



NOTICE OF COUNCIL MEETING

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

NOTICE is hereby given pursuant to the provisions of Section 83(1) of the Local Government Act 1999, that the next Ordinary Meeting of the **Council** for the **Town of Gawler** will be held in the Council Chambers, Gawler Civic Centre, 89-91 Murray St, Gawler SA 5118, viewing via video streaming at <https://www.youtube.com/user/TownofGawler>, on **Tuesday 23 August 2022**, commencing at 7.00pm.

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

A handwritten signature in black ink, appearing to read "Henry Inat".

Henry Inat
Chief Executive Officer
19 August 2022

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1 STATEMENT OF ACKNOWLEDGEMENT

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

2 ATTENDANCE RECORD

- 2.1 Roll Call
- 2.2 Apologies
- 2.3 Motions to Grant Leave of Absence
- 2.4 Leave of Absence

- 2.5 Non-attendance

3 PUBLIC OPEN FORUM

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

4 DEPUTATIONS

- 4.1 Mr Ian Tooley - Climate Emergency Action Plan

5 DECLARATIONS OF INTEREST**6 ADJOURNED ITEMS**

Nil

7 PETITIONS

Nil

8 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 26 July 2022

Special Council Meeting - 4 August 2022

9 BUSINESS ARISING FROM MINUTES

Nil

10 DECISION REPORTS




10.1 BOUNDARY REFORM UPDATE

Record Number: CC22/232;IC22/182

Author(s): Kirsty Dudley, Special Projects Officer

Previous Motions: Council, 26 November 2019, Resolution 2019:11:COU421; Council 15 December 2020, Resolution 2020:12:COU567; Council 22 February 2022, Resolution 2022:02:COU031

Attachments:

1. Letter from Local Government Boundaries Commission to Town of Gawler - Cost Estimate for Stage 3 Inquiry CR22/29059
2. Letter from Mayor - Mr Rob Donaldson - Chair Local Government Boundaries Commission - Inquiry Cost Estimate response - 26-05-2022 CR22/32836
3. Letter from Local Government Boundaries Commission to Town of Gawler - Cost Estimate - July 2022 CR22/53055 
4. Letter from Mayor Redman to Mr Rob Donaldson - Chair Local Government Boundaries Commission - Inquiry Cost Estimate ~ August 2022 CR22/49421 
5. Letter from Local Government Boundaries Commission to Town of Gawler - Cost Estimate Process - August 2022 CR22/54941 

OFFICER'S RECOMMENDATION

That Council:

1. Notes the various correspondence between the Local Government Boundaries Commission (Commission), Council and Mayor Redman as provided as Attachments to this report.
2. Continues to support the Boundary Reform initiative.
3. Authorises the Mayor to:
 - a. Thank the Commission for allowing an improvement to the procurement process that considerably reduces Council's risk in progressing to the next stage of the process.
 - b. Advise the Commission that Council wishes to proceed to an Inquiry/Investigation under the terms offered in the Commission's correspondence dated 17 August 2022 on the understanding that:
 - I. If the outcome of the tender process is of a value equal to or below the cost estimate provided by the Commission, Council approves proceeding with, and funding, an Inquiry/Investigation;
 - II. If the outcome of the tender process is of a higher value than the cost estimate provided by the Commission, Council will be provided capacity to make a final decision to proceed or not with funding an Inquiry/Investigation.
4. Notes the cost estimate of \$379,500 (excl. GST) including a 15% contingency for undertaking the Stage 3 Investigation/Inquiry into the Town of Gawler's General Proposal for Boundary Change.
5. Notes that, subject to the outcomes of the State Government's procurement process, Council may need to allocate further funds to the already provisioned \$250,000 (\$125,000 provided in the 2022/23 Budget, and \$125,000 provided in 2023/24 within the Long Term Financial Plan) to provide for the Stage 3 Investigation/Inquiry.

SUMMARY

Council submitted a Stage 2 General Proposal for Boundary Change to the South Australian Local Government Boundaries Commission ('the Commission') in December 2020 for consideration.

The Commission completed its assessment of the Proposal and advised Council in November 2021, that the Proposal has been found to merit further inquiry and can proceed to Stage 3, Independent Investigation. The Initiating Council is obligated to fund the Commission's investigation as part of the process under Section 32B of the Local Government Act 1999 ('the Act'), which states that the Commission may recover reasonable costs of an inquiry into a General Proposal, from the initiating Council.

Council deferred considering the cost estimate provided by the Commission at the May 2022 Ordinary Meeting of Council and requested the Commission consider providing further legal protections for Council within the process to remove some of the financial uncertainty.

This report provides the Commission's response to Council's request and once again presents the cost estimate for the Independent Investigation to be undertaken by the Commission as Stage 3 of the Boundary Change Process for Council's consideration. Council may choose to proceed to Stage 3 and fund the investigation into the proposed boundary changes or it can choose not to invest in this process and thereby not continue with its strategic pursuit for boundary change under the current Proposal.

BACKGROUND

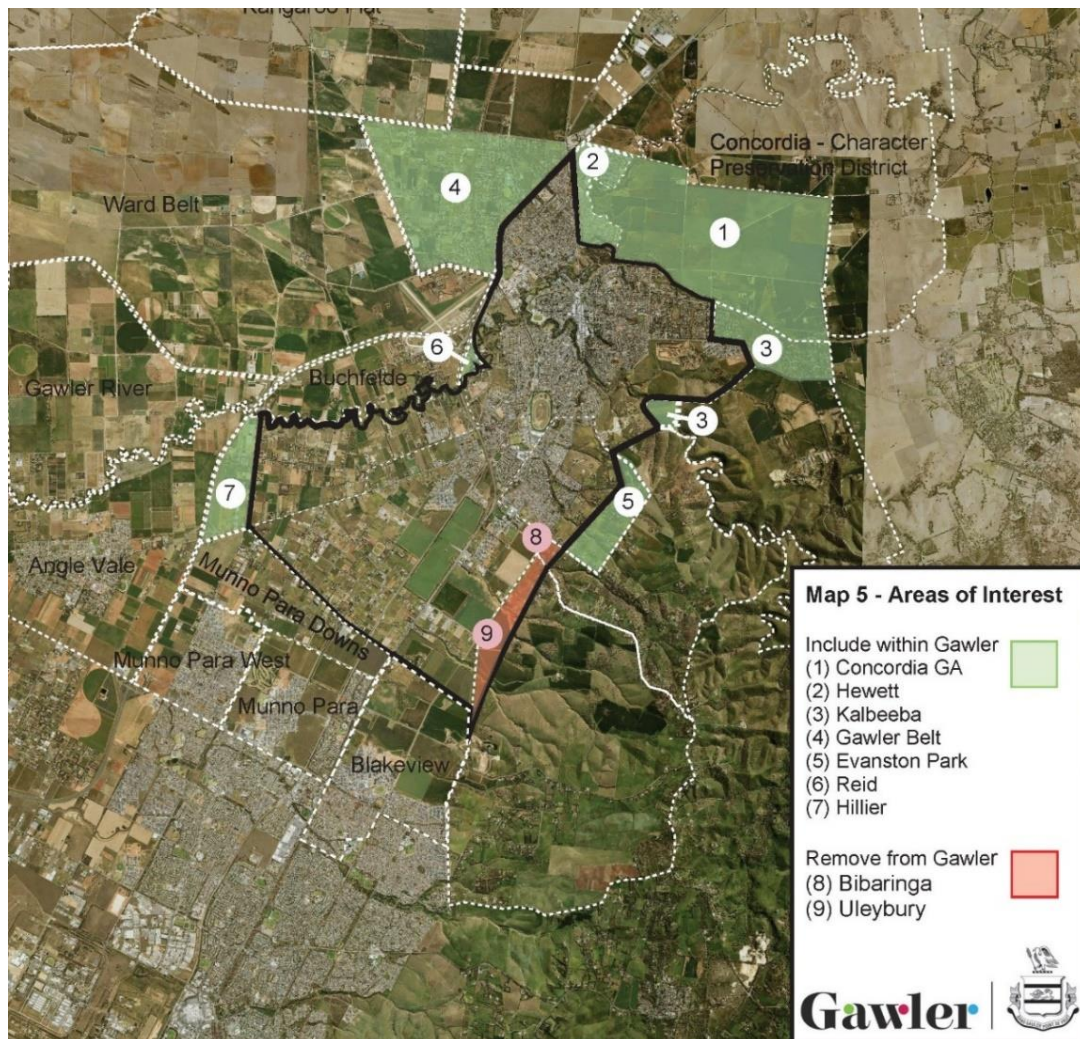
Town of Gawler submitted a Stage 1 Proposal for Boundary Change to the Commission in December 2019. The following Council boundary adjustments form the basis of Council's Stage 1 Proposal.

Areas to be included in the Town of Gawler

- a. Area 1- Concordia Growth Area
- b. Area 2 - Hewett
- c. Area 3 – Portion of Kalbeeba (including portion of Springwood)
- d. Area 4 – Portion of Gawler Belt
- e. Area 5 - Evanston Park
- f. Area 6 - Reid
- g. Area 7 – Hillier

Areas to be removed from the Town of Gawler;

- h. Area 8 – Portion of Bibaringa
- i. Area 9 – Portion of Uleybury



At the 26 November 2019 Special Council Meeting, the following motion was resolved:

RESOLUTION 2019:11:COU421

Moved: Cr C Davies

Seconded: Cr D Fraser

That Council:-

1. *Notes the Council Change Proposal – Further Analysis and Stage 1 Proposal Report.*
2. *Notes the correspondence received from the Boundaries Commission and neighbouring Councils as provided in Attachments 1 and 3.*
3. *Notes that the staged approach to Boundary Reform includes a number of hold points requiring Council decision.*
4. *Approves the submission of a Stage 1 Proposal as provided as Attachment 6 to the Boundaries Commission for feedback.*
5. *Notes that feedback received from the Boundaries Commission on the Stage 1 Proposal will be presented to Council for consideration prior to proceeding to the development of a Stage 2 Proposal.*
6. *Adopts, in principle, the proposed communication and consultation plan for Stages 1 and 2 of the Boundary Reform Process.*
7. *Notes that the potential costs for further progressing its boundary reform deliberations forming the Stage 2 process is estimated at \$10,000. This cost will be sought to be allocated as part of the 2nd Quarter Budget Review. Should Council decide to proceed with the Stage 3 Investigation of a General Proposal to be conducted by the Boundaries Commission, a budget allocation will be prepared as part of the 2020/21 Budget.*

In accordance with the above resolution a Stage 1 Proposal for Boundary Change was submitted to the Commission on 4 December 2019.

The Commission met on 20 January 2020 to review submissions to the boundary change process. As a result, the Commission responded to Council providing approval to proceed to Stage 2 – the development and submission of a General Proposal.

The project progressed to the initial Public Consultation phase of the process, with a 6-week Public Consultation which opened on 26 August 2020 and closed on 7 October 2020.

The results of the Consultation were received by Council at a Special Council Meeting held on 3 November 2020 and Council resolved once again to continue to strategically pursue boundary reform and continue to finalise a Stage 2 General Proposal for Boundary Change.

The draft Stage 2 General Proposal was provided for Council's consideration at its 15 December 2020 Meeting and was approved for submission as per the resolution below:

RESOLUTION 2020:12:COU567

Moved: Cr D Hughes

Seconded: Cr P Little

That Council :-

1. *Notes that the staged approach to Boundary Reform includes a number of hold points requiring Council decisions.*
2. *Approves the submission of the Stage 2 General Proposal as provided as Attachment 1 to the Boundaries Commission for consideration with the Areas to be included in the Town of Gawler being:*
 - a. *Area 1- Concordia Growth Area*
 - b. *Area 2 – Hewett*
 - c. *Area 3 – Portion of Kalbeeba (including portion of Springwood)*
 - d. *Area 4 – Portion of Gawler Belt*
 - e. *Area 5 – Evanston Park*
 - f. *Area 6 – Reid*
 - g. *Area 7 – Hillier**and the Areas to be removed from the Town of Gawler being:*
 - h. *Area 8 – Portion of Bibaringa*
 - i. *Area 9 – Portion of Uleybury*
3. *Notes that a further report will be presented to Council when the Commission provides its assessment of Council's Stage 2 General Proposal and that this report will include the indicative costs of proceeding with the Stage 3 Investigation if the Commission determines that Council's Stage 2 Proposal for Boundary Change warrants investigation.*
4. *Notes that Council Staff have previously communicated an indicative \$250,000 for the Stage 3 Investigation however, this cost can only be determined by the Commission and will, if notified by the Boundaries Commission that Council's Stage 2 General Proposal warrants investigation, be further considered by Council as part of Council's 2021/22 Annual Budget deliberations.*

The Stage 2 General Proposal was submitted to the Commission for consideration on 23 December 2020. The Commission then sought further information from Council in regard to the impact in specific matters pertaining mostly to the affected Councils. The Commission's request for further information in support of Council's General Proposal was responded to on 16 August 2021 and subsequently was considered by the Commission at its meetings held on 15 September and 20 October 2021.

Council then received correspondence from the Commission, dated 10 November 2021, advising the Commission had formed the view that the Proposal meets the requirements of Guideline 3 and generally aligns with the section 26 principles, meaning the Commission has determined that an inquiry into the Proposal may proceed in accordance with Section 31 of the Act and Guideline 4 – Investigations of General Proposals Initiated by Councils.

At the Ordinary Meeting of Council held on 22 February 2022 the following was resolved:

RESOLUTION 2022:02:COU031

Moved: Cr C Davies

Seconded: Cr K Goldstone

That Council notes:

- 1. The correspondence received from the South Australian Local Government Boundaries Commission dated 10 December 2021 advising that if Council proceed to the next stage and fund an Inquiry, the resultant investigation would commence in January 2023 due to the timing of the Local Government Elections in November 2022.*
- 2. That Council have indicated to the Commission, in recent correspondence, that Council still wants to be provided with a cost estimate for the Inquiry stage at the earliest possible opportunity and have requested that the Commission reconsider its decision to delay the Inquiry until 2023.*
- 3. The correspondence received via email from Alex Hart, Director of the Office of Local Government, dated 17 January 2022, summarising the process followed by the Commission once the investigation is complete.*
- 4. That a report will be presented to Council that provides the cost for proceeding to the Inquiry phase, Stage 3, once the Commission has provided the relevant cost estimate to Council, and that this report will seek Council's decision as to fund the Stage 3 investigations that would then proceed in the 2022/23 Financial Year.*
- 5. That the decision to progress to the Inquiry phase, Stage 3, is the final hold point in the Boundary Reform process for Council as, based on the findings of the Inquiry, the Commission will make recommendations to the Minister via a report.*

Council, as the initiating body, must fund the Independent Investigation for the General Proposal it has submitted if it wishes to proceed. Council has already recognised Boundary Reform to be of significant strategic importance and has invested significantly in progressing through the process thus far and developing the submission to the Commission. Council has included \$250,000 within the 2022/2023 Annual Budget and Long Term Financial Plan (jointly spread across the 2022/23 and 2023/24 financial years) to continue to seek boundary reform and fund the Stage 3 of the process.

Council received correspondence from the Commission dated 26 April 2022 (**Attachment 1**) providing a cost estimate for the investigation of \$379,500 excluding GST. This estimate included a 15% contingency for any unforeseen expenses.

The letter further stated that "Whilst the Commission has made every effort to ensure the cost estimate is as accurate as possible, it is important to emphasise that this is an estimate of the expected costs of the inquiry. The final cost of the inquiry, which will be recovered from the Council in accordance with s 32B of the Act, will be determined through an appropriate procurement process and may vary from the current estimate."

Mayor Redman and Council's Chief Executive Officer (CEO), Mr Henry Inat, discussed with the Chair of the Commission the matter of the cost estimate not providing Council with a clear cap on the expenditure for this investigation and how this is not the normal practice for how Council would procure services as this approach provides a greater financial risk to Council. The question was asked whether if when tenders are received it becomes clear that the cost will exceed the estimate provided by a significant sum that Council can have the opportunity to prioritise the Areas of Interest to proceed with a reduced scope to reduce the cost. When reporting to Council at the May 2022 Ordinary Meeting the questions regarding safeguarding Council in the procurement process and potential for scope reduction had not been formally answered.

Despite the cost estimate being higher than budgeted, which would cause an increase in short term expenditure across the 2022/23 – 2023/24 financial years, the costs of not proceeding would be significant when considered over future years and decades with large developments along Council's boundary continuing to put increased pressure on future infrastructure and service delivery and those communities of interest will not be able to have appropriate representation to help shape Gawler's future services and infrastructure.

Proceeding to fund the investigation aligns with Council's strategic plan and is the next logical step towards uniting what Council has indicated is considered the true Gawler Community.

The cost estimate to proceed to the Inquiry phase (Stage 3) was presented for Council's consideration at its 24 May 2022 Ordinary Council Meeting where the following was resolved:

RESOLUTION 2022:05:COU151

Moved: Deputy Mayor D Hughes

Seconded: Cr B Sambell

That:

1. *Item 8.2 be deferred to a future Council meeting of the current Council.*
2. *The Mayor and CEO be authorised to meet with state government representatives / relevant ministers to clarify cost recovery process and legal protection for councils*

This report provides an update regarding the further discussions that Mayor Redman and the CEO have had with the Commission, correspondence between the Commission and Council and associated outcomes. The report also seeks a decision from Council as to whether it wants to proceed with the Stage 3 Inquiry/Investigation.

COMMENTS/DISCUSSION

Responding to Council's decision at the 24 May 2022 Ordinary Council Meeting, Mayor Redman wrote to the Chair of the Commission, Mr Rob Donaldson, outlining Council's concerns with the cost recovery process and legal protection for Council that is provided by the next stage of the boundary change process (**Attachment 2**). The letter stated:

"The following concerns as detailed below allow Council to confidently move forward in its decision making with respect to funding a Stage 3 Inquiry:

- a. *The Boundary Change Guidelines are public knowledge and allow the open market to identify that once Council agrees to proceed without a capped cost estimate that Council is locked in to proceed whatever the final tender result is. This is not procurement best practice and opens Council up to considerable financial risk.*
- b. *The cost estimate has been made public by the Commission, possibly impacting the likelihood of any significant cost saving in tenders that may be received.*
- c. *Whilst Council notes that the Commission has included a 15% contingency in the cost estimate provided, the amount remains an "uncapped estimate" thereby presenting Town of Gawler with a financial risk if Council resolves to proceed on that basis.*

Due to the above concerns, I, along with CEO Henry Inat, formally seek a further discussion with the Commission and relevant Ministers, The Hon Geoff Brock MP, Minister for Local Government and The Hon. Nick Champion MP, Minister for Planning regarding how these concerns and risks can be mitigated."

The Hon Geoff Brock MP declined to meet with Mayor Redman and the CEO with his office advising that *"I regret to advise that Minister Brock is not available to meet with Mayor Redman and Mr Inat to discuss aspects of the boundary change proposal. Please be aware that the Minister would expect to receive a recommendation from the Commission regarding the boundary change proposal, about which he would then make a considered assessment and final decision"*.

