REGIONAL COUNCIL OF GOYDER

Notice is hereby given that the next meeting of the Regional Council of Goyder will be held in the Council Meeting Room, 1 Market Square, Burra, at 9.00am on Tuesday 18th November 2003

S.J. Kerrigan
CHIEF EXECUTIVE OFFICER

1 ATTENDANCE
1.1 Present
1.2 Apologies
1.3 Gallery

2 CONFIRMATION OF MINUTES
RECOMMENDATION
That the Minutes of the Council meeting held on 21st October 2003 be confirmed as read.

3 REPORTS
3.1 CHAIRMAN’S REPORT
3.2 DELEGATES
RECOMMENDATION
That the Chairman’s Report and the Delegates’ Reports be received.

4 QUESTIONS ON NOTICE

5 MOTIONS ON NOTICE
5.1 PEEP HILL, EUDUNDA
Moved: Cr. P.A. Schiller
That Council resolution (Minute 480/03)
“That the Geographical Names Unit, Department for Administrative and Information Services, be advised that the hill adjacent to the intersection of Peep Hill Road and St. Michael Road is commonly known as Peep Hill.”
be rescinded.

6 PETITIONS/DEPUTATIONS

7 OFFICERS’ REPORTS
RECOMMENDATION
That the Officers’ Reports be received.

7.1 DIRECTOR OF OPERATIONS
7.1.1 Private Works
7.1.1.1 Business Arising from the Private Works

7.1.2 Overseers’ Reports
7.1.2.1 Business Arising from the Reports
7.1.3 Asset Maintenance Officer’s Report
   7.1.3.1 Matters Arising from the Report

7.1.4 Asset Manager’s Report
   7.1.4.1 Matters Arising from the Report

7.1.5 Minor Works Request Summary

7.1.6 Road Sealing Program – Southern Area

7.1.7 Extension to Burra STEDS – Welsh Place

7.1.8 Request to Purchase Road – Mt. Bryan

7.1.9 Jazz in the Monster Mine

7.1.10 Lancelot Lane, Burra

7.1.11 Location of Peep Hill, Eudunda

7.1.12 Un-named Hill – Hundred of Mogolata

7.1.13 Lloyd Lane and Chapel Street, Burra - Aged Pedestrians

7.1.14 Letter of Appreciation – Ms T Martin

7.1.15 Mt. Bryan Progress Association Inc – Assistance with Slashing

7.1.16 Lot 5, Sheoak Crescent, Eudunda

7.1.17 Remove All Rubbish Company – Landfill and Regional Waste Management – Recycling Strategy

7.1.18 Water Tanker

7.1.19 Burra Refuse Depot - Fencing

7.1.20 Robertstown Peace Hall – Problem with Damp and Termites

7.1.21 Robertstown Peace Hall – Rear Entrance Shelter

7.1.22 Handwashing Facilities – Council Plant

7.1.23 Ausbulk Storage Facility, Robertstown – Silo Road Access

7.1.24 Hallett Swimming Pool

7.1.25 eCouncils.com – Council Tenders On-line

7.1.26 Saleyard Road, Eudunda – Closure

7.1.27 Goyder Animal and Plant Control Board – Biological Control Agents

7.1.28 Occupational Health and Safety Report

7.2 FINANCE REPORT
    7.2.1 Financial Statements for Month of October 2003
    7.2.2 Bank Reconciliation Statement as at 31st October 2003
    7.2.3 Budget Review – 30th September 2003
    7.2.4 Annual Financial Statements
    7.2.5 Burra Community and Sports Club
    7.2.6 Eudunda Solar Lights
    7.2.7 Eudunda Railway Yards Land
7.2.8 Burra Passport Product - Income
7.2.9 Eudunda Community Childcare Centre
7.2.10 Eudunda Senior Citizens Hostel
7.2.11 Life Education SA Inc - Donation
7.2.12 Rates
   7.2.12.1 Outstanding Rates as at 31st October 2003
7.2.13 Pegson Crusher

7.3 DEVELOPMENT REPORT
7.3.1 Development - Planning
   7.3.1.1 Enterprise Zone (formerly Intensive Primary Production Area) PAR
   7.3.1.2 Correspondence
   7.3.1.3 Goyder Planning Committee
7.3.2 Development – Building
   7.3.2.1 Verandah Replacement – Market Square, Burra
7.3.3 Development – Economic
   7.3.3.1 Economic Inducement Policy

7.4 ENVIRONMENTAL HEALTH REPORT

7.5 HERITAGE REPORT
7.5.1 Goyder Heritage Advisory Committee
7.5.2 Buddle Pits - Burra

7.6 TOURISM REPORT
7.6.1 Burra Caravan and Camping Park
   7.6.1.1 Monthly Activity Report
7.6.2 Burra Visitor Information Centre
   7.6.2.1 Monthly Activity Report
   7.6.2.2 Burra Regional Tourism and Business Association Inc. - BVC Board of Management
7.6.3 National Trust, Burra Burra Branch
   7.6.3.1 Quarterly Report
   7.6.3.2 Correspondence
      (1) Maintenance at Malowen Lowarth Cottage
7.6.4 Correspondence
      (1) Burra Regional Tourism and Business Association Inc
      (2) Clare Valley-Yorke Peninsula Product Development Coordinator
7.7  AUTHORISED OFFICER’S REPORT
7.7.1  Dog Management
7.7.2  Impounding
   7.7.2.1  Mr. V.H. Weis
7.8  CHIEF EXECUTIVE OFFICER’S REPORT
7.8.1  Community Cabinet
7.8.2  Burra Swimming Pool
7.8.3  Australia Day Awards
7.8.4  Redbanks Reserve
7.8.5  Staff Safety Awards
7.8.6  Recreational Services Limitation of Liability Act
7.8.7  Rating Review Committee
7.8.8  Annual Report
7.8.9  Staffing – Burra Office
7.8.10  Goyder Building Fire Safety Committee
7.8.11  Freedom of Information Act 1991 – Training
7.8.12  Staff Christmas Function
7.8.13  Confidential Items
   7.8.13.1  O’Connor’s Shed and Truck Parking Bay
   7.8.13.3  Director of Operations/Staff Structure
7.8.14  Goyder Animal and Plant Control Board
8.  COMMITTEE REPORTS
9.  CORRESPONDENCE
10. OTHER BUSINESS
11. CLOSE OF MEETING
7.1 DIRECTOR OF OPERATIONS

7.1.1 Private Works
Report attached.

7.1.1.1 Business Arising from the Private Works

7.1.2 Overseers’ Reports
Reports attached.

7.1.2.1 Business Arising from the Reports

7.1.3 Asset Maintenance Officer’s Report
Report attached.

7.1.3.1 Matters Arising from the Report

RECOMMENDATION
That a ladder be purchased to enable the Asset Maintenance Officer to access high roofs and gutters in various locations within the Goyder region.

7.1.4 Asset Manager’s Report
drumMuster – 2003
Completed 23rd October 2003. Some upgrading of facilities will be required before the next drumMuster. This was highlighted when a resident placed drums in the compound without having them inspected. Resident was advised by letter of the impact to Council.

Oval Leases
Draft leases were forwarded on the 1st September 2003 to sporting clubs/ incorporated bodies and a response was requested by the 31st October 2003. To date only the following clubs/incorporated bodies have responded:

- Point Pass District Hall & Park Inc
- Robertstown Football Club
- Terowie Citizens’ Association Inc
- Hallett Community Management Committee Inc (awaiting appointment time with the Secretary of the Hallett CMC who wishes to discuss the draft).

A further letter will be sent to those clubs/incorporated bodies who have not responded to do so as matter of urgency.

Insurance Claims
New Claims received since October Council Meeting: Nil
Ongoing Claims: 10

Oil Drop
Oil Drop tanks delivered to the Burra and Eudunda Depots in October are to be commissioned by 31/12/03.

Burra Town Hall and Burra Art Gallery
Quotes are being obtained from Chubb for the upgrade to fire safety equipment.

Tenders
Sealing Contract and Screening Contract – Closes Wednesday 12th November and tenders are to be referred to the Operations Meeting.

7.1.4.1 Matters Arising from the Report

7.1.5 Minor Works Request Summary
Report attached.
For Information.
7.1.6 **2003-04 Road Sealing Program – Southern Area**

A report prepared by Mr. David Watson, Southern Unit Overseer, 2003-04 Road Sealing program will be presented to the Operation Committee and is attached.

For Discussion.

7.1.7 **Extension to Burra STEDS – Welsh Place**

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<td>Budget Allocation :</td>
<td>Spent to Date :</td>
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A report was submitted to the September 2002 meeting of Council outlining the problems with effluent from properties in Welsh Place, Burra. It was resolved:

“That the Welsh Place effluent drain be installed to connect to the Kingston Street line and the owners of five properties to be connected meet half the cost of the installation in addition to the normal connection fees.”

A survey of residents, in which it was indicated that a contribution from each property would be required, has brought mixed reactions. However, in the interests of public health, it is suggested that the provision of a mains extension should proceed and residents be encouraged to connect to it as soon as possible. Effluent drainage fees (currently $201.50 per annum) would apply to all properties served by this extension. The estimated cost of the provision of the mains extension is $12,000 (based on the quote provided by O'Bryan Landscaping in September 2002). It is considered reasonable that owners of those properties benefitting from the provision of an extension should pay their contribution by way of a higher rate for a fixed period. For example, if effluent drainage fees for Welsh Place properties were set at $200 above the normal rates for six years, all property owners would be contributing to half of the capital cost of the extension.

**RECOMMENDATION**

1. That the provision of an extension to the STEDS in Welsh Place, Burra, proceed and be funded from the STEDS reserve.
2. That a special rate for Welsh Place STEDS be established at the Budget meeting in 2004 which will meet the requirements for property to pay half the cost of the installation.
3. That Council set a policy which requires the owners of properties benefiting from the provision of an extension to the STEDS infrastructure to meet half the cost of the installation and the contribution be made as a special effluent drainage fee over a fixed period.

7.1.8 **Request to Purchase Road – Mt. Bryan**

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<td>Budget Allocation :</td>
<td>Nil</td>
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A letter has been received from Mrs. V. Wright requesting Council consider selling East Ulmann Street, Mt. Bryan.

**RECOMMENDATION**

That Mrs. V. Wright be advised that:

1. the closure and sale of East Ullman Street, Mt. Bryan, would involve consultation with the public and owners of Lots 30 and 41.
2. there would be a need for a surveyor and related costs.
3. should the road closure be pursued, Council will expect all their costs to be paid.
7.1.9 Jazz in the Monster Mine

File Ref: 2/9/1
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation: Spent to Date:

A letter has been received from the Jazz in the Monster Mine Committee seeking consent to use the Burra Mine site and also requesting Council feedback on the 2003 event.

RECOMMENDATION
That Council approve the Jazz in the Monster Mine event, provided that:

(1) The standards for the safety of the public, organisers and performers, as set down in the Event Management Plan, be strictly adhered to.

(2) The Burra Regional Tourism and Business Association provides proof of endorsement to its Public Liability Insurance cover that the Regional Council of Goyder is indemnified against any claim.

7.1.10 Lancelot Lane, Burra

File Ref: 14/16/1
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation: Spent to Date:

At the October 2003 Council meeting it was resolved:

“That public notification of the proposed closure of Lancelot Lane, Burra, be given in accordance with Section 32 of the Road Traffic Act.”

Notice was given via newspapers and by post to each owner of land immediately abutting the Lane. A title search has revealed that right of way entitlements over Lancelot Lane exists for Lots 232 and 233, owned by L. and N. Faulkner, for Lots 230 and 248, owned by T. Broad, and for Lot 228, owned by B. and H. Dunow.

For Direction.

