

Let us not lock Light Beach away from the public on the idea that the birds need exclusive use of the area.

Multiple submissions and community supported deputations to DCM opposing the closure of Light Beach Road have been made in the past. The regional newspaper on at least two occasions has highlighted opposition by community members to the road closure, yet the road remains closed. Consequently, this results in a widespread opinion that DCM, by continuing the closure of Light Beach Road, is showing itself as being out of touch with its community and ratepayers on this particular issue.

The closure is ineffective as many people are still visiting the beach by ignoring the road closure infrastructure.

Conclusion

A reasonable balance needs to be struck between the widely held desire to protect the coastal environment and that of maintaining and/or improving the public's recreational amenity of the coast. There are significant resources that could be available within the community to provide fencing for more controlled access to Light Beach. While the road is closed those resources cannot be drawn on. It is now time for DCM to respond to the community and to reopen the Light Beach Road.
Attachment 4
to report 17.5
dated 22 June 2015

Temporary Road Closures – Community Consultation Feedback
Five (5) Un Named Roads, Port Gawler

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Disclaimer
This map is a representation of the information currently held by District Council of Mallala. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated.
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