The Chair of the Commission, Mr Rob Donaldson, agreed to meet with Mayor Redman and the CEO. This meeting occurred on 18 July 2022 and Council received correspondence from the Commission on 22 July 2022 in relation to that meeting and Council's letter dated 31 May 2022 (**Attachment 3**). This letter stated that:

"The Commission is of the view that the cost estimate provided to the Council for the Proposal provides a reasonable basis upon which the Council could decide to proceed with an inquiry, if it chooses to do so. To assist with the Council's consideration of this matter, I am writing to confirm the basis of the cost estimate.

As you are aware, the Commission undertook a wide-ranging Request for Information (RFI) process in line with State Government procurement policy to identify suitably qualified firms that have the capacity to undertake an inquiry into a significant boundary change general proposal in accordance with section 31 of the Local Government Act 1999. This process, together with the Inquiry Plan for the Proposal, informed the Commission's cost estimate advice.

The RFI process involved providing a generic, detailed inquiry plan that outlined all matters that would be expected to be considered in an inquiry into a significant general proposal to potential investigators. This exercise allowed the Commission to determine the capacity and capabilities of the supply market to undertake investigations into these proposals. The Commission received 11 submissions from a wide range of consultants with relevant experience, which addressed these matters against the scope of the generic inquiry plan.

The Commission then requested a specific cost estimate for all of or parts of the inquiry plan into the Town of Gawler's Proposal. You may recall that all affected councils were requested to comment on this inquiry plan, to ensure that all relevant matters were included to maximise the accuracy of the cost estimates requested.

Estimates were provided from a range of the stakeholders identified in the RFI process. Consultants provided cost estimates for specific elements of the inquiry plan or the entire inquiry plan, based on the skill sets that were represented in the information provided through the RFI.

Cost estimates for either specific elements or the entire inquiry plan were largely consistent across the submissions made. The Commission assessed both the skill sets, and the cost estimates to develop the cost estimate provided to the Council for this Proposal, to ensure that this estimate represented the appropriate skill set from the consultants and reasonable value for money.

In relation to procurement processes more generally, the Commission is of the view that the publication of information relating to its cost estimate for the Proposal does not compromise a procurement process. The availability of cost estimate information on the Commission's web page provides a general scope for potential proponents and significant variations in formal quotes submitted would be addressed during the assessment of tenders.

The Commission's view is that similar information about the scope of value for proposed projects are also available for proponents tendering for council projects by examining council budgets, which are also available from council web sites.

*On this basis, the Commission is of the view that the cost estimate of \$379,500 ex GST (including a 15% contingency for unforeseen circumstances) provides a fair and reasonable estimate of the cost of an inquiry into the Proposal and requests that Council provide a response to the Commission as to whether or not it wishes to proceed with the Inquiry by **Friday 12 August 2022.**"*

On 2 August 2022 Mayor Redman responded to this latest correspondence from the Commission (**Attachment 4**) advising that a response by 12 August 2022 was unachievable as Council needed to formally consider the correspondence and the first opportunity to do that would be at this Council Meeting. This letter also requested a further response from the Commission by no later than close of business on 18 August 2022 so that Council could make an informed decision prior to the 2022 local government election caretaker provisions coming into effect.

Mayor Redman's letter continued:

"Relative to the substantive matter, Council remains concerned with the cost recovery process and lack of legal protection for Council that is provided by the next stage of the boundary change process in regard to the procurement of appropriately qualified investigators and the cost that Council may incur through the Inquiry (Stage 3).

I am concerned that the response provided by the Commission has done little to address the legitimate concerns raised by Council, especially pertaining to the level of risk involved in being 'locked in' to a procurement process even if the market responses to the open tender are significantly higher.

As expressed in my previous correspondence, Council aspires to attain best practice in its procurement processes and therefore has what we believe are legitimate concerns around the process outlined by the Commission in the next phase. Resolving Council's major concern regarding proceeding on only the value of a cost estimate, and locking in to funding the next stage no matter the final tender value, requires a considerable appetite for risk on the part of the Council.

I note that the Commission's response has tried to allay some of these concerns by providing some details around the robust process undertaken to obtain the cost estimate and reiterating that the estimate incorporates a 15% contingency. However, I am extremely disappointed that a further simple step, such as an opportunity to approve the successful tendered cost for a Stage 3 Inquiry if the cost is significantly above the estimate provided, can not be incorporated to the Commission's process.

I once again, on behalf of Council, I request that the Commission considers, as previously requested, providing a safeguard in the boundary change process for Council to enable further security in moving forward to a Stage 3 Investigation."

On 9 August 2022 Council Staff received an email from Mr Tom Rossini, Senior Policy Officer, SA Local Government Boundaries Commission and Office of Local Government stating that:

"The correspondence from Mayor Redman will be tabled at the Boundary Commission's 17 August 2022 meeting. We note the Council's request for a response by the 18th of August. Whilst the Commission will endeavour to meet this timeframe, I cannot guarantee a response will be provided by COB 18 August 2022."

On 17 August 2022 Council received correspondence from the Commission (**Attachment 5**). The letter advises that the Commission had considered Council's latest correspondence at its meeting held on that same day and once again reiterates that the cost estimate has been derived through a robust process, with all affected Council's providing input into the matters to be investigated. The letter states that:

"While all of the required information has been provided by the Council through the initial phases and the Commission is of the view that its process has provided a sound cost estimate to assist the Council to determine whether the inquiry should proceed, the Commission also acknowledges the concerns raised by the Council regarding the ability to establish a 'fixed price' for the inquiry or guarantee that it will not exceed a certain amount.

To provide the Council with a greater level of certainty in relation to the costs of an inquiry, the Commission has determined that subject to the Council's agreement to proceed on the basis of the cost estimate of (\$379,500), it will undertake an open tender process seeking quotes from suitably qualified consultancies to undertake the inquiry and seek the Council's further agreement if the tender process outcome exceeds the cost estimate.

*The inquiry would then be undertaken on the basis of the tender process outcome, based on the inquiry plan that your Council has seen and commented on. However, there may be additional costs to undertaking the inquiry which may arise if, during the course of the inquiry, additional matters are identified that must be inquired into to inform the Commission to provide the best possible recommendations to the Minister. While these would be managed responsibly and in consultation with the Council, the **Town of Gawler will be responsible for meeting any additional costs.***

The addition of the safeguard step within the procurement process for Council, in the scenario where if the tender process outcome exceeds the cost estimate, the Commission provides Council with a critical control point in regard to the financial costs of proceeding addresses Council's key concerns. This is a very positive step for not only Town of Gawler's Boundary Change Proposal but also for other Councils that may seek boundary reform in the future. The requirement noted for Council to meet any additional costs for "any additional matters that may arise" is appropriate and a standard part of contract management where variations to contract can occur.

The letter continues:

"It is anticipated that the procurement process outlined above will take around three month. The outcomes of the procurement process would therefore be provided to the Council after the 2022 Local Government periodic elections.

If the procurement outcome – ie, quote/s to undertake the inquiry – does not exceed the previously advised cost estimate, the Commission will inform the Council and proceed with the inquiry.

If the procurement outcome exceeds the cost estimate, the Commission will request a further response from the Council as to whether or not it wishes to proceed with the inquiry. If the Council does not confirm that it wishes to proceed, the Commission may determine that it will not inquire into the proposal."

It should be noted that the Commission's letter did not address any opportunity to reduce the scope of an Inquiry/Investigation by prioritising only some Areas of Interest in an effort to manage costs. However, Council has been verbally advised that any reduction in the Areas of Interest would require a new Proposal starting at Stage 1 of the process as the Commission has not considered the current Proposal in sections. The current Proposal has been assessed on its merits as a whole.

It should also be noted that once Council agrees to proceed and fund an investigation there are no further critical decision or hold points for Council if the cost outcome of the tender process does not exceed the cost estimate. The steps to follow, as laid out by *section 31 of the Local Government Act* – essentially s 31(5) to (11), are:

1. The Commission completes its inquiry / receives a report from investigator/s
2. The Commission then prepares a report including recommendations that they must publish on a website and provide to the Minister (s 31(5)). S 31(6) states that the general proposal recommended by the Commission 'may involve such variations as the Commission thinks fit to the general proposal referred to the Commission'.
3. Once the Minister has received the report, the Minister may request specified amendments (s 31(8)) – which the Commission may make (but is not required to). Any amended report that may arise from this process must be published (s 31(9)).
4. Whether this happens or not, the Minister must then make a determination that the general proposal proceed (and be forwarded to the Governor) or not proceed (s10)(c)

There is no requirement for the Commission to provide the report to the initiating (or other affected) Council(s) and receiving comments / approval before publishing the report and providing to the Minister – or for the Minister to receive comments / approval from the council/s before making his/her determination. This reflects the intent to make the Commission's process as independent as possible.

There is an obligation under s 31(3) for the Commission's inquiry to explicitly 'consider the extent of support for the general proposal of any council affected by the general proposal.' The report is made

publicly available when it is given to the Minister, there is also an opportunity for any Council to make their views known to the Minister as the Minister considers the report and his/her determination.

Also, s 31(10)(c) enables Councils to request that the Minister consult with them if the Commission's report recommends that a general proposal referred by a Council not proceed.

Therefore, as per the process referenced above, it needs to be recognised by Council that if an Inquiry is funded, Council then has limited influence if the outcome is not what Council has suggested. The Commission may recommend part, or all, of a proposal to proceed or it may recommend actions that were not identified in a proposal or even recommend that the proposal does not proceed from that point on.

At that point Council will only be able to advocate and lobby through a consultation process with the Minister for its preferred outcome.

COMMUNICATION (INTERNAL TO COUNCIL)

Mayor Redman
Executive Management Team
Manager Development Services & Assessment
Senior Strategic Planner
Senior Rates Officer
Marketing and Communications Coordinator

CONSULTATION (EXTERNAL TO COUNCIL)

SA Local Government Boundaries Commission
Office of Local Government
Hon Geoff Brock MP
Hon Nick Champion MP

POLICY IMPLICATIONS

Budget Management Policy

RISK EVALUATION

| RISK | |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Identify | Mitigation |
| If Council does not proceed to Stage 3 for its Proposal – Reputational. | Progressing to Stage 3 of the Investigation of the General Proposal is in keeping with previous Council Resolutions and is supported by the majority of Town of Gawler participants in the open public consultation. |
| If Council proceeds to investigation, there are no hold points for Council from that point. | Council will be responsive to the investigation, providing as much supportive information to support its Proposal. Once the recommendations are provided to the Minister Council will lobby the Minister if the recommendations are not in line with Council's vision for Boundary Reform. |

| OPPORTUNITY | |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Identify | Maximising the Opportunity |
| Defining Gawler according to Community of Interest. | <p>Ensuring Community of Interest is provided with an opportunity to be heard and provided with accurate information.</p> <p>Providing the communities of interest with an opportunity to define, support and set their “hometowns” strategic direction and future investments.</p> |

STATUTORY REQUIREMENTS

Local Government Act 1999

Local Government (Boundary Adjustment) Amendment Act 2017

FINANCIAL/BUDGET IMPLICATIONS

The Commission has advised that the cost of undertaking Stage 3 – Inquiry/Investigation - associated with Council’s General Proposal for Boundary Change is estimated at \$379,500 excl. GST.

Council has jointly allocated \$250,000 (excl. GST) for Stage 3 across the 2022/23 and 2023/24 financial years, which is \$129,500 (excl. GST) less than the cost estimate. The cost estimate includes a 15% contingency for unforeseen expenses however, it is only an estimate and if Council proceeds it may incur a cost above that of the estimate, or conversely the cost may be lower than the estimate provided.

If Council decides to proceed with the Stage 3 Inquiry/Investigation, subject to the outcomes of the State Government’s procurement process, Council may need to allocate further funds to the already provisioned \$250,000 (\$125,000 provided in the 2022/23 Budget, and \$125,000 provided in 2023/24 within the Long Term Financial Plan) to provide for the Stage 3 Investigation/Inquiry. If such additional funding is required then this will be considered in accordance with Council’s Budget Management Policy.

COMMUNITY PLAN

- 1.1 Gawler remains unique and distinct from its neighbouring areas
- 1.2 Foster a vibrant and active local community that is proud of Gawler
- 1.3 Protect and promote Gawler’s unique history
- 2.1 Physical and social infrastructure to service our growing population and economy
- 2.2 Growth to be sustainable and respectful of cultural and built heritage
- 2.3 Manage growth through the real connection of people and places
- 3.1 Gawler to be an inclusive community with quality health and social wellbeing services to meet the needs of our growing community
- 3.2 Provide sporting and recreational facilities to meet local and regional community needs
- 5.1 Be recognised as a best practice organisation delivering effective services and collaborating regionally
- 5.3 Continue to deliver effective services and refine management processes

10.2 SOUTH GAWLER FOOTBALL CLUB LIGHT TOWERS UPDATE

Record Number: CC22/232;IC22/561

Author(s): Chris Parish, Team Leader Property & Facilities

Previous Motions: Nil

Attachments:

1. **South Gawler Football Club Light Towers - Structural Comments CR22/54489** 
2. **South Gawler Football Club - Shared Facilities Lease CR22/37729** 

PRESENTATION

The South Gawler Football Club's President, Mr Daniel Kiryk and Secretary, Mr Cosi Costa will be in attendance to speak to the report and answer any questions from Members in regards to this matter.

OFFICER'S RECOMMENDATION

That Council:

1. **Notes the South Gawler Football Club Lighting Tower Update report.**
2. **Notes that the South Gawler Football Club should take be responsible to fund the installation of lights at the oval as has been the case with other local Clubs in recent years. However, it is noted that a contribution by Council of \$4,000 is considered reasonable to assist in removing and part funding the new lights given the associated broader public safety lighting resulting.**
3. **Notes that staff will continue to work with the South Gawler Football Club to achieve a positive outcome for all parties and the community, including assisting in grant opportunities, through joint procurement of such lights and such other means as possible.**
4. **Notes that the Councils administration will continue to work with the Club to expedite the processing of the current application relating to the club facilities upgrades and separate application for the installation of the new lights.**

SUMMARY

Update on recent events involving two light towers and lighting infrastructure at the South Gawler Football Club sporting ground Dysart Road, Evanston.

BACKGROUND

In February 2022 the South Gawler Football Club Inc. through the Clubs President Mr. Daniel Kiryk and Secretary Mr Cosi Costa approached Council's Property & Facilities Team Leader to discuss two of the current four light towers in respect to forward planning the replacement of both of these installations.

During conversation it was mentioned that both light towers which are of a Stobie Pole construction with additional extension works to the top portion of each structure were starting to show signs of poor structural integrity in the form of cracking within the concrete infill and separation of the fore mentioned infill, this was more than likely caused by vehicles coming in to contact with the poles over the previous years.

It is estimated that both poles are approx. 25-30 years old and would be considered at the end of their useful life. The South Gawler Football Club pressed on Council staff that they would eventually become a community safety issue and that they would be seeking a financial contribution from

Council towards the removal of the two offending poles. In the meantime the Club would seek to source new light towers and lights that would be suitable for the site and the current sporting activities and would be financially sustainable for the club.

As with all new developments on Council owned sites/land, information was given to the Club of how best to converse with Council as they progress with the light tower renewal project including engineering and consultation. Discussions have been ongoing in respect to both the approval process needed for the light towers but also other works to be undertaken on the site, particularly upgrades to the existing club building, coaches boxes, possible new shed and other elements.

At the time of bringing the light tower issue to the attention of Council staff we were working through new leases for all of the sporting groups and it was pointed out that any discussions in relation to funding contributions would need to take place post the signing of the final lease documents. These discussions were further complicated for the South Gawler Football Club with the ongoing challenges from the Gawler Squash Club and their potential involvement at that site. Once this was resolved and the new lease documents were signed Council staff were approached by the South Gawler Football Club to confirm a contribution towards the eventual removal of the light towers and installation of new light towers.

Both the Executive Manager Finance & Corporate Governance and the Team Leader Property & Facilities agreed that a contribution of \$4,000 towards the safe removal of the light towers would appear to be fair and equitable, given the oval and car parking space has an unrestricted shared public access which allows residents in neighbouring streets safe and well-lit passage to public transport locations including both rail and bus passenger transport within the vicinity of Dysart Road.

In further discussions with the Club it was noted that the Engineering requirements for the new towers was more complicated than first anticipated and that the Club would be reviewing the project as a whole, this in turn put a hold on Council's contribution to the removal of the old light towers.

Subsequent meetings have been held between the South Gawler Football Club and the Mayor and CEO to discuss future plans for the Dysart Road Sporting site which includes the replacement of the lighting infrastructure along with a number of projects including new coaches' boxes and training facility upgrades.

On Thursday 4 August 2022, members of Council's Town Services team noted, whilst undertaking grounds maintenance at the Dysart Road site, that the two offending light towers appeared to be swaying more than usual albeit the weather event that was occurring during this time had winds in excess of 35km ph. This was in part due to the large light surfaces at the top of the towers being buffeted by the high winds.

With public safety in mind, the Club's President and Secretary were contacted to discuss appropriate actions that would be required to be taken. At that time the Team Leader of Property & Facilities spoke with the Clubs President Mr. Daniel Kiryk and advised that Council was of the opinion the area would need to be cordoned off to alleviate public access and that the power should be disconnected to the light poles as a precaution in the event one or more of the towers were to collapse. It was agreed that this was the best approach and that Council would seek for a contractor to disconnect the power and for Town Services to cordon off the areas directly around the site. At the same time, the public access gate on the far side of the oval was locked to the public and properties directly behind the light towers were notified.

The Football club agreed that training would be kept to a minimum on the opposite side of the oval if indeed training was to occur outside on that evening. As there was no home games scheduled at Dysart Road for that weekend Council Staff and the South Gawler Football Club were able to assess the light poles in a timely manner.

On Tuesday 9 August 2022, Council Building and Property/Facilities staff met with David Nash from Tonkin Consulting to discuss the viability of the two light towers relative to confirming the structural stability of the light towers and/or if they were a source of ongoing concern to public safety. This independent advice received confirmed that in fact the light towers were not an immediate public safety concern and that with some ongoing limited access by the public in the driveway/parking area adjacent the oval that 'normal' access and activity could occur on the oval. This advice was provided to the South Gawler Football Club and the Elected body. (see **Attachment 1** email from David Nash).

Council Staff have been working closely with the South Gawler Football Club to assist with their day to day needs in relation to training and game day experiences, which has included reconnecting the power to the light towers so as training can occur, noting that they are fused from a separate location providing an increased level of safety in the event that a collapse was to occur. Staff also reviewed the bunting off of the light poles to allow for access within the precinct during the last home game day, which occurred on 13 August 2022.

COMMENTS/DISCUSSION

Noting the timelines and structural comments within the report from David Nash of Tonkin Consulting, and given the current Football Home & Away season has now finished, Council Staff including Planning, Building & Property/Facilities will continue to work closely with the South Gawler Football Club to seek a solution to their current lighting issues at Dysart Road and to best inform the Club how to best proceed with this project.

It must be noted that in line with the current Sporting Clubs/Associations Agreement Schedule for Sharing Facilities Lease (**Attachment 2**) between the Town of Gawler and the South Gawler Football Club, all financial responsibility for the current light towers and lighting infrastructure is the responsibility of the Lessee as per Clause 4 *Fees/Maintenance Criteria – Buildings & Structures*.