7.1.11 Location of Peep Hill, Eudunda

File Ref: 10/21/1
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation: Spent to Date:

In response to a letter from the Geographical Names Unit (GNU), Department for Administrative and Information Services, seeking comment on the location of Peep Hill, Council, at its September 2003 meeting (Minute , resolved to advise the GNU that the hill adjacent to the intersection of Peep Hill Road and St. Michael Road is commonly known as Peep Hill. A further letter from the GNU, dated 13th October 2003, seeking further clarification, was considered at Council’s October 2003 meeting. It was resolved that this matter be deferred to the November 2003 Council meeting pending the Eudunda Ward Councillors providing a map clearly indicating the location of the geographical feature commonly known as ‘Peep Hill’ and providing a response to the questions raised in the GNU letter.

Cr. P. Schiller has provided information on his discussions with local landowners and a map indicating that the location of Peep Hill.

RECOMMENDATION
That the Geographical Names Unit, Department for Administrative and Information Services be advised that the hill marked as ‘Watch Box Hill’ on the map provided by the Unit, is commonly known as Peep Hill.
### 7.1.12 Un-named Hill – Hundred of Mongolata

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Mr. Glenn Bassett has written requesting permission from Council to name a hill in the Hundred of Mongolata, 6730-4, Section 82, adjacent to White Hill near the White Hill Road, in memory of his brother-in-law, Mr. Trevor James. The hill is situated on the property of Mr. John Oates, who has no objection to the proposal.

**RECOMMENDATION**

That Mr. Glenn Bassett be advised that, subject to the hill situated at 6730-4, Section 82, Hundred of Mongolata having no Aboriginal or heritage significance, Council have no objection to him applying to the Geographic Names Advisory Committee to have the hill named in memory of his late brother-in-law, Mr. Trevor James.

### 7.1.13 Lloyd Lane and Chapel Street, Burra - Aged Pedestrians

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A letter (copy attached) has been received from Mr. John Arthur, Secretary/Manager for Barkers of Baldina Cottage Homes Inc.

Lloyd Lane is used by vehicular traffic to gain access to car sheds and parking areas at the rear of properties fronting Chapel Street and Upper Thames Street.

According to Mr. Arthur, the lane (approximate width 3.3 metres) is not wide enough for safe shared vehicular and pedestrian traffic, is therefore hazardous for aged pedestrians, and use of the lane should be discouraged.

Improvement of the footpath on the eastern side of Chapel Street has also been requested. The section of footpath referred to has a poor surface and geometry, the latter as a result of the difference in levels at vehicle crossovers. It is suggested that some improvement to footpath width and geometry could be achieved if this section was reconstructed. The cost of this work is estimated at $4,000.00.

**RECOMMENDATION**

(1) That Mr. John Arthur be advised that the use of Lloyd Lane for pedestrian traffic is not favoured by Council, and residents should be encouraged to use established footpaths.

(2) That the reconstruction of a section of the Chapel Street footpath be listed for consideration on the 2004/2005 budget, and Mr. John Arthur be advised accordingly.

### 7.1.14 Letter of Appreciation – Ms T Martin

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Ms Tressna Martin, of The Cook O’Burra, Market Square, Burra has written to thank Council for the prompt action taken to remove a tree and rectify the fencing along Ursula Lane.

For Information.
7.1.15 Mt. Bryan Progress Association Inc – Assistance with Slashing

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<td>Budget Allocation : Spent to Date :</td>
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The attached letter from the Mt. Bryan Progress Association requests Council to continue the verbal agreement to assist the Association by the provision of fuel, registration and slashing.

For Direction.

7.1.16 Lot 5, Sheoak Crescent, Eudunda

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<td>Budget Allocation : Spent to Date :</td>
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Mrs. P. Marschall has expressed an interest in purchasing Lot 5, Sheoak Crescent, Eudunda, should Council consider selling the Lot in the near future.

For Discussion.

7.1.17 Remove All Rubbish Co – Landfill and Regional Waste Management – Recycling Strategy

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<th>File Ref:</th>
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<td>Budget Allocation : Spent to Date :</td>
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Remove All Rubbish Company currently owns and operates a landfill at Nurioopta which is licenced as a Landfill and Recycling facility. Mr. David Blakey, Business Development Manager, has written to Council (and a number of other local councils) seeking expressions of interest in exploring issues relating to a regional strategy to manage waste generated within rural councils in partnership with Remove All Rubbish Company.

For Discussion.

7.1.18 Water Tanker

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<th>File Ref:</th>
<th>8.37.1</th>
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<td>Officers Consulted:</td>
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<td>Budget Allocation : $160,000 Spent to Date :</td>
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At its October 2003 meeting Council noted that the Operations Committee would discuss this matter with the Chief Executive Officer. The Operations Committee will meet on 12th November and a report and recommendations will be presented to Council’s November 2003 meeting.

For Discussion and Resolution.

7.1.19 Burra Refuse Depot - Fencing

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<tr>
<th>File Ref:</th>
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<tbody>
<tr>
<td>Officers Consulted: Asset Manager, Asset Maintenance Officer</td>
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<td>Strat. Plan Objective No:</td>
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<tr>
<td>Budget Allocation : Nil Spent to Date :</td>
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In order to prevent waste spreading beyond the Burra Refuse Depot site, it is proposed
that the perimeter be fenced.
There is no allocation for this work in the 2003/04 budget. It is suggested that the work be staged over a period of time and allocations be made in future budgets. A quote for the complete project has been provided by the Asset Maintenance Officer.

RECOMMENDATION
That the fencing of the perimeter of the Burra Refuse Depot be considered in the 2004-05 budget discussions.

7.1.20 Robertstown Peace Hall – Problem with Damp and Termites

File Ref: 16/55/1
Officers Consulted: Asset Manager, Manager Environmental Services
Strat. Plan Objective No: 
Budget Allocation : 
Spent to Date :

Attached is a letter from Mr. John. Mosey, Honorary Secretary of the Robertstown Peace Hall Committee, requesting a further inspection of a damp area in the Hall store room and a possible termite infestation in the floor of the Bar Room.

Damp Area
The Manager Environmental Services has inspected the storeroom and has confirmed evidence of dampness in a portion of the wall and the floor. From discussions with the previous Acting Building Inspector, Mr. Mike Jeffries, it would appear that the floor is laid directly onto filling, but this would need to be confirmed with the Peace Hall Committee prior to any remedial action being taken. (Refer to email advice attached).

RECOMMENDATION
That the Robertstown Peace Hall Committee be asked to provide information on the construction of the floor of the Hall storeroom in order to consider the options and costings for the work required to rectify the damp problem.

Termite Infestation
Inspections of the Peace Hall have been undertaken. However, neither company could confirm that there was evidence of current white ant activity. Quotes have been provided by Mid North Pest and Weed Control and Murray Pest Control for treating the problem.

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<thead>
<tr>
<th>Company</th>
<th>Initial Treatment</th>
<th>Ongoing Treatment (per annum)</th>
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<tbody>
<tr>
<td>Murray Pest Control</td>
<td>$4,733.30</td>
<td>$880.00</td>
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<tr>
<td>Mid North Pest and Weed</td>
<td>$3,300.00</td>
<td>$220.00</td>
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Prices quoted are inclusive of GST
Mid North Pest and Weed Control suggest a full respray every five years.

For Discussion.

7.1.21 Robertstown Peace Hall – Rear Entrance Shelter

File Ref: 16/55/1
Officers Consulted: Asset Manager, Asset Maintenance Officer
Strat. Plan Objective No: 
Budget Allocation : 
Spent to Date :

The Robertstown Peace Hall Committee are concerned about the rear access to the Hall which, without some form of shelter, is exposed to the elements and poses a potential safety hazard. This is particularly so in wet weather, when the steps become slippery there is no safety handrail.

The Hall Committee have asked that Council consider the work needed to provide a shelter and improve the rear access as being capital improvement, and suggest that the
work might be undertaken by the Asset Maintenance Officer. The cost of the work is estimated at $1,727.25.
For Discussion.

7.1.22 Handwashing Facilities – Council Plant

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<td>Asset Manager, Asset Maintenance Officer</td>
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A request has been made to have water dispensers installed on plant vehicles for hand washing. A quote per vehicle is provided.
For Discussion.

7.1.23 Ausbulk Storage Facility, Robertstown – Silo Road Access

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It has come to Council’s attention that the recent fencing by Ausbulk of their Robertstown storage facility includes a locked gate across Silo Road. A letter (copy attached) was sent to Ausbulk seeking advice as to whether or not the arrangement was temporary as the road is used by Council staff to access the Robertstown depot.
Mr. Rob Tregilgas of Ausbulk responded by email, dated 23rd October (copy attached), advising that he had discussed the issue of Council staff access with the Southern Unit Overseer, and they had agreed that the fencing would proceed on the condition that Council staff were provided with a key for the gates on Silo Road and at the rear of the Council depot. At this stage neither Mr. Tregilgas nor the Unit Overseer were aware that the Silo Road gate was on a public road.
The gate also blocks access to Lot 174, FP 169113 from Silo Road, but this access should not be used as it opens directly onto Ausbulk land. An alternative option would be for access to Lot 174 from Main Road.
This situation raises a number of issues:
- In order for Ausbulk to fence the road they would need to enter into a road rental arrangement with Council.
- In order for Ausbulk to erect a locked gate across the road, they would need to purchase Silo Road.
- Alternative access for owner of Lot 174.
For Discussion and Resolution.

7.1.24 Hallett Swimming Pool

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<td>LGMLS Regional Risk Coordinator, Asset Manager, Acting Chief Executive Officer</td>
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As Elected Members are aware, the operation of the Hallett Swimming Pool relies on the ability to access water from the bore and pump situated on the ex Hallett School property; power from the supply situated on the ex Hallett School property and to access the toilets that are situated on the ex Hallett School property.
The ex Hallett School property is now owned by Robert and Felicity Martin who now reside on the property.
There are no agreements in place between Council and Mr. and Mrs. Martin regarding
the use of the water, power and toilet facilities situated on the Martins’ property that are being used for swimming pool purposes.

The fact that there is no agreement in place raises significant liability issues to both Council and the Martins which have the potential to place both Council and the Martins at risk.

The Martins have not raised the above issue. Mr. and Mrs. Martin are keen for the existing arrangements to continue, but under a formal arrangement with Council. This issue is raised by staff ahead of an impending audit of swimming pools by our Local Government Mutual Liability Scheme Regional Risk Coordinator.

Council have an unsigned lease with the Hallett Community Management Committee Inc that provides for the Community Management Committee to manage and operate the Hallett Swimming Pool on behalf of Council.

In his report dated 3rd June 2003 entitled “Report – Goyder Swimming Pools”, Mr Brak had the following to say in relation to the Hallett Swimming Pool:

“Discussions with DENR proved fruitless with a DENR focus on selling the land without encumbrances. The land has now been sold.

The new owners are prepared to enter negotiations regarding the provision of water for the Hallett pool from their bore and use of the ex school toilets that are located on their land.

However, this option should only be pursued after exhausting other options that are available, as follows:

1. Self Sufficiency.
   Sink a bore on the Hallett pool land and utilise the toilet facilities in the adjacent hall building (currently being used by the Hallett SES).
   I understand that the Hallett CMC Inc have in excess of $15,000 in their ‘Swimming Pool Reserve’ that should be accessed for this option.

2. Close the Hallett Pool.
   It should be determined if the Hallett community still want a pool facility in Hallett.
   The Hallett CMC Inc could be requested to undertake community consultation regarding the future of the Hallett pool prior to the commencement of the 2003/04 swimming season.”

and offered the following recommendations:

“RECOMMENDATION:
That the Hallett Community Management Committee Inc. be requested to undertake community consultation regarding the future of the Hallett pool and to provide a report to Council by the end of July 2003 on the consultation process undertaken with a recommendation regarding the future of the Hallett pool facility.