As reference, it should also be noted that both the Gawler Central Sporting Club and the Willaston Football Club have recently upgraded their lighting infrastructure at their respective grounds with the financial outlay being funded by the respective clubs as per their Lease agreements (noting that the Gawler Central Sporting Club was provided with a \$30,000 interest-free loan for this purpose over a period of 10 years – which represents an interest saving of approximately \$7,500 to the Club over the life of the loan, based on the prevailing interest rate at the time the loan was secured).

COMMUNICATION (INTERNAL TO COUNCIL)

Mayor
CEO
Executive Management Team
Team Leader Property & Facilities
Planning & Building Team Members
Town Services Team Members

CONSULTATION (EXTERNAL TO COUNCIL)

South Gawler Football Club – Daniel Kiryk, Cosi Costa
Tonkin Consulting – David Nash
Hissey Electrical Services – Stuart Hissey

POLICY IMPLICATIONS

Sporting Clubs/Associations Agreement Schedule for Sharing Facilities Leases (Exclusive Right of Possession over Buildings & Structures and Licence over Grassed Areas)

Asset Management Policy

RISK EVALUATION

| Risk | |
|----------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Identify | Mitigation |
| Risk to community safety if one or more light towers were to fall/collapse | Cordon off areas and limit access to offending site |
| Insufficient funding for replacement lighting | Seek Grant funding from State Government, AFL, SANFL, Council and Sponsors |

| Opportunity | |
|----------------------------------------|--------------------------------------------------------------------------------------|
| Identify | Maximising the Opportunity |
| Increased capacity to hold night games | Design of new lights to comply with Lighting requirements of state football leagues. |

STATUTORY REQUIREMENTS

Residential and Commercial Leases Act 1995

FINANCIAL/BUDGET IMPLICATIONS

In line with the current Sporting Clubs/Associations Agreement Schedule for Sharing Facilities Lease between the Town of Gawler and the South Gawler Football Club, all financial responsibility for the current light towers and lighting infrastructure is the responsibility of the Lessee as per Clause 4 *Fees/Maintenance Criteria – Buildings & Structures*.

Councils contribution of \$4,000 towards the removal of the old light towers will be allocated from Property & Facilities Management Budget – Unplanned Property Management – South Gawler Sporting Association.

South Gawler Football have provided the following costings and funding proposal in relation to the removal and replacement of the light towers and associated infrastructure and civil works.

| Line | Item Description | Number required | Individual Price | Total Price |
|------|---------------------------------------------------------------------------------------------------------------------|-------------------|----------------------|----------------------|
| 1 | Bl 14222 Light post | 2 | \$4,510.00 | \$9,020.00 |
| 2 | Steel Reinforcing cage for footings (Suggested 1.5 x 1.5 x 5m) | 2 | \$973.50 | \$1,947.00 |
| 3 | Freight & Delivery of Light poles to site | 1 | \$1,320.00 | \$1,320.00 |
| 4 | Complete 2000W Light Assemblies | 6 | \$2,314.40 | \$13,886.40 |
| 5 | Excavation of hole for footings and disposal of spoils | 2 | \$1,848.00 | \$3,696.00 |
| 6 | Concrete and labour for footings (32mpa in hole 750mm x 750mm x 3meters deep) as confirmed by engineer | 2 | \$3,825.00 | \$7,650.00 |
| 7 | Crane hire to raise posts (2 required) Hourly rate for both Includes Crane operators and riggers; depot to depot | 8 (Estimated Max) | \$924.00 | \$7,392.00 |
| 8 | Electrical connections Labour | 1 | \$2,526.00 | \$2,526.00 |
| 9 | Electrical hardware (Subject to existing cable size, condition, location and connection to existing light poles) | 2 | \$1,100.00 | \$2,200.00 |
| 10 | Disassembly, removal and dumping of existing Lights and poles, including crane & rigger | 2 | \$2,200.00 | \$4,400.00 |
| | | | TOTAL | \$54,037.40 |
| | | | 50/50 SPLIT | \$27,018.70ea |
| | PROPOSAL: SGFC cover the cost of lines 5,6,7,10 and the cost split is 60% council 40% | | | |
| | SGFC, see cost calculations | | REVISED TOTAL | \$30,899.40 |
| | | | 60% COUNCIL | \$18,539.64 |
| | | | 40% S.G.F.C. | \$12,359.76 |
| | NOT INCLUDED: | | | |
| | Replacement cable from Main power supply board to light towers | | | \$18,479.00 |
| | Trenching and civil works for new cable | | | ????? |
| | **ALL QUOTED PRICES ARE INCLUSIVE OF GST** | | | |

- Please note Councils contribution of \$4,000 towards the removal of the old light towers would no longer be required if the South Gawler Football Clubs funding proposal is considered by Council

COMMUNITY PLAN

- 1.2 Foster a vibrant and active local community that is proud of Gawler
- 3.2 Provide sporting and recreational facilities to meet local and regional community needs
- 5.2 Foster and encourage community teamwork

10.3 PALAMOUNTAIN DRIVE, THOMPSON CIRCUIT, EVANSTON PARK - REQUEST FOR STREET MIRROR**Record Number:** CC22/232;IC22/43**Author(s):** Whendee Young, Team Leader Asset Delivery**Previous Motions:** Council, 25/01/2022, RESOLUTION 2022:01:COU001**Attachments:** Nil

OFFICER'S RECOMMENDATION**That Council:**

- 1. Notes the investigation and consultation undertaken regarding the request for street mirrors on Palamountain Drive, Thompson Circuit, Evanston Park - Request for Street Mirror.**
- 2. Endorses the recommended line-marking and signage plan to improve safety at the Palamountain Drive and Thompson Circuit intersection.**

SUMMARY

At the 25 January 2022 Council meeting a petition was received, signed by 17 residents of Palamountain Drive and Thompson Circuit, Evanston Park, requesting that a street mirror be installed to improve road safety at the intersection of Palamountain Drive and Thompson Circuit.

Council traffic engineers have investigated the request for the mirror and alternative options for improved safety at the intersection of concern. Suitable options were provided to residents for their feedback in June 2022. Using the feedback received a preferred option for improving the road safety at the intersection of Palamountain Drive and Thompson Circuit has been developed.

This report presents the options investigated, the consultation and the preferred traffic solution for approval to be communicated back to residents and implemented.

BACKGROUND

At the meeting held on 25 January 2022 Council adopted the following:

RESOLUTION 2022:01:COU001

Moved: Cr C Davies

Seconded: Cr B Sambell

That Council

- 1. Receives the petition requesting a street mirror on the corner of Palamountain Drive and Thompson Circuit, Evanston Park.*
- 2. Investigate this matter and report back to a future Council meeting.*

The intersection of Palamountain Drive and Thompson Circuit in Evanston Park has been the source of concern for some residents due to perceived issues with sight lines and an unclear 'give-way' hierarchy.

Residents requested a convex mirror to improve the safety of the intersection and tabled a petition, signed by 18 residents, to the 25 January 2022 meeting.

COMMENTS

Since receiving the petition Council's consultant traffic engineer, undertook an initial investigation into the matter, with an on-site inspection conducted in March 2022.

General observations indicate that Palamountain Drive and Thompson Circuit are both local roads consisting of low daily traffic volumes, and a function similar to any other residential streets. The intersections of Palamountain Drive and Thompson Circuit has not had any crashes over a five-year period.

The installation of convex mirrors has been reviewed in accordance with the Department for Infrastructure and Transport's (DIT's) *Operational Instruction 2.2: Concealed Driveways and Intersections*. The DIT Operation Instruction 2.2 permits the installation of a convex mirror if it meets the following criteria below:

- History of crashes at the intersection over the previous 5 years; and
- There are no other engineering measures which can be implemented to improve arrangements at the intersections, including signage and line marking.

Given the intersection of concern meets neither of these criteria, a convex mirror cannot be installed.

Staff assessed other possible options for consultation with the residents. Figure 1 displays the option presented to the local residents which proposed a line marking and signage plan developed to prohibit parking close to the intersection to enable more efficient and safe movements, including assisting guide drivers around the bend within their travel lane. The initial changes included:

1. Give-way bars on the Thompson Circuit (east) approach to the northern intersection and Palamountain Drive (west) approach to the southern intersection; and
2. Installation of intersection centre line marking at the intersection.



Figure 1: Proposed signage and line-marking plan on Palamountain Drive and Thompson Circuit as presented to the local residents in June/July 2022.

Following feedback from the consultation, an updated Traffic Control Plan has been prepared as displayed in Figure 2. The notable changes included:

1. Relocation of give-way bar and signage to the Thompson Circuit (east) approach of the southern intersection; and
2. Installation of yellow no-stopping line marking to reinforce parking restrictions immediately adjacent to the intersection.

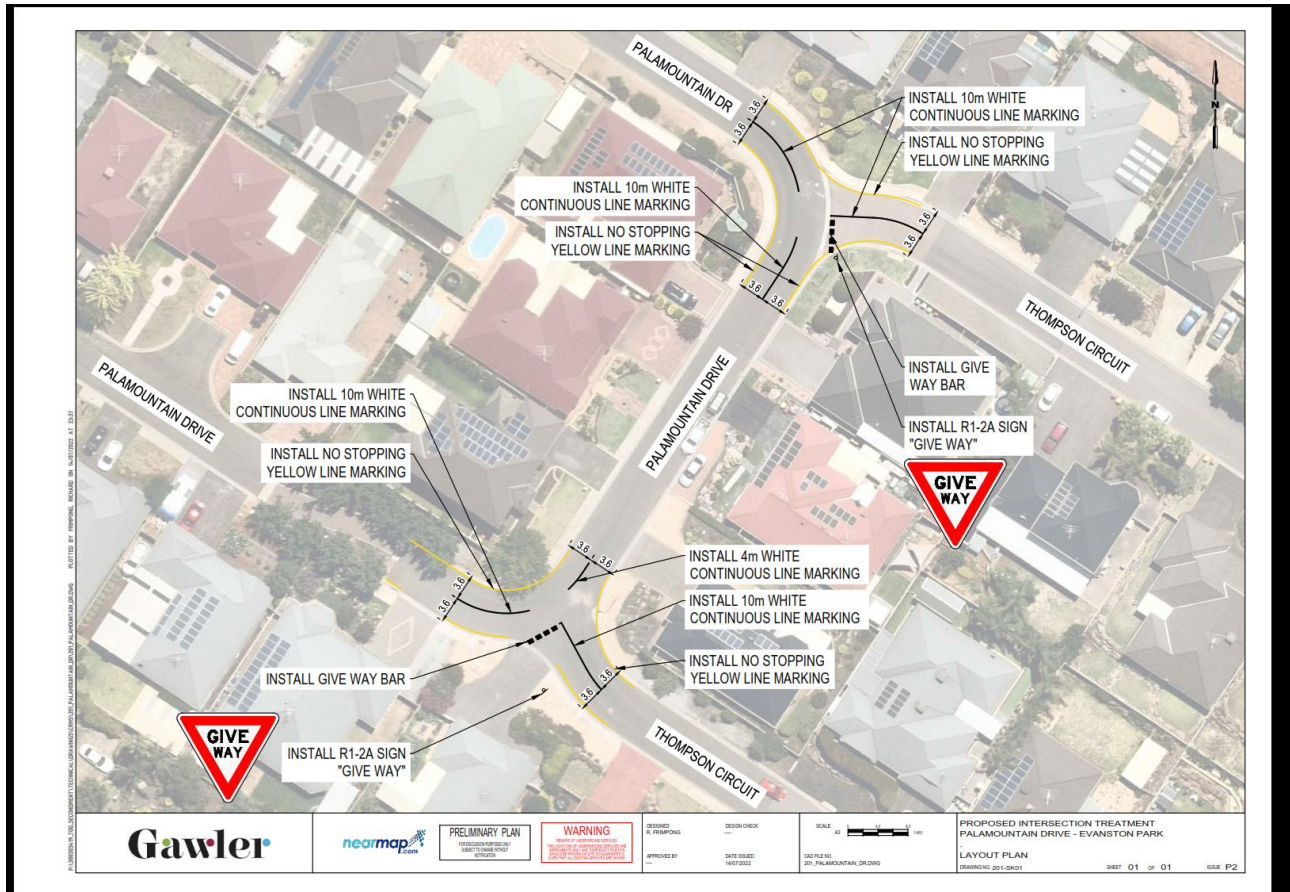


Figure 2: Final signage and line-marking plan proposed on Palamountain Drive and Thompson Circuit incorporating feedback from the consultation with local residents.

Council approval is sought for the final signage and line-marking plan. On approval staff will inform local residents of the outcome and implement the changes in the near future.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Acting Executive Manager Infrastructure and Operations
Acting Team Leader Engineering Services
Traffic Engineer

CONSULTATION (EXTERNAL TO COUNCIL)

Community consultation undertaken with a letter issued to the residents (refer **Attachment 1**) of Palamountain Drive and Thompson Circuit for a three week consultation period commencing on 17 June 2022.

Fourteen feedback forms were received with ten responses in support of proposal, with some offering further options for improvement which have been taken into account where possible.

The four responses opposed to the proposed intervention were generally of the view the existing traffic management was adequate and that local drivers should exercise better care when driving.

POLICY IMPLICATIONS

Nil

RISK EVALUATION

| Risk | |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Identify | Mitigation |
| Costs of Implementation | Proposed scope of works is only minor (line marking and signage) and therefore won't require a considerable amount of civil works. |
| Concerns over the perceived loss of parking | Council correspondence notifying the outcomes will provide clarity about the benefits of the solution outweighing any perceived loss of carparking. |
| Opportunity | |
| Identify | Maximising the Opportunity |
| Improved Safety Benefit | Proposed treatment will improve the safety of movements through the intersection and ensure that parking will be undertaken in a safe location |

STATUTORY REQUIREMENTS*Local Government Act 1999**Road Traffic Act 1961***FINANCIAL/BUDGET IMPLICATIONS**

There are minimal financial implications for the proposed traffic interventions as they consist only of line-marking and additional signage. The costs of which are estimated at \$2,000 It is proposed that works will be implemented through the Council's Town services team funded through the Road Safety Improvement 2022-23 budget approved in the 2022-23 Council budget.

COMMUNITY PLAN

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

10.4 COUNCIL ASSESSMENT PANEL APPOINTMENT OF INDEPENDENT MEMBERS

Record Number: CC22/232;IC22/288

Author(s): Chris Hannaford, Senior Strategic Planner

Previous Motions: Council, 26/04/2022, RESOLUTION 2022:04:COU121

Attachments: Nil

OFFICER'S RECOMMENDATION

That Council extends the current Council Assessment Panel's (Independent Members) term by four months until 28 February 2023 to account for upcoming Local Government elections.

SUMMARY

The current Council Assessment Panel's term concludes 30 September 2022. With upcoming Local Government Elections and a pending caretaker period coming into effect, a new Council Assessment Panel cannot be formally appointed until a new Council is in effect. As a result, this report seeks to extend the existing Panel's terms by four months to account for this period.

BACKGROUND

In April 2022 a detailed report relative to the Council Assessment Panel's (CAP) composition was provided in response to the (Previous) Presiding Member's resignation, the following motion adopted:

RESOLUTION 2022:04:COU121

Moved: Cr P Koch

Seconded: Cr C Davies

That Council:

1. *Appoints Dr Iris Iwanicki, as a fit and proper person who is appropriately qualified to act as a member of the Assessment Panel on account of his/her experience, to the position of Presiding Member of the Council Assessment Panel for the remaining period concluding 30 September 2022.*
3. *Appoints Ms Stephanie Johnson to the position of Deputy Independent Member of the Council Assessment Panel for the remaining period concluding 30 September 2022 and Mr Michael Wohlstadt (Deputy), and Sandy Wilkinson (Deputy)*
4. *Authorises the Manager Development, Environment and Regulatory Services to commence an advertising/recruitment process in due course to ultimately appoint a new Council Assessment Panel for a two-year period from 1 October 2022 – 29 September 2024.*
 - 4.1 *The selection panel to recommend to Council the appointment of new Council Assessment Panel Independent Members include Mayor Redman and Councillors Davies, Koch, Shanks, Hughes.*

COMMENTS/DISCUSSION

The current CAP's period concludes 30 September 2022. The intent, based on Council's previous motion was to have progressed seeking new appointments to the CAP prior 30 September. However, due to extenuating circumstances, including staff movements and other pressing priorities, the

process to appoint CAP members has not been able to commence prior to this point. Consequently, there is now an issue in that Council cannot appoint a new CAP during the upcoming caretaker period.

As a result, this report seeks for the current panel's term to be extended by four months to account for the caretaker and election periods.

Subject to Council's consideration in this regard the process to seek appointments to the CAP will commence immediately.

All existing CAP members have been contacted confirming their willingness and availability to continue to function on the CAP.

The advertising and recruitment process will commence shortly through the caretaker and election period, with the next Council to ultimately appoint the next CAP. A report to this effect is planned to be presented to a future Council meeting.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Acting Executive Manager Development & Compliance
Senior Strategic Planner

CONSULTATION (EXTERNAL TO COUNCIL)

Nil

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

The appointment of the CAP is required by the *Planning Development and Infrastructure Act 2016*.

FINANCIAL/BUDGET IMPLICATIONS

Independent members of the CAP receive remuneration for attendance at meetings. These costs are accounted for in Council's annual recurrent budget.

COMMUNITY PLAN

- 5.1 Be recognised as a best practice organisation delivering effective services and collaborating regionally
- 5.3 Continue to deliver effective services and refine management processes

10.5 POLICY REVIEW

Record Number: CC22/232;IC22/460

Author(s): Chris Haynes, Governance Support Officer

Previous Motions: Nil

Attachments: 1. **Policy - Hire of Council Owned Facilities 2022 CR22/37464** 

OFFICER'S RECOMMENDATION

That Council adopt the Hire of Council Owned Facilities Policy

SUMMARY

This report is part of an ongoing review of the Policy and Code of Practice Manual and provides an update on a number of policies that have recently been reviewed.

BACKGROUND

Policies, codes of practice and codes of conduct are fundamental components of Council's good governance framework. Councils use them to:

- a) Set directions;
- b) Guide decision making by the elected Council and administration; and
- c) Inform the public about how Council will normally act.

Policies and codes are living documents. Accordingly, they must be subject to evaluation and review, on a regular basis, to ensure that they continue to reflect Council's views.

Where changes have been made they are shown via "Track Changes" to the document.

The policies provided in this report are made publicly available on Council's website together with any mandatory procedures. Procedures that have been created for a policy or code are referenced on the front page of each policy/code. If a procedure is mandatory it will be presented at the time of the review of its respective policy/code.

COMMENTS/DISCUSSION

The policy below has been reviewed by Council Officers and updated to align with current practices.

Hire of Council Owned Facilities

The Hire of Council Owned Facilities Policy has been reviewed by staff and minor changes only are recommended, such as the review date and an assessment officer. **(Attachment 1)**.

Other minor amendments take into account responsible officers due to the organisation restructure.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Governance Officer
Other relevant Council staff

CONSULTATION (EXTERNAL TO COUNCIL)

Nil.

POLICY IMPLICATIONS

The Policy presented inform the operational consequences in the relevant areas of Council.

Due to amendments to section 132 – Access to documents of the Local Government Act, the Availability of Policy clause of all policies in future reviews will be amended to read

“The Policy is available to be downloaded, free of charge, from Council’s website at www.gawler.sa.gov.au.

A printed copy may be purchased on request from the Council’s Administration Centre.”

RISK EVALUATION

| Risk | |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Identify | Mitigation |
| Not meeting legislated requirements and/or service standards adopted by Council. | Review regularly to ensure codes and policies reflect current expectations and practices of Council and clearly guide decision making processes that reflect community needs. |
| Opportunity | |
| Identify | Maximising the Opportunity |
| Community awareness | Codes and policies that are legislated or have been introduced at Council's discretion, will assist in community understanding of the services standards of Council. |

STATUTORY REQUIREMENTS

Certain Policies and Codes of Practice are required in accordance with the *Local Government Act 1999*.

FINANCIAL/BUDGET IMPLICATIONS

Implementation and application of the Policies and Codes of Practice will, to varying degrees, have financial consequences on the Council.

COMMUNITY PLAN

- 1.2 Foster a vibrant and active local community that is proud of Gawler
- 1.3 Protect and promote Gawler’s unique history
- 2.1 Physical and social infrastructure to service our growing population and economy
- 2.3 Manage growth through the real connection of people and places
- 2.4 Local economic activity to create local job opportunities and generate increased local wealth
- 3.1 Gawler to be an inclusive community with quality health and social wellbeing services to meet the needs of our growing community
- 3.2 Provide sporting and recreational facilities to meet local and regional community needs
- 5.1 Be recognised as a best practice organisation delivering effective services and collaborating regionally
- 5.2 Foster and encourage community teamwork
- 5.3 Continue to deliver effective services and refine management processes

10.6 STRATEGIC SUPPLY AGREEMENT - SPORTS LIGHTING

Record Number: CC22/232;IC22/506

Author(s): Whendee Young, Acting Executive Manager Infrastructure & Operations

Previous Motions: Nil

Attachments: Nil

OFFICER'S RECOMMENDATION

That Council:

- 1. Notes the Strategic Supply Agreement – Sports Lighting Report.**
- 2. Notes the pipeline of recreational sporting infrastructure to be delivered by the Council over the next 5 – 10 years.**
- 3. Notes the opportunities and potential benefits of a strategic supply agreement for sports lighting.**
- 4. Supports the proposal and authorises the public tender for a strategic supply agreement for sports lighting.**
- 5. Notes staff will present a recommendation to Council once tenders are received and evaluation is completed.**

SUMMARY

Staff have experienced inflation costs for capital works projects over the past 6-12 months due to causes identified in the State of the Market – Construction Report (refer Agenda Item 11.1). In order to best manage supply and financial risks staff have been investigating options that can mitigate the cost risks to Council.

Council's *Open Space, Sports & Recreation Plan 2025* seeks to increase the provision and quality of sporting open space to cater for future population growth. Two key masterplans adopted by Council to achieve the strategic plan are the *Karbeethan Reserve Masterplan* and the *Essex Park & Gawler Showgrounds Regional Sporting Precinct Master Plan*. Due to the large number of live and planned sporting capital works projects within these masterplans, staff consider that Council may benefit from a strategic supply agreement for sports lighting.

This report presents a summary of the options, benefits and risks associated with the strategic supply of sports lighting.

BACKGROUND

The current construction market is experiencing adverse market conditions and supply chain disruptions. The Town of Gawler has a large number of live and upcoming sporting projects which may benefit Council by providing price certainty. Key short term projects this strategic agreement seeks to impact are the Karbeethan Reserve Stage 1 and Essex Park & Gawler Showgrounds Regional Sporting Precinct netball courts.

COMMENTS/DISCUSSIONProposal

Sports lighting is a consistent element in the delivery of various sporting projects and presents an opportunity for strategic supply agreement for this element of works across multiple projects.

Through consultation with procurement specialists, the agreement is recommended to be for an initial three year term with two extensions of two years offered in the contract should this be of benefit for Council at the time. The initial term is based on the number of live sporting projects Council are delivering in the short term including, but not limited to, Karbeethan Reserve Stage 1 and the Essex Park & Gawler Showgrounds Regional Sporting Precinct Netball Court upgrades. Another possible application in this regard is the South Gawler Football Club intend/need to replace their oval lights. Refer to separate report in this agenda.

The proposal aims to:

- Mitigate head contractor markups and margin on the wholesale price of sports lighting, presenting a best value proposition for Council.
- Mitigate the risks of a volatile market and provide price and leadtime certainty for projects.
- Reduce impact of supply chain delays by sourcing Australian manufactured lighting.

Market Approach

The tender will be an open public tender released on Tenders SA for an extended 6-week period. Based on recent experience, staff believe this will provide the most competitive market for tenderers to submit as well as ensure all available tenderers have the opportunity to submit. This market approach has been successfully used for similar supply agreements such as the Gawler Public Lighting Upgrade Supply Contract.

Scope of Services & Brief for Tender

Staff consulted with internal procurement specialists, the Acting Executive Manager Infrastructure and Operations, the Team Leader Recreation and Community, external costs consultant, and conducted preliminary market engagement with three suppliers to understand the opportunities and constraints for the tender.

Through this consultation process, the following scope was developed.

1. Provide unit rates for LED luminaires in accordance with the relevant sporting bodies lux specifications for all levels of sports (community organised sport to highest division/league standard) for the following sports:
 - a. Baseball
 - b. Softball
 - c. Soccer
 - d. Netball
 - e. Lawn Bowls
 - f. Petanque
 - g. Australian Rules Football (AFL)
 - h. Cricket
2. Provide unit rates for lighting drivers for the relevant luminaries based on simple switching.
3. Provide all costs centres for a locked in time for three years with an option for two further two year extensions.
4. Provide any escalation percentage that may be required by the business between any contract extensions.
5. Provide maximum lead-times from date of order for supply of the lighting and drivers including delivery.
6. Provide a standard rate for delivery to:
 - a. Council Depot; and
 - b. Third party offsite storage located within Adelaide Metropolitan Area
7. Provision of a ten-year minimum manufacturer's warranty for both lighting & drivers

8. Provide assistance to Council and relevant design teams to select the most appropriate Capex and Opex efficient lighting solution to achieve the sporting performance objectives on a project-by-project basis.
9. Provide details of supply chain, manufacturing facility and capacity.
10. Ensure that the Luminaires and drivers (the "Materials") are packaged for outdoor storage (weather proof), on standard pallet and to be unloaded by standard forklift.
11. Engage with Council and, or the Appointed Contractor (project-by-project basis) regarding the delivery of the Materials
12. Ensure the safe storage and transportation of the Materials until they have been received by Council and, or the Appointed Contractor.
13. Where Materials are found to be faulty or defective prior to being installed, the successful Tenderer will be responsible for providing replacement items.
14. Engage with Council, or the appointed Contractor, to ensure appropriate delivery of the Materials which meet Council's, or the Appointed Contractor's, requirements for accepting handling and storing the Materials.
15. Following installation of the luminaires liaise with the Appointed Contractor to true up the number/model of luminaires and drivers within 60 days from the conclusion of the project installation (as advised by the Appointed Contractor), and for the return of excess luminaires to the successful Tenderer, such that the Town of Gawler is not to pay for more materials than are required.

Once the tender process has been completed, staff will report back to Council on the outcomes of the procurement for Council endorsement.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
 Acting Executive Manager Infrastructure and Operations
 Manager Strategy
 Procurement Specialist
 Senior Project Manager – APP Corporation

CONSULTATION (EXTERNAL TO COUNCIL)

Chris Sale Consulting – Quantity Surveyor & Cost Planner
 APP Corporation – Project Management & Advisory Services

POLICY IMPLICATIONS

Asset Capitalisation Policy
 Infrastructure Asset Management Policy

RISK EVALUATION

The commentary provided within the 'Comments/Discussion' section of this report highlights the many benefits and opportunities for Council which are summarised in the table below. Given the decision from Council is for authorisation to go to tender only, there is minimal risk associated with the decision.

| Risks | Mitigation |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Tender – Value in the tender submissions does not present a cost benefit to Council and or may not receive tenders given the current climate. | Tender Evaluation & Award – Council are not required to engage in a Contract post tender if the cost benefit outcome is not tangible. |

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Rise & Fall – Tenderers may hedge against rise and fall in their submissions which may not present the best value to Council | Tender Evaluation & Award – Council are not required to engage in a Contract post tender if the cost benefit outcome is not tangible. |
| Opportunities | Optimisation |
| Price Certainty – Locking in a price for a minimum 3-year hedges Council against the current rate of inflation | Cost-benefit – undertake a cost benefit analysis as part of the evaluation process to understand the long-term benefit to Council. |
| Leadtime Certainty – Provides contractual lead times for Council to plan and mitigate any programme risk. | Early Procurement – will enable early procurement if the project is under programme pressure. |
| Reduced Cost – Locking in a supply agreement may reduce the unit price to Council (supplier wholesale pricing) and it will remove the additional contractor mark-up which can range from 10-17% in the current market. | Public Tender – a competitive tender environment will provide the best price outcome for Council |

STATUTORY REQUIREMENTS

Local Government Act 1999.

Planning Development & Infrastructure Act 2016.

FINANCIAL/BUDGET IMPLICATIONS

There are no direct financial or budget implication of this noting report. However, the process for strategic supply of sport lighting infrastructure is intended to provide a financial benefit, or at minimum reduce financial risk, for the projects included in the Karbeethan Reserve and Essex Park & Gawler Showgrounds Regional Sporting Precinct Master Plans. The approval from Council is for a public tender only for strategic supply of sports lighting, the award of such a Contract will be a future Council decision once the submissions have been received, evaluated, and recommended by the panel.

COMMUNITY PLAN

- 2.1 Physical and social infrastructure to service our growing population and economy
- 2.4 Local economic activity to create local job opportunities and generate increased local wealth
- 3.2 Provide sporting and recreational facilities to meet local and regional community needs
- 4.5 Support the provision of useable public realm that preserves and enhances the environment and biodiversity
- 5.1 Be recognised as a best practice organisation delivering effective services and collaborating regionally
- 5.3 Continue to deliver effective services and refine management processes

11 INFORMATION REPORTS

11.1 STATE OF THE MARKET - CONSTRUCTION

Record Number: CC22/232;IC22/505

Author(s): Whendee Young, Acting Executive Manager Infrastructure & Operations

Previous Motions: Nil

Attachments: Nil

OFFICER'S RECOMMENDATION

That Council notes:

- 1 The State of the Market – Construction Report.
- 2 The external factors contributing to the escalation in the construction market including but not limited to COVID-19 supply chain disruptions, government incentives in the residential (HomeBuilder Grant) and major infrastructure markets, labour shortages across all sectors, 6.1% Consumer Price Index driving wage increases, war in Ukraine impacting fuel prices (+103.0%) and logistics costs, and RBA increase in cash rate increasing overhead costs for businesses.
- 3 The construction industry has been impacted by insolvencies across Australia and industry bodies forecast more insolvencies in the next 12 months.
- 4 State Government South Australia Department of Infrastructure & Transport has introduced rise and fall of 5% into all construction contracts effective from 1 August 2022.
- 5 South Australia has the highest annual increase in construction costs, up 10.5% and 2.2% over the three months to June 2022 based on CoreLogic's Cordell Construction Cost Index (CCCI) for Q2 2022.
- 6 RBA forecast peak inflation for CPI is expected at 7.75% in December 2022.
- 7 Staff are currently investigating alternative procurement methods for Council consideration to assist in mitigating the risk of the current construction market.
- 8 The summary of sources used to support the findings in this report.

SUMMARY

Staff have experienced several failed tenders over the past 6-12 months due to no submissions being received for public tenders or significantly escalated costs from tenderers compared to current external cost advice. Failed tenders have impacted Staff's ability to meet delivery timeframes for a number of key projects within the capital works programme and it is anticipated this will likely continue for the next six months as inflation continues across all markets.

Every effort has and will continue to be directed to mitigate these consequences such as to deliver projects on time and on budget as and where possible.

There are several factors that have been contributing to cost escalation in the market including:

- COVID-19 supply chain disruptions;
- Government incentives in the residential (HomeBuilder Grant) and major infrastructure markets;
- Labour shortages across all sectors:

- 6.1% Consumer Price Index driving wage increases;
- War in Ukraine impacting fuel prices and logistics costs; and
- Multiple RBA decisions to raise the cash rate, increasing overhead costs for businesses.

In response to the expected short-term shift in the market, staff are investigating alternative approaches to procurement and some strategic agreements to get the best value for money whilst continuing to deliver key infrastructure for the community as best possible with prudent consideration of value for money. Refer separate report in this agenda re Strategic Supply Agreement – Sport lighting.

This report presents a summary of these driving forces and the options staff are investigating to manage risk to Council.

BACKGROUND

Staff have experienced extreme cost and program escalation, and failed tenders in the market over the past 6-12 months impacting the delivery of the Capital Works Programme for the end of 21/22 FY and beginning of the 22/23 FY programme. This report aims to provide an insight into the external market factors contributing to the increased prices and lack of response from tenders. It also aims to outline responses being investigated by Council to mitigate the risk to infrastructure delivery.

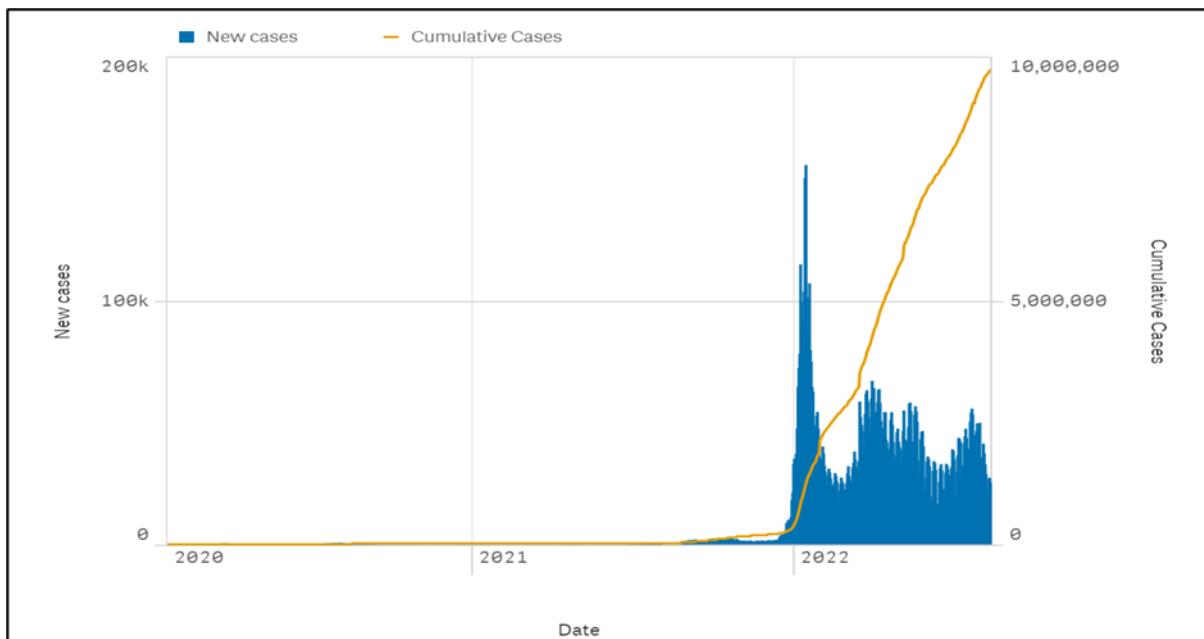
COMMENTS/DISCUSSION

Staff have identified, through extensive research and discussions with consultants and contractors in the construction industry, the key external factors which are impacting the price and availability of contractors in the market. The main resources staff used to source supporting information for this report are outlined below and provided in appendix for reference.

- SA Health
- The Australian Government Department of Health
- The Australian Government the Treasury
- Australian Bureau of Statistics
- Reserve Bank of Australia
- Master Builders Australia
- Organisation for Economic Co-operation and Development
- CoreLogic Australia (Cordell Construction Cost Index CCCI)
- Australian Property Journal
- The Guardian
- Daily Mail Online
- The Urban Developer
- The Sydney Morning Herald
- ABC News

COVID-19

COVID-19 has had a protracted impact on the market which has been driven primarily due to supply chain issues, increased logistics costs, the Federal and State Government's "road-to-recovery" infrastructure spending, and a disrupted workforce due to isolation requirements and illness. The Australian Government Department of Health graph below (Graph 1) highlights the total number of COVID-19 cases reported, highlighting the majority of labour force disruption across all markets, states and territories has occurred this year in 2022, noting that in 2020 and 2021 there were also more minor labour force disruptions due to lockdowns.

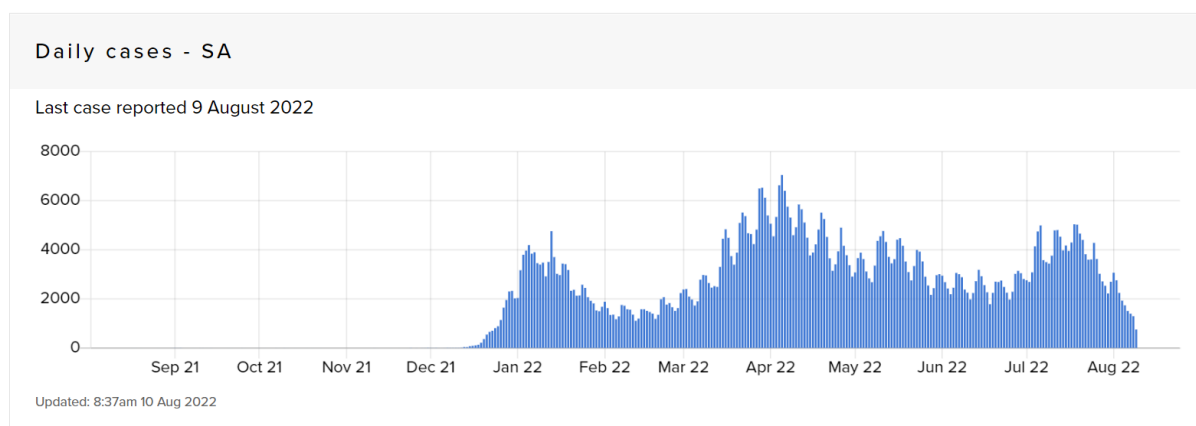


Graph 1: Australian Department of Health Total COVID-19 Cases indicating the main period of workforce disruption to date

Source: <https://www.health.gov.au/health-alerts/covid-19/case-numbers-and-statistics>

This is also reflective in the local, South Australian data from SA Health shown in Graph 2. The trend in South Australia has largely followed the national trend, however, did not experience the same level of reported impact over the December 2021/January 2022 period. The greatest reported peak of COVID-19 cases in South Australia was during the month of April 2022 which can largely be correlated to the Easter Break.