RECOMMENDATION:
That should the Hallett Community Management Committee Inc. recommend to Council, following the community consultation process, that the Hallett pool facility be retained for community use, the Council will require the Hallett Community Management Inc. to fund the installation of a bore on the pool land and the provision of all associated infrastructure to enable the pool to access its own water supply.”

It is strongly recommended that the Hallett Swimming Pool does not open until the matters relating to the provision of power, water and toilets to the pool facility are resolved.

For Discussion and Resolution.
The Local Government Association (LGA) has signed an agreement with the State Government to provide access to SA Tenders and Contracts (www.tenders.sa.gov.au) for all Councils in South Australia as part of the LGA’s Electronic Services Program. Using this facility all tender documents are stored and can be accessed online.

The LGA has also set up an arrangement with The Advertiser to streamline placement of a composite advertisement for Council tenders in each Monday issue, under a Local Government banner and with direct referral to the Tenders and Contract site.

In addition, the LGA has negotiated with SA Tenders and Contracts to automatically deliver a feed to Councils using the Unity DCW management system to replicate their tenders on their individual websites.

There is no cost to Council to register as a tendering authority. The cost for a tender to appear on the SA Tenders and Contracts website is $20.00. To have the tender also placed in the Monday Advertiser’s composite Local Government Tender advertisement varies from $275 to $720, depending on size.

During October Council advertised an open tender for the refurbishment of the Burra Swimming Pool in the Adelaide Advertiser at a cost of $378.84. There were no tenders received for this work. In subsequent discussion with one pool contractor, it was learnt that they no longer look for individual advertisements in the paper but they refer directly to the SA Tenders and Contracts site.

Current Council policy for open tenders (Appendix 9, 2.3.2.2 Invitation to Tender) specifies that:

- Advertisements should be inserted in the most appropriate newspapers.
- For works in remote areas, arrangements should be made for advertisements in the local media.
- Tender notices may be placed in the SA Government Gazette.

If Council agrees to participate in Council Tenders on-line, the policy will need to be amended.

RECOMMENDATION
That Council approves the use of the SA Tenders and Contracts website for open tenders with the following guidelines:

1. Tenders for services which can be completed by local suppliers are to be advertised in the local print media and the SA Tenders and Contracts website but not advertised in the Adelaide Advertiser.

2. Tenders which require specialist qualifications such as the Burra Swimming Pool, Kooringa Bridge strengthening are to be registered on the SA Tenders and Contracts website and advertised in the Adelaide Advertiser.

RECOMMENDATION
That Council policy on advertising open tenders be amended to read:

- Advertisements should be inserted in the most appropriate newspapers.
- For works in remote areas, arrangements should be made for advertisements in the local media.
- Tender notices may be placed in the SA Government Gazette.
- Tender notices and documentation may be placed on the SA Tenders and Contracts website site and/or on Council’s website.
7.1.26 Saleyard Road, Eudunda – Closure

The following resolution (Minute 543/03) which was passed at the October 2003 meeting of Council relating to the closure of Saleyard Road:

“That, pursuant to Section 32 of the Road Traffic Act, Saleyard Road, Eudunda, be closed on the northern side of the junction with Bunker Road, and at the bend 450 metres north of South Terrace, and signs be placed at strategic locations to advise the location of the Eudunda Ausbulk storage facility.”

was pre-emptive in that Council is required to undertake a consultation process and then must have regard to any representation arising from that consultation process prior to reaching any decision to close the road.

The resolution should have been one that gives Council’s intention to close, along the same lines as adopted for the proposal to close Lancelot Lane, Burra, viz:

“That public notification of the proposed closure of Lancelot Lane, Burra, be given in accordance with Section 32 of the Road Traffic Act.”

The public consultation period closes on the 28th November 2003 and any representations arising from that consultation process will be provided to the December 2003 meeting for Council to have regard to prior to reaching their decision on this matter.

For Information.

7.1.27 Goyder Animal and Plant Control Board – Biological Control Agents

The Goyder Animal and Plant Control Board has written to Council requesting permission to release a quantity of Plume Moth larvae into a monitored area to enable the moth’s effects to control horehound to be easily monitored and assessed. Also attached is a background report on Plume Moth and their environmental impact.

RECOMMENDATION
That the Goyder Animal and Plant Control Board be advised that Council have no objection to the release of the Plume Moth larvae in Burra to control horehound.

7.1.28 Occupational Health and Safety Report

a) Northern Unit staff will soon be attending training on Rail Safety Awareness. This course will be run on-site by TAFE.

b) Input is being finalised for the OHS Software Management Suite, which will replace the previous version. This should be up and running in the next few months.

c) The Operations Secretary is working closely with the Regional Risk Coordinator in order to ensure that the OHSW program for this year is a relevant, comprehensive and up to date document.
d) The hazardous substance reviews are now well on their way to completion. The Southern Unit has already been completed and respective Material Safety Data Sheets updated

For Information.

7.2 FINANCE REPORT

7.2.1 Financial Statements for Month of October 2003

Attached.

RECOMMENDATION
That approval be granted for accounts included in Cheque Numbers 3650-3711 amounting to $103,838.34 and WIP & Cr. Nos. 844123, 845208, 857505, 878076, 139386, 894834, 898483, 901386, 902254, 911608 and 911924 amounting to $278,255.27.

7.2.2 Bank Reconciliation Statement as at 31st October 2003

Attached.

RECOMMENDATION
That the Bank Reconciliation Statement totalling $120,855.63 as at 31st October 2003 be noted.

7.2.3 Budget Review – 30th September 2003

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<tr>
<td>Budget Allocation:</td>
<td>Spent to Date:</td>
</tr>
</tbody>
</table>

Adjustments to this year’s budget will need to be made for the following:

Brought Forward Deficit
- The adopted budget for 2003/04 had estimated the deficit at June 2003 to be $510,463. The actual result was a deficit of $714,439, a total of $203,976 higher than expected.

Wages and Salaries
- The budget allowed for a full-time Planner and part-time General Inspector for the full year. The Planner commenced at the end of September, and the General Inspector at the beginning of September, a saving of $16,000 against budget. At this stage, no allowance has been made for the savings currently being made by not having a replacement Senior Administration Officer.

Contracts
- The employment of Trevor Storey to provide technical assistance in the absence of the Director of Operations will increase contract expenditure by $7,000.
- The Burra Cemetery Advisory Committee have been advised that their budgeted expenditure for development will reduce by $3,500 this year due to them not being able to secure further grants, and because they overspent last financial year.

Burra Community Activities Centre
- Cancellation of their outstanding invoice will increase other costs by $4,700, but this will be offset by a reduction in cleaning and other costs of $2,000. Budget income for reimbursement of $4,500 will also be lost this year.

Grants
- The total grant received through the Grants Commission will be $46,500 higher than budgeted.
- The Burra Cemetery grant for $3,000 is not expected.

Other Income
- The total rebate from the Workers Compensation Scheme was $7,500 higher than budgeted due to an improvement in our claims ratio.
In Summary:

<table>
<thead>
<tr>
<th>Category</th>
<th>Budget $</th>
<th>Revised Amount $</th>
<th>Inc/(Dec) to Budget $</th>
</tr>
</thead>
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<tr>
<td>Deficit result at 30/6/03</td>
<td>(510,463)</td>
<td>(714,439)</td>
<td>(203,976)</td>
</tr>
<tr>
<td>Salaries Planner</td>
<td>57,000</td>
<td>44,000</td>
<td>13,000</td>
</tr>
<tr>
<td>General Inspector</td>
<td>24,000</td>
<td>21,000</td>
<td>3,000</td>
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<tr>
<td>Contracts Technical Assistance</td>
<td>7,000</td>
<td>7,000</td>
<td>0</td>
</tr>
<tr>
<td>Burra Cemetery</td>
<td>6,000</td>
<td>2,500</td>
<td>3,500</td>
</tr>
<tr>
<td>Burra CAC Income</td>
<td>5,000</td>
<td>500</td>
<td>4,500</td>
</tr>
<tr>
<td>Expenditure</td>
<td>8,900</td>
<td>6,900</td>
<td>2,000</td>
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<tr>
<td>Cancelled Invoice</td>
<td>4,700</td>
<td>4,700</td>
<td>0</td>
</tr>
<tr>
<td>Grants Grants Commission</td>
<td>1,720,000</td>
<td>1,766,500</td>
<td>46,500</td>
</tr>
<tr>
<td>Burra Cemetery</td>
<td>3,500</td>
<td>500</td>
<td>3,000</td>
</tr>
<tr>
<td>Other Workers Comp rebate</td>
<td>26,000</td>
<td>33,500</td>
<td>7,500</td>
</tr>
</tbody>
</table>

Total decrease to budgeted result: (147,676)
Original budget deficit result: (864,068)
Revised budget deficit result: (1,011,744)

RECOMMENDATION
That the attached Rates Determination, Operating and Cash Flow Statements, incorporating a net increase to Council’s budget deficit result to ($1,011,744), be adopted.

7.2.4 Annual Financial Statements

<table>
<thead>
<tr>
<th>File Ref:</th>
<th>7/73/1</th>
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<tbody>
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<td>Officers Consulted:</td>
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<td>Strat. Plan Objective No:</td>
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<tr>
<td>Budget Allocation :</td>
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<tr>
<td>Spent to Date :</td>
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</tbody>
</table>

As previously advised, the audit of Council’s financial statements for 2002/03 was completed on 14th October 2003. The attached copies of letters received from the auditors confirm that their opinion has been signed without reference to any qualification.

RECOMMENDATION
That the audited Annual Financial Statements for the period 1st July 2002 to 30th June 2003 for the Regional Council of Goyder be adopted and that the Chairman be authorised to sign the statements.

Audit Qualification
The attached letter from the auditor refers to the fact that Council has not presented the function and activity information in the financial statements based on a full-cost attribution basis. The information that needs to be presented to both the Grants Commission and the Australian Bureau of Statistics does need to be presented on a full-cost attribution basis, and this has been done. The issue of presenting Council’s financial information based on full-cost attribution is still a matter of debate within local government, and there has not been any evidence to suggest that the introduction of reporting on full-cost has either improved or assisted local government’s financial reporting.

Additional Financial Information
The additional financial information to assist Elected Members in interpreting the Annual Financial Statements, together with the general ledger trial balance, will be provided at the meeting.
7.2.5 Burra Community and Sports Club

<table>
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<td>Strat. Plan Objective No:</td>
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<td>Budget Allocation :</td>
<td>$55,200</td>
</tr>
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<td>Spent to Date :</td>
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</tr>
</tbody>
</table>

At Council’s October meeting an application for funding from the Burra Ward Recreation fund for the cost of stabilising the earth banks adjacent to the netball/tennis courts was not supported, on the grounds that Council has made provision in its budget for this work to be undertaken. This is not the case, as Council’s budget included an amount of $10,000 which was for the sealing of the carpark area, not for other work. Any stabilising of the banks can only be done after the carpark area has been sealed, which is planned to be done early in 2004. Council can either agree to add this additional stabilising work to this year’s budget, or have the work completed from the Burra Ward Sport and Recreation fund. Total funds available as at 30th September are $33,875.41, with a possible allocation of $10,000 for loan assistance for the Burra Swimming Pool to be taken into account.

For Direction.

7.2.6 Eudunda Solar Lights

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<tr>
<td>Budget Allocation :</td>
<td>$6,000</td>
</tr>
<tr>
<td>Spent to Date :</td>
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</table>

At the October meeting of Council it was decided that the request from the Eudunda Community, Business and Tourism Committee (ECBAT), to make allowance for the purchase of all 3 solar lights in the 2004-05 budget, be referred to the Budget Review Working Party. The Budget Review Working Party met after the last Council meeting and this item was not discussed, and their next meeting is scheduled for 26th November 2003.

At the ECBAT meeting held on 28th October 2003, it was resolved to ask Council if they would consider funding the purchase of the three lights from the Eudunda Ward Capital Projects fund, with Council reimbursing the Capital Projects Fund in the 2004-05 budget. The funding of these lights could be used as matching funding for the Regional Partnerships grant that ECBAT are applying for, and hence the need to secure funding this financial year. An email has been received since the ECBAT meeting from the distributors of the solar lighting systems, offering a 10% discount for all orders placed prior to December 2003, a reduction of almost $900 from the original quoted price for 3 sets. It would appear to be an opportune time to go ahead with the purchase.

RECOMMENDATION
That Council purchase solar lights, for the ‘Gustav and Dog’ silhouettes at the three entrances to Eudunda, with funds allocated from the Eudunda Ward Capital Projects fund, and that Council reimburse the Eudunda Ward Capital Project fund from the 2004-05 budget.

7.2.7 Eudunda Railway Yards Land

<table>
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<td>Budget Allocation :</td>
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<td>Spent to Date :</td>
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</table>

The attached letter has been received from Transport SA, proposing to transfer the fee simple title to Council, as was the case with the Robertstown railway land. The additional conditions that Council now need to agree on relate to community land issues in accordance with the Local Government Act 1999.
RECOMMENDATION

(1) That Council acknowledges and accepts the terms and conditions in respect of the transfer of the former railways land in Eudunda, and authorises the Finance Manager and the Chief Executive Officer to sign the acknowledgement on behalf of council.

(2) That Mr. David Evans be engaged as Conveyancer to act on behalf of Council to effect the transfer of the land.

7.2.8 Burra Passport Product - Income

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<tbody>
<tr>
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<tr>
<td>Strat. Plan Objective No:</td>
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<tr>
<td>Budget Allocation :</td>
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</table>

Income for the period 1 January 2003 – 31 October 2003 is as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>2002</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>8,336.90</td>
<td>7,795.20</td>
</tr>
<tr>
<td>February</td>
<td>4,417.30</td>
<td>3,891.80</td>
</tr>
<tr>
<td>March</td>
<td>9,719.20</td>
<td>9,794.60</td>
</tr>
<tr>
<td>April</td>
<td>13,177.30</td>
<td>19,235.90</td>
</tr>
<tr>
<td>May</td>
<td>12,075.02</td>
<td>13,226.20</td>
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<tr>
<td>June</td>
<td>8,816.80</td>
<td>10,237.30</td>
</tr>
<tr>
<td>July</td>
<td>9,742.80</td>
<td>15,650.10</td>
</tr>
<tr>
<td>August</td>
<td>8,956.00</td>
<td>9,585.00</td>
</tr>
<tr>
<td>September</td>
<td>12,493.50</td>
<td>16,744.00</td>
</tr>
<tr>
<td>October</td>
<td>15,523.00</td>
<td>19,900.50</td>
</tr>
<tr>
<td>November</td>
<td>6,776.00</td>
<td></td>
</tr>
<tr>
<td>December</td>
<td>5,451.00</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$115,842.82</td>
<td>$126,090.60</td>
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BVIC Commission(30%) $37,827.18
Council’s Net50% income $44,131.71 (Contribution to National Trust)

For Information.

7.2.9 Eudunda Community Childcare Centre

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<tr>
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<td>Strat. Plan Objective No:</td>
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<tr>
<td>Budget Allocation :</td>
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A submission (copy distributed separately) has been received from the Eudunda Community Childcare Centre regarding assistance for financing of the construction of the Childcare Centre.

For Discussion.

7.2.10 Eudunda Senior Citizens Hostel

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<td>Strat. Plan Objective No:</td>
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<td>Budget Allocation :</td>
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</table>

The Eudunda Senior Citizens Hostel has endorsed the terms of Council’s offer for a loan to enable them to undertake their building upgrade. An application for a loan has been submitted to the Local Government Finance Authority. Funds will not be required until the end of February 2004.

For Information.
7.2.11 Life Education SA Inc - Donation

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</table>

The attached letter seeks Council’s support to assist the Life Education SA Inc to with its early intervention drug education resource to schools and young people.

For Discussion and Resolution.

7.2.12 Rates

7.2.12.1 Outstanding Rates as at 31st October 2003

Report attached.

For Information.

7.2.13 Pegson Crusher

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The Finance Manager will update Council at the meeting.

For Information.

7.3 DEVELOPMENT REPORT

7.3.1 Development – Planning

7.3.1.1 Enterprise Zone (formerly Intensive Primary Production Area) PAR

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<td>Budget Allocation:</td>
<td>Nil</td>
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</table>

A revised draft Statement of Investigations and revised draft PAR has been received from QED that reflects the comments from the Sub-committee meeting.

They will be distributed to the members of the Sub-committee for final comment and endorsement so that they can be forwarded to the Enterprise Zone Steering Committee.

For Information.

7.3.1.2 Correspondence

Nil.

7.3.1.3 Goyder Planning Committee

The Minutes of the meeting held on 10th November are attached at Agenda Item 8.5.

RECOMMENDATION

(1) That Council reaffirm the appointment of John Peter Brak (and, in his absence, Kym Patrick Chapman) as an authorised officer pursuant to section 260 of the Local Government Act, 1999.

(2) That Council reaffirm the appointment of John Peter Brak (and, in his absence, Kym Patrick Chapman) as an authorised officer pursuant to section 18 and 19 of the Development Act, 1993.
(3) That Council delegate to John Peter Brak (and, in his absence, Kym Patrick Chapman) to sign on behalf of Council Certificates issued pursuant to section 7 of the Land and Business Sales and Conveyancing Act, 1994.

(4) In exercise of the powers contained in section 44 of the Local Government Act, 1999, the powers functions and duties under the Community Titles Act, 1996, set out on Page 1 of Appendix 1 are hereby delegated by the Council to John Peter Brak (and, in his absence, Kym Patrick Chapman) in respect to any matter where he is required or authorised to act in the course of his duties.

(5) In exercise of the powers contained in section 20 of the Development Act, 1993 the powers, functions and duties under the Development Act, 1993 and the Development Regulations, 1993 set out on Pages 1 to 15 inclusive of Appendix 2 are hereby delegated by the Council to John Peter Brak (and, in his absence, Kym Patrick Chapman) in respect to any matter where he is required or authorised to act in the course of his duties.

APPENDIX 1
DELEGATIONS FROM THE REGIONAL COUNCIL OF GOYDER TO THE PLANNER

DELEGATIONS UNDER THE COMMUNITY TITLES ACT, 1996

(1) The power, as the relevant development authority and pursuant to Section 3(11) of the Community Titles Act, 1996 to endorse a scheme description to the effect that either:

   (i) all the consents or approvals required under the Development Act, 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the plan of community division have been granted; or
   
   (ii) no consent or approval is required under that Act in relation to the division of the land (or a change in use of the land).

(2) The power to include on an endorsement of a scheme description under Section 3(11) of the Community Titles 1996, any notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and the power to sign and date the endorsement pursuant to Regulation 45A(a) of the Development Regulations, 1993.

(3) The power to consent to the encroachment of a building over land not included in a community parcel where the encroachment is over land vested in, or under the control or management of the Council, pursuant to Section 27(1)(b)(i) of the Community Titles Act, 1996.

(4) The power to form an opinion as to any additional information that is necessary or desirable to be included in a scheme description before endorsement pursuant to Section 30(4)(a) of the Community Titles Act, 1996.

(5) The power, as the relevant development authority pursuant to Section 30(4) of the Community Titles Act, 1996 to require modifications to a scheme description before endorsing the scheme description to:

   (i) add any information that is necessary or desirable; or
   
   (ii) clarify any part of the description; or
   
   (iii) remove any unnecessary detail.

(6) The power, as the relevant development authority, pursuant to Section 31(3) of the Community Titles Act, 1996 to endorse a certified copy of an amended scheme description.
APPENDIX 2
DELEGATIONS FROM THE REGIONAL COUNCIL OF GOYDER
TO THE PLANNER

DELEGATIONS UNDER THE DEVELOPMENT ACT, 1993
AND DEVELOPMENT REGULATIONS, 1993

Assessment of Development Proposal
(1) The power, as the relevant authority and pursuant to Section 33 of the Development Act, 1993, to assess a development against and grant or refuse consent in respect of each of the following matters:
   (a) the provisions of the appropriate Development Plan;
   (b) in relation to a proposed division of land (otherwise than by strata plan) satisfaction of the requirements of the conditions specified in Section 33(1)(c) of the Development Act, 1993;
   (c) in relation to a division of land by strata plan satisfaction of the requirements specified in Section 33(1)(d) of the Development Act, 1993;
   (d) the requirement that any encroachment of a building over, or under, across or on a public place is being dealt with in a satisfactory manner.

(2) The power when granting a provisional development plan consent to reserve a decision on specified matter until further assessment of the development under the Development Act, 1993 pursuant to Section 33(3) of the Development Act, 1993.

Special Provisions Relating to Development Plan Assessment
(3) The duty to grant a provisional development plan consent if the Development Regulations, 1993 or the relevant Development Plan describes any proposed development as a complying development pursuant to Section 35(1) of the Development Act, 1993.

(4) The power to assess whether or not a development is seriously at variance with the relevant Development Plan pursuant to Section 35(2) of the Development Act, 1993.

(5) The power, in appropriate cases, to concur in the granting of consent to a development described as non-complying development pursuant to Section 35(3)(a) of the Development Act, 1993.

Consultation with Other Authorities or Agencies
(6) Where an assessment is required of an application for the consent or approval of a proposed development of a prescribed class the duty to:
   (a) refer the application, together with a copy of any relevant information provided by the applicant to a body prescribed by the Regulations and including the Development Assessment Commission, and
   (b) to not make a decision until a response has been received from the prescribed body in relation to the matter or matters for which the referral was made or the presumption is made that the body does not desire to make a response or concur (as the case requires) pursuant to Section 37(1)(a) and (b) of the Development Act, 1993.

(7) Where an application has been refused or conditions imposed in respect of a development authorisation by direction of a prescribed body, the duty to notify the applicant that the application was refused, or the conditions imposed, by direction under Section 37 pursuant to Section 37(5)(a) of the Development Act, 1993.
Public Notice and Consultation
(8) The duty to give notice of a proposal for a Category 2 development pursuant to Section 38(4) of the Development Act, 1993.

(9) The duty to give notice of a proposal for a Category 3 development pursuant to Section 38(5) of the Development Act, 1993.

(10) The duty to forward to an applicant, a copy of any representation made regarding the proposed development and to allow the applicant to respond in writing to those representations pursuant to Section 38(8) of the Development Act, 1993.

(11) The power in respect of a Category 2 development, to accept only written submission and to allow a person who made a representation to appear personally or by representative before the delegate or, provided the request to appear is made at least one (1) clear business day before the meeting, to appear before the Panel to be heard in support of the representation pursuant to Section 38(10)(a) of the Development Act, 1993.

(12) In respect of a Category 3 development, the duty to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the delegate or the Panel, a reasonable opportunity to appear personally or by representative to be heard in support of the representation pursuant to Section 38(10)(b) of the Development Act, 1993.

(13) The duty to allow an applicant to appear personally or by representative before the delegate or the Panel in order to respond to matters relevant to representations made pursuant to Section 38(11) of the Development Act, 1993.