Daily COVID-19 cases for the last 12 months



Graph 2: SA Health Total COVID-19 Cases

Source: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/infectious+diseases/covid-19/response/latest+updates/covid-19+dashboard>

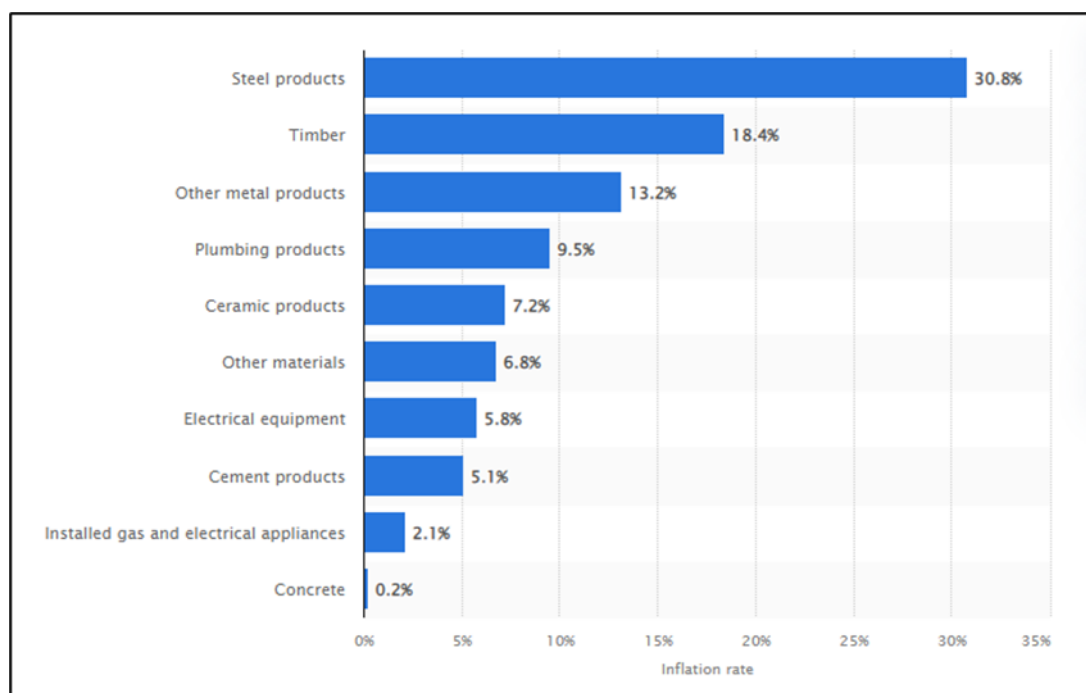
Supply Chain Disruption

The Australian construction industry is still heavily reliant on importing products and materials from countries such as China to deliver projects across all sectors of the industry. China's Zero-COVID Policy has seen significant disruption to key material and product imports due to large scale lockdowns such as the once recently experienced in Shanghai over the months of April and May 2022. These types of disruption in the supply chain are leading to price increases and longer than anticipated lead-times impacting Contractors and Principal's ability to deliver projects on time and within budget. Procuring local where possible as a mitigation strategy is being broadly undertaken by the market, however this has increased demand past the capacity of local suppliers to support the volume of materials, products and services required.

Government Infrastructure Spending & Incentives

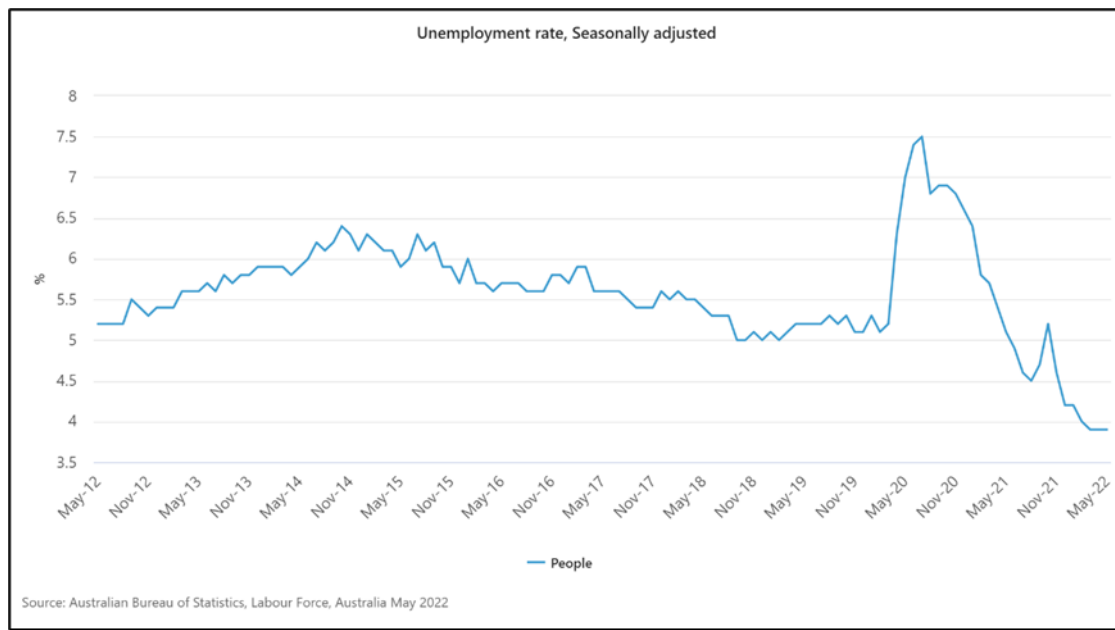
The Australian Government implemented a significant infrastructure spending plan and incentive schemes, such as HomeBuilder, to mitigate the economic impacts of COVID-19. This strategy was also implemented by many other countries around the world which significantly increased the global demand for finite resources. The Treasury and Master Builders Australia reported 137,621 Australians applied for the HomeBuilder grant which directly supported 374,340 full-time jobs and boosted the economy by \$120.62 billion with the value of work supported by HomeBuilder at \$41.6 billion. The HomeBuilder scheme whilst being incredibly successful in boosting the economy out of COVID-19, also put significant pressure on the commercial construction industry impacting material supply and costs.

Materials and products, steel and timber in particular, have experienced quarterly increases over the past 12-24 months, in some cases rising 26% per quarter for timber and 17% for steel. Graph 3 provides a breakdown of material specific inflation for 2021 noting this level of inflation has continued into 2022. South Australia has experienced the highest average construction cost increase of 10.5% annually and 2.2% over the three months to June 2022 as reported in CoreLogic Cordell Construction Cost Index (CCCI).



Graph 3: Construction Material Price Inflation 2021

Source: [Australia: construction costs inflation by material 2021 | Statista](#)



Graph 4: Australian Bureau of Statistics Labour Force

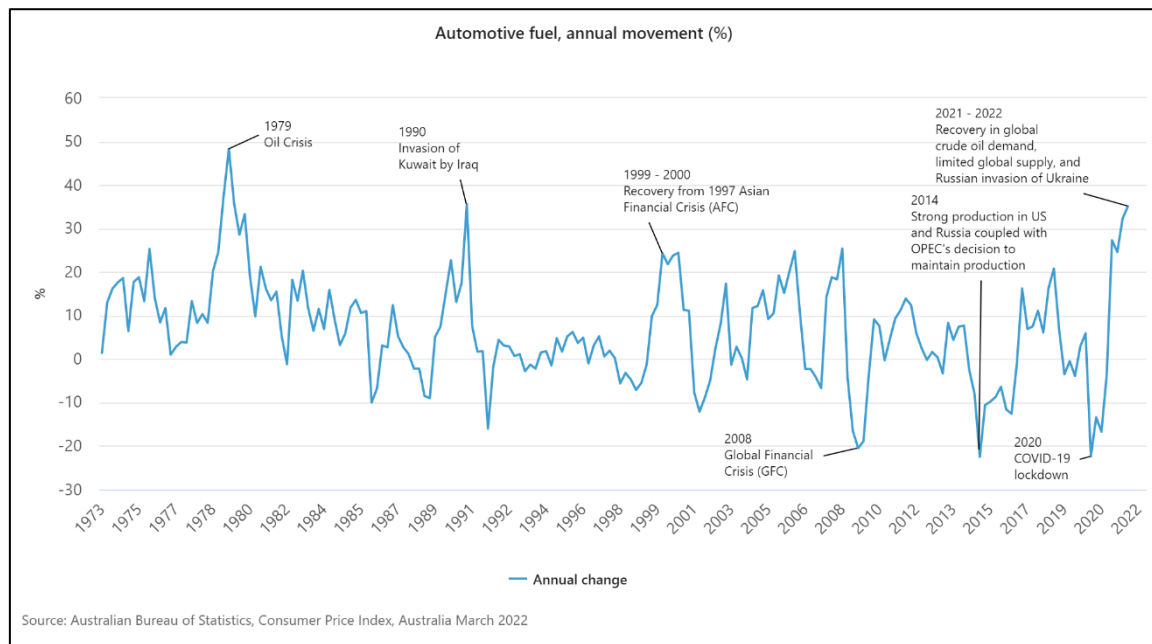
Labour Shortages

Australia is facing labour shortages in all markets with the ABC reporting more than 423,000 job vacancies, on recent data from the Australian Bureau of Statistics (ABS). This is almost double the pre-pandemic job vacancy figures from February 2020. Graph 4 from the ABS illustrates the significant decline in the unemployment rate since May 2020.

Labour in the commercial construction market has suffered impacts from a tightening market due to mass government infrastructure spending and the HomeBuilder program and COVID-19 disruptions. In a tightening labour market, there is also a high turnover with staff, driven by demand and higher wages offered, causing disruption and increased cost of labour for majority of organisations. Local Governments have experienced high staff turnover in the last 6-12 months driven by these circumstances.

War in Ukraine

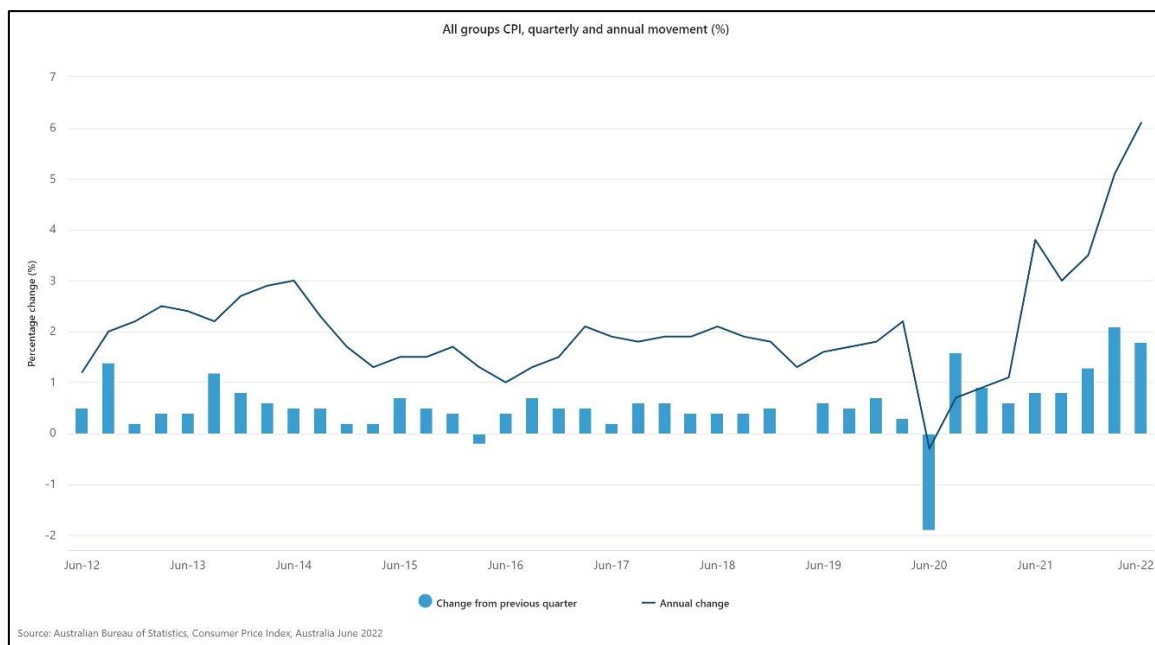
The War in the Ukraine has further compounded market pressures experienced due to COVID-19. The cost increases directly impacting the construction market are the increase in crude oil and further inflation of timber and steel prices as key export markets for Ukraine. Although the Australian Government implemented a fuel excise to mitigate the impact to both households and industry, there is still a significant increase in logistics costs globally. Graph 5 from the ABS highlights the record high automotive fuel costs. Reports from the Organisation for Economic Co-operation and Development on logistics costs since the war have noted a 103.0% increase in the cost of global logistics.



Graph 5: Australian Bureau of Statistics Automotive Fuel

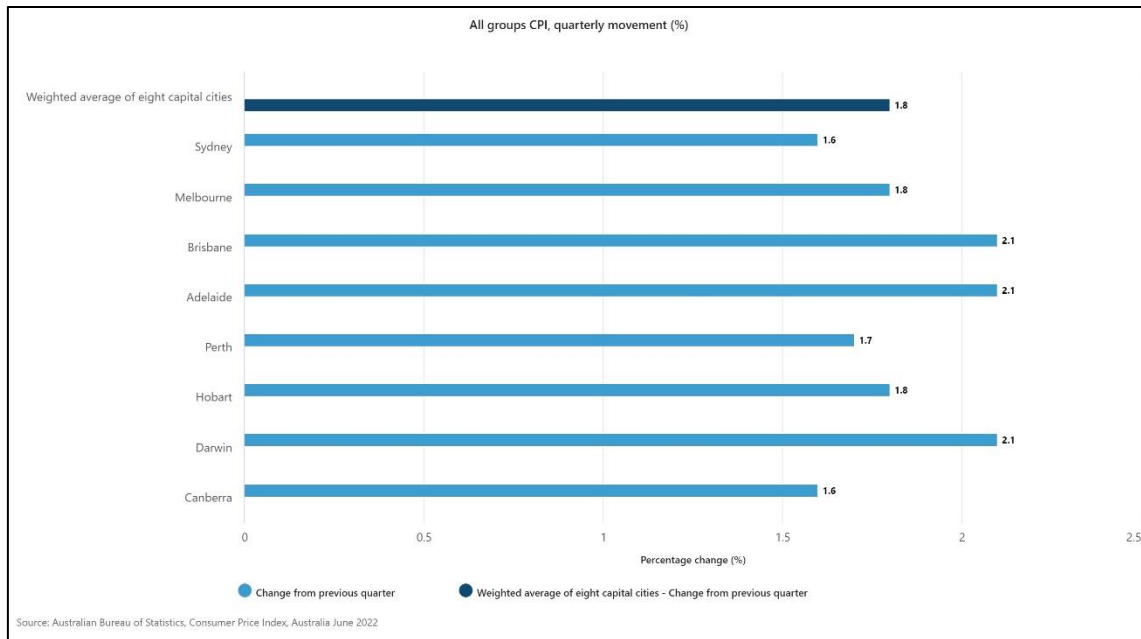
Inflation & RBA Increase in Cash Rate

The Australian Bureau of Statistics (ABS) notes in its latest report Annual CPI inflation increased to 6.1 per cent in the June quarter, due to higher dwelling construction costs and automotive fuel prices. This is illustrated graph 6 from the ABS June 2022.



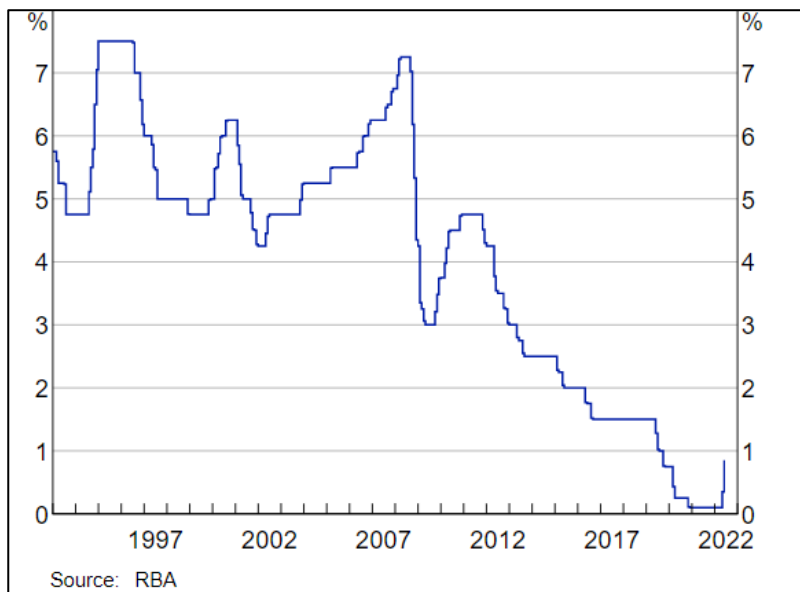
Graph 6: Australian Bureau of Statistics Consumer Price Index

Graph 7 from the ABS highlights Brisbane, Adelaide and Darwin have had the largest quarterly movement in CPI.



Graph 7: Australian Bureau of Statistics Consumer Price Index

The Reserve Bank Australia (RBA) have revised their projection of 7% peak inflation to 7.75% forecast for December 2022. The RBA has increased the cash rate target by 25 basis points in May, by a further 50 basis points in June and again in August. The RBA committed to curbing inflation and instilling economic measures to bring the CPI back to a 'comfortable' 2-3%. The RBA have advised these measures will likely include further increases to the cash-rate to ensure the mid-term target inflation rate of 7-8% is maintained.



Graph 8: Reserve Bank of Australia Cash Rate Target

Widespread Contractor Insolvencies

Since the start of the pandemic, there has been widespread and significant contractor insolvencies in the Australian market. The key driver for this has been supply chain issues, delays due to the pandemic, and escalating material costs with contractual arrangement not allowing contractors cost or time relief. A key example of this was the collapse of ProBuild in February 2022 which saw 2,300 creditors on the hook and approximately 800 workers owed \$14 million. The Daily Mail reported in July 2022, twelve construction companies, in addition to ProBuild, that were recently forced to close due to escalating costs, labour shortages and contractual risk allocation in a volatile market.

The increase of insolvencies has made contractors defensive in their tender submissions ensuring they have plenty of contingency to mitigate the current adverse and inflationary market conditions. This is evident in tender submissions received by Council in the last six months with prices being between 15-65% higher than the recent, independent cost estimates. The widespread insolvencies have also led contractors to request a rise and fall clause be included in the contract. The South Australian Government Department for Infrastructure and Transport has implemented rise and fall of 5% on all active and new contracts from 1 August 2022 to mitigate the risk to industry.

Council Market Response

Council have recently experienced a number of failed tenders and are investigating the following responses:

- Tender that received no submissions are being reviewed and Staff are investigating the options for strategic packaging.
- Tenders that received inflated prices are being reviewed and Staff are investigating options for value management, strategic packaging and/or alternative contracting models.