(14) Where representations have been made under Section 38 of the Development Act, 1993 the duty to give notice of the decision on the application to each person who made a representation and in respect of a Category 3 development to the Environment, Resources and Development Court pursuant to Section 38(12) of the Development Act, 1993.

Provision of Additional Information
(15) Pursuant to Section 39(2) of the Development Act, 1993 the power to request an applicant to:

(a) provide such additional documents or information to enable assessment of the application;
(b) remedy any defect or deficiency in any application or accompanying document or information required by or under the Development Act, 1993;
(c) consult with an authority or body prescribed by the Development Regulations, 1993;
(d) (where required by the Regulations) prepare a statement of effect in relation to non-complying development; and
(e) comply with any other requirement prescribed by the Regulations pursuant to Section 39(2) of the Development Act, 1993.

(16) Where an applicant has been required to comply with one or more of the requirements specified in Section 39(2) of the Development Act, 1993 and the requirement has not been complied with in the time specified by the Development Regulations, 1993 the power to refuse the application pursuant to Section 39(3)(b) of the Development Act, 1993.

Variation of an Application
(17) The power to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application pursuant to Section 39(4)(a) and Section 39(5) of the Development Act, 1993.
(18) The power to permit an applicant to lodge an application without the provision of any information or document required by the Development Regulations, 1993 pursuant to Section 39(4)(b) and Section 39(5) of the Development Act, 1993.

(19) (a) The power to approve of an application for variation of the conditions of the development authorisation previously given under the Development Act, 1993 except where that previous authorisation was given by the Planning Authority or its predecessor.
(b) To extend the period for which a development authorisation remains operative pursuant to Section 39(7) of the Development Act, 1993 irrespective of who authorised the development.

(20) The power to issue a consent that provides for the undertaking of development in stages pursuant to Section 39(8) of the Development Act, 1993.

Notice of the Decision

(21) The duty to give notice of a decision pursuant to Section 40(1) of the Development Act, 1993.

Extension of time of Development Authorisation

(22) The power to extend the period of time within which a development authorisation remains operative pursuant to Section 40(3) of the Development Act, 1993.

Attaching of Conditions

(23) The power to attach such conditions as the delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Development Act, 1993 pursuant to Section 42(1) and (3) of the Development Act, 1993.

Cancellation of Development Authorisation

(24) The power to cancel a development authorisation previously given by the Council or the delegate pursuant to Section 43 of the Development Act, 1993.

Crown Development

(25) The power to report to the Development Assessment Commission on any matters contained in a notice from a State agency proposing to undertake development pursuant to Section 49(5) of the Development Act, 1993.

(26) The power to withdraw opposition to a State agency proposed development pursuant to Section 49(9) of the Development Act, 1993.

Certificate in Respect to the Division of Land

(27) The duty to provide appropriate information to the Development Assessment Commission (upon request by the Development Assessment Commission) requiring the issue of a certificate in respect of the division of land pursuant to Section 51(2) of the Development Act, 1993.

Saving Provisions

(28) The power to extend the limitation period referred to in Section 52(2) of the Development Act, 1993 in order to avoid or reduce hardship pursuant to Section 52(4) of the Development Act, 1993.

Enforcement of the Act

(29) The power to issue an enforcement notice where the delegate has reason to believe on reasonable grounds that a person has breached the Development Act, 1993 or the repealed Planning Act, 1982 pursuant to Section 84(2) of the Development Act, 1993.
Regional Council of Goyder

Council Agenda – 18-11-03

(30) The power to determine that a direction under Section 84(2) of the Development Act, 1993 is urgently required and can be orally given by an authorised officer pursuant to Section 84(3) of the Development Act, 1993.

(31) Where a person has failed to comply with a direction contained in a notice issued pursuant to Section 84(2) of the Development Act, 1993 the power to cause the necessary work to be undertaken pursuant to Section 84(6) of the Development Act, 1993 and to recover the costs of doing so as a debt pursuant to and in accordance with Section 84(7) and Section 84(8) of the Development Act, 1993.

(32) The power to apply to the Court for an order to remedy or restrain a breach of the Act or the repealed Act pursuant to Section 85(1) of the Development Act, 1993.

Private Certification

(33) The power to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the delegate deems fit pursuant to Section 93(b)(iii) of the Development Act, 1993.

Seeking of Professional Advice

(34) The power, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications pursuant to Section 101(1) of the Development Act, 1993.

(35) The duty to seek and consider the advice of a person with prescribed qualifications or approved by the Minister in relation to a matter prescribed by the Development Regulations, 1993 pursuant to Section 101(2) of the Development Act, 1993.

DEVELOPMENT REGULATIONS 1993

Application to Relevant Authority

(36) The power to require an additional or lesser number of copies of plans, drawings, specifications and other documents and information relating to a proposed development than the number prescribed in Regulation 15(1)(c) pursuant to Regulation 15(1)(c) of the Development Regulations, 1993.

(37) When an application is lodged with the Council, but the Development Assessment Commission is the relevant authority, the duty to forward the application on to the Development Assessment Commission in accordance with and pursuant to Regulation 15(4) of the Development Regulations, 1993.

(38) The power to extend the period prescribed in Regulation 15(6) for the lodging of an application for the appropriate development authorisation as required by Section 54(2)(c) pursuant to Regulation 15(6) of the Development Regulations, 1993.

Nature of Development

(39) Where an application requires the assessment of a proposed development against the provisions of the Development Plan, the duty to determine the nature of the development applied for pursuant to Regulation 16(1) of the Development Regulations, 1993.

(40) If the delegate is of the opinion that an application relates to a kind of development that is non-complying and the applicant has not identified the development as such, the duty to, by notice in writing, inform the applicant of that fact pursuant to Regulation 16(2) of the Development Regulations, 1993.
Non-Complying Development

(41) The power to determine that an application relates to a kind of development that is described as non-complying and upon so determining the duty to notify the applicant of that fact pursuant to Regulation 16(2) of the Development Regulations, 1993.

(42) In situations where the Panel or delegate has resolved to proceed with the assessment of an application for non-complying development, the duty to require the applicant to provide a statement of effect pursuant to Regulation 17(4) of the Development Regulations, 1993.

(43) The power to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect pursuant to Regulation 17(6) of the Development Regulations, 1993.

Amended Applications

(44) The power to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Development Regulations, 1993 or the giving of notice under Part 6 of the Development Regulations, 1993 is not required pursuant to Regulation 20(3) of the Development Regulations, 1993.

(45) Where a variation to an application changes the essential nature of a proposed development, the power to, (by agreement with the applicant), proceed with the variation on the basis that the application will be treated as a new application pursuant to Regulation 20(4) of the Development Regulations, 1993.

Withdrawal of an Application

(46) Where an applicant withdraws an application, the duty to notify any agency to which an application was referred under Part 5 of the Development Regulations, 1993 and any person who made a representation in relation to the application under Part 6 of the Development Regulations, 1993 of the withdrawal pursuant to Regulation 22 of the Development Regulations, 1993.

Contravening Development

(47) The power to decline to proceed with an application until proceedings under the Act have been concluded and to give notice in writing to the applicant of that fact pursuant to Regulation 23(2) of the Development Regulations, 1993.

Referrals and Concurrence

(48) The duty to refer an application of a prescribed kind together with a copy of any relevant information provided by the applicant to the relevant body prescribed by Schedule 8 to the Development Regulations, 1993 and to not make a decision on the application until a response has been received from the referral body or the time period for receipt of a response has lapsed pursuant to Regulation 24 of the Development Regulations, 1993.

(49) Where concurrence must be sought from another body prior to issuing a consent or approval the duty to forward to the other body whose concurrence must be sought that information required by Regulation 25(b) of the Development Regulations, 1993 pursuant to Regulation 25 of the Development Regulations, 1993.

(50) Where an application has been referred to a prescribed body under Part 5 of the Development Regulations, 1993 and additional information is received which is materially relevant to the referral, the duty to repeat the referral process where the delegate is of the opinion that the additional information or amendment is significant and the power to repeat the referral process in all other instances pursuant to Regulation 27(1) of the Development Regulations, 1993.
Land Division Applications
(51) Subject to the provisions in Regulation 29(2) of the Development Regulations, 1993 the duty to withhold making a decision on an application which relates to a proposed development that involves the division of land until a report has been received from the Development Assessment Commission pursuant to Regulation 29(1) of the Development Regulations, 1993.

(52) When a report from the Development Assessment Commission pursuant to Regulation 29(1) of the Development Regulations, 1993 is not received by the Council within eight weeks or within such long period as the Development Assessment Commission may require by notice in writing to the Council, the power to presume that the Development Assessment Commission does not desire to make a report pursuant to Regulation 29(2) of the Development Regulations, 1993.

Public Inspection
(53) The duty to ensure that copies of documents referred to in Regulation 34(1) concerning an application are reasonably available for inspection by the public in accordance with and pursuant to Regulation 34(1) of the Development Regulations, 1993.

Response by Applicant
(54) The power to extend the time within which an applicant may respond to any representation pursuant to Regulation 36 of the Development Regulations, 1993.

Commission as Relevant Authority
(55) Where the Development Assessment Commission is required to make a decision in respect of the assessment of a development against the provisions of the relevant Development Plan, the duty to not give any decision in respect of the assessment against the Building Rules until the Development Assessment Commission has made its decision pursuant to Regulation 39 of the Development Regulations, 1993.

Notification of Decision
(56) The duty to give notice of a decision on an application under Division 1 of Part 4 of the Development Act, 1993 in accordance with and pursuant to Regulation 42 of the Development Regulations, 1993.

(57) Pursuant to Regulation 43 of the Development Regulations, 1993 the duty to send a copy of the notice of decision issued under Regulation 42 to any prescribed body to which the application had been referred.


(59) The duty to send a copy of any notice issued under Regulation 42 to the owner of land to which a decision on the application relates where the owner is not a party to the application pursuant to Regulation 45 of the Development Regulations, 1993.

(60) The duty to issue a Notice of Approval in the circumstances prescribed by Regulation 46, pursuant to Regulation 46(1) of the Development Regulations, 1993.

Lapse of Consent or Approval
(61) The power to extend the time when any consent or approval under Part IV of the Development will lapse pursuant to Regulation 48(2) of the Development Regulations, 1993.
Width of Roads and Thoroughfares
(62) Subject to consultation with the Director of Operations the power to dispense with the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services pursuant to Regulation 51(4) of the Development Regulations, 1993.

(63) Subject to consultation with the Director of Operations the power to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road pursuant to Regulation 51(6) of the Development Regulations, 1993.

Road Widening
(64) Subject to consultation with the Director of Operations the power to require a road widening where land to be divided abuts and existing road pursuant to Regulation 52(1) of the Development Regulations, 1993.

Requirement as to Forming of Roads
(65) Subject to consultation with the Director of Operations the power to specify the width of roads pursuant to Regulation 53(1) and (2) of the Development Regulations, 1993.

(66) Subject to consultation with the Director of Operations the power to dispense with the requirements of Regulation 53(3) that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the delegate is of the opinion that the cul-de-sac is likely to become a through road pursuant to Regulation 53(4) of the Development Regulations, 1993.

(67) Subject to consultation with the Director of Operations the power to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water tables, kerbing, culverts and drains on proposed roads pursuant to Regulation 53(6) of the Development Regulations, 1993.

Construction of Roads, Bridges, Drains and Services
(68) Subject to consultation with the Director of Operations the power to require the paving and sealing of the roadway of proposed roads pursuant to Regulation 54(1) of the Development Regulations, 1993.

Supplementary Land Division Provisions
(69) Subject to consultation with the Director of Operations the duty to consider and if appropriate approve a road location and grading plan for the forming of any proposed road, including every footpath, watertable, kerbing, culvert and drain pursuant to Regulation 55(1) of the Development Regulations, 1993.

(70) Subject to consultation with the Director of Operations the duty to consider and if appropriate approve detailed construction plans and specifications signed by a professional engineer or licensed surveyor for all work referred to in Regulations 53 and 54 pursuant to Regulation 55(2) of the Development Regulations, 1993.

(71) Subject to consultation with the Director of Operations the duty to consider and if appropriate accept that all connections for water supply and sewerage services to any allotment delineated on a plan of division have been laid under the surface of a proposed road before the roadway is sealed pursuant to Regulation 55(4) of the Development Regulations, 1993.
General Land Division

(72) Subject to consultation with the Director of Operations the power to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements in accordance with and pursuant to Regulation 58(2)(a) of the Development Regulations, 1993.

(73) Subject to consultation with the Director of Operations the power to advise the Development Assessment Commission that an applicant has entered into appropriate binding arrangements pursuant to Section 51(1) of the Development Act, 1993 in accordance with and pursuant to Regulation 58(2) of the Development Regulations, 1993.

Division of Land by Strata Title

(74) The power to advise the Development Assessment Commission that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of Section 33(1)(d) of the Development Act, 1993 and that the arrangement is supported by adequate security pursuant to Regulation 59(1) of the Development Regulations, 1993.

General Provisions

(75) The power to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission for the purposes of Section 51(1) of the Development Act, 1993 in accordance with and pursuant to the provisions of Regulation 60(1) of the Development Regulations, 1993.

Independent Technical Expert Advice

(76) In circumstances where Regulation 88 of the Development Regulations, 1993 applies, the power to rely on the certificate of an independent technical expert pursuant to Regulation 88(3) of the Development Regulations, 1993.

Fees

(77) The power to require an applicant to provide such information as the delegate may reasonably require to calculate any fee payable under Schedule 6 and the power to make any determination for the purposes of Schedule 6 pursuant to Regulation 95(2) of the Development Regulations, 1993.

(78) The power to calculate any fee on the basis of estimates made by the delegate where the delegate believes that any information provided by an applicant is incomplete or inaccurate pursuant to the provisions of Regulation 95(3) of the Development Regulations, 1993.

(79) The power to, at any time, and notwithstanding any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations pursuant to Regulation 95(4) of the Development Regulations, 1993.

Schedule 8 – Development Adjacent to Main Roads

(80) For the purposes of the provisions of Paragraph 3(A) of Schedule 8 of the Development Regulations, 1993 the power to form the opinion that development is likely to alter an existing access or change the nature of movement through an existing access or create a new access or encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan, 1972 in relating to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the relevant Development Plan).
Schedule 8 – State Heritage Places

(81) The power to form the opinion that a development materially affects the context within which a State Heritage place is situated pursuant to Paragraph 5(1)(A) of Schedule 8 of the Development Regulations, 1993.

Schedule 8 – Activity of Environmental Significance

(82) Where development involves, or is for the purposes of, an activity specified in Schedule 21 (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, the power, pursuant to Paragraph 10(A)(b) of Schedule 8, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.

Schedule 9 – Part One, Category One Development

(83) In circumstances where a development would be a complying development under the Development Regulations, 1993 or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, the power to form the opinion that the failure to meet those conditions is of a minor nature only pursuant to Paragraph 1 of Part 1 of Schedule 9 to the Development Regulations, 1993.

(84) Pursuant to Paragraph 2(1)(f) of Part 1 of Schedule 9 to the Development Regulations, 1993 the power to form the opinion that a development is of a kind which is of a minor nature only and is unlikely to be the subject of reasonable objection from the owners or occupiers of land in the locality of the site of the development.

(85) Pursuant to the following designated sub-paragraphs of Paragraph 3 of Part 1 of Schedule 9 to the Development Regulations, 1993 where a development is classified as non-complying under the relevant Development Plan the power to form the opinion that:-

(a) the alteration of, or addition to, a building is of a minor nature only, pursuant to subparagraph (a);

(b) the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to subparagraph (b).

(86) Pursuant to Paragraph 5 of Part 1 of Schedule 9 to the Development Regulations, 1993 the power to form the opinion:-

(a) that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and

(b) whether the division will change the nature or function of an existing road.

(87) In circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, the power pursuant to Paragraph 11 of Part 1 of Schedule 9 to the Development Regulations, 1993 to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.
Pursuant to Paragraph 2 of Schedule 9 to the Development Regulations, 1993 and except where development is classified as non-complying development under the relevant Development Plan, the power to form the opinion:

(a) that in respect of a proposed division of land that the applicant’s proposed use of the land, is for a proposed use which is consistent with the zone or area under the Development Plan; and

(b) whether the proposed division will change the nature or function of an existing road.

Schedule 10 – Decisions by Development Assessment Commission

In circumstances where the Council is undertaking development within the meaning of that term under Section 4 of the Development Act, 1993; and:

(a) the development involves the construction (but not alteration of or change in use to a hotel or tavern, or tourist accommodation, or an entertainment complex, or a cinema, or a hospital) but where the Council’s interest is limited to the ownership of rights associated with an easement, road or reserve, the power to form the opinion that the purpose of the easement, road or reserve will not be materially affected, pursuant to Clause 2A(a) of Schedule 10 to the Development Regulations, 1993.

(b) In a situation where the development involves the construction of, or a change in use to, a shop or office or the construction of a building for the purposes of, or a change in use to, a form of industry and the interest of the Council is limited to the ownership of rights associated with an easement, road or reserve, the power to form the opinion that the purpose of the easement, road or reserve will not be materially affected, pursuant to Clause 2A(a) of Schedule 10 of the Development Regulations, 1993.

7.3.2 Development – Building

7.3.2.1 Verandah Replacement – Market Square, Burra

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Site: Part Block 80 Market Square Burra

Owner: Mr. J. Barton

Council has received an application from Mr. Barton to replace the verandah of the chemist shop with a verandah based on a lithograph of the original verandah. The application does not comply in several respects to the requirements of the Building Code of Australia (BCA).

The plan from Mr. Barton indicates that the head clearance for the proposed verandah is 2250mm while clause SA G8.2(a)(ii) of the BCA requires that any attachment to a building must not overhang any street boundary at a height less than 2.5m above the footpath.

The plan also indicates that the verandah posts will be located 300mm from the kerb, and it is proposed that structure be constructed of timber with steel roof cladding. Clause SA G8.2(b) states that a balcony or awning that overhangs a street boundary:

(i) must not extend closer than 450mm to the kerb of the roadway; and

(ii) must be constructed of non-combustible or fire retardant materials throughout, except that timber battens may be used to support the soffit lining.
Consideration must be given to the Performance Requirements of the BCA when assessing this application. Clause SA GP8.1 states:

An attachment to a building must incorporate features that will:

(a) protect it from corrosion; and
(b) collect and discharge its rainwater run-off safely; and
(c) prevent its projection affecting adjacent road safety conditions or pedestrian traffic; and
(d) provide resistance to the spread of fire if it overhangs a street boundary, to a degree necessary to avoid creating hazardous conditions that may cause injury to people passing below or driving past.

As the proposed building work is located in a State heritage place, Section 36 of the Development Act 1993 may provide Council with a possible means of approving the development. Section 36 states:

(3) Where an inconsistency exists between the Building Rules and a Development Plan in relation to a State heritage place of a local heritage place-

(a) the Development Plan prevails and the Building Rules do not apply to the extent of the inconsistency; and

(b) the relevant authority must, in determining an application for provisional building rules consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.

RECOMMENDATION
That Council grant Provisional Building Rules Consent for Development Application No. 422/0114/03, verandah replacement for Mr. J. Barton at Part Block 80, Market Square, Burra.

7.3.3 Development – Economic

7.3.3.1 Economic Inducement Policy

Council has a Policy “Inducement for the Facilitation of Economic Development Growth within the Regional Council of Goyder Area”, refer below. The intent of the policy was to allow staff to offer a range of incentives to prospective developers, either directly or through the Mid North Regional Development Board, to persuade them to develop within the Goyder area rather than elsewhere. It was not intended that the Policy have retrospectivity, i.e., not to apply to a developer who had not entered into negotiation directly with Council Staff or through the MNRDB prior to reaching a decision to develop within the Goyder area. However, all but the Hi-Chick development near Burra have benefited retrospectively from the Policy.

It is clear that the Policy requires review and accordingly, an alternative Policy is required.

RECOMMENDATION
That the following Council policy:

“INDUCEMENT FOR THE FACILITATION OF ECONOMIC DEVELOPMENT GROWTH WITHIN THE REGIONAL COUNCIL OF GOYDER AREA

The Regional Council of Goyder recognises the importance of maintaining economic development growth within the Council area. The Regional Council of Goyder has resolved to facilitate the growth of economic development within the Council area by providing a range of inducements which will be able to be used to encourage, promote and attract development to the Regional Council of Goyder area. The following inducement may be offered:
**New Development**

- Donation to the value of all Council fees associated with the assessment of a development, pursuant to the Development Act, 1993, to the proponent of the development.
- Donation to the value of the differential general rate component of the rates so levied by Council, in the first three financial years following the commencement of the development, to the ratepayer, provided that for each of the financial years to which the rate donation relates the development is in continuous operations.
- By mutual agreement between Council and the developer, undertake site works associated with the development, e.g. work to be charged out to the developer at cost price.

New Development does not include:

- An extension of an existing development; or
- The continuation of an existing development by a new owner; or
- A dwelling not associated with a development.”

be replaced with the following:

**“ECONOMIC DEVELOPMENT INDUCEMENT**

The Regional Council of Goyder recognises the importance of maintaining economic development growth within the Council area.

The Regional Council of Goyder has resolved to facilitate the growth of economic development within the Council area by providing a range of inducements that will be able to be used to attract new development* to the Regional Council of Goyder area.

The inducements may only be offered to a developer who has entered into negotiations either directly with the Council Chief Executive Officer or the Council Planner or indirectly through the Mid North Regional Development Board prior to reaching a decision to develop within the Goyder area.

The following inducements may be offered:

- Donation to the value of all Council fees associated with the assessment of a development, pursuant to the Development Act, 1993, to the proponent of the development.
- Donation to the value of the differential general rate component of the rates so levied by Council, in the first three financial years following the commencement of the development, to the ratepayer, provided that for each of the financial years to which the rate donation relates the development is in continuous operations.
- By mutual agreement between Council and the developer, undertake site works associated with the development, such work to be charged out to the developer at cost price.

*New Development does not include:

- An extension of an existing development; or
- The continuation of an existing development by a new owner; or
- A dwelling not associated with a development.”

7.4 **ENVIRONMENTAL HEALTH REPORT**

Nil.

7.5 **HERITAGE REPORT**

7.5.1 Goyder Heritage Advisory Committee

Nil.
7.5.2 Buddle Pits - Burra

The Heritage Advisor has discussed the opportunity to conserve, interpret and adapt the Buddle Pits. Project outcomes could satisfy a number of community aspirations as follows:

Conservation: The buddle pit project has been considered as an important next phase in the conservation of the Burra Mine area.

Tourism: Interpretation of the Buddle Pits will extend and enrich visitor experience in cultural and mining heritage.

Environment: The Buddle Pits could be adapted to incorporate energy generation and be of economic benefit to the community.

The suggested steps would be as follows:

- Establish a Steering Committee
- Prepare a Conservation Plan, including recommendations and estimated costs for conservation, interpretation and adaptation
- Seek funding opportunities
- Prepare a Brief and select a consultant team
- Document the proposed works
- Implementation

The following persons have an interest in the project:

- Greg Drew – Department of Mines and Energy
- Sue and Ray Parker, National Trust, Burra Burra Branch

Greg Drew has considerable background in the Burra Mine area and may be in a position to provide technical advice or approach others with that expertise. There may also have been previous studies on the Mine area, which could provide further information.