Due to the above external economic factors, Staff are discussing with industry experts how to best approach the market to continue service delivery and mitigate risk of increased cost to Council. Several responses have been identified and require further investigation and consultation to understand if they are appropriate for Council:

- Strategic Supply Agreements (refer separate report in this agenda)
- Formal Expression of Interests to Market
- Strategic Packaging of Works
- Alternative Contracting Models

Staff will continue to investigate options to mitigate the external economic impacts for project delivery and report back Council with any recommendations that arise.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Executive Manager Business Enterprises and Communication
Executive Manager Finance & Corporate Governance
Acting Executive Manager Development & Compliance
Acting Executive Manager Infrastructure and Operations
Manager Library and Community Services
Procurement Specialist
Senior Project Manager – APP Corporation

CONSULTATION (EXTERNAL TO COUNCIL)

Chris Sale Consulting – Quantity Surveyor & Cost Planner
APP Corporation – Project Management & Advisory Services

POLICY IMPLICATIONS

Asset Capitalisation Policy
Infrastructure Asset Management Policy

RISK EVALUATION

| Risk | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Identify | Mitigation |
| Market forces continue to drive project costs up resulting in project not being able to be delivered due to funding shortages and/or lack of value for public money. | Staff continue to liaise closely with procurement and contractors to understand market pressures and develop strategies to minimise impacts where possible. |
| Market forces cause contractor insolvencies resulting failure to complete projects. | |
| Market forces result in extended project programs resulting in project not being delivered in the desired timeframes. | |
| Market driven risks result in grant funded projects not meeting grant milestones. | Staff continue to liaise with grant bodies to gauge understanding of opportunities with market risks and work collaboratively to find solutions. |
| Opportunity | |
| Identify | Maximising the Opportunity |
| Improved understanding of the market encourages innovative procurement and project scoping/programming. | Staff consider the market forces across the capital works portfolio and develop delivery and procurement strategies that reduce delivery risks and potentially improve delivery into the future as the market cools down. |

STATUTORY REQUIREMENTS

Local Government Act 1999.

Planning Development & Infrastructure Act 2016.

FINANCIAL/BUDGET IMPLICATIONS

There are no direct financial or budget implication of this noting report. However, the state of the market continues to present financial risk in most capital delivery projects. There is a heightened risk of procurement processes returning with higher than expected values and longer than desired programs. These risks have an impact on:

- The ability of project to deliver the full scope desired;
- The risk of project contingency being insufficient;
- The reduced likelihood of projects being delivered within the desired program; and
- The ability for grant funded projects to meet milestones.

COMMUNITY PLAN

- 2.1 Physical and social infrastructure to service our growing population and economy
- 2.4 Local economic activity to create local job opportunities and generate increased local wealth
- 3.2 Provide sporting and recreational facilities to meet local and regional community needs
- 4.5 Support the provision of useable public realm that preserves and enhances the environment and biodiversity
- 5.1 Be recognised as a best practice organisation delivering effective services and collaborating regionally
- 5.3 Continue to deliver effective services and refine management processes

11.2 DISPLAY OF LOCAL GOVERNMENT ELECTION SIGNS

Record Number: CC22/232;IC22/524

Author(s): Jordan Dodd, Team Leader Governance & Records

Previous Motions: Nil

Attachments: Nil

OFFICER'S RECOMMENDATION

That:

- 1. The Display of Local Government Election Signs report be noted.**
- 2. All candidates for the 2022 Local Government elections be notified of the election signage requirements following the close of nominations on 6 September 2022.**

SUMMARY

When the *Statutes Amendment (Local Government Review) Act 2021* was assented, it affected particular clauses with respect to election signage.

The changes under the Act specifically prohibit electoral posters made of corflute or plastic. Importantly, election signage is still permitted if it is made from non-prohibited material, and its placement otherwise complies with the Town of Gawler By-Laws.

BACKGROUND

Amendments to Section 226 *Moveable Signs* of the *Local Government Act 1999* (Local Government Act) prohibit the display of **electoral advertising posters** relating to elections held under the Local Government Act or the *Local Government (Elections) Act 1999* on a public road (including any structure, fixture or vegetation on a public road). This provision commenced on 10 November 2021.

Electoral advertising poster, is defined in section 226(5) of the Local Government Act, and means a poster displaying electoral advertising made of—

- (a) corflute; or
- (b) plastic; or
- (c) any other material, or kind of material, prescribed by the regulations.

There have not been any other materials prescribed by regulation at this time.

Local government election sign is not defined in the Local Government Act or within the Town of Gawler By-Laws. The Town of Gawler By-Laws provide an exemption to any sign that is "*related to an election held under the Local Government Act 1999 or Local Government (Elections) Act 1999.*"

Application of the relevant legislation would define local government election signs to mean a moveable election advertisement, notice, or election sign (not made of corflute or plastic) which is intended to affect the result of an election or poll, and which can be moved or removed without causing any damage to the infrastructure or land upon which it is placed or to which it is attached, whether free-standing or not.

All local government election signs are a type of moveable sign.

COMMENTS/DISCUSSION

During the period commencing four weeks immediately before the date that has been set for polling day and ending at the close of voting on polling day, the Town of Gawler Moveable Signs By-law does not apply to a sign related to an election held under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* as a specific exemption is provided within the By-law.

For the November 2022 Council elections, the relevant period for display of local government election signs **commences 13 October 2022 and concludes at 5pm on 10 November 2022.**

The following requirements apply to the display of local government election signs (and electoral advertising posters) within the Town of Gawler during the specified period:

- Display of electoral advertising posters (being those made of prohibited materials) on public roads (including any structure, fixture or vegetation on a public road) is prohibited. Maximum penalty: \$5 000.
- A local government election sign (not being made of a prohibited material) may be displayed on Council infrastructure on a road provided it does not unreasonably restrict the use of the road or endanger members of the public (and complies with any requirements contained in the council Road By-law).
- Candidates must comply with the requirements of the General Approval issued by SA Power Networks and the Department for Infrastructure and Transport (**the Relevant Authorities**) in order to display local government election signs (not being electoral advertising posters) on infrastructure owned by the Relevant Authorities on a road.
- Candidates must obtain permission from private property owners for the placement of local government election signs (which may include electoral advertising posters) on private property. It is the responsibility of candidates to consider whether development approval is required for any local government election sign to be displayed on private property and make the relevant applications to Council for that purpose if necessary.

For any signs which are not electoral advertising posters, this approach is consistent with the approach taken for both State and Commonwealth elections, and previous local government elections.

Outside of the specified four-week period the Council Moveable Signs By-law applies to local government election signs.

COMMUNICATION (INTERNAL TO COUNCIL)

Chief Executive Officer
Governance Officers

CONSULTATION (EXTERNAL TO COUNCIL)

Local Government Association of South Australia

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Local Government Act 1999
Local Government (Elections) Act 1999
Town of Gawler – Moveable Signs By-Law

FINANCIAL/BUDGET IMPLICATIONS

Nil

COMMUNITY PLAN

5.2 Foster and encourage community teamwork

5.3 Continue to deliver effective services and refine management processes



11.3 GRANTS UPDATE

Record Number: CC22/232;IC22/423

Author(s): Kirsty Dudley, Special Projects Officer

Previous Motions: Council 24 May 2022 Resolution 2022:05:COU155; Council 24 May 2022 Resolution 2022:05:COU165;

Attachments:

1. **Grants Register FY2021-2022 - as at 8 August 2022 CR22/55121** 
2. **Grant Opportunities and Forecast - for Grants Update Report August 2022 CR22/55137** 

OFFICER'S RECOMMENDATION

That Council notes:

1. As at 9 August 2022, Council has 25 grants that are operational, comprising 21 funding agreements, with an approximate investment of more than \$18.3M from Federal and State Government, external and Town of Gawler sources. The total value of external funds being provided to Council under these operational grants is more than \$13.5M with Council's cash contributions being approximately \$4.46M.
2. Acquittal reports have been approved for the following Grants:
 - a. Department of Human Services Gawler Youth Week 2022 – Why Gawler? (\$1,500)
3. The following funding agreements resulting from the State Election have been fully executed:
 - a. Department of Infrastructure and Transport – Reid Reserve Playground and Amenities (\$600,000).
 - b. Department of Infrastructure and Transport – Redbanks Road Roundabout Safety Upgrades (\$760,000).
 - c. Department of Infrastructure and Transport – Tambelin Railway Station Carpark Renewal (\$530,000).
 - d. Department of Infrastructure and Transport – Apex Park Inclusivity Upgrade (\$60,000).
 - e. Department of Infrastructure and Transport – Local Playground Safety Upgrades at Bacton Reserve (\$80,000), and Gawler West Reserve (\$20,000) - combined \$100,000.
 - f. Office for Recreation, Sport and Racing – Karbeethan Reserve Synthetic Soccer Pitch with a \$1,000,000 contribution to the approximate \$2,400,000 project.
 - g. Office for Recreation, Sport and Racing – Gawler and District Netball Association Courts Redevelopment - \$4,800,000 fully funded project.
4. An application was submitted and was successful in being awarded \$5,000 (inclusive of GST) by the Cat and Dog Management Board of South Australia, co-funding the "Council NDN Cooperative De-sexing Program" project, with the funding agreement having been finalised.
5. An application was lodged to the Local Government Association of South Australia's Local Government Research and Development Scheme, seeking funding of \$232,712 for The Red Room Project - Lockers and Services Supporting Those Experiencing Homelessness, with a Council contribution of \$35,000 in-kind to the project. The outcome of the application is pending, with the announcement expected on 22 September 2022.

SUMMARY

This report provides an update on grants that are operational, as well as the status of grant applications submitted, new funding received and possible grant opportunities for Council's information and discussion.

BACKGROUND

Council was provided with the last quarterly grants update report at the 24 May 2022 Council Meeting, where the following was resolved:

RESOLUTION 2022:05:COU165

Moved: Cr C Davies

Seconded: Cr D Fraser

That Council notes that:

1. *As at 16 May 2022, Council has 20 grants that are operational, comprising 18 funding agreements, with an approximate investment of more than \$9.17m from Federal and State Government, external and Town of Gawler sources. The total value of external funds being provided to Council under these operational grants is more than \$5.2M with Council's cash contributions being approximately \$3M.*
2. *Acquittal reports have been approved for the following Grants:*
 - a. *Department of Infrastructure, Transport, Regional Development and Communications - Heavy Vehicle Safety and Productivity Program - Murray Street Stage 7 – approved by the Federal Government for the expenditure of \$324,324 (with the final grant payment still to be made via the State Government acquittal which has been lodged).*
 - b. *Local Government Transport Advisory Panel - Special Local Roads – Murray Street Stage 7 - Council received \$854,000 in funding with a project saving of \$171,351.45. The resultant savings have been applied to a reallocation of funds application to the Nineteenth Street Project and is awaiting confirmation.*
 - c. *Department of Infrastructure and Transport – Places for People – Walker Place Project - \$1,006,361 expenditure approved for the Walker Place redevelopment project. (It is noted that in May 2022, the Project was acknowledged, being awarded the International Public Works Engineers Australasian 2022 Award for 'Best Public Works Project of the Year under \$2 million').*
 - d. *Wellbeing SA & Department of Health and Wellbeing - COVID-19 Vaccine Uptake Community Grants and Training – Promoting Vaccine Update in Gawler and Surrounds Project – fully funded at \$35,040 – Acquittal has been lodged, approval yet to be received.*
 - e. *National Australia Day Council – Council acquitted the \$20,000 received the provision of a Covid-Safe 2022 Australia Day Citizenship and Awards Ceremony.*
3. *The Work Schedule to be funded by the Local Roads and Community Infrastructure Phase 3 grant has been approved by the Australian Government.*
4. *It applied to Department of Human Services - South Australian Youth Week seeking \$1,500 for the hosting of youth week events in Gawler. Council was advised it was successful in its application.*
5. *It applied to the LGA / Department of Education - Local Government Early Childhood Community Innovation Grants seeking \$15,000 for the Gawler Activity Garden program. Council has been advised its application was successful and the funding agreement has been finalised.*
6. *The funding agreement has been fully executed for the Greening Adelaide - Greener Neighbourhoods – Getting Gawler Greener project for grant funding of \$150,000 to increase tree canopy coverage and create conditions of continuous shade on walking and cycling routes leading to five Gawler rail stations.*

7. *A further allocation of funding through the Local Roads and Community Infrastructure Program Phase 3 Extension has been announced and Council will receive an allocation of \$405,562. The funding will be available from the 1 July 2023 with projects to be completed by 30 June 2024. The guidelines for this phase and the funding agreements are under development and will be provided when available.*
8. *A separate report within this agenda discusses several grant opportunities in relation to election promises made by the South Australian Labor Party in the lead up to the State Election.*

A further report was also presented to the same meeting relating to funding opportunities resulting from the State Election outcome resulting in the following resolution:

RESOLUTION 2022:05:COU155

Moved: Deputy Mayor D Hughes

Seconded: Cr C Davies

That Council:

1. *Notes the Funding Opportunities resulting from the State Election Outcome report and that additional update reports will be provided for Council's consideration when more information regarding these opportunities becomes available.*
2. *Authorises the Chief Executive Officer, or delegate, to submit the relevant forms to the Office for Recreation Sport and Racing that will be used to develop a grant agreement for the delivery of the Gawler and District Netball Association Courts project that has a total estimated cost of \$4.8M with the State Government providing 100% of funding required to deliver the project.*
3. *Notes that a further report will be provided for Council's consideration when the grant agreement for the Gawler and District Netball Association Courts project is received.*
4. *Authorises the Chief Executive Officer, or delegate, to submit the relevant forms to the Office for Recreation Sport and Racing that will be used to develop a grant agreement for the delivery of the Karbeethan Reserve Synthetic Soccer Pitch project that has a total estimated cost of \$2.4M with the State Government providing a contribution of \$1M towards delivery of the project and the shortfall (estimated at \$1.4M) to be funded by any other funding partners that Council can secure (if not Council will consider its capacity to fund) prior to the project's delivery.*
5. *Requests Council Staff to seek additional funding contributions towards the delivery of the Karbeethan Reserve Synthetic Soccer Pitch by way of grant applications to relevant funding bodies, private investment, sponsorship and / or donations.*
6. *Notes that a further report will be provided for Council's consideration when the grant agreement for the Karbeethan Reserve Synthetic Soccer Pitch project is received.*
7. *Thanks the local member, Mr Piccolo for his efforts in this regard.*

This report provides Council with an update on grant activities undertaken from 17 May to 9 August 2022.

COMMENTS/DISCUSSION

As at 9 August 2022, Council has 25 grants that are operational, comprising 21 funding agreements, with an approximate investment of more than \$18.3M from Federal and State Government, external and Town of Gawler sources. The total value of external funds being provided to Council under these operational grants is more than \$13.5M with Council's cash contribution being approximately \$4.46M.

Attachment 1 provides a summary of Council's current project grant portfolio as at 9 August 2022.

This report provides information for Council's consideration on external funding activities for the 17 May 2022 to 9 August 2022 period as per the below table:

| Item | Description | Total |
|------|-----------------------------------------|-------|
| 1 | Acquitted Funding Agreements | 1 |
| 2 | Executed Funding Agreements | 8 |
| 3 | Successful Grant Applications | 2 |
| 4 | Submitted Grant Applications/EOI | 3 |
| 5 | Unsuccessful Grant Applications | 0 |
| 6 | Pending Submissions | 1 |
| 7 | Grant Opportunities | 2 |
| 8 | Grant Support to External Organisations | 2 |

1. Acquitted Funding Agreements

Throughout the reporting period one grant was acquitted, namely:

Department of Human Services Gawler Youth Week 2022 – Why Gawler?

Youth Week is South Australia's largest celebration of young people aged 12 – 25 years, and is an opportunity to recognise their idea, talents and their contributions to our community.

Council was successful in receiving \$1,500 from the SA Youth Week Grant program for the "Why Gawler?" project. The project involved bringing together young people from Gawler to write an original song about what makes Gawler special, and to create a film clip for that song.

The project started in the April school holidays, with up to 40 young people involved in every aspect of planning, writing the music and lyrics for the song, recording the song, and then producing the film. Young people were supported throughout this process by some very talented local artists including Mark Dean (Crafty), Mikala Wood and Ethan White.

Grant obligations have been met, the funding received, and acquittal finalised.

2. Executed Funding Agreements

Throughout the reporting period eight grant agreements were executed by the Town of Gawler, namely:

Department of Infrastructure and Transport – Community Infrastructure Grants

The following funding agreements resulting from the State Election have been executed:

- a. Department of Infrastructure and Transport – Reid Reserve Playground and Amenities (\$600,000).
- b. Department of Infrastructure and Transport – Redbanks Road Roundabout Safety Upgrades (\$760,000).
- c. Department of Infrastructure and Transport – Tambelin Railway Station Carpark Renewal (\$530,000).
- d. Department of Infrastructure and Transport – Apex Park Inclusivity Upgrade (\$60,000).
- e. Department of Infrastructure and Transport – Local Playground Safety Upgrades at Bacton Reserve (\$80,000) and Gawler West Reserve (\$20,000) – combined \$100,000.

Office for Recreation, Sport and Racing – Election Commitment Grants

The following funding agreements resulting from the State Election have been executed:

- a. Office for Recreation, Sport and Racing – Karbeethan Reserve Synthetic Soccer Pitch - \$1,000,000 contribution to the approximate \$2,400,000 project.
- b. Office for Recreation, Sport and Racing – Gawler and District Netball Association Courts Redevelopment - \$4,800,000 fully funded project.

All of the above grants and funding agreements have been the subject of previous Council reports.

Dog and Cat Management Board – Council NDN Cooperative De-sexing Program

The National De-sexing Network (NDN) facilitates a cooperative de-sexing program between Councils and vets offer affordable pet de-sexing to families/people in financial need. The Dog & Cat Management Board offered Councils funding (up to \$5,000 per Council) to participate in the program, with Councils being required to contribute matching funds.

The Town of Gawler was successful in receiving a \$5,000 (GST inclusive) grant (overall project value \$10,000 including GST) from the Dog and Cat Management Board to support a cat de-sexing program in Gawler, noting Councils contribution was funded through savings from the 2021/22 Animal Management budget. The program will be administered entirely by the NDN and will give Council the capacity to subsidise or fund the de-sexing of cats through participating veterinary surgeries in the local area. The \$10,000 GST inclusive fund will be available through the NDN program until exhausted.

This program prevents abandonment and euthanasia; reduces the number wandering and unowned cats; reduces council costs collecting, holding, and euthanasing or rehoming unwanted animals; reduces wildlife predation; and supports responsible pet ownership. Whilst the program focusses on cats due to their fast breeding and higher intake/euthanasia rates, dogs can be included as well. Council funds used proactively in this way over several years, along with other strategies, has demonstratively reduced the number of abandoned cats in pounds and shelters.

The funding will support a proactive initiative by Council's Community Safety Team, to target semi owned cats within known areas, encouraging community members to take responsible ownership of cats within neighbourhood areas by providing financial support for de-sexing and microchipping. Further, to support vulnerable and low-income community members to work collaboratively with Council in the best interest of their pets and the surrounding community.

The funding will be utilised to specifically target problematic areas where nuisance cat issues have been reported in the past, along with proactively approaching some of our known animal hoarders and low-income pet owners. Initially there will be strict criteria to access the program, so that funds can be directed to the areas of need to achieve the most successful possible outcomes.

3. Successful Grant Applications

Throughout the reporting period the Town of Gawler was advised it was successful in its funding applications for:

Dog and Cat Management Board – Council NDN Cooperative De-sexing Program

As reported above, The Dog and Cat Management Board has provided dollar-for-dollar co-funding of \$5,000 (GST inclusive) towards the "Council NDN Cooperative De-sexing Program" project.

4. Submitted Grant Applications

Throughout the reporting period two grant applications were submitted by the Town of Gawler, namely:

Dog and Cat Management Board – Council NDN Cooperative De-sexing Program

As highlighted earlier in this report, The Town of Gawler was successful in accessing a \$5,000 (GST inclusive) grant from the Dog and Cat Management Board to support a cat de-sexing program in Gawler. Council was advised it was successful in its bid for funding on 9 June 2022.