Preliminary estimates are as follows:

Stage 1 Conservation Plan $20,000
Stage 2 Implementation $500,000

RECOMMENDATION
That Council approach the Burra Burra Branch of the National Trust with a view to forming a steering committee to report back on the viability and options to conserve, interpret and adapt the Buddle Pits at the Burra Mine site.

7.6 TOURISM REPORT

7.6.1 Burra Caravan and Camping Park

7.6.1.1 Monthly Report

For Information.
7.6.2 **Burra Visitor Information Centre**

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7.6.2.1 Monthly Activity Report
The report for October 2003 is attached.

For Information.

7.6.2.2 Burra Regional Tourism and Business Association Inc. - BVC Board of Management
Nil.

7.6.3 **National Trust, Burra Burra Branch**

7.6.3.1 Quarterly Report

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The report for July to September 2003, and the proposed schedule for presenting quarterly reports are attached.

For Information.

7.6.3.2 Correspondence

(1) Maintenance at Malowen Lowarth Cottage
The attached letter refers to urgent repair work required to the stonework around the back door and to the doorway between the parlour and the kitchen. The Burra Burra Branch seeks Council’s permission to proceed with the repairs, on the understanding that Council will reimburse the Branch for the costs incurred.

For Discussion.

7.6.4 **Correspondence**

(1) Burra Regional Tourism and Business Association Inc

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The attached letter raises a number of issues:

(1) Information Board –Parking Bay, opposite Burra Town Hall
The Association suggests that Council consider putting a town map in the Information Board.

For Discussion.

(2) Twin Town, St. Just, Cornwall
In line with the move to strengthen the ties with St. Just, the Association suggests that the words “Twinned with St. Just, Cornwall, UK” be incorporated into the Burra Town Entrance signs.

Note : Burra also has a twin town relationship with Mt. Morgan, Queensland
RECOMMENDATION
That the Burra Regional Tourism and Business Association suggestion that the Burra Town Entrance signs make reference to Burra’s twin town relationship with St. Just, Cornwall, be referred to the Goyder Tourism Committee for consideration.

(3) Banner Holders – Market Square
The Association wishes to pursue with Council and the Heritage Advisor the possibility of erecting banner holders in Market Square to promote events in the town.

For Discussion.

(2) Clare Valley-Yorke Peninsula Product Development Coordinator

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Notes of the meeting held on Friday 10th October 2003.

For Information.

7.7 AUTHORISED OFFICER’S REPORT

7.7.1 Dog Management
Nil.

7.7.2 Impounding

7.7.2.1 Mr. V.H. Weis

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Destocking of Property
In accordance with Council’s resolution (Minute 553/03) the General Inspector has conducted the removal, transport and agistment of Mr. V.H. Weis’s cattle from the property at Eudunda.

Agistment of the cattle on a feedlot at Two Wells was arranged through the Eudunda office of the “House of Lindner” a recognised Stock and Station Agency. The agistment fees were set at $4.00 per head per week with calves agisted free of charge. That office also arranged the necessary transport and stockmen needed to herd the cattle onto the trucks.

A letter was sent to Mr. Weis on 24th October 2003 advising him that Council officers and its agents would be entering the property on 30th October to perform the work necessary to comply with the Order issued to him on 26th August 2003.

On Thursday 30th October 2003, the General Inspector, Council’s Southern Unit trainee, the Eudunda representative of the “House of Lindner” and five (5) local residents attended Mr. Weis’s property at Von Rueben Road, to remove the livestock.

Two Police Officers from the Eudunda Police Station were also in attendance to ensure that no breach of the peace occurred. No media or members of the general public were present.
In order to ensure that all participants were fully aware of the purpose and the legal standing of the activity, the General Inspector held a briefing session outside of the property, prior to entering it. It was stressed that all livestock were to be located and removed, and that all enquiries regarding the activity were to be directed to the General Inspector.

At about 8:10am the group moved to the Von Rueben Road gate of Mr. Weis’s property. The gate was chained and padlocked shut. After a discussion with the Police, that chain was cut and the group entered the property for the purpose of enforcing the Council’s Order.

The General Inspector and the Officer in Charge of the Eudunda Police attended Mr Weis’s residence and found that he was not at home. The General Inspector then requested the stockmen to begin herding the stock into cattle yards on Mr Weis’s property. Motorcycles and utility vehicles were used to herd the cattle into the stock yards.

A video tape recorder was used to record the cutting of the chain, the attendance of the General Inspector with the Police at the residence and the initial herding and loading of the stock. Filming was discontinued when the excessive dust raised by the livestock threatened to damage the camera.

By 4:00pm, one hundred and fifty-seven (157) cattle of mixed sexes including calves had been rounded up and transported from the property in two semi trailers and one rigid truck.

That total included one (1) steer that died during loading and one (1) other that was destroyed by the Police in their capacity of RSPCA Inspectors, due to a long standing injury to a rear leg. The carcasses were disposed of by the “House of Lindner” agent.

At 5:45pm that day, the General Inspector delivered a letter to Mr Weis’s property advising him of the removal of the stock, the deaths of the two animals and reminding him that Council would seek to recover all costs incurred. Mr Weis was not at home and the letter was left in the door handle of the main entrance to the house.

Following the departure of the last truck from Mr Weis’s property, a debriefing session was held in the Eudunda Police Station.

The Police Officers reported that, in their opinion, they were satisfied that the Order had been complied with, that no breach of peace had occurred and that all people involved in the exercise had acted within the applicable legislation.

That view was endorsed by the General Inspector, who thanked all parties for their participation and cooperation.

The stock agent and the stockmen identified several minor issues relating to the escape of some cattle from the stock yards and the additional work involved in recapturing those escapees, however they were satisfied with the overall operation and support shown from Council.

The total cost of the exercise are still to be calculated. The “House of Lindner” will supply an itemised account for the cost of the stockmen, their vehicles, agistment and disposal of the carcasses. The transport operators will supply their own accounts direct to Council.

Council’s other costs will include wages for its two representatives, the video tape, mileage on its vehicle, legal advice leading up to and after the event, plus the supply of meals and refreshments for the stockmen during the day.

For Information.
Fencing of Property

In accordance with Council resolutions (Minute 556/03 and Minute 557/03), the General Inspector wrote to both Mr. R.K. Dunstan and Mr. V.H. Weis advising them that the proposed 6 strand plain wire fence for Mr Weis’s property would not meet Council’s requirements under its Order issued on 16 July 2003 and would not be approved.

Mr. Dunstan has approached “Smorgon Cyclone Rural” who have advised him that the Industry Standard cattle fence they manufacture is the ‘Ringlock 6/90/45 Cattle Strongline’ fence as depicted in the attached flyer. The mesh section of the fence has six (6) horizontal wires that are 900mm apart with vertical wires every 450mm. Up to two (2) strands of barbed wire can be installed above the mesh.

Mr. Dunstan has suggested that the fence should be as depicted in his enclosed hand drawn plan. This fence has mesh that has seven horizontal strands placed 900mm apart with a vertical wire every 300mm. There is a strand of barbed wire attached to the top strand of the mesh and an additional two strands of barbed wire above that.

This proposal would exceed the current Industry Standard due to its additional height, smaller mesh openings and extra strands of barbed wire.

Mr. Dunstan has indicated that he is negotiating with Mr. Weis to commence work on the fence as soon as possible. Mr. Dunstan is aware that the cattle have been removed from the property and that Council is keen to see the fence installed promptly in order to return the cattle to the property.

Should Mr. Weis and Mr. Dunstan reach agreement for the construction of the fence, then Council may not need to call tenders for the fencing project as indicated in part (2) of resolution (Minute 556/03).

RECOMMENDATION

1. That further to its Order dated 16th July 2003, issued to Mr. V.H. Weis of Eudunda, pursuant to Section 254 of the Local Government Act 1999, Council approve the installation of perimeter fencing as proposed by Mr. R.K. Dunstan in his hand-drawn proposal dated 31st October 2003.

2. That Council request Mr. V.H. Weis or Mr. R.K. Dunstan to provide written confirmation of the agreement between them to install the fence as approved, in accordance with Council’s Order of 16th July 2003, such confirmation to include an actual starting date and an estimated completion date for the project.

7.8 CHIEF EXECUTIVE OFFICER’S REPORT

7.8.1 Community Cabinet

File Ref: 9/85/1
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

Cr. W. Mosey and I attended the community forum at Clare on 27th October. There were several questions to the Cabinet and generally the Ministers’ responses were well received.

Crs. L. Sullivan, W. Mosey and I made a presentation to the Cabinet on 28th October and received a positive response. A copy of the presentation is attached.

For Information.
7.8.2 Burra Swimming Pool

File Ref: 16/50/1
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

After the Community Cabinet meeting I discussed Council’s position with the Hon Trish White, Minister for Education and Children’s Services. As a gesture of goodwill, she agreed to provide her commitment in writing so that tiling work could proceed. Following receipt of her letter (copy attached), I authorised staff to engage Statewide Pools and include the Burra Pool on their schedule of work. This should enable repair work to be completed by mid-December.

Although my action was undertaken in the interests of the pool and community, it is contrary to Council’s resolution at the September 2003 meeting:

That Council not undertake the retiling work at the Burra Community Swimming Pool until the Department of Education, Training and Employment transfers ownership of the Swimming Pool to Council.

I seek Council’s consideration of the matter and ratification of my action.

RECOMMENDATION
That Council ratify the action of the Chief Executive Officer in authorising staff to engage Statewide Pools and to include the Burra Swimming Pool on their schedule of work.

7.8.3 Australia Day Awards

File Ref: 2/84/3/2
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

Nominations closed on 30th October 2003.

Three nominations for Citizen of the Year have been received for the Hallett (2) and Eudunda (1) Wards. There are no nominations for Young Citizen of the Year and only one nomination for Community Event of the Year in the Burra Ward.

Selection Committees would have received copies and their recommendations will be presented to Council’s December meeting.

For Information.

7.8.4 Redbanks Reserve

File Ref:
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

Cr. D. Keller and I attended a function sponsored by Telstra at Redbanks on 23rd October.

The South Australian Museum and locals appreciated our attendance on behalf of Council.

For Information.
7.8.5 Staff Safety Awards

File Ref:
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

In the past Council have provided hams to staff to recognise their efforts towards Occupational Health Safety and Welfare. Does Council wish to continue this practice?
For Direction.

7.8.6 Recreational Services Limitation of Liability Act

File Ref: 7/48
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

Following a suggestion by the Attorney General to the Chairman, I have investigated the State’s new legislation (refer attached).
Apparently some State organisations such as Horse SA are considering making an application.
For Information.

7.8.7 Rating Review Committee

File Ref: 9/14/1
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

Positions for community membership have been readvertised and close on 14th November 2003. A copy of submissions will be tabled at the meeting.
For Discussion and Resolution.

7.8.8 Annual Report

File Ref: 9/7/1/1
Officers Consulted:
Strat. Plan Objective No:
Budget Allocation : Spent to Date :

The draft 2002-03 Annual Report will be tabled at the meeting.

RECOMMENDATION
That Council adopt their Annual Report for 2002-03 as presented.

7.8.9 Staffing – Burra Office

File Ref: 12/62
Officers Consulted: Acting Chief Executive Officer, Administration Staff
Strat. Plan Objective No:
Budget Allocation : Spent to Date : Nil

Ms. Susan Hall, General Administrative Officer tendered her resignation effective from Friday 7th October 2003. The vacant position was advertised and, following the interview and selection process, Ms. Heidi Thompson of Burra was the successful applicant.
For Information.
Council originally established the Goyder Building Fire Safety Committee on 15th December 1997 following amalgamation. During the time since the Committee was first formed there have been minor amendments mainly to reflect the membership of the Committee.