Local Government Association of South Australia – Local Government Research and Development Scheme 2022-23 - The Red Room Project - Lockers and Services Supporting Those Experiencing Homelessness

The Local Government Research and Development Scheme funds innovative projects that benefit South Australian councils and tackle sector-wide challenges. Funded projects could build strategic capacity, inject innovation, or transform practices for the benefit of the sector. This is an annual funding round, with no fixed maximum or minimum funding amount available for project proposals. While co-contributions are encouraged, they are not required.

Town of Gawler has been working collaboratively with SAPOL (Gawler Station), The Salvation Army (Gawler Branch), and other local stakeholders all with a demonstrated commitment towards implementing local solutions for the growing number of homeless people in the area.

Together, the concept of the Red Room Project has been developed. The aim of the initiative is to provide support to rough sleepers through their experience, linking them to relevant and appropriate services as well as providing access to tangible items such as 'survival kits' and storage lockers in which to safely and securely keep their belongings.

The Salvation Army as the 'backbone' organisation will act as the 'gateway' for referrals to services that will assist with individualised gradual steps towards appropriate housing. The backbone organisation provides participants with a sense of belonging in the virtual 'Red Room' by developing relationships, establishing trust, providing ongoing support, as well as offering meals, washing and shower facilities.

Town of Gawler is seeking to fund the engagement of a Project Officer/Homelessness Connections Officer to research an integrated and sustainable program. The proposed project will be a 'practitioner led' research project, collecting quantitative data, developing networks, creating a pilot program with supporting templates and a costed model for implementation hopefully across the Local Government sector.

The program will be evaluated, with recommendations and resources developed into a 'Toolkit' for other Councils to consider and implement in their own regions.

Council is seeking a grant for \$232,712 with an in-kind Council contribution of \$35,000 which is mostly in other staff resourcing and use of plant and equipment supporting the Project Officer role.

Office for Recreation, Sport and Racing – Election Commitment Grants

As previously advised Council submitted applications/information for the following funding resulting from the State Election as per the process requested by Office for Recreation, Sport and Racing:

- a. Office for Recreation, Sport and Racing – Karbeethan Reserve Synthetic Soccer Pitch - \$1,000,000 contribution to the approximate \$2,400,000 project.
- b. Office for Recreation, Sport and Racing – Gawler and District Netball Association Courts Redevelopment - \$4,800,000 fully funded project.

5. Unsuccessful Grant Submissions

Council has not been advised of any unsuccessful grant submissions throughout this reporting period.

6. Pending Submissions

Local Government Association of South Australia – Local Government Research and Development Scheme 2022-23 - The Red Room Project - Lockers and Services Supporting Those Experiencing Homelessness

Details of this project are detailed earlier in this report. Council awaits to hear the outcome of its application with the total project amount requested from the Scheme is \$232,712, with an in-kind contribution from Council of \$35,000. Should the funding be successful, Council would seek to start the project in October 2022 and conclude in October 2024.

7. Grant Opportunities

Council staff regularly receive notifications of various grant opportunities and assess each opportunity for eligibility in the first instance and then for strategic alignment with Council projects and community needs against the grant program objectives, criteria, and the overall strength of a possible application. Capacity of the administration to deliver potential projects is also a significant factor relative to current and future work programming.

Council was potentially eligible for the grant opportunities listed in the table below. These opportunities were considered by Council's Executive Management Team and other relevant Staff and decisions regarding whether to apply or not were made as outlined in the table below.

| Funding body and Program | Application close | Consideration/decision |
|-------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Carclew - Project and Development Grant - organisations | Anticipated opening September 2022 | Community Services team are considering developing an artistic program for submission. |
| Office for Sport, Recreation & Racing - Community Recreation and Sport Facility program 2022-23 | Anticipated opening August 2022 | Council has committed to the development of an investment ready plan for modular change rooms at Gawler Oval as part of its 2022/23 budget, with the view to a future funding application. Staff will be commencing this project soon. |
| Department of Veterans Affairs – Saluting their Service | 7 February 2023 | Staff discussing projects that might align. |
| Office for Sport, Recreation & Racing – Active State Collaboration Program | 12 noon - 30 September 2022 | Council staff are not considering an application for this funding given its ongoing program delivery nature and need to have an established partnership model. |

Project and Development Grant (Organisations) – Carclew

This grant program is open to organisations, to support tangible arts projects delivered by organisations (not currently funded through a Carclew organisation grant) with the aim to increase creativity in the lives of young South Australians and is offering funding up to \$20,000.

Project and Development Grants for Organisations support:

- development and/or presentation of performances for young audiences and their families;
- development and/or presentation of performances by and with children and young people;
- creative skills development workshop or masterclass programs for children and young people, particularly those with presentation outcomes which celebrate the achievements of participants;
- intergenerational projects;
- projects which promote the exploration of culture for, by and with children and young people;
- arts projects which employ early career artists aged 26 years and under;
- arts projects which incorporate structured skills development and mentoring for early career artists aged 26 years and under;
- arts projects which actively address barriers to participation brought about by social and geographic disadvantage.

The Community Services team are considering developing an artistic program for submission, with applications closing on the 2 September 2022.

Community Recreation and Sport Facility program – Office for Recreation, Sport and Racing

The Office for Recreation, Sport and Racing have communicated that the Community Recreation and Sport Facility program is expected to open in August 2022 with a budget of \$5.67million. It has been noted that this single funding round may be the only funding offered by the Office during the current financial year, with this being influenced by significant levels sporting infrastructure funding provided in election commitments.

Council has committed to the development of an investment ready plan for modular change rooms at Gawler Oval as part of its 2022/23 budget, with the view to a future funding application. This approach is in response to feedback provided by the Office following Council's application last year for funding towards modular change rooms at three locations within Gawler.

This design project will commence in the near future and will provide Council a detailed design suitable for use in future funding application. It is important to note that the 2022/23 Council budget does not have the contributory funding allocation for any new sporting infrastructure projects required by this program.

Saluting their Service Commemorative Grants - Department of Veterans Affairs

The objective of the Saluting their Service Grant program is to commemorate the service and sacrifice of Australia's service personnel in wars, conflicts and peacekeeping operations.

The intended outcome of the grant opportunity is to provide funding for projects and activities that:

- promote appreciation and understanding of the experiences of service and the roles that those who served have played
- preserve, add to the sum of knowledge on, or provide access to information about Australia's wartime heritage.

Projects and activities relating to all wars, conflicts and peacekeeping operations are eligible. However, given the conclusion of the Anzac Centenary Period, projects and activities that commemorate later wars, conflicts and peacekeeping operations are now encouraged. The program aims to provide funding for projects and activities that are ready to proceed and where the funding will ensure their completion. Projects must be able to be completed within 12 months of the funding agreement being executed.

There are two categories of grant on offer being Community Grants and Major Grants that close on the 7 February 2023.

Community grants (CG)

Grants to a maximum of \$10,000 are available for local, community-based projects and activities.

These small grants are for projects and activities that are focused on the local community, commemorate the service and sacrifice of local community members, and are primarily accessed by the local community.

Some examples of CG projects and activities include:

- development of a digital honour roll
- restoration of an honour board
- purchase of a cabinet to display military memorabilia
- installation of a flagpole to display Australian National Flags on days of commemoration.

Major grants (MG)

Grants between \$10,001 and \$150,000 are available for major commemorative projects and activities that are significant from a national, state, territory and/or regional perspective. These projects may include the construction of new war or peace memorials, where none currently exist, as well as additions to existing memorials.

MG grants will have a much wider focus than CG category applications and must be commemorative of the service and sacrifice of service personnel beyond the local community, and/or consist of elements that are available to the whole nation, or residents of a state, territory, or regional area. A high monetary value project or activity does not necessarily mean that it is of national, state, territory and/or regional significance. Some examples of MG projects and activities include:

- construction of an interactive memorial walking track dedicated to Australian service personnel from the Vietnam War
- development of a digital honour roll and interpretive signage to commemorate the history of service personnel from a particular region
- publication of a book commemorating Australian service personnel from the Malayan Emergency
- development of a documentary commemorating Australian Prisoners of War.

Council staff are currently reviewing any projects that might align.

Active State Collaboration Program – Office for Recreation, Sport and Racing

The grant program will support projects that align with the ORSR 2021–2025 Strategic Plan, which has an ambitious set of goals to get South Australians moving. Applicants will be required to demonstrate how their project will contribute to the ORSR strategic priorities.

All projects must be able to prove a partnership (as a minimum) by providing documentation that clearly demonstrates that at least one other organisation is contributing to the development and delivery of the project.

Applicants must show how their project will achieve ORSR 2021–25 Strategic Plan priorities outlined below:

Active lives – Movement, play and performance is embedded into the daily lives of South Australians.

Places and spaces – Places and spaces that encourage and support movement, play and performance are accessible to all.

Strategic partnerships – Community outcomes are delivered through strategic partnerships.

The guidelines state that:

- Grants of up to \$500,000 can be requested and can be over multiple years (up to 3 years)
- Projects that bring communities together and impact physical activity participation rates through innovative solutions and leverage partnerships are more likely to be successful.
- Places and spaces projects should look to address activation, accessibility, and programming
- Infrastructure development projects are ineligible.

Applications close on 30 September 2022, noting that Council staff are not intending to submit an application for this funding program that has an ongoing program delivery focus.

Grant Support to External Groups/Organisations

Regional Development Australia Barossa Gawler Light Adelaide Plains - Tertiary Learning Hub in Gawler

In late March 2022, Regional Development Australia Barossa Gawler Light Adelaide Plains (RDABGLAP) applied to the then Federal Government's Department of Education, Skills and Employment's (DESE) 2022 Regional University Centres Program for funding assistance to deliver a university learning hub in Gawler, South Australia. The hub was proposed to be housed within the Town of Gawler's Civic Centre.

Unfortunately, the grant application from RDABGLAP was not successful, with initial feedback from DESE stating that Gawler, the location of the proposed Regional University Centre, is not an eligible site due to it being classed as a Major City under the Department's criteria.

Letters have been sent to Minister for Education, the Hon Jason Clare MP and the Member for Spence Mr Matt Burnell MP, seeking that the Government consider the implementation of a more contemporary approach to geographical location classifications. It is hoped that this approach will consider the overall context and purpose that a specific location serves, rather than just its physical distance from a major city. The letters also advocate that a category within the Regional University Centres Program specifically for peri-urban towns and cities is also considered.

Veterans Black Ops Shed – Defence Veterans Workshop

As a result of the election promises made by the Labor Party prior to the State Government election, the Department of Human Services will be providing the Veterans Black Op's with \$250,000 to fully fund the purchase and construction of a shed to be used for a Defence Veterans Workshop and meeting space on Council land.

Council has been a strong supporter of this initiative and are currently working with Veterans Black Ops towards the realisation of this project.

Local Car Club Grants – Office for Recreation, Sport and Racing

The recent state budget saw the announcement of the 'Local Car Club Grants' with the program having a \$2million budget across the next four years. The budget media release outlined that the program was 'to support local car clubs across SA so they can better meet growing operating costs, including managing the conditional registrations scheme.' No additional information (e.g. eligibility, guidelines, dates); outside of confirmation that the funding will be administered by the Office for Recreation, Sport and Racing has been provided to date. Staff will continue to seek further details from the Office and as applicable advise local organisations.

COMMUNICATION (INTERNAL TO COUNCIL)

Executive Management Team

Manager Strategy

Personal Assistant to Executive Manager Community & Strategy

CONSULTATION (EXTERNAL TO COUNCIL)

Department of Transport, Infrastructure, Regional Development and Communications

Office for Recreation, Sport and Racing

POLICY IMPLICATIONS

Budget Management Policy

RISK EVALUATION

| Risk | |
|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Identify | Mitigation |
| Not meeting milestones/ requirements in reporting or project outcomes resulting in a repayment event. | Manage and monitor project program, resources and milestones to meet objectives. Timely communication with funding body if variations to the project are required and seek approval prior to proceeding to expend funding in this regard. |
| Opportunity | |
| Identify | Maximising the Opportunity |
| Be recognised as a best practice organisation with regards to obtaining funding and delivering related outcomes. | Providing evidence to funding bodies of high value projects and high-quality project outcomes to secure significant funding in the future. |

STATUTORY REQUIREMENTS

Nil.

FINANCIAL/BUDGET IMPLICATIONS

The funding profile for projects that have received a grant offer and covered in this report is shown in the table below:

| Project & Funding Program | Funding Amount (Ex GST) | Council Contribution (Cash) | Other contributions (In-kind) | Total Estimated Project Cost (Ex GST) |
|---------------------------------------------------------------------------------------|--------------------------------|------------------------------------|--------------------------------------|----------------------------------------------|
| Community Infrastructure Grant – Apex Park Inclusive and Accessibility Infrastructure | \$60,000 | \$40,000 | | \$100,000 |

| | | | | |
|------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|---------|-------------|
| Community Infrastructure Grant – Playground Safety Upgrades | \$100,000 | | | \$100,000 |
| Community Infrastructure Grant – Redbank Road Roundabout and Pedestrian Crossing | \$760,000 | | | \$760,000 |
| Community Infrastructure Grant – Tambelin Station Carpark Upgrade | \$530,000 | | | \$530,000 |
| Community Infrastructure Grant – Reid Reserve Playground Development | \$600,000 | | | \$600,000 |
| Office for Recreation, Sport and Racing – Election Commitment Grant – Gawler and District Netball Association Courts Redevelopment | \$4,800,000 | | | \$4,800,000 |
| Office for Recreation, Sport and Racing – Election Commitment Grant – Karbeethan Reserve | \$1,000,000 | \$1,400,000 | | \$2,400,000 |
| Dog and Cat Management Board - Council NDN Cooperative De-sexing Program | \$4,545 | | \$4,545 | \$9,090 |

The projects listed within the above table have been included within Council's 2022/23 Current Budget and/or the Long-Term Financial Plan accordingly.

The funding profile for the only pending grant application that Council has currently is shown in the table below:

| Project & Funding Program | Funding Amount Requested | Council Contribution (Cash) | Other contributions (In-kind) | Total Estimated Project Cost |
|-------------------------------------------|---------------------------------|------------------------------------|--------------------------------------|-------------------------------------|
| Local Government Research and Development | \$232,712 | | \$35,000 | \$267,712 |

COMMUNITY PLAN

- 1.2 Foster a vibrant and active local community that is proud of Gawler
- 1.3 Protect and promote Gawler's unique history
- 2.1 Physical and social infrastructure to service our growing population and economy
- 2.3 Manage growth through the real connection of people and places
- 2.4 Local economic activity to create local job opportunities and generate increased local wealth
- 3.2 Provide sporting and recreational facilities to meet local and regional community needs
- 4.1 Act on climate change
- 4.2 Create and maintain a riverine environment that reflects the social, cultural and landscape values of the river corridor
- 4.4 Support sustainable use of natural resources and minimise waste
- 4.5 Support the provision of useable public realm that preserves and enhances the environment and biodiversity
- 5.1 Be recognised as a best practice organisation delivering effective services and collaborating regionally

11.4 MONTHLY FINANCE REPORT - JULY 2022**Record Number:** CC22/232;IC22/540**Author(s):** Erin McGarry, Financial Accountant**Previous Motions:** Nil**Attachments:** 1. **Monthly Finance Report - July 2022 CR22/53419** **OFFICER'S RECOMMENDATION****That Council notes:**

1. **The Monthly Finance Report as at 31 July 2022, detailing a favourable operating budget variance of \$624,000..**
2. **That \$257,000 of the favourable operating variance solely relates to a timing variation pertaining to external grant funding previously received for the Gawler Getting Greener initiative.**

SUMMARY

Council is reporting a favourable Year to Date (YTD) Operating Result variance of \$624K as at the reporting date.




BACKGROUND


The purpose of this report is to present the Monthly Finance Report in accordance with Clause 4.1.4.6 of Council's Budget Management Policy. The Monthly Finance Report is provided as **Attachment 1**.



COMMENTS/DISCUSSION

Council is reporting a favourable YTD Operating Result variance of \$624K as at the reporting date. It is relevant to note that \$257K of this favourable variance solely pertains to a grants funding timing variation across the 2021/22 and 2022/23 financial years relating to the *Gawler Getting Greener* initiative (as informed by the value of associated project work undertaken as at 30 June 2022). Given the grant funding was received in advance and in full during the 2021/22 financial year, the unspent value of the grant funding as at 30 June 2022 has been carried forward into the 2022/23 financial year.

The key variances that are detailed within **Attachment 1** are summarised below:

| Description | YTD Variance | |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------|
| Development Application Fees Collected (exceeding YTD budget) of \$13K and Property Search Fees Collected (exceeding YTD Budget) of \$4K | \$17K |  |
| Gawler Getting Greener Grant Funding (<i>timing variation only across 2021/22 and 2022/23 financial years</i>) | \$257K |  |
| Local Government Early Childhood Community Innovation Grant | \$13K |  |

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------------------------------------------|
| Employee Costs favourable YTD due to a combination of vacant positions, the majority of which have recently been filled or are being temporarily filled by agency staff (currently unfavourable by \$29K) | \$288K |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------------------------------------------|

Legend:  Represents an unfavourable variance  Represents a favourable variance

COMMUNICATION (INTERNAL TO COUNCIL)

Leadership Team
Manager Finance & Procurement

CONSULTATION (EXTERNAL TO COUNCIL)

Nil

POLICY IMPLICATIONS

Nil

RISK EVALUATION

| Risk | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Identify | Mitigation |
| Council is not appropriately informed of the Council's financial performance and/or emerging financial trends in between the periodic Quarterly Budget Reviews presented. | Preparation of Monthly Finance Reports tabled to Council which appropriately report the Council's financial performance on a monthly basis. Council's Budget Management Policy prescribes the format/content of the Monthly Finance Reports presented. |

STATUTORY REQUIREMENTS

Nil

FINANCIAL/BUDGET IMPLICATIONS

The cost of preparing the Monthly Finance Report is accommodated within the annual employment cost budget for the Financial Services Team.

The preparation of the Monthly Finance Report promotes financial accountability and transparency of Council's financial operations.

COMMUNITY PLAN

- 5.1 Be recognised as a best practice organisation delivering effective services and collaborating regionally

12 RECOMMENDATIONS FROM COMMITTEES**12.1 RECOMMENDATIONS FROM GAWLER YOUTH ADVISORY COMMITTEE MEETING HELD ON 1 AUGUST 2022**

Record Number: CC22/232;IC22/546

Author(s): Connie Hall, Administration Support Officer

Previous Motions: Nil

Attachments: Nil

Item 7.1 - Youth Development Officer Update

RECOMMENDATION

That Council adopts the recommendation from the Gawler Youth Advisory Committee made at item 7.1 of the meeting of that Committee meeting held on 1 August 2022, being:

That the Gawler Youth Advisory Committee recommends to Council that the Youth Development Officer Update report be noted.