The following is an extract from the Policy Manual

“Goyder Building Fire Safety Committee

The Goyder Building Fire Safety Committee shall comprise Council’s Assistant Building Surveyor and a person nominated by the Country Fire Services Board.

As the appropriate authority, pursuant to Section 71 of the Development Act 1993, the following policy be adopted:

- Inspection will be carried out on the following basis:
  - At the request of a fire authority pursuant to Section 71 (1).
  - Upon complaint from building users and ratepayers.”

Update

The Goyder Building Fire Safety Committee reconvened on 16 June 2003 and at that meeting it was resolved to update the Terms of Reference for the Committee and clarify matters that the Committee need to be involved with. It was resolved at that meeting that the name of the Committee be altered to reflect that the Committee was set up by the Regional Council of Goyder and that the Terms of Reference needed updating.

RECOMMENDATION

That Council adopt the following updated Establishment and Terms of Reference for the Regional Council of Goyder Building Fire Safety Committee.

“Establishment

Pursuant to Section 71(19) of the Development Act 1993 the Council establish a body to be known as the Regional Council of Goyder Building Fire Safety Committee (“Building Fire Safety Committee”) for the purpose of acting as the “appropriate authority” (as the term is defined in the Development Act, 1993) in respect of all fire safety matters.

Operating Procedures

1. Membership

Membership of the Building Fire Safety Committee shall comprise:

1. Council’s Manager, Environmental Services. The position is currently held by Mr. Kym Chapman, Regional Council of Goyder, being a person appointed by the Council and who holds prescribed qualifications in building surveying.

2. A person nominate by the Country Fire Services Board. The position is currently held by Mr. Max McAlister, South Australian Country Fire Service, being a person nominated by the Chief Officer of the SA Country Fire Service.

3. Council’s consultant Building Surveyor. The position is currently held by Mr. Peter Harmer, Katnich Dodd, consultant building surveyor being a person appointed by the Council as a person with expertise in the area of fire safety.

Mr. Peter Harmer be appointed as Presiding Member of the Building Fire Safety Committee.
Mr. Mick Obst be appointed Proxy for the Country Fire Service representative’s for the Building Fire Safety Committee.

2. Term of Appointment

All members of the Building Fire Safety Committee are appointed for a term of three years.

The office of a member of the Building Fire Safety Committee will become vacant if the Member -
(a) dies; or
(b) completes a term of office and is not reappointed; or
(c) resigns by written notice addressed to the Council; or
(d) is removed from office by the Council for any reasonable cause.

3. Role and Function

The Building Fire Safety Committee is charged with the responsibility for all matters arising under Section 71 of the Development Act 1993 which are of a building fire safety nature.

4. Terms of Reference

(1) A quorum for a meeting of the Building Fire Safety Committee shall be two members and one of those members shall be the person nominated by the Chief Officer of the SA Country Fire Service.

(2) All decisions of the Building Fire Safety Committee shall be made on the basis of a majority decision of the members present.

5. Notice of Meeting

(1) The Building Fire Safety Committee shall meet at the Council’s offices at 1 Market Square, Burra or at such other places as the Building Fire Safety Committee may from time to time determine.

(2) The Building Fire Safety Committee shall meet on a day and at a time nominated by the Presiding Member with a minimum of one ordinary meeting each calendar year.

(3) The following provisions apply to the call of meetings -
   (a) in the case of an ordinary meeting of the Building Fire Safety Committee, the Presiding Member must give each member of the Building Fire Safety Committee notice of a meeting at least three (3) clear days before the date of the meeting;
   (b) in the case of a special meeting of the Building Fire Safety Committee, the Presiding Member must give each member of the Building Fire Safety Committee notice of a meeting at least twelve (12) hours before the commencement of the meeting;
   (c) notice may be given to a member of the Building Fire Safety Committee -
      ▪ Personally;
      ▪ by posting it in an envelope addressed to the person at their usual or last known place of residence or business;
      ▪ by facsimile transmission to a facsimile number known to be used by the person;
      ▪ by email transmission to an email address known to be used by the person.

6. Procedural Requirements

(1) A member of the Building Fire Safety Committee who has a personal interest or a direct or indirect pecuniary interest in any matter before the Building Fire Safety Committee (other than an indirect interest which exists in common with a substantial class of persons) must not take part in any deliberations or decisions of the Building Fire Safety Committee in relation to that matter.
(2) Each member of the Building Fire Safety Committee present at a meeting must, subject to that person having an interest in the matter, vote on a question arising for a decision at that meeting.

(3) The Presiding Member of the Building Fire Safety Committee must keep, or arrange to be kept, minutes of every meeting of the Building Fire Safety Committee. The minutes of the proceedings and meetings of the Building Fire Safety Committee must include -
   (a) the names of the members present;
   (b) in relation to each member present, if the member was not present for the entire meeting, the time at which the person entered or left the meeting;
   (c) its motions or amendments, and the names of the mover and seconder;
   (d) whether a motion or amendment is carried or lost;
   (e) any disclosure of interest made by a member.

(4) The procedure to be observed at a meeting of the Building Fire Safety Committee insofar as the procedure is not prescribed by these terms of reference may be determined by the Committee.

7. Reporting Requirements/Accountability
To report to Council with recommendations.”

7.8.11 Freedom of Information Act 1991 – Training

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On Wednesday 12th November 2003 a State Records regional training workshop on the Freedom of Information Act and the role and function of Freedom of Information Officers was held at the Burra office. The full-day course was conducted by Darian Partington of the Australian Government Solicitors’ Office. The participants came from a number of neighbouring Councils and included two members of staff of Goyder Council.
For Information.

7.8.12 Staff Christmas Function

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A Christmas Function has been arranged for all staff for Thursday 18th December 2003 at the Burra Golf Club. Any staff, not on leave, who choose not to attend will be required to report for work as normal.
For Information.

7.8.13 Confidential Items

7.8.13.1 O’Connor’s Shed and Truck Parking Bay

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7.8.13.3 Director of Operations/Staff Structure

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**RECOMMENDATION**

That under the provision of Section 90(2) of the Local Government Act, an order be made that the public be excluded from attendance at the meeting with the exception of the Chief Executive Officer and the Executive Assistant in order to consider in confidence legal advice, information relevant to the review of a determination of a council under the Freedom of Information Act 1991, and matters affecting members or employees of Council.

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

7.8.14 Goyder Animal and Plant Control Board

Cr. Sullivan has submitted his resignation as a Council member of the Goyder Animal and Plant Control Board.

Council will need to appoint a replacement and advise the Board.

For Discussion and Resolution.

8. COMMITTEE REPORTS

**RECOMMENDATION**

That the Committee Reports be received.

8.1 Sep 17 Terowie Citizens’ Association
8.2 Oct 14 Eudunda Heritage Committee
8.3 Oct 15 Lower North Soil Conservation Board
8.4 Oct 28 Eudunda Community Business and Tourism Committee
8.5 Nov 10 Planning Committee
9. **CORRESPONDENCE**

**RECOMMENDATION**

That the Correspondence be received.

9.1 Robertstown Bowling Club – Liquor Licence

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Regarding an application to extend the defined licenced area.

**RECOMMENDATION**

That the Robertstown Bowling Club be advised that Council have no objection to their application to the Liquor and Gaming Commission for extending their defined licenced area to include the greens and banks at the Club.

9.2 Mid North Regional Health Service

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Providing a copy of their 2002/03 Annual Report – to be tabled at the meeting.

For Information.

9.3 River Murray Catchment Water Management Board

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Providing a copy of their 2002/03 Annual Report – to be tabled at the meeting.

For Information.

9.4 Department for Environment and Heritage

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Providing a copy of the Mokota Conservation Park Management Plan (2003) – to be tabled at the meeting.

For Information.

9.5 Central Local Government Region of SA Inc

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(1) Northern and Yorke Peninsula District Integrated Natural Resource Management Committee

Notes of the meeting held on 21st October 2003.

For Information.
9.6  Integrated Natural Resource Management Group for the South Australian Murray Darling Basin Inc

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Providing an update about the Phase 1 Investment Strategy process and the process for the development of the Phase 2 Investment Strategy, and advice of a meeting to be held on 17th November at Swan Reach.

For Information.

9.7  Natural Resource Management Reform Team

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Providing Issue 8 of the NRM Directions SA.

For Information.

9.8  Local Government Association

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1) Reports
   No 42  Nil
   No 43  23 Oct
   No 44  30 Oct
   No 45  6 Nov

2) Natural Resource Management Bill
   Letters regarding the Bill are attached.

For Information.

9.9  Australian Local Government Association

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Weekly Newsletters
   17 Oct 2003
   24 Oct 2003
   31 Oct 2003
   7 Nov 2003

For Information.
ATTACHMENTS

5.1 Motions on Notice – Peep Hill, Eudunda
7.1.1 Private Works
7.1.2 Overseers’ Reports
7.1.3 Asset Maintenance Officer’s Report
7.1.5 Minor Works Request Summary
7.1.6 2003-04 Road Sealing Program – Southern Area
7.1.8 Request to Purchase Road – Mt. Bryan
7.1.9 Jazz in the Monster Mine
7.1.11 Location of Peep Hill, Eudunda
7.1.12 Un-named Hill – Hundred of Mongolata
7.1.13 Lloyd Lane and Chapel Street, Burra - Aged Pedestrians
7.1.14 Letter of Appreciation – Ms T Martin
7.1.15 Mt. Bryan Progress Association Inc – Assistance with Slashing
7.1.16 Lot 5, Sheoak Crescent, Eudunda
7.1.17 Remove All Rubbish Co – Landfill and Regional Waste Management – Recycling Strategy
7.1.19 Burra Refuse Depot - Fencing
7.1.20 Robertstown Peace Hall – Problem with Damp and Termites
7.1.21 Robertstown Peace Hall – Rear Entrance Shelter
7.1.22 Handwashing Facilities – Council Plant
7.1.23 Ausbulk Storage Facility, Robertstown – Silo Road Access
7.1.25 eCouncils.com – Council Tenders On-line
7.1.27 Goyder Animal and Plant Control Board – Biological Control Agents
7.2.1 Financial Statements for Month of October 2003
7.2.2 Bank Reconciliation Statement as at 31st October 2003
7.2.3 Budget Review – 30th September 2003
7.2.4 Annual Financial Statements
7.2.7 Eudunda Railway Yards Land
7.2.9 Eudunda Community Childcare Centre – distributed separately
7.2.11 Life Education SA Inc - Donation
7.2.12.1 Outstanding Rates as at 31st October 2003
7.6.1.1 Monthly Report (Burra Caravan and Camping Park)
7.6.2.1 Monthly Activity Report (Burra Visitor Information Centre)
7.6.3.1 Quarterly Report
7.6.3.2(1) Maintenance at Malowen Lowarth Cottage
7.6.4(1) Burra Regional Tourism and Business Association Inc
7.6.4(2) Clare Valley-Yorke Peninsula Product Development Coordinator
7.7.2.1 Mr. V.H. Weis
7.8.1 Community Cabinet
7.8.2 Burra Swimming Pool
7.8.6 Recreational Services Limitation of Liability Act
7.8.14 Goyder Animal and Plant Control Board
9.1 Robertstown Bowling Club – Liquor Licence
9.5 Central Local Government Region of SA Inc
(1) Northern and Yorke Peninsula District Integrated Natural Resource Management Committee
9.6 Integrated Natural Resource Management Group for the South Australian Murray Darling Basin Inc
9.7 Natural Resource Management Reform Team
9.8 Local Government Association
(1) Reports
(2) Natural Resource Management Bill
9.9 Australian Local Government Association – Weekly Newsletters