Item 7.2 - Single Use Plastics Report

RECOMMENDATION

That Council adopts the recommendation from the Gawler Youth Advisory Committee made at item 7.2 of the meeting of that Committee meeting held on 1 August 2022, being:

That the Gawler Youth Advisory Committee recommends to Council that:

1. It notes that the State Government declared a Climate Emergency on 22 May 2022.
2. It notes the Single Use Plastics report.
3. It acknowledges the Town of Gawler's draft Climate Emergency Action Plan 2022-2030 and that time is of the essence in reducing emissions to achieve net zero within the community.
4. It notes the interest of the Gawler Youth Advisory Committee to support climate action and to reduce plastic waste. In particular, to support local action through the implementation of the Town of Gawler's draft Climate Emergency Action Plan and create engagement opportunities with young people.

Item 7.3 - Youth Sports Person and Youth Artist Sponsorship Program

RECOMMENDATION

That Council adopts the recommendation from the Gawler Youth Advisory Committee made at item 7.3 of the meeting of that Committee meeting held on 1 August 2022, being:

That the Gawler Youth Advisory Committee recommends to Council that the applications received from the following young people, totalling \$800 be approved:

1. Dekoda Hall – Artistic Skating (Youth Sports Person Sponsorship - \$100).
2. Miella Curthoys- Davies - Swimming (Youth Sports Person Sponsorship -\$100).
3. Keian Curthoys- Davies - Swimming (Youth Sports Person Sponsorship - \$100).
4. Rebecca Hardy – Golf (Youth Spots Person Sponsorship - \$100).
5. Cody Plummer – Swimming (Youth Sports Person Sponsorship - \$100).
6. Ella Fischer – Artistic Skating (Youth Sports Person Sponsorship - \$100).
7. Alyssa Dix – Dance (Youth Sports Person Sponsorship - \$100).
8. Charlotte Dix – Dance (Youth Sports Person Sponsorship - \$100).

12.2 RECOMMENDATIONS FROM INFRASTRUCTURE & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 9 AUGUST 2022

Record Number: CC22/232;IC22/558
Author(s): Chris Haynes, Governance Support Officer
Previous Motions: Nil
Attachments: Nil

12.2 Motions Made Under Delegated Authority for Noting

OFFICER'S RECOMMENDATION

That Council notes the adopted Motions from the Infrastructure & Environmental Services Committee made under Delegated Authority at the meeting held on 9 August 2022, being:

Item 7.1 - Rural Areas Land Capability Assessment - Public Consultation IC22/456

That the Infrastructure & Environmental Services Committee:

1. Notes the consultation report relative to the Draft Land Capability Assessment – Gawler Rural Zone - Report.
2. Notes the individual submissions received - provided in the Summary of Submissions outlined in Attachment 3.
3. Schedules a Special Infrastructure and Environmental Services Committee meeting to hear community concerns to be held within this term of Council.
4. Seeks advice from the Minister for Planning, Mr Nick Champion MP relative to progressing a Code Amendment for the Gawler Rural Zone.
5. Notes that the administration will proceed to finalise the Rural Areas Land Capability Assessment based on feedback received through the consultation process including verbal submissions to be held at the proposed Special Infrastructure and Environmental Services Committee.
6. Notes that the undertaking of the Rural Areas Land Capability Assessment report was triggered as a requirement of the then Minister Stephan Knoll further to Council submitting a Statement of Intent in May 2018 seeking to undertake investigations to proceed with a then Development Plan Amendment (now Code Amendment) that would seek to implement part or all of the Jensen Report. No. 2.

Item 7.4 - Clonlea Skate Park IC22/367

That the Infrastructure & Environmental Services Committee:

1. Notes the report which outlines improvement options for Clonlea Skate Park to improve its function and responds to the Council resolution from the 26 April 2022 Council meeting.
2. Notes Council staff to undertake stakeholder engagement with the community, including local residents and park users, to better understand resident views on the proposed changes to Clonlea Skate Park, which may include a) new lighting to extend usage of the park into the evening hours, b) the provision of shade for skate park users, c) provision of a new drinking water fountain which provides cooler water during summer months.
3. Note the consultation process will be undertaken after the November 2022 Council election.
4. Notes Council staff to report back to Council at a later date on the outcomes of the stakeholder engagement period with any regulatory restrictions, potential capital investment, operating maintenance costs and resourcing to undertake increased service level changes.

12.2.1 Item 7.2 - Asset Management Plans

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.2 of the meeting of that Committee meeting held on 9 August 2022, being:

That the Infrastructure & Environmental Services Committee recommends that Council:

1. Notes the community consultation of the draft Asset Management Plans (Transport, Stormwater & Open Space) has been completed.
2. Adopts the Transport Asset Management Plan, Stormwater Asset Management Plan and Open Space Asset Management Plan as amended.
3. Notes that an updated Buildings Condition Audit has been completed.
4. Notes that an updated Buildings Condition Audit will inform an updated Buildings Asset Management Plan that is to be delivered in the 2022/23 financial year.
5. Notes that all four Asset Management Plans will inform the future annual update of the Long Term Financial Plan in 2022/23.

12.2.2 Item 7.3 - Stormwater Management Plans Update

RECOMMENDATION

That Council adopts the recommendation from the Infrastructure & Environmental Services Committee made at item 7.3 of the meeting of that Committee meeting held on 9 August 2022, being:

That the Infrastructure and Environmental Services Committee recommends to Council that it:-

1. Notes the outcomes of the Phase 3 draft Gawler and Surrounds Stormwater Management Plan community and stakeholder consultation.
2. Notes the Gawler and Surrounds Stormwater Management Plan has been updated to reflect the feedback from community consultation.
3. Notes the updated draft Gawler and Surrounds Stormwater Management Plan and associated prioritised actions are expected to inform future updates to the Council's Long Term Infrastructure and Asset Management Plan and Long Term Financial Plan once adopted by the Council.
4. Endorses the Gawler and Surrounds Stormwater Management Plan for the purpose of seeking relevant approval from the Stormwater Management Authority in accordance with the requirements outlined in the Stormwater Management Authority Stormwater Management Planning Guidelines.

12.3 RECOMMENDATIONS FROM GAWLER HERITAGE COLLECTION COMMITTEE MEETING HELD ON 11 AUGUST 2022

Record Number: CC22/232;IC22/570
Author(s): Chris Haynes, Governance Support Officer
Previous Motions: Nil
Attachments: Nil

12.3 Motions Made Under Delegated Authority for Noting

OFFICER'S RECOMMENDATION

That Council notes the adopted Motions from the Gawler Heritage Collection Committee made under Delegated Authority at the meeting held on 11 August 2022, being:

Item 6.4 - Digitisation of The Bunyip IC22/404

That the Gawler Heritage Collection Committee notes:

1. That online access to copies of The Bunyip newspaper from 1863 to 1954, and other early newspapers that are in the Gawler Heritage Collection, are available online.
2. The cost of adding post 1954 editions of The Bunyip to Trove and that Council Staff will investigate grant opportunities through the Community Newspaper Digitisation Project as they are made public however, it is not a priority of the Cultural Heritage Centre to spend funding on adding further editions of The Bunyip to Trove at this time.

Item 7.1 - e-Hive Catalogue Update - January 2022 to July 2022 IC22/17

That the Gawler Heritage Collection Committee notes that:

1. There are currently 1,797 public and 1,785 private catalogue entries available on the Cultural Heritage Centre's electronic catalogue e-Hive with 338 catalogue entries being created over the reporting period.
2. There are six catalogue entries that have Significance Statements.

Item 7.2 - Annual Report IC22/403

That the Gawler Heritage Collection Committee

1. Notes the achievements of the Gawler Cultural Heritage Centre and the Gawler Heritage Collection Committee over the 2021/22 financial year
2. Thanks the Cultural Heritage Centre Staff and Volunteers for their work over the previous 12 months and congratulated them.

12.3.3 Item 6.1 - Request for Permission to Publish - Murray Street Maps

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.1 of the meeting of that Committee meeting held on 11 August 2022, being:

That the Gawler Heritage Collection Committee recommends to Council that:

1. Permission be granted for a copy of the following item be provided to Ms Angela Grimes for inclusion in a family history document
 - C0506015935 Copy of Peirce's 1886 Map of Murray Street- relevant section only.

12.3.4 Item 6.2 - Request for Permission to Publish - Monster Fair Poster

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.2 of the meeting of that Committee meeting held on 11 August 2022, being:

That the Gawler Heritage Collection Committee recommends to Council that:

1. Permission is not granted to provide a copy of the following item from the Gawler Heritage Collection to Mr Brian Polkinghorne
 - C0438194968 Monster Fair Poster

12.3.5 Item 6.3 - Request for Permission to Publish - EH Coombe Items

RECOMMENDATION

That Council adopts the recommendation from the Gawler Heritage Collection Committee made at item 6.3 of the meeting of that Committee meeting held on 11 August 2022, being:

That the Gawler Heritage Collection Committee recommends to Council that:

1. Permission is granted for the following items from the Gawler Heritage Collection to be published in the forthcoming book by Helen Hennessy and Patricia Booth:
 - C0461934313 Willaston Football Club 1907
 - C0461945885 Drawing of E. H. Coombe Monument at Tanunda by Julius Henschke
 - C0461951200 Gawler Institute Committee 1907
 - C0504307344 Painting of Gawler by Dr Nott 1855
 - C0461945908 Gawler Jubilee Committee 1907 (photo of S Rudall only)
 - C0138543774 photo John Rudall Town Clerk
 - C0462828604 photo Herman Bischof Jnr
 - C0452729230 photo Edward Potter
 - C0461955482 The Critic Souvenir Sep 1906 (photo Gawler Council 1906)
 - C0460521735 Photos of Mayors-John Jones, James Fergusson, Charles Rebbeck and Michael Lynch

Provided that a fee of \$100.00 is paid per image for :

- C0461934313 Willaston Football Club 1907
- C0461951200 Gawler Institute Committee 1907
- C0504307344 Painting of Gawler by Dr Nott 1855
- C0461945908 Gawler Jubilee Committee 1907 (photo of S Rudall only)
- C0138543774 photo John Rudall Town Clerk
- C0462828604 photo Herman Bischof Jnr
- C0452729230 photo Edward Potter
- C0460521735 Photos of Mayors-John Jones, James Fergusson, Charles Rebbeck and Michael Lynch

And a fee of \$150.00 is paid per image for:

- C0461945885 Drawing of E. H. Coombe Monument at Tanunda by Julius Henschke
 - C0461955482 The Critic Souvenir Sep 1906 (photo Gawler Council 1906)
- a) The images are appropriately attributed to the Gawler Heritage Collection and the Gawler Cultural Heritage Centre, and
- b) A copy of the publication is donated to the Gawler Heritage Collection once it is printed.
-

13 EXTERNAL BODIES REPORTS

Nil

14 QUESTIONS ON NOTICE

Nil

15 QUESTIONS WITHOUT NOTICE**16 MOTIONS ON NOTICE****16.1 NOTICE OF MOTION - CR SHANKS - GAWLER TENNIS ASSOCIATION MARKETING**

Record Number: CC22/232;IC22/517

Attachments: Nil

Councillor Nathan Shanks has given notice that he intends to move the following motion:

MOTION

That Council:

1. Formally rescind resolution 2022:01:COU003 as carried on 25 January 2022;
2. Provides support for the Gawler & District Tennis Association in their efforts to remain in operation by reallocating the \$5,000 referenced in resolution 2022:01:COU003 from marketing assistance and “in-kind” support to a direct cash sponsorship paid directly to the Gawler & District Tennis Association for the purpose of engaging a marketing contractor;
3. Provides the Gawler Tennis Association with Town of Gawler branding material for the purpose of promoting this sponsorship;
4. Authorises the Chief Executive Officer (or delegate) to enter into a sponsorship agreement with the Gawler & District Tennis Association to give effect to points 2 and 3 above.

PREAMBLE

If elected members recall, Mayor Redman moved a motion that resulted in the chamber directing council staff to provide a one off \$5,000 in kind support allocated to marketing for the Gawler tennis association. This was a great initiative and shows that the chamber acknowledges the challenging times the Gawler Tennis Association are navigating in the current climate. Since this motion was successful the Tennis association has elected a new president with Damian McGee now in the top role. Damian has a lot of experience with marketing through his own endeavours and has learnt on his professional relationships that has seen an in principal agreement struck with a local sports media company KOTN that will see a marketing agreement that aligns with the messaging and club direction the board are wanting to publicise consistently to the community/ region. Council support is appreciated however a small amendment of the previous support endorsed to a direct sponsorship agreement will give the association the support needed at this time of their marketing campaign that is hoping to be launched soon (pending this motions success). In addition, it is important to note this sponsorship will also provide the council the opportunity of cross market promotion with this community sporting club whilst only needing minor staffing time to provide the Town of Gawler branding material.

16.2 NOTICE OF MOTION - CR SHANKS - CODE OF PRACTICE FOR COUNCIL AND COMMITTEE MEETINGS PROCEDURE**Record Number:** CC22/232;IC22/518**Attachments:** Nil

Councillor Nathan Shanks has given notice that he intends to move the following motion:

MOTION

That Council amends the Code of Practice for Council and Committee Meetings Procedure that caps elected member motion on notice preambles at 200 words to 1000 words.

PREAMBLE

Councillors are elected to act as the conduit for the community on a vast range of items. Motions on Notice are one of the platform's elected members have the right to use to pursue/ direct our council administration to undertake whatever community outcome is needed at the time. I have witnessed an appetite for picking up efficiencies in meeting times, albeit I don't agree with some of the attempts as being successful but none the less there seems a consensus of meetings to run smoothly. By supporting above we support any elected member to articulate their reasoning behind their endeavours to allow the rest of the chamber to understand the reasoning behind a councillor moving a motion. Agree with the preamble or the motion is not what is important at this level that is left for the debate on the night. Any confusion on the "why" has the potential to be alleviated in a presented preamble. Some motions elected members move can be quite big items and as previously shown with my car club motion the value of having the appropriate information negates any ambiguity however in some case the appropriate information cannot be squeezed into 200 words. Imagine if we capped staff recommendations at 200 words and how ill-informed our decision making would be. We collectively appreciate the information we receive on a staff recommendation, providing the same opportunity to members of the board of directors of the company is no different. It also makes the verbal debate stronger as the speaker isn't trying to fit in every point in the allocated speaking time which in some cases can confuse the issue.

16.3 NOTICE OF MOTION - CR KOCH - NAWMA LANDFILL INVESTIGATION SUMMARY**Record Number:** CC22/232;IC22/556**Attachments:** Nil

Councillor Paul Koch has given notice that he intends to move the following motion:

MOTION

That the Council request that the NAWMA Board:

1. Provide a publicly available report summarising the investigation to date regarding the alternatives to landfill, including the preferred processes and locations.
2. Authorise community consultation on the different alternatives to begin. This consultation to be meaningful and broad ranging.
3. Use the feedback, from the community consultation as a guide to best utilisation of the allocated funds for the landfill alternative investigation.

PREAMBLE

As previously reported on and again in its recent Annual Business Plan, NAWMA is facing the closure of its Uleybury site and must decide on an alternative.

There are a range of different alternatives, and in order to facilitate timely and thorough investigations, the three constituent Councils agreed to allocate specific funding to undertake these investigations.

These investigations have been ongoing, with regular reporting back to the NAWMA Board. Pursuant to Section 90(2) and 93 of the Local Government Act, the Board has consistently decided to keep the reports in confidence, due to the information being commercial in nature.

Given the maturity of these investigations, it would now be timely to begin community consultation. In particular, if there is strong community opposition to a particular alternative, the Board needs to take this into consideration. The NAWMA Board needs to ensure resources are channelled to alternatives that have broad community support and therefore a high probability of success, so securing a landfill alternative is in place, post Uleybury closure.

16.4 NOTICE OF MOTION - CLIMATE EMERGENCY ACTION PLAN**Record Number:** CC22/232;IC22/562**Attachments:** Nil

Councillor Nathan Shanks has given notice that he intends to move the following motion:

MOTION

That Council:

1. Receive the CEAP feedback from the community consultation;
2. Move to schedule a special council meeting to endorse the CEAP before going into the caretaker period on 6 September 2022;
3. Partially rescind resolution 2022:05:COU173 as carried at the 24 May 2022 Council Meeting so that the following words are removed and rescinded:

“Item 10.1 - Climate Emergency Action Plan

That the administration present a report to the Audit & Risk Committee providing an overview as to the potential financial and risk implications of the draft Climate Emergency Action Plan.”

4. Provides an information report to a future audit committee meeting with an overview on what positive and negative financial outcomes could be attracted as actions from the CEAP are implemented.

PREAMBLE

As elected members remember the town of Gawler was the first council to move to declare a climate emergency. Since this motion, the council has been very active in communicating to the community on what we are wanting to achieve with the draft climate emergency action plan going out for community consultation in recent times. The plan has received very strong public support in the recent survey and public consultation. The working group has worked very hard to produce the document to the current level however a risk of this current chamber not having the chance to endorse this body of work has come to light.

Currently there is a recommendation that was passed unanimously that directed staff to provide a report to the audit committee to investigate any future potential financial risk that may be associated with specific actions the plan is calling to achieve. This direction is not a bad thing hence why it received my support previously however it has been brought to my attention that this has the real potential to stop the plan even making it to the current chamber for endorsement. This is not acceptable given the work invested and knowledge this chamber has with this plan. I would also consider it unfair to expect a new chamber to endorse a plan with out the knowing the history as we do.

Financial risks are certainly something we as elected members need to weigh up as will the future elected members however these expenditures only become active through the budget process. The endorsement of a plan costs nothing however any delays has a real chance of the 23/24 budget not being looked at with the climate lens we are preaching to be so important. I understand when this motion was put to the May meeting the timelines around a report going to the audit committee would have aligned however now I believe we are cutting it to fine and the motion above provides the correct direction moving forward given the timing of the decision making needed.

17 MOTIONS WITHOUT NOTICE**18 COUNCIL MEMBER ATTENDANCES & ACTIVITIES**

Nil

19 CONFIDENTIAL REPORTS**19.1 RECOMMENDATIONS FROM INFRASTRUCTURE & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 9 AUGUST 2022****Reason for Confidentiality**

In accordance with Sections 83(5) and 84(6) of the Local Government Act, 1999 – the Chief Executive Officer considers that this item may be considered in confidence by the Council on the grounds set out below (and therefore will remain confidential until the Council resolves how this item is to be classified).

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

OFFICER'S RECOMMENDATION

19.1 Recommendations from Infrastructure & Environmental Services Committee Meeting held on 9 August 2022

That:

1. Pursuant to Section 90(2) and Section 90(3) (b)(i) of the *Local Government Act 1999* (the Act), the Meeting orders that the public be excluded from attendance at this part of the meeting relating to Item 19.1, excepting the following persons:
 - Chief Executive Officer
 - Executive Manager Community & Strategy
 - Executive Manager Development & Compliance
 - Executive Manager Finance & Corporate Governance
 - Acting Executive Manager Infrastructure & Operations
 - Minute Taker

to enable the Meeting to consider Item 19.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1:

- (b)(i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council

Specifically, the matter relates to the Local Government Association Procurement (LGAP) conducting electricity procurement on behalf of the local government sector. Revealing any specific information relating to pricing may compromise the tendering and negotiating position of LGAP.

2. Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

20 CLOSE

21 NEXT ORDINARY MEETING

Tuesday 27 September 2022 commencing at 7.00pm